



Fosse Green Energy

EN010154

9.10 Applicant's Response to Local Impact Reports

VOLUME

9

Planning Act 2008 (as amended)

Regulation 8(1)(k)

Infrastructure Planning (Examination Procedure)

Rules 2010

06 February 2026

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

Fosse Green Energy Development Consent Order 202[]

9.10 Applicant's Response to Local Impact Reports

Regulation Reference	Regulation 8(1)(k)
Planning Inspectorate Scheme Reference	EN010154
Application Document Reference	EN010154/EXAM/9.10
Author	Fosse Green Energy Limited

Version	Date	Issue Purpose
Rev 1	06 February 2026	Deadline 2

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1. Introduction

1.1 Purpose of this document

- 1.1.1 The purpose of this report is to provide the Applicant's response to the Local Impact Reports (LIRs) received at Deadline 1 of the Examination, submitted by Local Planning Authorities (LPAs) in relation to Fosse Green Energy (the Proposed Development).
- 1.1.2 A total of two LIRs were submitted to the Planning Inspectorate from the following Host Authorities (HAs):
 - a. North Kesteven District Council (NKDC) LIR [REP1-056]; and
 - b. Lincolnshire County Council (LCC) LIR [REP1-053]
- 1.1.3 Table 2-1 and Table 2-2 set out comments made by the above HAs in their LIR and the Applicant's responses to them. In some instances, where the Applicant acknowledges a section of the LIR and has no further comment, the Applicant has not copied the text from the LIR into the tables below. Those sections of the HAs LIR's that require a response have been set out in the tables below verbatim, with the Applicants response alongside it.
- 1.1.4 Where applicable, paragraph or page numbers are provided to assist cross referencing to the relevant LIR.
- 1.1.5 For ease of reference, a table of acronyms used in this document is provided in Table 1-1.

Table 1-1: Abbreviations

Abbreviation	Definition
AA	Appropriate Assessment
AIA	Arboricultural Impact Assessment
AIL	Abnormal Indivisible Loads
AGLV	Area of Outstanding Natural Beauty and Areas of Great Landscape Value
ALC	Agricultural Land Classification
BMV	Best and Most Versatile Land
BNG	Biodiversity Net Gain
BPM	Best Practicable Means
CEMP	Construction Environmental Management Plan
CCTV	Closed Circuit Television
CTMP	Construction Traffic Management Plan
DAS	Design and Access Statement
DBA	Desk Based Assessment
DCO	Development Consent Order
DEMP	Decommissioning Environmental Management Plan
EA	Environment Agency
EIA	Environmental Impact Assessment
ES	Environmental Statement
EMF	Electro Magnetic Fields
ESSCP	Employment, Skills and Supply Chain Plan
FRA	Flood Risk Assessment
GW	Gigawatt
ha	Hectares
HA	Host Authority
HDD	Horizontal Directional Drilling
HGV	Heavy Goods Vehicle
HRA	Habitats Regulations Assessment
IDB	Independent Drainage Board
IPs	Interested Parties
LCC	Lincolnshire County Council
LEMP	Landscape and Ecological Management Plan
LHA	Local Highway Authority
LIR	Local Impact Report
LOAEL	Lowest Observed Adverse Effect Level
LVIA	Landscape and Visual Impact Assessment
LPA	Local Planning Authority
LWS	Local Wildlife Site

Abbreviation	Definition
MSA	Minerals Safeguarding Areas
MW	Megawatt
NGET	National Grid Electricity Transmission plc
NKDC	North Kesteven District Council
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
ODPS	Outline Design Principles Statement
OEMP	Operational Environmental Management Plan
PA 2008	Planning Act 2008
PEI	Preliminary Environmental Information
PINS	Planning Inspectorate
PROW	Public Right of Way
PV	Photovoltaic
RAG	Red/Amber/Green
RR	Relevant Representation
SAC	Special Area of Conservation
SMP	Soil Management Plan
SoCG	Statement of Common Ground
SoS	Secretary of State
SRN	Strategic Road Network
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
SuDS	Sustainable Drainage Systems
TCPA 1990	Town and Country Planning Act 1990



2. Applicant's Response to Local Impact Reports

2.1 North Kesteven District Council Local Impact Report [REP1-056]

Table 2-1: Applicant's Responses to North Kesteven District Council Local Impact Report [REP1-056]

LIR Ref.	Document Ref.	Theme	Comments from North Kesteven District Council Local Impact Report [REP1-056]	Applicant's Response to North Kesteven District Council Local Impact Report [REP1-056]
1.0 Terms of Reference and Introduction				
			(Text not copied from North Kesteven District Council (NKDC) Local Impact Report (LIR))	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
2.0 Scope, Purpose and Structure of the LIR				
			(Text not copied from NKDC LIR)	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
3.0 Application Description				
			(Text not copied from NKDC LIR)	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
4.0 Site Description, Surroundings and Characteristics				
			(Text not copied from NKDC LIR)	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
5.0 Planning History				
			(Text not copied from NKDC LIR)	The Applicant acknowledges this section of the LIR prepared by NKDC. Section 3.4 of the Planning Statement [AS-098] sets out a summary of the most relevant applications, and a full planning history is included in Appendix D of the Planning Statement [AS-098] .
6.0 Legislative and Policy Context – National Policy Statements (NPS)				
6.7 – 6.20	EN-1	Paragraphs 6.7 – 6.20 cover EN-1. 6.5 has a footnote which states it should be noted that a draft version of this LIR was reported to the Council's Planning Committee on 16th December 2025 setting out references to the policies contained in revised versions of EN-1, EN-3 and EN-5 which were published in December 2025 and came into effect on 6th January 2026. However, under transitional arrangements, the Fosse Green Energy DCO Application will be considered against the versions of these NPS which came into effect on 17th January 2024, albeit that the revised versions are capable of being material considerations. Therefore this submitted LIR refers to the January 2024 versions of EN-1, EN-3 and EN-5.		The Applicant acknowledges this footnote of the LIR prepared by NKDC. The Overarching National Policy Statement (NPS) for Energy (EN-1) (updated NPS EN-1), the National Policy Statement for Renewable Energy (EN-3) (updated NPS EN-3) and the National Policy Statement for electricity networks infrastructure (EN-5) (updated NPS EN-5) (collectively the updated energy National Policy Statements (NPSs)) were updated in December 2025 and came into force on 6 January 2026. Section 1.5 of the updated NPS EN-1 states that <i>“for any application accepted for examination before the final publication of the approved 2025 amendments, the 2024 suite of NPSs should have effect in accordance with the terms of those NPSs.”</i> Section 1.6 of the updated NPS EN-1 states that the <i>“2025 amendments will ... have effect only in relation to those applications for development consent accepted for examination after the final publication of those amendments”</i> Given the DCO Application was accepted by the Planning Inspectorate for examination on 15 August 2025, and the updated energy NPSs came into force on 6 January 2026, as set out in the NKDC LIR, the 2024 suite of NPSs have effect in relation to the Proposed Development.
6.21 – 6.24	EN-3	Paragraphs 6.21 – 6.24 cover EN-3.		The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



LIR Ref.	Document Ref.	Theme	Comments from North Kesteven District Council Local Impact Report [REP1-056]	Applicant's Response to North Kesteven District Council Local Impact Report [REP1-056]
6.25 – 6.31		EN-5	Paragraphs 6.25 – 6.31 cover EN-5.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
7.0 National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and Written Ministerial Statements (WMS)				
7.1 – 7.3		NPPF	Paragraphs 7.1 – 7.3 cover the NPPF.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
7.4 – 7.5		NPPG	Paragraphs 7.4 – 7.5 cover the NPPG.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
7.6 – 7.8		WMS	Paragraphs 7.6 – 7.8 cover the WMS.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
8.0 Central Lincolnshire Local Plan (April 2023)				
			(Text not copied from NKDC LIR)	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
9.0 Neighbourhood Plans and Other Local Policy, Guidance and Strategy				
9.2 – 9.3		Thorpe on the Hill Neighbourhood Plan	Paragraphs 9.2 – 9.3 cover the Thorpe on the Hill Neighbourhood Plan.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
9.4		Adverse Impacts on Landscape	Policy 5 of the TOTHNP [Thorpe on the Hill Neighbourhood Plan] requires development outside the village curtilage to not reduce the separate identity of Thorpe on the Hill by reducing the existing gap between the village curtilage and the A46 furthermore requires development to take account of important views that are set out on associated Map 5. Cross reference to that map shows that views 2-6 would be interrupted to a greater or lesser extent by the proposed development.	Appendix C of the Planning Statement [AS-098] sets out the local policy accordance tables, which includes the Thorpe on the Hill Neighbourhood Plan. As set out for Policy 5, Chapter 10: Landscape and Visual Amenity of the ES [AS-117] states in paragraph 10.6.9 the solar PV panels and associated infrastructure have been sited to preserve, as far as possible, cross valley views from Thorpe on the Hill. The Principal Site is mostly set back from settlement boundaries, such as fields immediately adjacent to Thorpe on the Hill. Where this has not been possible, offsets (typically measuring in excess of 100m) and new planting have been incorporated to retain a sense of openness whilst screening the solar PV panels. As set out in Section 10.7 of Chapter 10: Landscape and Visual Amenity of the ES [AS-117] during Year 15 of operation of the Proposed Development, there would be a higher scenic quality from the vegetation being in leaf and increased opportunities for biodiversity for the Thorpe on the Hill Local Landscape Character Area. Effects experienced during construction would be short term and temporary.
9.5 – 9.7		Bassingham Neighbourhood Plan	Paragraphs 9.5 – 9.7 cover the Bassingham Neighbourhood Plan.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
9.8 – 9.9		Adverse Impacts on Landscape	The cable corridor passes through the part of the Coleby Neighbourhood Plan (CNP) area. Policy 1 of the CNP 'Appropriate Location for Development' sets out that amongst other things development will need to demonstrate that it can be carried out without resulting in an unacceptable impact on the setting of the village within the wider landscape and the landscape character within the Parish. Figure 12 of the CNP maps a number of important views, including from elevated positions on the edge of the Lincoln Cliff AGLV and Figure 15 then maps footpaths and Public Rights of Way; and where CNP Policy 5 sets out that	The Applicant acknowledges the comment from NKDC on Policy 1 in the Coleby Neighbourhood Plan, but notes Policy 1 is concerned with development within the footprint of the village as set out in Figure 10 of the Coleby Neighbourhood Plan. The Proposed Development is not located within the developed footprint of the village. Appendix C of the Planning Statement [AS-098] sets out the local policy accordance tables including the Coleby Neighbourhood Plan. The impact on views experienced by residents of Coleby as well as PRoW crossing the Lincoln Cliff has been assessed within Chapter 10: Landscape and Visual Amenity of the ES [AS-117]. This concludes Moderate adverse effects at construction on residents of Coleby as well as recreational users of Vikings Way (Cole/2/1 and PRoW BooG/2/2), due to medium to long distance views of activity associated with the Cable Corridor, but



LIR Ref.	Document Ref.	Theme	Comments from North Kesteven District Council Local Impact Report [REP1-056]	Applicant's Response to North Kesteven District Council Local Impact Report [REP1-056]
			development resulting in an unacceptable adverse impact on existing footpaths and rights of way will not be supported.	Minor adverse effects at operation due to the cable being buried such that only distant views of the Principal Site remain.
9.10 – 9.12		Lincolnshire Minerals and Waste Local Plan	The Lincolnshire Minerals and Waste Plan (Core Strategy and Development Management Policies) is also applicable. LMWLP Policy M11 (Safeguarding of Mineral Resources) requires proposals for development within a mineral safeguarding area (MSA) to be accompanied by a Minerals Assessment and will only be granted where it can be demonstrated that it would not sterilise a mineral resource. Where this is not the case then proposals will need to demonstrate compliance with a range of criteria.	The Applicant acknowledges this section of the LIR prepared by NKDC. A Minerals Safeguarding Assessment has been undertaken by the Applicant and is presented in Appendix 12-C: Minerals Safeguarding Assessment of the ES [AS-091]. As set out in the conclusions of Appendix 12-C Minerals Safeguarding Assessment of the ES [AS-091], the Proposed Development is a long term, reversible development, in operation for a period of 60 years before it is decommissioned and the land returned to its original use. Given the reversible nature of the Proposed Development, there will be no permanent sterilisation of the mineral resource, and the ability of future generations to extract the resource over the long term will not be compromised. Furthermore, given the large landbank of sand and gravel and limestone in Lincolnshire, the Proposed Development will not inhibit extraction within the timescale that the mineral is likely to be needed and will ultimately have a negligible impact on sterilising the mineral resource.
9.13 – 9.22		Other relevant NKDC Documents	Paragraphs 9.13 – 9.22 cover other relevant plans, studies, strategies and guidance in NKDC.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
10 Site Selection, Alternatives and Design Evolution				
10.1 – 10.7	AS-098	Site Selection Approach	Paragraphs 10.1-10.7 cover the process followed in the Site Selection Report for the Solar Sites.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
10.8 – 10.15	AS-098	Design Evolution and Alternatives	Paragraphs 10.8-10.12 cover the process followed in the Site Selection Report for the Cable Corridor and Design Evolution for as defined by the Design Approach Document.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
11.0 Environmental Impact Assessment (EIA) Methodology				
11.1			The ES is required to contain the information specified in regulation 14(2) and must meet the requirements of Regulation 14(3) and 14(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. It must also include any additional information specified in Schedule 4 - Information for Inclusion in Environmental Statements of the EIA Regulations at (Regulation 14(2)) which is relevant to the specific characteristics of the particular development or type of development and to the environmental features likely to be significantly affected. The Council and its consultees do not identify any overarching areas where the submission documents do not accord with these regulations, although we do highlight some parts of the assessment methodology which are considered deficient, including in relation to heritage (above and below ground) and Biodiversity Net Gain.	The Applicant notes NKDC and its consultees do not identify any overarching areas where the submission documents do not accord with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. Responses relating to the comments regarding the heritage (above and below ground) and Biodiversity Net Gain assessment methodology are provided in Sections 15 and 16 of this Table, respectively.
11.3			The Council also agrees that, with the exception of certain above-ground heritage assets, the applicant has applied relevant 'Zones of Influence' for each environmental topic area based on the extent of likely effects as identified as the study area in each of the individual topic chapters of this ES. In most cases these have been agreed with the Council and its consultees at pre -application stage and in feedback in relation to the Preliminary Environmental Impact Report (PEIR).	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment. Responses relating to the above ground heritage study area are provided in Section 16 of this Table.



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12.0 North Kesteven District Council Assessment of Impacts				
			(Text not copied from NKDC LIR)	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
13.0 Landscape and Visual Impacts, and Residential Visual Amenity				
13.1		Policy	EN-1 states that the Examining Authority (ExA) needs to consider the design of a scheme carefully. They should have regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to the Landscape and Visual Impact Assessment at Appendix 10-A: LVIA Policy of the ES [APP-148]. The Planning Statement [AS-098] also provides Policy Accordance Tables to demonstrate how the Applicant has complied with the policies referred to.
13.2		Policy	Paragraph 5.10.35 of EN -1 states that the ExA <i>should</i> '...judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project'. Paragraph 5.10.36 then sets out that the ExA <i>should</i> 'consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable'.	
13.3		Policy	Paragraph 5.10.5 of EN -1 states that 'Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation'. Paragraph 5.10.6 then states that projects need to be designed carefully, taking account of the potential impact on the landscape, and that they should have regard to 'siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate'.	
13.4		Policy	The specific guidance relating to Solar Photovoltaic Generation in section 3.10 of EN-3 notes at paragraph 2.10.86 that 'Solar farms are likely to be in low lying areas of good exposure and as such may have a wider zone of visual influence than other types of onshore energy infrastructure'. Paragraph 2.10.87 states that '... whilst it may be the case that the development covers a significant surface area, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography, the area of a zone of visual influence could be appropriately minimised'.	
13.5		Policy	CLLP policy S14 'Renewable Energy' supports proposals for renewable energy schemes subject to the direct, indirect, individual and cumulative impacts of development on, amongst other things, landscape character and visual amenity being acceptable or capable of being made acceptable.	
13.6		Policy	CLLP policy S53 'Design and Amenity' states all development must achieve high quality sustainable design which contributes positively to the local character and landscape. Development	



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			should, amongst other things, be based on a sound understanding of the context, integrating into the surrounding, relate well to the site, protect any important local views into, out of or through the site, reflect the identity of area and contribute to the sense of place and maintain landscape quality and minimise adverse visual impacts through high quality building and landscape design.	
13.7		Statutory Designations	No part of Fosse Green Energy or the land surrounding it falls within a designated landscape. There is one registered park and garden (Coleby Hall) within 3km of the Principal Site, and within 1km of the Cable Corridor.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
13.8		General Comments	The application documents include ES Chapter 10 Landscape and Visual Amenity (referred to in this LIR as the LVIA) (AS-117). The Council has an agreement with Lincolnshire County Council to commission and share specialist advice from AAH consultants on the impacts of the solar farm on landscape and visual impacts. A copy of AAH's review of the applicant's LVIA is attached at Appendix A to this LIR. AAH was involved in pre-application landscape and visual consultation with the applicant during 2024, as set out in Appendix A of their review. General Comments.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
13.9		General Comments	AAH consider that: a. the extent of the study area is justified, and the identified Zones of Theoretical Visibility are an acceptable basis for the assessment. b. the LVIA and associated figures, appendices and documents provide a generally comprehensive assessment of the proposed development, with an appropriate level of detail. c. the assessment contains an appropriate level of detail for a scheme of this scale and context, and is laid out in a logical manner. d. the process of assessment is thorough and well explained, and has been carried out in accordance with best practice and guidance. e. the LVIA includes: i. an appropriate baseline assessment ii. a detailed review of the scheme design iii. an assessment of the magnitude of impacts of the development iv. a determination of the significance of the effects of the development, made by combining the value, susceptibility and sensitivity of the receptor with the magnitude of impacts f. different phases of the development are considered – peak construction activity in winter, the first year of solar	



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			operation, year 15 when the proposed planting is well established, and decommissioning. g. an appropriate distinction is made between landscape effects and visual effects, focussing on the major and moderate residual impacts, which are considered to be 'significant effects'. h. a 'worst case' scenario has been assessed, based on design parameters identified in Chapter 3 of the ES – in accordance with the 'Rochdale Envelope'. This approach has been carried through to the photomontages and visualisations which assume the solar panels are at the maximum height allowed by the development parameters. i. the LVIA considers the development at the construction, operation and decommissioning phases, as well as cumulatively.	
13.10		Assessment Conclusions	Nevertheless, AAH have identified some issues with the LVIA, predominantly related to disagreements over its findings (rather than methodology), where professional judgement is involved. The LVIA does recognise that the development would have significant effects on both landscape character and visual amenity; but AAH consider that there are areas where further clarity or additional work is considered necessary.	Responses relating to the items raised by AAH in their review are provided below.
13.11		Mitigation Planting Growth Rates	Firstly, it is queried whether the assumptions on plant growth rates allow for issues during the establishment period, and for any replacements to be carried out should there be plant failures or lack of acceptable growth. Achieving the forecast plant growth rates in practice depends on the successful implementation of a robust and well considered Landscape and Ecological Management Plan (LEMP) (see further comments on this below). Further clarification is sought on this point.	The Applicant considers that a plant growth rate of 33cm per year is a fairly conservative assumption based on the professional judgement of the assessor and drawing on publicly available research. In reality, this varies between species, the conditions in which they are planted, and their stage of maturity. For example, species like oak (<i>Quercus robur</i>) tend to put on 20-60cm growth in spring before slowing down whereas species like lime (<i>Tilia cordata</i>) tend to have a more sustained growth pattern and can extend between 60-120cm in a year. The Framework LEMP [REP1-039] contains maintenance measures during the establishment for each habitat type which includes checking and recording failed or defective planting on an annual basis. Also, as stated at paragraph 7.1.11 of the Framework LEMP, results from this monitoring will feed into the on-going management which may include changes to maintenance and/or planting species to ensure habitats are growing as intended. For further clarity, the Framework LEMP has been updated (at paragraph 5.3.3) and will be submitted to the Examination at the next available deadline to include clarifications on the length of time covered by the management plan, as well as the provisions for replacement planting, as follows: <i>"All existing and proposed habitats will be managed and maintained for the operational duration of the Proposed Development. In the unlikely event of external factors causing significant losses to the mitigation planting during the lifetime of the Proposed Development, such that the purpose of screening the development is no longer achieved as a result of gaps in the planting, replacement planting will be undertaken to infill gaps that may arise. This approach will ensure commitments are fulfilled in respect of providing screening of the scheme and enhancing biodiversity"</i>



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				The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework LEMP, secured under Requirement 8 of the Draft DCO [REP1-007]. As such, these provisions for regular monitoring and replacement planting commits the Applicant to provide like-for-like replacement of plant failures during the establishment period to ensure that commitments are fulfilled in respect of providing screening of the Proposed Development.
13.12		Hedgerow Maintenance	Secondly, there are also concerns regarding hedgerows being maintained at 3m, as outlined in paragraph 10.4.39, bullet (e) of the LVIA (AS-117). Such tall hedgerows may perform a screening function, but are equally likely to then appear out of character with the generally low hedgerows evident in the wider character area, where low, well maintained hedgerows are more typical. Further comments are made on the effects of mitigation planting below.	The Applicant has had regard to the provision of hedgerows and their management as a means of sensitively integrating the Proposed Development into its landscape setting in its commitment to good design and definition of project design principles in the Design Approach Document [APP-186]. As such, the Applicant is not proposing to manage all hedgerows at 3m across the whole Order Limits. The Framework LEMP [REP1-039] notes (ref. paragraph 5.3.13) that where screening is not the primary purpose of a proposed hedgerow, for example where the embedded setback is considered sufficient to reduce the level of effect such that it is not significant in EIA terms, the hedgerows will be maintained at 3m or lower to maintain open views of the countryside. Notwithstanding the above, it is acknowledged that there will be instances where the introduction of hedgerows will result in the loss of openness in some views and this has been considered within the assessment contained at Chapter 10: Landscape and Visual Amenity of the ES [AS-117]. For example, on recreational users of PRoW TOTH/7/2, TOTH/21/1, TOTH/6/2 and TOTH/6/3 which traverse the Principal Site, it is noted that at operation the view will change from long distance and open to short distance and channelled by new vegetation and therefore a Major adverse effect is reported at Year 1 and at Year 15 (winter). The specific management of the vegetation within the Order Limits will be detailed within the detailed LEMP which will be prepared prior to the commencement of the authorised development as secured by Requirement 8 of the Draft DCO [REP1-007]. As per Requirement 8, the detailed LEMP must be submitted to and approved by the relevant planning authority, following consultation with LCC, Natural England and the Environment Agency.
13.13		Proposed Development Duration	Thirdly, AAH raise concern regarding any assumptions of reversibility and duration, given the 60 year proposed operational phase of the development. Sixty years is considered at least two generations. On that basis it is suggested that it might be more appropriate to suggest that the landscape and visual effects are considered permanent rather than temporary. It is not clear whether the assessment of effects fully takes this into account.	It should be noted that the non-permanent and reversible nature of a solar NSIP with 60 year consent has been acknowledged in the Secretary of State's (SoS's) decisions on a number of solar NSIPs, such as Tillbridge Solar Farm, Mallard Pass Solar Project, West Burton and Gate Burton Energy Parks, which have all been granted consent. For example, the SoS confirmed that the 60- year consent lifespan is considered 'temporary and reversible for the majority of the land' (paragraph 4.167 of the Gate Burton decision). NPS EN-3 also supports this position at paragraph 2.10.66 which states that: "<i>time limited consent, where granted, is described as temporary because there is a finite period for which it exists, after which the project would cease to have consent and therefore must seek to extend the period of consent or be decommissioned and removed.</i>" The lifespan of 60 years has been identified as being a suitable period during which the Proposed Development can provide energy to the national grid. The Applicant acknowledges that the residual effects would be long term but disagrees that the Proposed Development should be classed as a permanent project. Under Requirement 20 at Schedule 2 of the Draft DCO [REP1-007] decommissioning works must commence no later than 60 years following the date of final commissioning. At the end of the operational period the land would be available for its current use. Any material change of use would require planning permission. As such, following decommissioning and removal of all above ground infrastructure from within the Principal Site the associated adverse landscape and visual effects would cease.
13.14		Operational Replacement	Lastly, it is stated in ES Chapter 5 Environmental Impact Assessment Methodology (APP-030) that over the 60 year	The Applicant's approach to replacing various solar infrastructure components is secured by the Framework Operational Environmental Management Plan (OEMP) [REP1-033]. The Framework OEMP explains that it is



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			extended 'temporary' operational phase there would be periodic replacement of development components, and the design life of key equipment is provided in Table 3 -11. If the panels are likely to be replaced on numerous occasions, additional information may be required to assess the impacts of what might, in effect, be more than a single construction stage, but rather a series of re-construction periods, potentially involving large-scale equipment.	not anticipated that wholesale maintenance or replacement would be required but rather it would be programmed in stages to maintain the electrical export to the National Grid (ref. paragraph 2.3.1). Chapter 10: Landscape and Visual Amenity of the ES [AS-117] has therefore considered short, temporary periods of maintenance during the operational phase assessment in line with these commitments in reaching its judgements on likely operational effects of the Proposed Development.
13.15		Landscape Character Impacts	Very broadly, the general character of the Principal Site is low lying, relatively flat and open agricultural land, with limited tree cover. The LVIA acknowledges the national, regional and local Landscape Character Areas which cover the site; and goes on to identify and assess more detailed, fine grained character areas.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
13.16		Landscape Character Impacts - Cumulative Effects	AAH considers that the LVIA fails to acknowledge that solar farm and other energy projects such as BESS, overhead lines and pylons, and associated sub stations and converter stations (some already approved, others in the pipeline) are, together, likely to significantly impact on the existing landscape character over an extensive area across the published character areas. The landscape will change from predominantly agricultural to one of agricultural use with energy infrastructure; and this will form part of the 'future baseline' character of the area. This would require changes to the national, regional and local character assessments over time.	As set out in Chapter 10: Landscape and Visual Amenity of the ES [AS-117], the Applicant's approach to describing the future baseline focuses on committed developments under construction at the time of writing, together with the national policy direction and published landscape management guidance (ref. paragraph 10.4.14). As there were no notable schemes currently under construction within the LVIA Study Area at the time of writing, the Applicant concluded that, in the absence of the Proposed Development, the landscape and visual baseline would likely evolve in line with landscape management guidance i.e. largely reflecting the existing landscape character and composition of views. Whilst it is acknowledged that there are a number of other renewable and energy infrastructure projects proposed in the region, these projects have been considered within the cumulative impact assessment, rather than as part of the future baseline, given the outcome of the planning process was unknown at the time of writing of the LVIA and therefore their construction was considered less certain. This is in accordance with GLVIA3, which seeks to avoid overly speculative assumptions about the outcome of these individual applications. As noted in paragraph 4.1.4 of the Framework FLEMP [REP1-039], the overall goal of the landscape strategy is to integrate the Proposed Development into its surrounding landscape and to avoid or minimise adverse landscape and visual effects as much as possible – this is inclusive of consideration of cumulative schemes. Chapter 10: Landscape and Visual Amenity of the ES [AS-117] notes at paragraphs 10.10.8-10.10.38 that significant cumulative landscape and visual effects are only anticipated during the construction of the Proposed Development in addition to the North Hykeham Relief Road, Springwell Energy Farm and Leoda Solar Farm. By operation once the landscape mitigation of each scheme has established, it is judged that there would be no significant cumulative landscape and visual effects, including from other large-scale solar farm developments, such that the predominantly agricultural land use will remain a defining characteristic of the landscape character areas identified within the published character assessments.
13.17 – 13.18		Landscape Character Impacts - General Comments	Paragraphs 13.17-13.18 cover the landscape character impacts established within Chapter 10: Landscape and Visual Amenity of the ES [AS-117].	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
13.19		Landscape Character Impacts - Tranquillity	Overall, the LVIA concludes that at year 15, the entirety of the Order Limits, together with the local landscape character areas of LLCA 03: Tunman Hill and LLCA 08: Thurlby Fenland will experience significant residual effects, even with the proposed	The Applicant acknowledges AAH's summary of the potential Landscape Character Impacts and notes that the assessment of landscape impacts for these LLCAs, contained at Appendix 10-E: Landscape Assessment of the ES [APP-152], conclude a Moderate adverse effects during operation (Year 15) for LLCA 03: Tunman Hill and LLCA 08: Thurlby Fenland.



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			mitigation planting. AAH comment that this will affect the sense of openness, seasonal rhythm of farming practices and rural tranquillity currently experienced.	
13.20		Landscape Character Impacts - Assessment Conclusions	The LVIA finds that other local landscape character receptors will not experience residual significant effects. AAH does not agree with this finding, and considers that that all landscape character areas directly affected by the development would have residual significant effects – primarily through a change of land-use, namely: a. LCT 4a: Unwooded Vales - Moderate and Significant effects at all phases b. Sub-area 6: Lincoln Cliff - Moderate and Significant effects at all phases. c. Sub-area 2: Terrace Sandlands and Sub -area 5: Witham and Brant Vales - Moderate and Significant effects at operation year 15	The detailed assessment of landscape effects is provided at Appendix 10-E: Landscape Assessment of the ES [APP-152]. In response to the suggestion that all landscape character areas directly affected by the Proposed Development would have residual significant effects, the Applicant suggests that this fails to consider the extent to which the land within the Order Limits currently contributes to the wider character area and the extent to which it would change as a result of the Proposed Development at different stages. In the case of LCT 4a: Unwooded Vales, this is assessed as having Negligible residual effects, because the scale and extent of the changes would affect a small geographic extent of a much larger regional LCT such that there would only be a subtle alteration to the landscape character. In the case of Sub-area 6: Lincoln Cliff, this is assessed as Minor adverse during construction but then no effect at Year 1 and Year 15 because of the associated cabling works being buried and no physical infrastructure remaining above ground. In the case of Sub-area 2: Terrace Sandlands and Sub-area 5: Witham and Brant Vales, these are assessed as Moderate adverse during construction and Year 1 but then reduce to Minor adverse at Year 15 due to the establishment and maturation of the proposed landscape mitigation providing an increased density of planting in both sub-areas, such that perceived changes would be limited to the Order Limits and its immediate setting. In the context of these sub-areas, this would amount to a small geographic extent and therefore only a subtle alteration to the landscape character. As such, the Applicant considers the conclusions of the landscape assessment to be appropriate.
13.21		Landscape Character Impacts	It is agreed that reductions in effects at the operation phase for areas within the cable corridor are expected, because all works will be below ground – though this is dependent upon the retention and protection of existing vegetation. Any removals have the potential to adversely effect the landscape character areas and would need mitigation to be effective in order to avoid residual effects.	The anticipated maximum extent of hedgerow removal required to deliver the Proposed Development is illustrated in Figure 3-17: Maximum Vegetation Removal Plan of the ES [AS-029] and the Hedgerow Plan [AS-112]. As stated within the Framework LEMP [REP1-039] this will only occur where access is required (ref. paragraph 5.2.13). With regard to avoiding residual effects on the landscape character areas which are intersected by the cable corridor, the Framework LEMP also notes that existing hedgerows across the DCO Site will be gapped up in order to enhance existing landscape features, reinforce field patterns and provide continuous habitat corridors (ref. paragraph 5.3.15). The Applicant therefore considers that the Framework LEMP provides the appropriate commitments to avoid residual effects on landscape character areas that are intersected by the cable corridor.
13.22 – 13.25		Visual Impacts – General Comments	Paragraphs 13.22-13.24 cover the visual receptors and visual effects presented within Chapter 10: Landscape and Visual Amenity of the ES [AS-117].	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
13.25		Visual Impacts – General Comments	During the construction phase, a large number of residents, PRow users and some roads would experience clear and often close views of construction machinery and activity, with little or no screening – resulting in major and moderately	The Applicant acknowledges AAH's summary of the Visual Impacts.



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			adverse impacts, which are significant effects. The number of receptors experiencing these adverse effects would unsurprisingly reduce once the development is operating at year 1 – though mitigation planting would not have had the chance to develop by that point and would provide minimal screening. By year 15 there would be a further reduction in receptors experiencing significant adverse effects due to mitigation planting maturing – however, several sensitive receptors would continue to experience such effects for the full duration of the development over the remaining 45 year lifespan.	
13.26		Visual Impacts – Stepping Out Walks	Adverse effects would be experienced by several PRow receptors. These might include the Stepping Out Walks which are promoted in North Kesteven District, but which have not specifically been included in the LVIA.	The scope of visual receptors and representative viewpoints were reviewed and agreed by AAH Consultants on behalf of North Kesteven District Council within Landscape Technical Memo 3 (November 2024). This included recreational users of PRow TOTH/6/1 and TOTH/6A/1, as well as recreational users of TOTH/7/2, TOTH/21/1, TOTH/6/2 and TOTH/6/3 which form part of the Stepping Out Network.
13.27		Visual Impacts – Mitigation Planting	There is also concern that the mitigation planting itself may cause adverse visual effects by blocking or foreshortening currently open, relatively uninterrupted views – thereby appearing out of place in what is otherwise an open landscape. This emphasises the need for mitigation planting to be carefully considered at the detail design stage, and not only seek to screen views of development. Future users of the planned permissive paths would also be likely to experience continued sequential views of the development, and so are unlikely to reduce the visual impacts experienced.	As noted above, the Framework LEMP [REP1-039] notes (ref. paragraph 5.3.13) that where screening is not the primary purpose of a proposed hedgerow, for example where the embedded setback is considered sufficient to reduce the level of effect such that it is not significant in EIA terms, the hedgerows will be maintained at 3m or lower to maintain open views of the countryside. The specific management of the vegetation within the Order Limits will be detailed within the detailed LEMP which will be prepared prior to the commencement of the authorised development as secured by Requirement 8 of the Draft DCO [REP1-007]. As per Requirement 8, the detailed LEMP must be submitted to and approved by the relevant planning authority, following consultation with LCC, Natural England and the Environment Agency. To mitigate visual impacts on recreation users of PRow, the Applicant has embedded a minimum 10m offset from the centre line of PRow (ref. paragraph 6.1.1 of the Framework LEMP [REP1-039]). Where development is proposed on both sides of a PRow, sections of wider offsets reflecting local features, such as hedgerows, have been integrated to vary the visible extent of proposed infrastructure and the overall visual experience, where practicable. The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007]. The permissive paths are proposed as a means of enhancing public provision and connectivity with the existing network of PRow in accordance with Design Principle 10 of the Design Approach Document [APP-186], rather than as a means of mitigating the visual impacts.
13.28		Visual Impacts – General Comments	During decommissioning, the potential visual effects could be similar to those at the construction phase, however receptors will benefit from established planting associated with the scheme, which would provide screening and integration in views, and so reduce the number of significant effects which would occur.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
13.29		Cumulative Landscape and Visual Impacts – General Comments	The cumulative impacts section of the LVIA has looked at developments within a 2km zone of influence from the edge of the Order Limits. AAH also welcome the inclusion of four other large scale solar developments in the wider locality which are at differing stages in the NSIP consenting process: Springwell Solar Farm – recommendation stage, following completion of examination	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			- Great North Road Solar and Biodiversity Park – examination stage - One Earth Solar Farm – examination stage - Leoda Solar Farm Ltd – at the pre-examination stage.	
13.30		Cumulative Landscape and Visual Impacts – non-NSIP Schemes	AAH do not take significant issue with the cumulative impact assessment for non-NSIP proposals, though it is suggested that during the construction stage, Fosse Green together with the North Hykeham Relief Road may have significant adverse landscape effect on the North Kesteven District landscape sub-area Witham and Brant Vales and significant adverse visual effect on receptors using the Viking Way.	The Applicant acknowledges AAH's summary of the Cumulative Landscape and Visual Impacts. AAH's comments on the impact of the Proposed Development with the North Hykeham Relief Road reflect the significant cumulative landscape and visual effects identified within Chapter 10: Landscape and Visual Amenity of the ES [AS-117] .
13.31		Cumulative Landscape and Visual Impacts – NSIP Schemes	Perhaps a greater concern is around the findings for cumulative landscape impacts with the other four NSIP schemes in the area, which AAH consider to be underestimated in the LVIA. AAH's view is that the landscape character of the local, and potentially regional area, may be completely altered over the operational period through an extensive area of land use change, and introduction of energy infrastructure in an area that historically and currently is predominantly agricultural. This would be an issue when experienced sequentially for visual receptors travelling through the landscape and experiencing these schemes across potentially several kilometres, albeit with gaps of several KM between the schemes. Repeated views and presence of large scale solar would undoubtedly increase the susceptibility of receptors to changes in view.	The approach to assessing cumulative landscape and visual effects is consistent with PINS Guidance on Cumulative Effects and follows a proportionate methodology as outlined in GLVIA3. In Landscape Technical Memo 3 (November 2024) contained at Appendix A of NKDC's LIR [REP1-056] AAH welcomed this approach and accepted its robustness and appropriateness in assessing the cumulative effects on landscape and visual amenity. The cumulative assessment contained in Chapter 10: Landscape and Visual Amenity of the ES [AS-117] primarily focusses on the cumulative schemes within the 2km Zone of Influence (Zol), as this was judged to be the geographic area across which landscape and visual effects were most likely to occur, although the nearest NSIP scale solar schemes beyond 2km were also scoped in given their similar scale and typology to the Proposed Development. This is noted in at Appendix A of NKDC's LIR [REP1-056] within AAH's Landscape and Visual Review (November 2025) as an appropriate approach (ref. paragraph 6.2). Furthermore, negligible residual effects noted within the standalone assessment of the Proposed Development were excluded from the cumulative assessment as, by virtue of their definition, they are considered to be imperceptible and are unlikely to lead to a significant in-combination effect. As set out in the detailed assessment of landscape effects provided at Appendix 10-E: Landscape Assessment of the ES [APP-152], no regional landscape character areas were identified as likely to experience more than negligible residual effects due to the anticipated scale of changes being perceived over a very small geographic extent in relation to the regional character areas or not being perceived at all and were therefore not considered further as part of the cumulative assessment. The potential for significant cumulative landscape and visual effects of other NSIP scale solar schemes at greater distances from the Proposed Development has also been considered within the Joint Interrelationship Reports prepared for the respective examinations of such schemes, including Springwell Solar Farm [EN10149], which considered the Proposed Development with Leoda Solar Farm, and concluded no cumulative effects with the schemes addressed in the Tillbridge Solar Project [EN010142], West Burton Solar Project [EN010132], Gate Burton Energy Park [EN010131], and Cottam Solar Project [EN010133] inter-relationships report. These found that given the notable distances and lack of intervisibility between these schemes and the Proposed Development, there was no potential for significant cumulative effects. It is therefore the Applicant's view that the previous examination reports further support the conclusion that significant cumulative effects on landscape and visual receptors resulting from the Proposed Development and other schemes beyond the 2km Zol are unlikely.
13.32		Residential Visual Amenity	This concerns private views and amenity from a total of 29 receptors made up of individual residential properties, groups of properties or settlements – as opposed to the main parts of	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			the LVIA which is typically concerned with views from public places.	
13.33		Residential Visual Amenity	The LVIA identifies multiple residents of properties that would experience significant adverse effects – though AAH agree with the authors that it is unlikely any would reach the recognised Residential Visual Amenity Threshold which is when 'the greatest magnitude of change' would occur. Nevertheless, these negative effects on residential visual amenity are of concern to the Council.	The Applicant's approach to assessing Residential Visual Amenity is provided at Section 1.5 of Appendix 10-B: LVIA Methodology of the ES [APP-149]. This explains that the iterative design process has sought to embed mitigation such that the Residential Visual Amenity Threshold has not been met, i.e. no residential receptors were found to have major adverse effects at Year 15, and therefore a specific Residential Visual Amenity Assessment has not been undertaken (ref. paragraph 1.5.5). The Applicant acknowledges that there will be some landscape and visual effects as a result of the Proposed Development. Two out of the 29 identified residential visual receptors are predicted within Chapter 10: Landscape and Visual Amenity of the ES [AS-117] to experience moderate adverse (significant) effects at Year 1, namely residents of Housham Wood Farm and residents of Church Farm and Low Barn. Following the implementation of mitigation, these are predicted to reduce to minor adverse (not significant), which means that none of the identified residential visual receptors are predicted to experience significant residual effects by Year 15 of operation of the Proposed Development. It should be noted that the Applicant has sought to further minimise the visual impact of the Proposed Development upon residential receptors in close proximity to the Proposed Development. As reported in Chapter 10: Landscape and Visual Impact Assessment of the ES [AS-117], the removal of solar PV in Field 46 adjoining Grange Cottage, and the amendment of proposed landscaping (as set out in the Landscape Mitigation Plan, which forms Appendix A of the Framework LEMP [REP1-039]) results in the assessment of visual effects at this property having reduced from moderate adverse (significant) effects in Years 1 and 15 (Winter) of operation, and minor adverse (not significant) in Summer Year 15, to minor adverse (not significant) at Year 1 Winter, and negligible adverse at Year 15 Winter and Summer. As paragraph 5.10.5 of EN -1 acknowledges, '<i>Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape.</i>' When making a decision on the DCO Application, the SoS will need to balance these impacts against the urgent need and critical national priority for the Proposed Development as set out in the energy NPSs.
13.34		Mitigation	The proposed development includes within its preliminary design 'embedded' mitigation measures, which have been taken into account in the LVIA, forming part of the iterative design process. AAH are satisfied that the layout appears to have responded to many issues and LVIA findings. However, a key criticism is the number and extent of PRoW users that are significantly adversely affected by the scheme, which implies that insufficient offsets from the solar panel arrays and associated infrastructure may have been provided for in the iterative design approach.	Offsets between PRoW and the associated infrastructure typically help to mitigate changes in the foreground of views, and the Applicant has embedded a minimum 10m offset from the centre line of PRoW (ref. paragraph 6.1.1 of the Framework LEMP [REP1-039]). Where development is proposed on both sides of a PRoW, sections of wider offsets reflecting local features, such as hedgerows, have been integrated to vary the visible extent of proposed infrastructure and the overall visual experience, where practicable. The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007]. The conclusions of Chapter 10: Landscape and Visual Amenity of the ES [AS-117] found that seven out of the 18 identified recreational visual receptors are predicted to experience significant residual effects and are limited to some but not all of those that pass through or adjacent to the Order Limits. A contributing factor to these significant residual effects is the sequential experience of the Proposed Development at various distances along these PRoW, and not necessarily large-scale changes to the foreground of specific views where greater offsets could help to reduce the impacts.
13.35		Mitigation	The Framework Landscape and Ecological Management Plan (Framework LEMP) (REP1-039) includes information on planting and land management, including Figure 15 -1 Landscape Mitigation Plan at Appendix A. Whilst these	The Framework LEMP [REP1-039] contains maintenance measures during the establishment for each habitat type which includes checking and recording failed or defective planting on an annual basis. Also, as stated at paragraph 7.1.11 of the Framework LEMP, results from this monitoring will feed into the on-going management



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			proposals are welcome, it should be recognised that this mitigation depends heavily on the successful implementation and subsequent management of new planting; together with protection of existing trees and hedgerows. Each part of the development is intended to come forward with its own detailed LEMP, consistent with the fLEMP. The length of time covered by the detailed LEMPs should be at least sufficient to cover the 15 year period on which the findings of the LVIA are based. Indeed, AAH recommend that the LEMPs should cover the whole of the operational period. Further, there should be provisions to cover any pre-construction planting.	which may include changes to maintenance and/or planting species to ensure habitats are growing as intended. For further clarity regarding the LEMPs covering the entire operational period of the Proposed Development, the Framework LEMP has been updated (at paragraph 5.3.3) and will be submitted to the Examination at the next available deadline to include clarifications on the length of time covered by the management plan, as well as the provisions for replacement planting, as follows: <i>"All existing and proposed habitats will be managed and maintained for the operational duration of the Proposed Development. In the unlikely event of external factors causing significant losses to the mitigation planting during the lifetime of the Proposed Development, such that the purpose of screening the development is no longer achieved as a result of gaps in the planting, replacement planting will be undertaken to infill gaps that may arise. This approach will ensure commitments are fulfilled in respect of providing screening of the scheme and enhancing biodiversity"</i> The Framework LEMP [REP1-039], secured by the Draft DCO [REP1-007], includes detail on the relevant management/monitoring regimes which will be implemented as part of the detailed LEMP. The following is secured within the Framework LEMP [REP1-039] (ref. paragraph 7.1.7) which will be carried through into the detailed LEMP: <i>"A post-construction monitoring programme will be formalised, agreed and included within the detailed LEMP. Walkover surveys of the DCO Site will be undertaken between April and June in years 2, 4, 6, 10 and then every 5 years post-construction until year 60.</i> Furthermore, the Framework LEMP [REP1-039] includes the following commitment (ref. paragraph 7.1.9): <i>"Post-construction monitoring for flora, birds (breeding and non-breeding), riparian mammals, badgers and bats (bat box roosting and activity survey), will be undertaken in the respective seasons, in years 1, 3, 5, 10 and 15 postconstruction and thereafter every ten years from years 20 to 60. These surveys are likely to involve similar methods to those used to determine the ecological baseline of the Proposed Development and will be overseen by an Ecological Advisory Group or similar."</i> The Ecological Advisory Group (or similar) will oversee the monitoring and mitigation of impacts as relevant, whereby the monitoring reports for surveys during operation will be sent to the host authorities and the Lincolnshire Wildlife Trust for their information, along with a summary of any changes to management set out in the approved detailed LEMP. The role of the Ecological Steering Group will be set out in the detailed LEMP, whereby the relevant consultees would be given an opportunity to review the detailed LEMP before it is formally approved to discharge the Requirement.
13.36		Mitigation	Monitoring of planting should be carried out periodically, in order to properly consider the need for replacement of failed planting; with the LEMPs updated every five years. It is also recommended that detailed mitigation planting design is carefully co-ordinated with panel layout details; and that overbearing mitigation screen planting is avoided where it would interfere with characteristic open views from sensitive receptors such as PRow.	The Framework LEMP [REP1-039] includes commitments to agree a post-construction monitoring programme as part of the detailed LEMP, and proposes that walkover surveys will be undertaken between April and June in years 2, 4, 6, 10 and then every 5 years until year 60 (ref. paragraph 7.1.9). The Applicant notes the recommendations on detailed mitigation planting design. The commitment to carefully site solar PV panels and associated infrastructure as well as additional planting is provided at paragraphs 4.1.8 - 4.13 of the Framework LEMP [REP1-039]. This includes measures on retaining a sense of openness whilst screening solar PV panels.
13.37 – 13.41		Conclusions	Paragraphs 13.37-13.41 provide a summary of the items made above within Section 13.	The Applicant has responded to these summary points where these have been made in detail at the corresponding rows above.
14.0 Soils and Agricultural Land				
14.1		Policy	Paragraph 5.11.12 of EN-1 outlines that applicants should <i>'... seek to minimise impacts on the best and most versatile</i>	



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			<i>agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification (ALC)) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations'.</i>	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to agricultural land in Appendix 12-A: Socio-Economics and Land Use Policy and Legislation of the ES [APP-160] .
14.2		Policy	Paragraph 5.11.34 of EN-1 states that the decision maker should ensure that ' <i>... applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land, the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality'.</i>	The use of agricultural land is considered against national and local planning policies, and the Written Ministerial Statement in paragraphs 6.3.150 to 6.3.168 of the Planning Statement [AS-098] . Further, the Proposed Development is assessed against agricultural land policy set out in NPS EN-1 and NPS EN-3 in Appendix B National Policy Accordance Tables of the Planning Statement [AS-098] and local planning policies in Appendix C Local Policy Accordance Tables of the Planning Statement [AS-098] .
14.3		Policy	Under the heading of 'Solar Photovoltaic Generation', paragraph 2.10.21 of EN-3 states that: ' <i>While land type should not be a predominating factor in determining the suitability of the site location applicants should, where possible, utilise previously developed land, brownfield land, contaminated land and industrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land avoiding the use of "Best and Most Versatile" (BMV) agricultural land where possible'.</i>	
14.4		Policy	The above paragraph provides for a two -part approach. The first part is about site selection – seeking to guide applicants towards previously developed, brownfield, contaminated and industrial land rather than agricultural land where possible. The second part is about both refining site selection once the use of agricultural land has been found necessary; as well as to scheme layout and design – i.e. applicants should avoid where possible use poorer quality land in preference to BMV. Paragraph 2.10.22 of EN-3 expects applicants to consider this point, noting that ' <i>Whilst the development of ground mounted solar arrays is not prohibited on BMV agricultural land, or sites designated for their natural beauty, or recognised for ecological or archaeological importance, the impacts of such are expected to be considered and are discussed under paragraphs 2.10.67 - 84 and 2.10.99 – 2.10.118 of this NPS'.</i>	
14.5		Policy	Furthermore, paragraph 2.10.23 of EN -3 acknowledges that whilst it is likely that applicants' developments may use some agricultural land, nevertheless ' <i>Applicants should explain their choice of site, noting the preference for development to be on brownfield and non -agricultural land'.</i> This relates to the site selection part of paragraph 2.10.21.	
14.6		Policy	Paragraph 2.10.24 of EN-3 states that ' <i>Where sited on agricultural land, consideration may be given as to whether the</i>	



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			<i>proposal allows for continued agricultural use and/or can be co-located with other functions (for example, onshore wind generation, storage, hydrogen electrolyzers) to maximise the efficiency of land use.</i> This relates more to the layout and design part of paragraph 2.10.21.	
14.7		Policy	Paragraph 2.10.137 of EN -3 reiterates that the SoS should take into account <i>'the economic and other benefits of the best and most versatile agricultural land'</i> .	
14.8		WMS on solar infrastructure	Noting the above approach, the Written Ministerial Statement on solar infrastructure (15 May 2024) emphasised the onus placed on developers to show that the use of higher quality land is necessary, stating: <i>As is outlined in the National Policy Statement, the starting position for solar PV developers in taking forward Nationally Significant Infrastructure Projects is that applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality.</i>	
14.9		WMS on solar infrastructure	Although the Written Statement was made against the backdrop of the previous version of EN-3 (coming into force in January 2024), nevertheless the most recent version of EN-3 (coming into force on 13 December 2025) has not introduced any changes which significantly alter the policy approach to agriculture, soils, or best and most versatile land. The approach in the Statement reinforces the approach in EN-1 and EN-3 set out above.	
14.10		WMS on solar infrastructure	The Written Ministerial Statement also recognised the geographical clustering of proposed solar developments in some rural areas, highlighting Lincolnshire as a specific example; and notes that <i>'... it is important to consider not just the impacts of individual proposals, but also whether there are cumulative impacts where several proposals come forward in the same locality'</i> .	The cumulative assessment presented within Chapter 12: Socio-economics and Land Use [AS-016], identifies the relevant solar NSIP developments, at various project stages, within Lincolnshire and assesses the use of BMV land and expresses it as a proportion of agricultural land at the County Level. Table 12-29 of Chapter 12 Socio-economics and Land Use [AS-016] shows that the effect on agricultural land, including BMV, across the County is likely to remain minimal, as it comprises only a small fraction of agricultural land. Therefore, the cumulative effect on agricultural land associated with the Fosse Green Energy remains not significant when considered at the County level. This is no greater than the effect of the Proposed Development in isolation. Furthermore, research undertaken by the Applicant in 2024 indicates approximately 50% of the land within the proposed Principal Site is currently used for the cultivation of non-food crops. Of this, the majority (approximately 81%) is grown for use as fuels for carbon-intensive energy sources, rather than for direct human or animal consumption. It is also noted that agricultural land required for the construction and operation of the Proposed Development constitutes 0.09% of the total farmland in the East Midlands.
14.11		Policy	EN-3 paragraph 2.10.137 also states that <i>'The Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to minimise impacts on soils or soil resources'</i> . These measures should include a soil resources and management plan, developed <i>'... in line with the ambition set out in the Environmental Improvement Plan to</i>	The Applicant notes the policy context provided in this section of the LIR. The Applicant has submitted a Framework Soil Management Plan (SMP) [REP1-037] which includes management and control measures which align with the ambitions of the Environmental Improvement Plan. The detailed SMP, which is required to be substantially in accordance with the Framework SMP [REP1-037] , is secured by Requirements 15 of Schedule 2 to the Draft DCO [REP1-007] .



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			<i>bring at least 40% of England's agricultural soils into sustainable management by 2028 and increase this up to 60% by 2030' (EN -3 paragraph 2.10.26). Paragraph 2.10.119 provides further advice on mitigation.</i>	
14.12		Policy	Under the sub-heading of 'Additional matters for solar based energy proposals', CLLP policy S14 'Renewable Energy' states that proposals for ground based photovoltaics and associated infrastructure, including commercial large scale proposals, will be under a presumption in favour (of approval) unless, amongst other things, 'the proposal is (following a site specific soil assessment) to take place on BMV agricultural land and does not meet the requirements of Policy S67'.	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to agricultural land at Appendix 12-A: Socio-Economics and Land Use Policy and Legislation of the ES [APP-160]. In terms of Policy S67: - The need for the Proposed Development is established by NPS EN-1 (the relevant paragraphs are summarised in 5.2.1 to 5.2.6 of the Planning Statement [AS-098]). The Statement of Need [APP-184] further describes how the Proposed Development is consistent with the relevant aspects of UK Government policy as it relates to the provision of energy infrastructure. - The benefits of the Proposed Development are set out in Section 5.3 of the Planning Statement [AS-098] and have been taken into account in the planning balance in Section 7 of the Planning Statement [AS-098]. In summary the benefits include, generation of low-carbon renewable energy, contribution to decarbonisation, ecological enhancements such as planting and habitat creation, the provision of permissive paths, employment generation and economic benefits. - The impact of the Proposed Development upon agricultural operations is assessed in Chapter 12: Socio Economics and Land Use of the ES [AS-016]. - As set out in paragraph 3.6.3 of Chapter 3: The Proposed Development of the ES [REP1-015], the majority of the site would be returned to the landowner after decommissioning and will be available for its original use. Areas of landscape and biodiversity mitigation and enhancement, as well as permissive paths delivered as part of the Proposed Development, would remain up until the land is returned to the previous landowners. The general principles to be followed in the decommissioning of the site are set out in the Framework Decommissioning Environmental Management Plan (DEMP) [REP1-035] which is secured by Requirement in the Draft DCO [REP1-007].
14.13		Policy	CLLP policy S67 'Best and Most Versatile Agricultural Land' states that significant development resulting in the loss of the best and most versatile agricultural land will only be supported if: - The need is clearly established; - The benefits outweigh the need to protect such land, when taking into account the economic and other benefits of the best and most versatile agricultural land; - The impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions; and - Once the development has ceased its useful life then the land should be returned to its former use'.	
14.14		Policy	In line with Policy S67 'Best and Most Versatile Agricultural Land' of the Central Lincolnshire Local Plan (CLLP), the Council wishes to ensure that the need for the proposed development has been clearly established and there is an insufficient availability of lower grade land; the benefits of the development outweigh the need to protect such land, when taking into account the economic and other benefits of BMV land; the impacts on ongoing agricultural operations have been minimised; and that the land will be restored to its former use.	Further, Policy S67 is also considered in detail in Appendix C Local Policy Accordance Tables of the Planning Statement [AS-098].
14.15		General Comments	The application documents include ES Chapter 12: Socio Economics and Land Use (AS-016), which contains sections on agriculture and soils; ES Appendix 12-B Agricultural Land Classification Report (APP-161); and a Framework Soil Management Plan (REP1-037). The Council has appointed Landscape agricultural consultants to provide it with specialist advice on soils and agriculture. Landscape have reviewed these documents, and their full comments are attached at Appendix D to this LIR.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
14.16		Agricultural Land Classification	The land within the Principal Site has been subjected to an agricultural land classification survey (APP-161) and the broad results (separating best and most versatile land from other	The Applicant notes that Landscape has confirmed that the methodology used in the survey is in line with accepted guidance.



LIR Ref.	Document Ref.	Theme	Comments from North Kesteven District Council Local Impact Report [REP1-056]	Applicant's Response to North Kesteven District Council Local Impact Report [REP1-056]															
			land) are summarised in the table below. Landscape have confirmed that the methodology used in the survey is in line with accepted guidance. <table><tr><th>Classification Area (ha) Proportion of</th><th>Classification Area (ha) Proportion of</th><th>Classification Area (ha) Proportion of</th></tr><tr><td>Non-agricultural land</td><td>40</td><td>3.7%</td></tr><tr><td>Total BMV agricultural land (all grade 3a)</td><td>241</td><td>22.5%</td></tr><tr><td>Total Non-BMV agricultural land (grade 3b)</td><td>790</td><td>73.8%</td></tr><tr><td>Total Principal Site¹</td><td>1071</td><td>100%</td></tr></table> ¹ It is noted that the figures in the table above (taken from Table 6 in the Agricultural Land Classification Report APP-161) are not consistent with those in Table 12-15 of ES Chapter 12 (AS-016). Paragraphs 12.5.12 and 12.5.13 of Chapter 12 state that the ALC Report was based on a larger area than the DCO site boundary; and that the data in Chapter 12 reflects the Principal Site boundary. However, the figure of 1018.7ha for the Principal Site area given in Chapter 12 does not match the figure of 1070ha provided in paragraph 3.2.1 of the Planning Statement (AS-098) or paragraph 3.1.3b of ES Chapter 3: The Proposed Development. No clear explanation has been provided. Therefore, pending clarification from the applicant, the Council has used the figures in the Agricultural Land Classification Report (APP-161) for the purposes of this LIR.	Classification Area (ha) Proportion of	Classification Area (ha) Proportion of	Classification Area (ha) Proportion of	Non-agricultural land	40	3.7%	Total BMV agricultural land (all grade 3a)	241	22.5%	Total Non-BMV agricultural land (grade 3b)	790	73.8%	Total Principal Site ¹	1071	100%	The Applicant acknowledges that there is a discrepancy in the area of BMV land reported within Appendix 12-B: Agricultural Land Classification Report [APP-161] and Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. As detailed within the disclaimer found on page 3 of Appendix 12-B: Agricultural Land Classification 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. As the Council points out, the Principal Site is 1,055ha (2607 acres), not the 1,018.7ha (2517 acres) stated in Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. The discrepancy is with land not available for survey east of the Onsite Substation (illustrated on Figure 12-5 [AS-068]), which was added to the Cable Corridor after the ALC survey. The area that was inaccessible / not surveyed within the Principal Site was 70ha (173 acres) 0rather than the 18.4ha (45.5 acres) noted in Chapter 12. This does not affect the other numbers in Chapter 12 or therefore the conclusions of the assessment. 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 (699 acres)) is correct, and as such this does not affect the findings and conclusions of the Report or the Environmental Statement chapters that rely on it.
Classification Area (ha) Proportion of	Classification Area (ha) Proportion of	Classification Area (ha) Proportion of																	
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Total Principal Site ¹	1071	100%																	
14.17		Agricultural Land Classification	By way of reference, across Lincolnshire the estimated proportion of BMV is 71.2% while across North Kesteven the proportion of BMV is 67%, slightly lower than the county average. This shows that the Principal Site is well below the District and County averages, and does not contain any Grade 1 or 2 land. The Cable Corridor beyond the Principal Site has not been surveyed in detail to date, though broad scale mapping indicates that although much of the route may have a similar overall balance of BMV to non-BMV land as the Principal Site, there could be areas of Grade 2 land encountered.	The Applicant acknowledges this section of the LIR prepared by NKDC. A soil survey of a defined cable route is proposed post-consent (along with restoration to pre-construction condition of the soil resource) and is secured by the Framework SMP [REP1-037] (which is to be developed into a detailed SMP, substantially in accordance with the Framework Plan, secured under Requirement 15 of the Draft DCO [REP1-007]). Whether the corridor would be in BMV or non-BMV land, it would be restored after installation to the same grade through the measures and controls contained within the Framework SMP [REP1-037] and therefore does not affect the conclusions of the ES. The cable will require excavation of a trench approximately 3m by 3m (with at least 0.9m soil on the top of the cable, which is below the depth of agricultural cultivation), and the disruption to agricultural land would be temporary and reversible, with no permanent loss of farmland.															
14.18	AS-098	Site Selection	The application includes at Appendix A to the Planning Statement (AS-098) a Site Selection Report, which includes best and most versatile agricultural land classification as one of its evaluation criteria under the indicator heading of Land Use. For a 15km radius search area centred on the site of the	The Applicant acknowledges that NKDC considers that there are no suitable entries on the Council's published Brownfield Land Register within the area of search. This aligns with the Applicant's analysis of brownfield land within the Site Selection Report at Appendix A of the Planning Statement [AS-098] which															



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			proposed NGNS , the broad scale Natural England Agricultural Land Classification maps indicated that the land to the west of the Lincoln Cliff tends to contain less BMV land than the area to the east (it should be noted that the detailed survey information reported in the table above was not available for the initial site selection stages). Brownfield land is relatively scarce across the search area for a development of this scale; indeed there are no suitable entries on the Council's published Brownfield Land Register (2024, or the pre-publication draft 2025 version) within the site selection search area.	concludes at paragraph 4.3.7 that none of the brownfield sites over 1 hectare (2.47 acres) that were considered were suitable for the purposes of the Proposed Development.																																										
14.19		Site Selection	Site selection has to take into account a wide range of issues, including a variety of environmental and other constraints. The Council remains concerned at the potential for a significant area of agricultural land, including BMV land, to be taken out of production for a very significant period of time (in excess of 60 years from construction to decommissioning). However, given the policy context - in particular that set out in the National Policy Statements EN-1 and EN-3, and in Policy S67 of the CLLP in relation to agricultural land quality - it is considered that the selection of the application site has taken a reasonable approach. Broadly, this is also supported by the results of the more detailed land classification survey of the application site reported above. Whilst almost all of the site is currently in agricultural use, the proportion of the Principal Site (22.5%) which is classed as BMV land is lower than some other solar NSIP schemes which have been granted consent; typically in the region of 40-50%.	The Applicant acknowledges this section of the LIR prepared by NKDC and notes the conclusion that the selection of the application site has taken a reasonable approach. The Applicant has no further comment.																																										
14.20		Scheme design	The Principal Site includes areas for siting the solar arrays (456ha, 43%), together with 8ha (0.75%) for other infrastructure such as the on -site substation and BESS (centralised). The Principal Site also includes mitigation land such as the Bird Mitigation Areas (a combined total of 245ha of managed arable land and permanent grassland, 22.9%)), tree planting, hedgerows and field margins. That would leave approximately 361ha (33.7%) of land within the Principal Site which would be largely undeveloped but might accommodate a variety of uses including access tracks and buried cable runs. Currently, the Council does not have figures quantifying the areas of BMV land which fall within each of these categories of use.	With regards to the land take (and amount of BMV land) for each element of the Proposed Development, please see the table below. Please note that this calculation has been based on overlaying the illustrative Proposed Development layout figure within the ES (Figure 3-2A [AS-022]) with the ALC classification figure within the ES (Figure 12-5 [AS-068]), and as such the total ALC areas may not exactly tally to the totals stated in Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. Please also note that the calculation in the table below does not account for all planting/habitat creation (e.g. new hedgerow), hence the discrepancy between the total area of BMV to be permanently lost in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] (i.e. 1.5ha), and that reported in the table below. Temporary losses are shaded light grey and permanent losses shaded darker grey for reference.																																										
14.21		Scheme design	However, Plate 6-1 in the submitted Planning Statement (AS-098) shows the main areas of development (solar panel arrays, and Bird Mitigation Areas) within the Principal Site overlaying the agricultural land classification categories identified in the survey.	<table><tr><th></th><th colspan="5">ALC Area</th></tr><tr><th></th><th>Grade 1</th><th>Grade 2</th><th>Grade 3a</th><th>Grade 3b</th><th>Grade 4</th></tr><tr><td>Access Tracks</td><td>0</td><td>0</td><td>1.8 ha 4.3 acre</td><td>3.9 ha 9.6 acre</td><td>0</td></tr><tr><td>Solar PV Array area and Solar Stations</td><td>0</td><td>0</td><td>122.9 ha 303.7 acre</td><td>311.3 ha 769.2 acre</td><td>0</td></tr><tr><td>Centralised BESS Compound</td><td>0</td><td>0</td><td>0.72 ha 1.8 acre</td><td>6.1 ha 15.1 acre</td><td>0</td></tr><tr><td>Community Orchards</td><td>0</td><td>0</td><td>0.62 ha 1.53 acre</td><td>1.2 ha 3.0 acre</td><td>0</td></tr><tr><td>Proposed Belt of Trees</td><td>0</td><td>0</td><td>0</td><td>0.34 ha</td><td>0</td></tr></table>		ALC Area						Grade 1	Grade 2	Grade 3a	Grade 3b	Grade 4	Access Tracks	0	0	1.8 ha 4.3 acre	3.9 ha 9.6 acre	0	Solar PV Array area and Solar Stations	0	0	122.9 ha 303.7 acre	311.3 ha 769.2 acre	0	Centralised BESS Compound	0	0	0.72 ha 1.8 acre	6.1 ha 15.1 acre	0	Community Orchards	0	0	0.62 ha 1.53 acre	1.2 ha 3.0 acre	0	Proposed Belt of Trees	0	0	0	0.34 ha	0
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14.22		Scheme design	Broadly, it can be seen that most of the areas proposed for both the solar panels and the Bird Mitigation Areas would occupy non -BMV (Grade 3b) land within the site. Although not																																											



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			shown, this would also be the case for the on-site substation and the centralised BESS (if that option is chosen). Where non-BMV Grade 3b land is shown unoccupied by these elements of the development – such as a strip east of Witham St Hughs - it is noted that much of that land is subject to other constraints such as flood risk from local watercourses and the River Witham / Brant.	<table><tr><td></td><td></td><td></td><td></td><td>0.8 acre</td><td></td></tr><tr><td>Retained Arable and Grassland</td><td>0</td><td>0</td><td>116.3 ha 287.4 acre</td><td>191.7 ha 473.7 acre</td><td>0</td></tr><tr><td>Proposed Species Rich Grassland</td><td>0</td><td>0</td><td>0</td><td>3.5 ha 8.6 acre</td><td>0</td></tr><tr><td>Bird Mitigation Area - Permanent Grassland</td><td>0</td><td>0</td><td>5.6 ha 13.8 acre</td><td>58.9 ha 145.5 acre</td><td>0</td></tr><tr><td>Bird Mitigation Area - Managed Arable</td><td>0</td><td>0</td><td>34.1 ha 84.3 acre</td><td>122.6 ha 303.0 acre</td><td>0</td></tr></table>					0.8 acre		Retained Arable and Grassland	0	0	116.3 ha 287.4 acre	191.7 ha 473.7 acre	0	Proposed Species Rich Grassland	0	0	0	3.5 ha 8.6 acre	0	Bird Mitigation Area - Permanent Grassland	0	0	5.6 ha 13.8 acre	58.9 ha 145.5 acre	0	Bird Mitigation Area - Managed Arable	0	0	34.1 ha 84.3 acre	122.6 ha 303.0 acre	0
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14.23		Scheme design	The development proposed within the Cable Corridor would be limited to a narrower area of land within which the grid connection cables would be buried, following which the intention is to replace soils and return the land to agriculture. The intention is to carry out a detailed agricultural land classification survey once the precise route options have been narrowed down further, as part of the detailed design process.	As noted above, a soil survey of a defined cable route is proposed post-consent (along with restoration to pre-construction condition of the soil resource) and is secured by the Framework SMP [REP1-037] (which is to be developed into a detailed SMP, substantially in accordance with the Framework Plan, secured under Requirement 15 (soil management plan) of the Draft DCO [REP1-007]). The cable will require excavation of a trench approximately 3m by 3m (with at least 0.9m soil on the top of the cable, which is below the depth of agricultural cultivation), and the disruption to agricultural land would be temporary and reversible, with no permanent loss of farmland.																														
14.24		Scheme design	Therefore although the Council seeks greater clarity on matters such as area figures for different parts of the development in terms of land quality, currently the application appears to present a scheme which in general terms has had due regard to avoiding the use of BMV land as far as possible and seeking to strike a balance which also avoids other environmental constraints affecting the site. Subject to further clarifications and potential refinements, the Council considers that the staged approach taken is therefore largely in line with relevant national and local policy in this respect.	Please see table within response above (ref. LIR Ref. 14.20-14.22) for a breakdown of ALC by components. The Applicant acknowledges the Council considers the staged approach taken is largely in line with relevant national and local policy in this respect.																														
14.25		Impacts	As reported above, the submitted information states that those parts of the Principal Site occupied by the solar arrays will cover approximately 456ha (43%), and the on -site substation together with the centralised BESS (if this option is chosen) will cover a further 8ha (0.75%). Officers have been unable to identify in the documentation an area figure for other infrastructure such as access tracks; and it is not possible to say with precision what area of the Principal Site might be 'sealed over' by hard surfacing, as opposed to being used to site solar panels on driven piles. It is also not possible to say with any accuracy how much of the Principal Site used for infrastructure (rather than mitigation) will occupy the higher quality BMV land.	Please see table within response above (ref. LIR Ref. 14.20-14.22) with regards to the area of BMV occupied by access tracks. The Applicant identifies the foundations required for the substation and BESS as the area of sealing ground. All the construction is reversible and the land whereby decommissioning of the Proposed Development and restoration/reinstatement of the land back to its former condition after 60 years is required and secured via Requirement 20 in Schedule 2 of the Draft DCO [REP1-007]).																														
14.26		Impacts	Published IEMA guidelines say that the permanent sealing of land above 20ha (including temporary development where there would be a reduction in soil quality) is a major adverse (significant) effect.	It should be noted that the Proposed Development does not require the permanent sealing of more than 20ha (49 acres) of land.																														
14.27		Impacts	The overall approach taken by the development is to strip and store soils from where development will take place – such as from the on-site substation compound prior to hard surfacing.																															



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			and from areas used for access track formation and widening. Soils will not be stripped from the areas covered by the solar panels themselves. Once the scheme has been constructed, commercially commissioned, and completed its operational phase (i.e. finished generating electricity for supply to the national grid), the site will be decommissioned – not less than 60 years hence.	
14.28		Impacts	At that stage, the applicant proposes that the development is removed, soils replaced and land returned to the landowners who can resume agricultural management if they wish to. On that basis, it is claimed that any impacts on agricultural land would be temporary, albeit long-term. The only identified exception to this would be for retained habitat creation areas, where 4.6ha of the land (1.5ha of which is BMV) would remain outside of agriculture representing a permanent impact.	
14.29		Impacts	A similar approach would be taken to the installation of the grid connection cable, with soils replaced and the land returned to agriculture on completion. This would result in a short term temporary effect on agriculture.	
14.30		Impacts	Taking the applicant's approach, it would appear that little or none of the land is proposed to be 'sealed over' permanently. However, it is less clear that all of this land could be restored without a loss of quality.	With regards to demonstrating that the land can be restored to its former agricultural use following decommissioning of the Proposed Development, the Framework SMP [REP1-037] sets out measures to be taken to ensure that the soil is protected and is able to revert back to its former condition. This includes the maintenance of soils (ref. section 6.9) and the implementation of a monitoring schedule to be undertaken and set out within the detailed SMP. Furthermore, the Framework SMP [REP1-037] (ref. paragraph 7.1.1) notes: <i>"Prior to construction, site and soil-specific measures will be set out in a SMP, based upon this FSMP as a minimum, and supplemented by additional survey data where required. The detailed SMP will set out in full the methods for reinstatement (as relevant) to ensure the soil resource is managed effectively according to its ALC, and BMV resource is retained (as relevant) across the DCO Site"</i>. The provision of a detailed SMP, which is to be substantially in accordance with the framework plan, is secured by Requirement 15 of the Draft DCO [REP1-007]. Decommissioning of the Proposed Development and restoration/reinstatement of the land back to its former condition after 60 years is required and secured via Requirement 20 in Schedule 2 of the Draft DCO [REP1-007]).
14.31		Impacts	The advice from Landscape is that there is at present no established consensus on whether a long-term temporary use of land should be considered as not significant; and therefore, the loss of any BMV over the IEMA 20ha threshold for the duration of the operational life of the development may still be 'significant' in EIA terms. This is especially so if restoration activities are not entirely successful in rectifying damage and bringing all of the land back to its BMV status once the scheme has been decommissioned.	The Applicant notes this comment. The origins of the IEMA thresholds were derived from existing advice for civil engineering projects, involving permanent land use change. IEMA identifies the guidance as a framework for impact assessment. The Applicant has applied the IEMA criteria for assessing effects on soils (IEMA (2022) A New Perspective on Land and Soil in EIA) within Chapter 12 Socio Economics and Land Use of the ES [AS-016] and concluded that there are no likely significant effects on soils. Natural England has also not raised the 20ha (49 acres) threshold as a reason to consider there may be likely significant effects. The Applicant is currently discussing this with NE and will provide a SoCG at the midpoint of Examination in line with the Examining Authority's request in its Procedural Decision dated 22 August 2025 [PD-005]. As noted above, the Framework SMP [REP1-037] sets out measures to be taken to ensure that the soil is protected and is able to revert back to its former condition. Of note, the Framework SMP [REP1-037] (ref. paragraph 7.1.1) notes: <i>"Prior to construction, site and soil-specific measures will be set out in a SMP, based</i>



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				upon this FSMP as a minimum, and supplemented by additional survey data where required. The detailed SMP will set out in full the methods for reinstatement (as relevant) to ensure the soil resource is managed effectively according to its ALC, and BMV resource is retained (as relevant) across the DCO Site". The provision of a detailed SMP, which is to be substantially in accordance with the framework plan, is secured by Requirement 15 of the Draft DCO [REP1-007]. Decommissioning of the Proposed Development and restoration/reinstatement of the land back to its former condition after 60 years is required and secured via Requirement 20 in Schedule 2 of the Draft DCO [REP1-007]).
14.32		Impacts	It is considered important to confirm the amounts of land which would be affected by each element of the development, and the agricultural quality of those areas of land – especially as the application includes significant amounts of hardstanding, piling, foundation slabs and access tracks which would present challenges for restoration.	Please see table within response above (ref. LIR Ref. 14.20-14.22) with regards to the areas of BMV occupied by the respective elements of the Proposed Development.
14.33		Mitigation	The Framework Soil Management Plan (REP1-037) submitted with the application sets out practices to be followed during the construction, operation and decommissioning of the development. Landscape highlight the potential for significant and long-lasting damage to soil structure during the construction phase, especially through large numbers of vehicle movements and during wet weather. It is advised that this should be addressed in the detailed Soil Management Plans which it is intended will be developed (in general conformity with the Framework Soil Management Plan for each part of the development as it comes forward. Whilst many of the damaging operations can be remedied using agricultural equipment, the layout of the panels and buried cables will often prohibit this during the life of the solar farm and as such remedies can only be completed at the end of term when all infrastructure has been removed. If the soil is in a substandard condition during the operation of the solar farm, carbon sequestration is reduced and infiltration of water can also be reduced, leading to localised standing water and the reduction in soil quality.	As noted above, the Framework SMP [REP1-037] sets out measures to be taken to ensure that the soil is protected and is able to revert back to its former condition. In particular, the Framework SMP [REP1-037] (ref. paragraph 7.1.1) notes: "Prior to construction, site and soil-specific measures will be set out in a SMP, based upon this FSMP as a minimum, and supplemented by additional survey data where required. The detailed SMP will set out in full the methods for reinstatement (as relevant) to ensure the soil resource is managed effectively according to its ALC, and BMV resource is retained (as relevant) across the DCO Site". Furthermore, the Framework SMP [REP1-037] (ref. Section 5) sets out soil management measures to be implemented during construction, including measures regarding working in adverse weather conditions such as the stripping of topsoil must only occur in the right weather conditions, not in adverse weather conditions (ref. paragraph 5.4.1). Paragraph 5.6.1 also notes "Haulage routes must consider specific recommendations found within the SRS and/or site-specific SMP". The provision of a detailed SMP, which is to be substantially in accordance with the framework plan, is secured by Requirement 15 of the Draft DCO [REP1-007]. Decommissioning of the Proposed Development and restoration/reinstatement of the land back to its former condition after 60 years is required and secured via Requirement 20 in Schedule 2 of the Draft DCO [REP1-007]). Furthermore, the Framework SMP [REP1-037] (ref. Section 6.9) sets out soil maintenance requirements during the operation of the Proposed Development. As noted below at 14.34, improvements in soil quality over time due to absence of intensive farming have been studied and reported, with research suggesting that solar farms can boost soil-carbon storage over time.
14.34		Impacts	It is proposed that the solar array areas might be used for some form of agriculture during the operational phase, albeit most likely low intensity grazing for instance by sheep rather than the predominant intensive arable production which currently takes place. The application suggests that this has the potential to yield benefits for soil structure and organic matter, compared to continuing intensive arable farming.	Improvements in soil quality over time due to absence of intensive farming have been studied and reported. For example, research by Lancaster University ¹ suggests that with good management (diverse planting, low-intensity grazing, minimal soil compaction), solar farms can boost soil-carbon storage over time. The Applicant intends to introduce sheep grazing as a form of grass management, but cannot commit to this at this stage (and therefore has not assessed this in the ES), until such time that graziers can be approached after consent.
14.35		Impacts	Further, management of the Bird Mitigation Areas might also use agriculture, especially for the arable areas to support	This is correct - the Order Limits include areas of new grassland for bird mitigation and a significant portion of retained arable land (a minimum of 181ha (447.3 acres) of retained arable land is secured via the Framework

1. ¹ Appropriate Management of Solar Farms Can Boost Soil Carbon Levels (2024) Lancaster University



LIR Ref.	Document Ref.	Theme	Comments from North Kesteven District Council Local Impact Report [REP1-056]	Applicant's Response to North Kesteven District Council Local Impact Report [REP1-056]
			ground nesting birds such as skylark (see section 15 of this LIR) – though once again that management would likely be at a lower intensity than current arable farming practices. Finally - and although it is not entirely clear from the application documents - other parts of the site will function to provide interconnecting cable runs and access, but appear likely to be retained in agricultural use of some kind alongside other biodiversity mitigation measures, such as enhanced field margins and hedgerows. This could also yield benefits for soil health.	LEMP [REP1-039], a detailed version of which is to be developed substantially in accordance with the Framework LEMP, as secured under Requirement 8 of Schedule 2 to the Draft DCO [REP1-007]), which provides mitigation for ground nesting birds whilst also allowing current farming practices to continue. This retained arable land includes approximately 116ha (286.6 acres) of Subgrade 3a BMV land.
14.36		Impacts	However, Landscape advise that if soil health is to be given weight in the decision, there should be an indication of the degree of longevity of these benefits. This would also benefit from some monitoring to assess changes over time.	It should be noted that the degree of longevity of the benefits of soil health isn't an aspect assessed in the ES, whereby the ES has considered the potential impacts associated with the loss of agricultural land. The Applicant notes however that other ESs for solar NSIPs have applied a minor, not significant, or a moderate, significant benefit to soil health attributed to the resting of the soil over the lifetime of the solar farm and removal of intensive arable farming. There is discussion amongst the research community about this, with the latest study of 32 operational solar farms in 2025² concluding that "Solar farms can be designed and managed to deliver positive plant and soil outcomes." The Framework SMP [REP1-037] sets out that a monitoring schedule must be determined prior to compilation of the SMP (ref. paragraph 7.2.3), whereby the monitoring schedule to be undertaken either during or post construction must be determined and set out within the SMP. This will include determinants to be monitored, the frequency of monitoring and the acceptable limits for the data output. There must also be an agreed set of roles and responsibilities for which person is responsible for carrying out and/or audit of the monitoring programme. The provision of a detailed SMP, which is to be substantially in accordance with the framework plan, is secured by Requirement 15 of the Draft DCO [REP1-007].
14.37		Impacts – Cumulative Effects	With reference to cumulative impacts, at a District and County Level, the Council agrees with Landscape that this project, together with other solar PV schemes in Nottinghamshire and Lincolnshire, may have a significant effect on the BMV resource. ES Chapter 12 assesses cumulative effects in relation to the loss of BMV across Lincolnshire. However, Chapter 12 states that the proposals in the Principal Site involve only 0.09% of the farmland in the East Midlands (AS-016, paragraph 12.7.43) – it does not look at the Lincolnshire scale, where there are numerous solar PV schemes either consented or in the pipeline; or take into account the wider locality into Nottinghamshire.	The cumulative assessment focuses on the County level and considers all solar NSIPs within the County of Lincolnshire, presenting the best available information on BMV land take for each solar NSIP. The reference to the percentage of farmland occupied by the Principal Site within the East Midlands is provided for contextual purposes in the ES Chapter. The Applicant advises that the County-wide proportion of Lincolnshire farmland identified for NSIP solar proposals, at various project stages, is approximately 1.4% of BMV land and 2% of all farmland in the County. ES Chapter 12 [AS-016] identifies this as not significant.
14.38		Impacts – Commitment to Conservation Grazing	Finally, it is not clear whether the applicant has committed to conservation grazing of the solar array areas. If there is no grazing as a means of managing the grassland below the solar panels, the impact of the withdrawal of agriculture due to the development during the operational phase will be greater than it would otherwise be, over the 60 year lifespan of the project - reducing the contribution that agriculture makes towards economic activity within North Kesteven and more widely across the County (recognised in paragraph 187(b) of the	It should be noted that the DCO Application does not commit to sheep grazing, but embeds flexibility within the design to support grazing (i.e. with regards to the minimum height of the panels, as set out in the Proposed Development Parameters [REP1-029] - Requirement 6(2) in the Draft DCO [REP1-007] requires the design of the Proposed Development to be in accordance with the proposed development parameters) should the Applicant wish to further explore the option of grazing and a suitable grazer found. Whilst the Applicant intends to introduce sheep grazing as a form of grass management, as it cannot commit to this at this stage, it has not included this in the ES assessment, thereby adopting a reasonable worst-case approach.

² Carvalho et al (2025) 'Plant and soil responses to ground-mounted solar panels in temperate agricultural systems'



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			NPPF). The provision of conservation grazing beneath the solar panels would offer some continuation of agricultural use on the agricultural land including BMV land. The Council's position is that it should be provided in line with best practice guidance by BRE (2014) 'Agricultural Good Practice Guidance for Solar Farms'.	The planting proposed (including sward mixtures) will be in line with the Framework LEMP [REP1-039], which is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007]. Multispecies swards improve nitrogen use efficiency and reduce nitrogen surplus in grasslands, leading to a beneficial effect on nitrification
14.39		Mitigation	The Council considers that a Requirement to ensure that conservation grazing is provided would give more certainty that the land could continue in agricultural use both during operation and at the end of the decommissioning. A further option to enhance the value of the land while not in agricultural production would be planting to help with nitrification (e.g. non-edible legumes such as vetches).	From the Applicant's perspective, sheep grazing is the preferred form of grassland management (mechanical mowing is generally more challenging and costly). The Applicant will engage with local land owners (and perhaps national grazier coordination companies that have been setup to facilitate matching of graziers with solar farm developers) after consent and during construction with the view to agree contracts with local graziers who can provide this service. The Applicant is not in a position to offer these contracts at this stage without receipt of a made DCO, and nor would graziers want to negotiate with the Applicant this far ahead of the proposed operation. Without a guaranteed grazier therefore, it is not appropriate to secure sheep grazing by a Requirement.
14.40		Conclusions on agriculture and best and most versatile land	The Council in general agrees that, within the policy framework set out in the relevant NPS, the application has justified its use of agricultural land to accommodate this development. Subject to further clarification on certain points, the Council also considers it likely that the applicant has presented a scheme which largely avoids BMV land where possible; not least mindful of the flood risk constraint affecting parts of the site.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
14.41		Conclusions on agriculture and best and most versatile land	However, that does not necessarily mean that there is no adverse impact on agriculture, BMV land and soils. It is considered that the ES somewhat downplays both the impacts of largely removing the land from agriculture land during what is a very lengthy lifespan of the development; and the risks that long term damage to soils may occur, particularly during the construction and decommissioning phases.	The Applicant does not consider that the impacts upon BMV have been downplayed, and considers the assessment presented in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] robust. Furthermore, the Applicant considers the measures set out in the Framework SMP [REP1-037] to be suitable in managing the potential risks associated with long-term soil damage.
14.42		Conclusions on agriculture and best and most versatile land	On the basis of the currently available information, Council therefore concludes that the loss of arable production and the suspension of agriculture within the Principal Site during the construction phase, together with the lengthy 60 year operational phase and the decommissioning phase, involving a significant amount of BMV land is locally significant; and in view of other projects in the wider District and County, potentially cumulatively significant. Doubts about the ability of decommissioning works to restore the land to its original agricultural quality remain; and that scope for mitigation by grazing across the solar array areas does not appear to have been committed to. These effects are considered to represent a negative impact.	Please see responses provided above with regards to the conclusions provided here. With regards to the comment that the impact is negative, the Applicant appreciates that when making a decision on the DCO Application, the SoS will need to balance the impacts of the Proposed Development against the urgent need and critical national priority for the Proposed Development as set out in the energy NPSs. The Statement of Need [APP-184] and Planning Statement [AS-098] are relevant documents in this regards.
15.0 Ecology and Biodiversity (including Biodiversity Net Gain)				
15.1		Policy	Paragraph 5.4.4 3 of EN -1 states that ' <i>... development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable</i>	As set out in Table 1 of ES Appendix 8-A Ecology Legislation, Planning Policy and Guidance [APP-133] and Appendix B of the Planning Statement [AS-099], the assessment presented in Chapter 8 Ecology and Nature



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			<i>alternatives ... Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought'. Paragraph 5.4.44 of EN -1 also sets out that if significant harm to biodiversity cannot be avoided (e.g. thorough choosing an alternative site), adequately mitigated or compensated for, then '... the Secretary of State will give significant weight to any residual harm.'</i>	Conservation of the ES [REP1-019] has been undertaken in accordance with Paragraphs 5.4.4.3 and 5.4.44 of EN-1. Regional and local biodiversity has been considered within Chapter 8 Ecology and Nature Conservation of the ES [REP1-019]. Regional and local geological designations have been considered within Appendix 14-C: Phase 1 Preliminary Risk Assessment of the ES [APP-170]..
15.2		Policy	EN-1 also notes that due consideration should also be given to regional and local biodiversity and geological designations because these sites have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well -being of the community; and in supporting research and education. However, these designations should not be used in themselves to refuse development consent (paragraph 5.4.55).	
15.3		Policy	EN-3 also highlights that solar farms have the potential to increase the biodiversity value of a site, especially if the land was previously intensively managed. Paragraph 2.10.8 1 notes that <i>"In some instances, this can result in significant benefits and enhancements beyond biodiversity net gain, which result in wider environmental gains and which is encouraged"</i> . Paragraph 2.10.82 goes on to state that <i>'... applicants should consider any reasonable opportunities to maximise restoration, creation and enhancement of wider biodiversity', including opportunities identified through Local Nature Recovery Strategies.</i>	As the DCO Site is dominated by intensively managed arable land of low ecological value, it is considered that the enhancement measures provided by the Proposed Development and described in the Framework LEMP [REP1-039] will increase the biodiversity of the site and provide wider environmental gains in line with the Central Lincolnshire Biodiversity Opportunity Mapping. The Applicant has committed to delivering 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 based on Statutory Biodiversity Metric Version 1.0.4. This commitment is secured through Requirement 8(2) of the Draft DCO [REP1-007]
15.4		Policy	CLLP policy S14 'Renewable Energy' states that proposals for renewable energy schemes, including ancillary development, will be supported where the direct, indirect, individual and cumulative impacts are, or will be made, acceptable, including in relation to biodiversity and geodiversity considerations.	The biodiversity assessment within the Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] concludes there will be no residual adverse effects either alone or in combination, as a result of the Proposed Development.
15.5		Policy	CLLP policy S59 'Green and Blue Infrastructure Network' states that the Central Lincolnshire Authorities <i>'will safeguard green and blue infrastructure in Central Lincolnshire from inappropriate development and work actively with partners to maintain and improve the quantity, quality, accessibility and management of the green infrastructure network'</i> . Continuing, the policy notes that <i>'Proposals that cause loss or harm to the green and blue infrastructure network will not be supported unless the need for and benefits of the development demonstrably outweigh any adverse impacts. Where adverse impacts on green infrastructure are unavoidable, development will only be supported if suitable mitigation measures for the network are provided'</i> .	The biodiversity assessment within the Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] concludes there will be no residual significant adverse effects as a result of the Proposed Development. The embedded mitigation and enhancement provided by the Proposed Development for biodiversity provide benefits that outweigh any adverse impacts. These are provided for in the Framework LEMP [REP1-039] and assessed in the Chapter 8: Ecology and Nature Conservation of the ES [REP1-019].
15.6		Policy	CLLP policy S60 'Protecting Biodiversity and Geodiversity' states that development proposals will be considered in the	In accordance with this policy, the embedded mitigation and enhancement provided by the Proposed Development for biodiversity provide benefits that outweigh any adverse impacts. These are provided for in



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			context of the relevant Local Authority's duty to promote the protection and recovery of priority species and habitats. If the proposals do cause adverse impacts, then the benefit of the scheme will need to provide benefits the clearly outweigh the harms.	the Framework LEMP [REP1-039] and assessed in the Chapter 8 Ecology and Nature Conservation of the ES [REP1-019].
15.7		Policy	Development will only be supported where the proposed measures for mitigation and/or compensation along with details of net gains are acceptable. All developments are required to meet the tests of: - Protecting, managing, enhancing and extending the ecological network of habitats, species and sites of international, national and local importance. - Minimising impacts on biodiversity and geodiversity value. - Delivering measurable and proportionate net gains in biodiversity. - Protecting and enhancing the aquatic environment within or adjoining the site, including water quality and habitat.	The Proposed Development will meet these tests through the mitigation and enhancement proposed in the Framework Construction Environmental Management Plan (CEMP) [REP1-031] and the Framework LEMP [REP1-039] and the commitment to providing biodiversity net gain. As stated in the Biodiversity Net Gain Report [APP-194] the Applicant has commitment to delivering 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 based on Statutory Biodiversity Metric Version 1.0.4. This commitment is secured through Requirement 8(2) of the Draft DCO [REP1-007].
15.8		Policy	Part 2 of CLLP policy S60 requires developments to seek to preserve, restore and re -create priority habitats, ecological networks and the protection and recovery of priority species set out in the Natural Environment and Rural Communities Act 2006, Lincolnshire Biodiversity Action Plan, Lincolnshire Geodiversity Strategy and Local Nature Recovery Strategy. It further requires that where adverse impacts are likely, <i>'development will only be supported where the need for and benefits of the development clearly outweigh these impacts' and in such cases, 'appropriate mitigation or compensatory measures will be required'.</i>	Appropriate measures to meet this policy are provided in the Framework LEMP [REP1-039] and Framework CEMP [REP1-031]. The embedded mitigation and enhancement provided by the Proposed Development for biodiversity provide benefits that outweigh any adverse impacts.
15.9		Policy	CLLP policy S61 'Biodiversity Opportunity and Delivering Measurable Net Gains' requires development to deliver at least a 10% measurable biodiversity net gain (BNG) attributable to the development. The net gain for biodiversity should be calculated using Natural England's Biodiversity Metric, and should be provided on -site wherever possible. Unless specifically exempted, a biodiversity gain plan should be submitted providing clear and robust evidence for biodiversity net gains and losses, and which includes details of the pre-development biodiversity value of the onsite habitat, the post-development biodiversity value of the onsite habitat following implementation of the proposed ecological enhancements/interventions and on ongoing management strategy for any BNG proposals.	The Proposed Development will meet the requirements of this policy as the Biodiversity Net Gain Report [APP-194] demonstrates that the Proposed Development will deliver at least 10% measurable BNG, which would be provided within the Order Limits. The Applicant has committed to exceeding this level and 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 based on Statutory Biodiversity Metric Version 1.0.4. This is secured through Requirement 8(2) of the Draft DCO [REP1-007]. The ongoing management strategy will include monitoring of the habitats to ensure correct establishment and growth, with remedial action taken if establishment and growth does not proceed, as provided for in the Framework LEMP [REP1-039] to ensure the delivery of the committed biodiversity units.
15.10		Policy	Finally, CLLP policy S66 'Trees, Woodland and Hedgerows' requires proposals to provide evidence that they have been subject to adequate consideration of the impact of the development on any existing trees and woodland. New developments will also be to retain existing hedgerows where	Habitats have been surveyed in sufficient detail to consider the potential impacts of the Proposed Development on trees, woodlands and hedgerows. A description and assessment of the baseline value of these habitats is provided in the Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] with further detail provided in Appendix 8-B: Terrestrial Habitats and Notable Flora of the ES [AS-080] and Appendix 10-H: Arboricultural Impact Assessment of the ES [APP-155].



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			appropriate and integrate them fully into the design having regard to their management requirements. There is an interface here with CLLP policy S60 given the impacts on hedgerows, a habitat of principal importance.	
15.11		General Comments	The Council normally commissions ecological advice on NSIP projects from AECOM. However, in this case, AECOM are advisers to the applicant. Therefore, the Council has agreed with Lincolnshire County Council (LCC) to share advice from LCC's in-house ecologist, alongside advice from NKDC's own specialist on BNG in particular. The LCC advice on the topic of ecology is attached at Appendix B to this LIR.	Responses to the LCC Biodiversity Report are provided in Appendix A.
15.12		General Comments	Overall, LCC's assessment is that the ecological information and assessments accompanying the application provide a reasonable summary of ecological interest features and likely significant effects, mitigation, and residual effects of the proposed development. Further detail is set out below.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
15.13		Designated Sites – General Comments	There are: - no internationally important sites designated for biodiversity within 10km of the site – LCC agree with the submitted Habitats Regulations Screening exercise, which concludes that significant effects on European Sites is not likely, and so there is no need to carry out a Habitats Regulations Assessment. - two nationally important sites designated for biodiversity are within 5km of the site – LCC also agree with the applicant's findings that there will not be any adverse effects on these sites 29 non-statutory sites designated for biodiversity importance are either inside or within 2km of the site – two of which are Local Wildlife Sites (The River Witham, Aubourn to Beckingham LWS, and the Navenby Green Man Road Verges LWS), both of which would be crossed by cables installed for the development. LCC note that it is proposed to use trenchless methods to cross the River Witham; and soil storage and habitat restoration using locally sourced seed for the impacted length of the Green Man Road verges. These mitigation proposals are considered acceptable. LCC also advise that appropriate mitigation measures are proposed to protect LWS which lie adjacent to the proposed DCO boundary.	The Applicant notes NKDC's agreement with the assessment of significant and adverse effects on designated sites. Measures to protect and enhance habitats (including those associated with the adjacent LWS) are provided in the Framework CEMP [REP1-031] and Framework LEMP [REP1-039]. The Framework LEMP [REP1-039] and Framework CEMP [REP1-031] are to be developed into a detailed LEMP and CEMP, substantially in accordance with the Framework Plans, secured under Requirements 8 and 12 of the Draft DCO [REP1-007] respectively.
15.14		Designated Sites – General Comments	Consequently, it is concluded that as long as the proposed mitigation measures are implemented, there will be no significant effects on statutory or non-statutory designated biodiversity sites.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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15.15		Habitats and species – General Comments	The submitted Environmental Statement has identified a range of ecological impacts across the site clearance, construction, operation and decommissioning phases of the development. These potential impacts include both permanent and temporary damage to habitats; species mortality and disturbance; and the potential for causing the introduction or spread of invasive non-native species.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
15.16		Habitats and species – General Comments	However, overall LCC agrees with the applicant that the proposed impact avoidance and mitigation measures (including the framework management plans) are appropriate and should be effective as long as secured in the DCO and control documents. These would include measures to protect ancient and veteran trees within and adjacent to the site (though see comments on trees under the headings of 'Biodiversity Net Gain' below, and 'Other Topics' later in this LIR). Also, three fields assessed as having particular value for scarce arable flora would be harvested to collect seed prior to construction. This seed would be used on of the margins of these and surrounding fields, and subsequently managed to encourage these species by creating favourable conditions.	The Framework LEMP [REP1-039] and Framework CEMP [REP1-031] are to be developed into a detailed LEMP and CEMP, substantially in accordance with the Framework Plans, secured under Requirements 8 and 12 of the Draft DCO [REP1-007] respectively.
15.17		Habitats and species – Mitigation Proposals	Without mitigation, the proposed development has the potential to result in negative effects on the populations of a number of species / species groups. However, mitigation proposals have been identified to ensure there would be no harm to otters and water voles, both of which have been identified within the site. LCC have also suggested that detailed proposals for habitat mitigation and enhancement should take account of two notable butterfly species found within the study area.	Measures for butterfly species, other invertebrates and wider biodiversity are described in the Framework LEMP [REP1-039], with over 16km of additional native hedgerows to be planted as part of the Proposed Development. To benefit the notable White-letter hairstreak butterfly, the proposed hedgerow mix includes Elm (<i>Ulmus</i> 'Wingham'), which is a fast-growing, highly resistant hybrid elm cultivar specifically developed to replace the English Elm (<i>Ulmus procera</i>) lost to Dutch Elm Disease. It possesses strong, demonstrated resistance to the fungus, making it a reliable choice for conservation and landscaping. The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007].
15.18		Habitats and species –Mitigation Proposals	The proposals have assessed potential impacts on the breeding birds present within the site, in particular ground-nesting species such as lapwing and skylarks. LCC welcome the Bird Mitigation Areas proposed, which would provide areas of 'permanent' (for the duration of the operation of the solar farm) grassland, and arable fields retained and managed with skylark refuges.	Specific mitigation measures have been put in place for ground nesting birds, primarily Skylark and Lapwing, that includes alternative nesting and foraging habitats including Skylark plots and permanent grassland, as shown on Figure 8-5: Bird Mitigation Land Allocation of the ES [AS-046] and detailed in the Framework LEMP [REP1-039] (ref. paragraphs 5.2.20 – 5.2.22). The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007].
15.19		Habitats and species – Mitigation Proposals	The applicant has identified the presence of 10 species of bats, including one which is nationally rare, and another which is rare in Lincolnshire. However, no adverse impacts of the development on bats have been identified, and it is acknowledged that steps have been taken to avoid and mitigate for harm through measures such as further pre-construction surveys. Nevertheless, the potential effects of solar farms on bats are not well understood currently. Given the importance and sensitivity of these species, it is recommended that monitoring of post-construction bat activity is undertaken to compare activity levels prior to construction and to assess mitigation efficacy in order to increase	Potential impacts to bats have been discussed in Section 8.12 of Chapter 8 Ecology and Nature Conservation of the ES [REP1-019]. A programme of post-construction monitoring is set out in Section 7 of the Framework LEMP [REP1-039]. This will be formalised, agreed and included within the detailed LEMP and includes pre-construction surveys and post-construction surveys for bats in years 1, 3, 5, 10 and 15 post-construction and thereafter every ten years from years 20 to 60. The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007].



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			understanding of the impacts of solar developments on local bat populations.	
15.20		Cumulative effects	In terms of cumulative impacts, LCC agree with the applicant that if the proposed mitigation for this and other developments in the area is implemented in line with good practice, then there should be no additional adverse effects. However, it is noted that in its cumulative assessment tables, there is an empty row in the data for veteran and ancient trees which will need to be completed.	The empty line in Table 8-19 of the Chapter 8 Ecology and Nature Conservation of the ES [REP1-019] regarding cumulative impacts on Veteran and Ancient Trees is acknowledged and should be disregarded. Table 8-19 only includes Important Ecological Features (IEF) where there could be residual cumulative adverse effects. As assessed in Table 8-18, the Proposed Development results in a moderate beneficial effect on Veteran and Ancient Trees, and as such there is no potential for significant adverse cumulative effects upon this IEF.
15.21		Biodiversity Net Gain (BNG)	The Draft DCO has committed to measures designed to deliver minimum BNG of 30% in habitat units, 50% in hedgerow units, and 10% in watercourse units during the operation of the solar farm. The net gain would be based on the submitted Biodiversity Net Gain Report, and secured through among other things the detailed design and detailed Landscape and Ecological Management Plans.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
15.22		BNG – Omissions and Errors in Submission	However, NKDC's own ecological adviser has raised significant issues with the applicant's submissions on BNG. These issues include gaps and errors in information including in relation to: Baseline • survey methodologies • condition assessments • justification for the use of assumptions and significance multipliers • confirmation that pre-application degradation has been considered • failure to properly consider small areas of habitat within the Cable Corridor • absence of information relating to the identification of ancient and veteran trees Delivery of post-construction BNG • Incorrect figures for habitat loss and replacement in the Metric • A lack of clarity regarding the identification of the habitat type and condition for areas under the solar panels in relation to the single axis tracker option • Failure to meet the BNG 'trading rules' for arable field margins lost to the development • A lack of clarity on how hedgerows which are already in good condition will be enhanced by increasing distinctiveness	The Applicant discussed the issues raised with NKDC's and LCC's ecologists at a meeting on 22 January 2026 and will be updating the report and Metric where applicable following a further discussion with LCC and NKDC. The majority of the issues were resolved during the meeting; however some points will require further discussion prior to updating the BNG Report. The Applicant is continuing to engage with NKDC regarding the specific comments on the BNG assessment. Once resolved, an updated Biodiversity Net Gain report will be submitted into the Examination. Resolution of these matters will be recorded in the SoC with NKDC and LCC to be submitted at the midpoint of Examination in line with the Examining Authority's request in its Procedural Decision dated 22 August 2025 [PD-005].
15.23		BNG – General Comments	Other comments are made regarding the provision and management of buffers, for instance around areas of ancient	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



LIR Ref.	Document Ref.	Theme	Comments from North Kesteven District Council Local Impact Report [REP1-056]	Applicant's Response to North Kesteven District Council Local Impact Report [REP1-056]
			woodland adjacent to the site; and for the creation and enhancement of grasslands.	
15.24		BNG – Mitigation	Given that the development is proposed to advance in 'parts', a commitment is sought that all non-panel related habitat creation and enhancements are completed as part of the first phase of the development, and secured for the full proposed 60 period of the development.	It should be noted that the Applicant's commitment to BNG, as secured by Requirement 8 of Schedule 2 to the Draft DCO [REP1-007], is not linked to specific phases of the Proposed Development – the minimum commitments made (i.e. delivery of 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 (SBM) (Version 1.0.4)) are linked to the entire Proposed Development. The BNG committed to is based upon the improvement to the baseline habitats identified, and as such, regardless of the phased build out of the Proposed Development, the BNG commitment made ensures its delivery. To account for the phased build out of the Proposed Development, the BNG assessment presented in the Biodiversity Net Gain Report [APP-194] has assumed a three-year delay for habitat creation works across the site has been applied within the Metric as a worst-case assumption for assessment. In reality, the ecological enhancement/habitat creation would be delivered across the 24-30 month construction period, and as such the findings/conclusions of the BNG assessment under this worst-case assumption of delayed habitat creation, inherently shows that there would be 'adequate BNG available'.
15.25		BNG – Mitigation and Conclusions	On the basis of the advice from the Lincolnshire County Council ecological adviser, the Council concludes that, if the full suite of avoidance and mitigation measures are carried out effectively, the proposals would have a negative impact on ecology during the construction phase. If all of the proposed enhancements are delivered promptly and effectively, this adverse impact may prove to be short term, and has the potential to become instead a positive effect over the 60 year operational lifespan of the development.	As set out in Chapter 8 Ecology and Nature Conservation of the ES [REP1-019], with the application of the identified mitigation measures, no significant adverse effects during the construction are concluded. Further to this Chapter 8 Ecology and Nature Conservation of the ES [REP1-019] also concludes that with the wide ranging enhancements provided for in the Framework LEMP [REP1-039], beneficial effects will occur for a range of habitats and species. The Applicant has committed to delivering 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 based on Statutory Biodiversity Metric Version 1.0.4. This commitment is secured through Requirement 8(2) of the Draft DCO [REP1-007].
15.26		BNG – Conclusions	However, as submitted and summarised above, there are a number of potentially significant omissions from the applicant's BNG submissions meaning that the baseline metric and proposals cannot be accepted as accurate and sufficient at this stage. Until those concerns have been resolved satisfactorily (in accordance with Central Lincolnshire's BNG guidance and national guidance), NKDC currently concludes that the proposals would have a negative impact in terms of BNG requirements.	As noted in LIR Ref. 15.22, the Applicant has met with NKDC's ecologist and discussed all potential issues raised. These issues will be addressed in an updated BNG Report and Metric (and submitted to the Examination at a future examination deadline) where appropriate following a subsequent meeting with NKDC/LCC to agree the changes to be made, and will be reflected in the Statement of Common Ground with NKDC to be submitted to the Examination. The Applicant would highlight that whilst it acknowledges the points made by NKDC, the substantial enhancements provided by the Proposed Development as set out in the Framework LEMP, provide extensive tangible benefits for biodiversity.
16.0 Cultural Heritage				
16.1		Policy	Section 5.9 of EN -1 states that the SoS should consider the impact of a proposed development on any heritage assets and that they should take into account the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between conservation of that significance and proposals for development.	The Applicant acknowledges this section of the LIR prepared by NKDC and confirms Chapter 7: Cultural Heritage of the ES [APP-032] and its Appendices were prepared in accordance with relevant local and national planning policy pertaining the historic environment.
16.2		Policy	In terms of archaeological assets, paragraph 5.9.22 states that where there is a high probability that a development site may include as yet undiscovered heritage assets with	



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			archaeological interest, then Requirements should be considered for the DCO to ensure that appropriate procedures are in place for the identification and treatment of such assets discovered during construction.	
16.3		Policy	EN-1 seeks consistency with the current National Planning Policy Framework and expands the definition of heritage significance to acknowledge the contribution that can be made by setting (5.9.3) and alters the wording of paragraphs 5.9.5 and 5.9.6 regarding non -designated archaeological heritage assets of demonstrably equivalent significance to Scheduled Monuments.	
16.4		Policy	EN-1 also recommends that the applicant prepares proposals that enhance heritage significance and mitigate heritage harm, and considers whether the development effects will be direct, indirect, temporary or permanent. It further identifies a need to weigh any identified less than substantial harm to the significance of a designated heritage asset against the public benefits of the proposal.	
16.5		Policy	CLLP policy S47 'the Historic Environment' requires development proposals to protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire including through protecting the significance of heritage assets (including where relevant their setting), and taking into account the desirability of sustaining and enhancing non-designated heritage assets and their setting.	
16.6		Policy	Continuing, the policy states that where a development proposal would result in less than substantial harm to a designated heritage asset, permission will only be granted where the public benefits, including, where appropriate, securing its optimum viable use, outweigh the harm. Finally, development affecting archaeological remains (whether known or potential, designated or undesignated) should take every practical and reasonable step to protect and, where possible, enhance their significance.	
16.7		Above Ground Heritage Assets – General Comments	The area in and around the application site contains a large number of heritage assets, including statutorily designated Listed Buildings, Conservation Areas, and Scheduled Monuments; as well as non -statutory assets such as buildings on the Local List. The area also has significant potential to contain as -yet undiscovered archaeological resources.	
16.8		Above Ground Heritage Assets – Engagement with Council	The Council is concerned at the pre-application approach taken by the applicant to the assessment of potential effects on some aspects of the heritage environment. There is disappointment at the low level of engagement with the Conservation team at the Council. Table 7-2 in Chapter 7 of the ES shows that the applicant's heritage advisers did not make contact to discuss concerns arising from comments	The Applicant acknowledges there is a difference of opinion regarding suitable scope of assessment between the consultees. In such circumstances, a decision has to be made regarding scope that is most appropriate, considering the potential cultural heritage receptors and the Proposed Development, based on the advice provided and professional opinion. Following Historic England's advice, the flexible approach, based on expertise and not constrained by fixed radii, was utilised in the submission documents, and it is considered that this approach provides proportionate and sufficient understanding of the cultural heritage resource and the potential impacts from the Proposed Development.



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			made by the Council on this topic at both the PEIR Review and Scoping Opinion stages. The comments appear to have for the most part been disregarded, with instead a heavy reliance on coming to an agreed position with Historic England. Despite Table 7-3 recording engagement with NKDC at a meeting on 2nd November 2023, officers have not been able to establish who represented the Council heritage team at that meeting.	The Applicant is of the opinion that the suggested study areas for designated heritage assets, as agreed with Historic England, are appropriate. However, a Technical Note is under preparation (to be submitted to the Examination at a future examination deadline), accompanied by an appropriate illustration. This will list, in a tabulated format, all designated heritage assets within 5km area from the Principal Site that have previously been scoped out (with distances from the DCO Site Boundary for all assets). Additional exceptional assets beyond the study area (also scoped out at early stage due to no potential for any impacts) will also be included in the note. The Applicant's intention to submit this additional note, was communicated to the LCC Historic Buildings & Landscape Officer and NKDC Conservation Officer via email on 28 January 2026. With regard to the meeting on 2 November 2023, the Applicant holds meeting minutes within which the approach to trial trenching and the WSI was discussed. The changes to the Proposed Development following non-statutory consultation were also presented. The meeting minutes lists attendance from LCC and Heritage Lincolnshire, representing NKDC. These minutes can be issued upon request.
16.9		Above Ground Heritage Assets – Concerns around Selected Study Areas	Furthermore, despite previous comments, a study area for non-designated assets extending to a distance of 1km from the site boundary, and 3km in the case of designated heritage assets has been maintained despite requests for this to be extended to 5km.	As detailed in the LIR Ref. 16.8 above, as differing opinions on approach to study areas were provided by consultees, the approach utilised was agreed with Historic England. With regard to the 1km study area for non-designated heritage assets, this has provided sufficient information with regard to archaeological baseline (to help identify archaeological potential of the DCO Site) and there is no evidence (considering limited potentially sensitive non-designated assets within 1km study area identified in Chapter 7: Cultural Heritage of the ES [APP-032], and its appendices, and no evidence to the contrary from the NKDC LIR) that there would be any effects on non-designated heritage assets beyond the selected study area. As such, it is considered that extending the study area for non-designated heritage assets would be disproportionate and not add any value to the process. Whilst the Applicant is of the opinion that the suggested study areas for designated heritage assets, as agreed with Historic England (3km for all such assets, 5km for those that are of the highest significance, and exceptional examples beyond) is appropriate, a Technical Note will be submitted to the Examination at a future examination deadline, accompanied by an appropriate illustration. This will list, in a tabulated format, all designated heritage assets within 5km area from the Principal Site that have previously been scoped out (with distances from the DCO Site Boundary for all assets). Additional exceptional assets beyond the study area (also scoped out at early stage due to no potential for any impacts) will also be included in the note. The Applicant's intention to submit this additional note, was communicated to the LCC Historic Buildings & Landscape Officer and NKDC Conservation Officer via email on 28 January 2026.
16.10		Above Ground Heritage Assets – General Comments	These comments aside, the lists of assets scoped into the study for further assessment (set out in Table 7-9 of Chapter 7 of the ES) is generally acceptable; the potential effects on those assets has been sufficiently well considered; and the overall scheme design has ensured that the potential impacts of solar arrays on those assets has been appropriately limited. The remaining concerns are set out below.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
16.11		Above Ground Heritage Assets – Concerns around Selected Study Areas	The breadth of the chosen study area may have resulted in the lack of proper consideration of the setting of some listed buildings. It is noted that no assets outside the 3km study boundary appear to have been considered, with the exception of the setting and views of Lincoln Cathedral.	The Applicant is of the opinion that the study areas included within the assessment work have allowed for an appropriate consideration of all potential designated heritage assets (including Listed Buildings) which may potentially be sensitive to the Proposed Development, with those deemed potentially susceptible discussed in detail in Appendix 7-D: Detailed Heritage Asset Setting Assessment of the ES [APP-127]). However, to address concerns regarding the designated heritage assets in the wider area, a Technical Note will be provided, accompanied by an appropriate illustration. This will present a summary of all designated



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16.12		Above Ground Heritage Assets – Recommendation for Further Assessment	Further consideration should be given to the potential impacts of the development on some of the heritage assets during the operational stage - further assessment, and analysis should be undertaken, and a bespoke approach to mitigation developed as necessary. These assets are identified below: • Morton Manor and Morton Grange (both Grade II Listed) – the setting analysis considers solar panels from a static position (measured from the heritage assets), but doesn't consider the movement in around the heritage assets, which also contributes to its setting. The approach towards the settlement of Morton from the A46 will be adversely affected by a solar array to the north-east of the road. This will change the currently open rural character and adversely impact on the setting of the listed buildings. • River Farmhouse, Norton Disney (Grade II Listed) – the impact on the agricultural character and appearance of the farmhouse has been underplayed. Changes to the setting, including movement along Claypit Lane and views from within the site, should be incorporated into the assessment. Currently it is considered that this asset will experience a medium -high level of less than substantial harm. • Grange Cottage, Aubourn (Grade II Listed) – the proposals will change the agricultural landscape in which the asset is appreciated. Currently it is considered that this asset will experience a medium level of less than substantial harm.	heritage assets within a 5km study area from the Principal Site that have previously been scoped out (including distances from the DCO Site Boundary for all assets). This will include an additional consideration of a number of exceptional assets beyond the 5km study area (also scoped out from detailed assessment). The Applicant's intention to submit this additional note, was communicated to the LCC Historic Buildings & Landscape Officer and NKDC Conservation Officer via email on 28 January 2026. The Applicant is of the opinion that the consideration of potential impacts in relation to heritage assets is sufficiently detailed, with mitigation measures already incorporated where possible into the design of the Proposed Development. To clarify mitigation measures already incorporated, a summary of embedded measures (informed by the assessment work completed to inform the ES) was provided in Appendix B of the Applicant's Written Summaries of Oral Submissions for Issue Specific Hearing 1 [REP1-046]. With regard to the assets for which additional comments have been raised, the following responses are provided: - Morton Manor and Morton Grange. The Applicant considers that the detailed settings assessment, carried out in line with Historic England guidance (Appendix 7-D: Detailed Heritage Asset Setting Assessment of the ES [APP-127]), provides an appropriate and proportionate level of assessment. It considered, and detailed, elements of the assets' setting which contribute to their significance, which includes elements such as views of the buildings from Morton Lane and the wider rural landscape. The A46 is not relevant to the setting of the asset due its distance from it and the status of the A46 as a modern infrastructure development. This was not noted in the assessment, but it is neither feasible, nor proportionate, to mention all aspects of the landscape / setting that are not relevant to the assessment. Views along Morton Lane were discussed, highlighting those which contribute to the heritage significance of those assets, including the visibility of the Principal Site in those views. This assessment subsequently informed the assessment of impacts of the Proposed Development upon those assets, also presented within Appendix 7-D [APP-127], and it was concluded that with the proposed mitigation measures, the appreciation and understanding of the special interest of the Listed Buildings would not be affected (resulting in no harm). - River Farmhouse. The assessment of level of harm upon the Listed Building, taking into consideration the asset's heritage significance and its setting, the Proposed Development and mitigation measures, was presented within the detailed settings assessment within Appendix 7-D: Detailed Heritage Asset Setting Assessment of the ES [APP-127], in line with Historic England guidance. This focused on aspects of the asset's setting which contribute to its significance (Historic England guidance clarifies that not all elements of setting contribute), and the Applicant is of the opinion that the assessment has accurately described the aspects of the setting of River Farmhouse which do contribute. These include, in summary, the gardens, associated farm range (and associated views), wider setting of agricultural land, and longer distance views in which the asset can be experienced (several views from the east have been highlighted, including from parts of Clay Pit Lane or footpaths). It should also be highlighted that those views which contribute have been taken into account, with no development between River Farm and Clay Pit Lane. However, any movement along Clay Pit Lane cannot be considered as contributing to the asset's significance, given the visibility of the Listed Building from the lane is obscured from many locations (and as such the farmhouse cannot be experienced in those views), and also as no such views (if they were possible more widely) form part of the conscious design (in contrast to, for instance, a drive approach through a parkland). In response to the assessment of impact, the Applicant would like to stress, as per Historic England guidance, that setting is not itself a heritage asset and as such the assessment of impact must be directed to any change to the significance of the heritage asset (not just the change to the setting). Here, the Proposed Development will change part of the asset's wider setting, but the historic and architectural interest of the Listed Building itself, and the contribution to the heritage significance from the asset's immediate setting, will not be affected at all. As such, although there will be a change within the wider setting, its



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				overall effect on the significance of the asset will be minor (as only part of the asset's setting and experience will be affected), and the conclusion within the assessment therefore found the overall harm to be within the lower end of less than substantial harm. - Grange Cottage. The Applicant acknowledges the comment but is of the view that Appendix 7-D: Detailed Heritage Asset Setting Assessment of the ES [APP-127] provides an appropriate assessment of the harm to the heritage significance of the asset from the Proposed Development. In line with Historic England guidance, this considered how change within the setting of an asset affects the asset's significance (as the setting in itself is not an asset), and a slight change to the experience and perception of the asset within its rural setting resulting from the Proposed Development was deemed to fall within the lower end of less than substantial harm. Additional consultations with Historic England were held on 15 September 2025 during an in person meeting on site to discuss the layout of the Proposed Development in proximity to Grange Cottage. In response to Historic England's concerns regarding the proximity of solar PV to Grange Cottage and heritage assets at Aubourn, the Proposed Development has been altered to remove panels from Field 46. The outcome of these consultations is summarised within a Statement of Common Ground between the Applicant and Historic England (which is currently under preparation and will be submitted at the midpoint of Examination, in line with the Examining Authority's request in its Procedural Decision of 22 August 2025 [PD-005]) and the changes reflected within updated plans and photomontages, which were submitted to the Examination as part of the Change Request 1 [AS-103]. In summary, whilst the Applicant is of the opinion that the assessment of lower end of less than substantial harm is accurate, the proposed removal of the panels within Field 46 (as noted above) should ameliorate or resolve NKDC's concerns by reducing any change within the agricultural landscape surrounding the cottage
16.13		Above Ground Heritage Assets – Baseline	There are some inaccuracies within the detailed heritage assessment. For instance, Coleby Hall Registered Park and Graden is noted as being within 1km of the cable route, but is actually also within 3km of the principal site, as is the Coleby Conservation Area. The Council has also been unable to find reference to Househam Wood Farm, which appears to be a possible Non-designated Heritage Asset located at the Southeast corner of Househam Wood, together with farm building at Househam Grange. The proximity of these properties to the solar arrays requires further consideration.	The responses to concerns regarding these highlighted heritage assets are as follows: - Coleby Hall Registered Park and Garden (RPG). The Applicant would like to draw attention to paragraph 3.41 of Appendix 7-D: Detailed Heritage Asset Setting Assessment of the ES [APP-127] which acknowledges not only the location of the RPG in relation to the Cable Corridor, but which also considers the distance from the closest Solar PV Array area (which would be 4km). In addition, Annex 2: Gazetteer of Heritage Assets of Appendix 7-D lists Coleby Hall RPG as part of the designated heritage assets within 3km study area (line 7 of the table on page 141). To ensure all designated heritage assets are referenced, a Technical Note is under preparation (to be submitted to the Examination at a future examination deadline), accompanied by an appropriate illustration, which details that designated heritage assets of less than highest significance within the 3km-5km area from the Principal Site (and others which may have been accidentally omitted) have previously been scoped out. - Housham Wood Farm. The farm is not a locally listed building, or a building recorded in the HER. The HER records Housham Wood Farm as a monument (farmstead, of post-medieval to modern date, HER ref. MLI86044). But whilst the HER record mentions the farmhouse as a surviving historic structure, research carried out as part of the assessment indicates this is not the case. Planning permission was granted by NKDC for the erection of a replacement dwelling (11/0629/FUL), with Conservation Officer comments at that stage not raising objections from the conservation perspective. The subsequent application to discharge conditions (12/0052/DISCON) clearly illustrates the proposed and existing (to be demolished) buildings, with the aerial imagery from 2013 onwards showing the replacement dwelling within this farm. As such, the historic building on this farm had been demolished and replaced, and the replacement structure (which dates to the 21st century) does not comprise a heritage asset or require any further consideration in heritage terms.
16.14		Above Ground Heritage Assets – Conclusions	In summary the Council disagrees with some aspects of the methodology and conclusions of the assessment of the potential effects of the development on above -ground heritage assets. Further detailed assessment is required to ensure that	The Applicant has presented responses to the concerns raised with regard to the potential effects on above ground heritage assets in LIR Ref. 16.8-9, 16.12-13 above.



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			the solar arrays do not have unacceptable adverse impacts on the setting of the heritage assets, including to ensure that any mitigation is bespoke considering the individual impacts, rather than employing a blanket bespoke mitigation as proposed.	In relation to the comment regarding mitigation, the Proposed Development has been designed taking into account heritage constraints and informed by the staged assessment work completed in order to remove or reduce potential impacts upon above ground heritage assets, and reflects a proactive approach to identifying, assessing and mitigating impacts. Additional, bespoke mitigation was not deemed necessary within Chapter 7: Cultural Heritage of the ES [APP-032], as feasible mitigation measures were included in the design of the Proposed Development (embedded mitigation) ensuring no significant effects upon built heritage assets would occur. However, it was clarified that appropriate measures will be implemented to ensure the embedded mitigation is appropriately managed throughout the duration of the Proposed Development (to include ensuring that the landscaping / planting measures included as part of the embedded mitigation will be managed appropriately). To clarify mitigation measures already incorporated, a summary of embedded measures (informed by the assessment work completed to inform the ES) was provided in Appendix B of the Applicant's Written Summaries of Oral Submissions for Issue Specific Hearing 1 [REP1-046].
16.15		Above Ground Heritage Assets – Conclusions	In view of these conclusions, unless and until these deficiencies are addressed, the Council currently considers that there will be a negative impact on above ground heritage assets as listed above.	Please refer to responses in LIR Ref. 16.8-9, 16.12-14 above which clarify the Applicant's position on those matters, including where relevant further actions.
16.16		Archaeology – General Comments	The Council has an arrangement with Lincolnshire County Council for the provision of archaeological advice on behalf of NKDC. The Council supports the views of the LCC's Historic Environment (Infrastructure) Officer which are summarised below and set out in full in Appendix C to this LIR.	Responses to Appendix C of the NKDC LIR are provided in Appendix A.
16.17		Archaeology – Assessment Approach	There is concern regarding the level of archaeological assessment undertaken to date. This concern is heightened given the range of developmental activities involved and their ground impacts including: • heavy plant movements • drainage works • engineering works including piling • cabling • landscaping and ecological mitigation works such as soil inversion and deep-ripping of substrates to accept soil replacement.	The Applicant is of the opinion that the assessment work completed as part of the ES (Chapter 7: Cultural Heritage of the ES [APP-032], and relevant Appendices, especially [APP-127], [APP-129], [APP-130], [APP-132]) is proportionate and fully compliant with the policies of NPS EN-1 and NPS EN-3, the NPPF and the EIA Regulations, and provides an appropriate response to the EIA Scoping Opinion [APP-119]. Of particular note (within all of the relevant policies) is the need to understand the specific nature of the potential impacts of the Proposed Development (acknowledged in policy to be 'limited'); to undertake a 'proportionate' assessment of these effects; and to develop mitigation proposals to manage any residual effects. For the avoidance of doubt, the Applicant is committed to ensuring that archaeological remains are taken into account during the detailed design process, and where activities such as those listed are identified as unavoidable, appropriate mitigation measures can be defined in response to specific impacts. Such work would be secured under Requirement 11 of the Draft DCO [REP1-007]. DCO requirements are legally binding and enforceable by the LPA. To reiterate, the results of the Final Trial Trenching Report, and any additional required trenching carried out following granting of the DCO, will inform the detailed design. This staged approach to further investigation of those additional areas is presented within the Framework WSI [AS-001], which will be updated following additional trial trenching. The Applicant will be liaising with relevant LPA to develop the next stage of site-specific WSIs to guide the detailed design process and post-consent activities, and prior to the carrying out of any archaeological works.



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16.18		Archaeology – Assessment Approach	Archaeology has been identified across the site, including some surviving at less than 30cm depth. This means that almost all ground works or plant movement have the potential to damage or destroy any archaeology which has not already been adequately evaluated or is the subject of mitigation measures appropriate to its significance. The large landscape scale of the development means that it is very likely that archaeology exists within the site but which has not yet been identified by the assessments carried out to date.	As part of the DCO submission, there is the commitment to ensure that archaeological remains to be preserved in-situ as part of the mitigation are protected from impacts, as included within the Framework CEMP [REP1-031], ref. measure CH-C1. The Applicant is of the opinion that appropriate measures will be defined within the detailed CEMP, reflecting by the understanding of the archaeological resource (informed by the ongoing and further trial trenching), specific construction methods and detailed design. There needs to be an understanding that where non-intrusive methods are proposed, some machinery movement will be required to facilitate construction, but this can be done using appropriate equipment in the right conditions (and not heavy machinery on saturated ground). The details will depend on the detailed design and the mitigation measures proposed, and those can be agreed in the detailed CEMP. The Applicant would also like to highlight the opportunities the Proposed Development brings to define appropriate measures to protect such remains (with no protection currently in place from regular ploughing and movement of farm machinery which result in impacts such as wheel ruts or plough scars). The Framework CEMP [REP1-031] is to be developed into a detailed CEMP, substantially in accordance with the Framework Plan, secured under Requirement 12 of the Draft DCO [REP1-007]. To further expand on the point of identification of archaeological remains, following the granting of the DCO, additional trenching will be carried out where required, as secured within the Framework WSI [AS-001]. The Framework WSI is currently being finalised following completion of the Final Trial Trenching Report and consultation with the relevant stakeholders (LCC and HE), and will be submitted to the Examination at a future Examination deadline. The Applicant would like to acknowledge the support and involvement from the consultees (both at LCC and HE) in the preparation of the Framework WSI, with their comments appreciated. For the avoidance of doubt, the surveys and assessments completed to inform Chapter 7: Cultural Heritage of the ES [APP-032] have contributed to the understanding of the archaeological resource across the DCO Site which, together with the Final Trial Trenching Report, provide sufficient information to inform the decision making process with regard to archaeology.
16.19		Archaeology – Pre-Construction Evaluation	This means that areas of unknown potential should be the subject of adequate levels of evaluation in advance of the development commencing – otherwise further mitigation measures will be required to allow the archaeology to be investigated and recorded before the development (including site clearance) is allowed to commence.	As per the response to LIR Ref. 16.18, additional trenching will be carried out where required, as secured within the Framework WSI [AS-001] (to be updated/finalised and submitted to the Examination at a future Examination deadline). It should be noted however that any such evaluation will be proportionate to impacts of the Proposed Development (which do vary greatly across the DCO Site, from no impacts at all, to localised but extensive impact).
16.20		Archaeology – Desk-based assessment and geophysical survey	As set out in the appended advice from LCC, assessment work to date has included a desk-based assessment and geophysical survey. However, geophysical survey of the land is incomplete. Unsurveyed areas will need to either be evaluated in more detail now; or subjected to stronger archaeological mitigation at a later date because their potential has not yet been established.	The Applicant acknowledges that a small amount of the DCO Site area was unavailable for the geophysical survey, however the vast majority of that area falls within areas of retained agricultural land or where ecological mitigation areas are proposed (the impacts of which have not yet been subject to detailed design but which are anticipated to be minimal at most), and the survey was only one of a number of surveys and assessment which informed Chapter 7: Cultural Heritage of the ES [APP-032] . As per the response to LIR Ref. 16.18, additional trenching will be carried out where required, as secured within the Framework WSI [AS-001] (to be updated/finalised and submitted to the Examination at a future Examination deadline).
16.21		Archaeology – Trenching	An agreed Written Scheme of Investigation (WSI) forms Appendix 7-H to the ES chapter 2; and some targeted evaluation trenching is on-going as the first phase of that WSI. However, as set out in the appended LCC reply this provides only limited data in relation to identifying the presence, nature and significance of surviving archaeology within the site, and does not include trial trenches to explore areas where other techniques (such as geophysical survey) have not identified remains.	As mentioned above (i.e. LIR Ref. 16.18), following the granting of the DCO, additional trenching will be carried out where required, as secured within the Framework WSI [AS-001] (which is currently being finalised, to be submitted to the Examination at a future Examination deadline). The results of the completed phase of trenching, which are considered to be sufficient to inform the decision-making process, will be submitted as the Final Trial Trenching Report to the Examination at the next available Examination deadline (with the results superseding the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]). However, and for the avoidance of doubt, a number of surveys and assessments were carried out and contributed to the understanding of the archaeological resource across the DCO Site which, together with the Final Trial Trenching Report, provide sufficient level of detail to inform the decision-making process with regard to archaeology.



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16.22		Archaeology – Trenching	In short, the baseline of information is not sufficient to properly show how the assessments have supported the design of either the development or an appropriate archaeological mitigation strategy, as advised at section 3.1 of the EIA Scoping Opinion (APP -119). It is much preferred that sufficient trial trenching is undertaken across the full Order Limits to provide the essential baseline evidence to design a reasonable and fit-for-purpose mitigation strategy. Post-consent trenching leaves a high degree of risk, with the potential for archaeological works to impact the construction programme and budget.	Chapter 7: Cultural Heritage of the ES [APP-032], specifically Section 7.6 Embedded Mitigation Measures, details key measures that have been incorporated into the design of the Proposed Development, based on the archaeological surveys completed, including early definition of areas of particular archaeological value to ensure those areas are excluded from the Proposed Development. As such the Applicant is of the opinion that the design of Proposed Development has been informed by the archaeological work. However, at the request of the Examining Authority, a summary of embedded measures (informed by the assessment work completed to inform the ES) was provided in Appendix B of the Applicant's Written Summaries of Oral Submissions for Issue Specific Hearing 1 [REP1-046]. With regard to potential risks regarding the post-consent trenching, there are numerous examples that demonstrate the potential archaeological resource can be managed through trenching carried out post-consent, which then leads to either mitigation measures by design (i.e. micro-siting/avoidance) or specific and appropriate mitigation via preservation by record (archaeological investigations). At the request of the Examining Authority, examples of where such measures have been successfully implemented on other schemes was provided in Appendix B of the Applicant's Written Summaries of Oral Submissions for Issue Specific Hearing 1 [REP1-046]. As such the Applicant is of the opinion that as appropriate evaluation will be carried out following the granting of the DCO, to adequately identify surviving archaeological remains across the DCO Site which may be affected by the construction works, appropriate mitigation measures to ensure the remains are either protected or appropriately recorded can be defined at the post-consent stage including via detailed design.
16.23		Archaeology – Residual Effects	The ES concludes that no significant residual effects on cultural heritage are predicted during the construction of the development. The Historic Environment (Infrastructure) Officer's view is that, based on the information gathered to date, this is incorrect. Potential buried archaeological remains have yet to be located, identified and characterised, as there is not yet sufficient baseline evidence for an informed understanding of the significance of surviving archaeology within the Order Limits. The worst-case scenario at present is that currently unknown significant archaeology is destroyed without being recorded, contrary to national and local policy. In the absence of a full mitigation strategy informed by an adequate baseline, the construction measures proposed – including low-level piling and avoidance of key areas of archaeology when constructing the solar arrays - are considered insufficient.	The Applicant appreciates archaeological remains are located within the DCO Site, for which appropriate mitigation measures are, or will be, agreed, and wholly disagrees with the statement that archaeological remains would be destroyed without recording. It should be noted that, as per Requirement 12 of the Draft DCO [REP1-007], the CEMP must be substantially in accordance with the Framework CEMP [REP1-031] and construction of the authorised development must be carried out in accordance with the approved CEMP. The Framework CEMP [REP1-031] (ref. CH-C1) notes: "Where impacts to below ground archaeological remains as a result of the Proposed Development cannot be avoided, an appropriate programme of archaeological investigation and recording will be undertaken, with the objective of advancing the understanding of the significance of archaeological remains within the DCO Site that may be disturbed or either wholly or partially lost. The fieldwork will be undertaken prior to the commencement of construction works but may also include monitoring and recording works during construction. The detailed CEMP(s) will reflect mitigation required during construction which will be set out in the WSI and include measures such as ensuring monitoring is in place where required." DCO requirements are legally binding and enforceable by the LPA, as such the various management plans secured under the DCO requirements must be complied with; failure to comply with the provisions of the various management plans (and other measures) secured under the DCO requirements would be a breach of the terms of a DCO, which is a criminal offence. As such, the destruction of archaeological remains without recording would be a criminal offence. The results of the Final Trial Trenching Report, and any additional required trenching, will inform the detailed design, which will be carried out following granting of the DCO, as detailed within the Framework WSI [AS-001]. As part of an iterative approach to the detailed design process, the locations for construction activities will be fed into the design for a programme of further trial trenching work, which will in turn inform the design process and appropriate mitigation measures. This staged approach to further investigation of those additional areas is presented within the Framework WSI [AS-001]. The Framework WSI is currently being finalised following completion of the Final Trial Trenching Report and consultation with relevant stakeholders (LCC and HE) and will be submitted to the Examination at a future Examination deadline. The Applicant is liaising with and would like to acknowledge the support and involvement from the consultees (both at LCC and HE) in the preparation of the Framework WSI, with their comments appreciated. Further liaison with the relevant LPA to develop the next stage of site-specific WSIs to guide the detailed design process and post-consent activities, and prior to the



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				carrying out of any archaeological works, will be carried out. As such, it is considered that there are appropriate measures in place to ensure there will be no significant effects.
16.24		Conclusions	Further examples of gaps in information relating to the different development activities, their potential adverse effects, and mitigation proposals are set out in the full response of the Historic Environment (Infrastructure) Officer at Appendix C to this LIR. Subject to these gaps in information being adequately addressed, the Council considers that the Draft DCO wording for Requirement 11 would be appropriate and acceptable, should Fosse Green Energy be consented.	Responses to Appendix C of the NKDC LIR are provided in Appendix A.
16.25		Archaeology Impacts	However, on the basis of the information supplied to date, the Council considers that there is a negative impact on below - ground heritage assets.	The Applicant notes that elements of the Proposed Development have the potential to affect archaeological remains, however as detailed within Chapter 7: Cultural Heritage of the ES [APP-032], and its appendices, appropriate mitigation measures (secured by the Draft DCO [REP1-007]), either through detailed design or through archaeological investigations, would ensure there would be no significant adverse effects in relation to the archaeological resource.
17.0 Rights of Way and Permissive Paths				
17.1		Policy	The development has potential to impact the existing network of public rights of way and permissive paths in North Kesteven.	From a traffic and transport perspective, in terms of accessibility and connectivity, no significant effects on PRow users are anticipated following the assessment of the Principal Site and Cable Corridor, as set out within Chapter 13: Traffic and Transport of the ES [APP-038]. The Framework PRowMP [APP-195] outlines the existing PRow which pass through or run adjacent to the DCO Site and demonstrates how safe access will be maintained along and across these during the construction, operation and decommissioning of the Proposed Development. PRow will be managed throughout the construction phase to ensure that existing routes can continue to be used safely throughout the duration of the proposed works. The proposed PRow diversion and management measures are shown on the Streets, Right of Way and Access Plans [REP1-004]. Potential impacts on PRowS are also assessed in Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. The assessment considers the permanent diversion of three PRowS: LL_Aubo_10/1, LL_THUN_2/1, and LL_TOTH_13/1 (paragraphs 12.7.31–12.7.33). Each diversion is described in terms of its existing length, the change to user journey length, and the availability of alternative routes within the wider PRow network. For all three routes, sensitivity and magnitude of impact are assessed as low, resulting in negligible and not significant effects. Temporary closures may be required during the construction phase; however, Chapter 12: Socio-Economics and Land Use of the ES [AS-016] notes that the wider PRow network offers suitable substitute routes and therefore assesses temporary impacts as very low adverse, leading to a negligible (not significant) effect (paragraph 12.7.34). The ES confirms that all PRowS would be reinstated following completion of relevant works. The assessment within Chapter 12: Socio-Economics and Land Use of the ES [AS-016] refers to the Framework PRowMP [APP-195] and sets out the approach to managing PRow during all phases (paragraphs 12.6.5(d) and 12.7.35). This includes measures relating to signage, diversions, maintaining safe access and minimising disruption to users. During operation, Chapter 12: Socio-Economics and Land Use of the ES [AS-016] notes that the three permanent diversions would remain in place and continue to result in negligible, not significant effects (paragraph 12.7.57). No additional operational impacts on other PRowS are identified (paragraph 12.7.58). The Proposed Development would also create approximately 9.5 km of new permissive paths, which are assessed as providing a low beneficial (minor, not significant) effect by enhancing local connectivity (paragraph 12.7.59).



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				Overall, the assessment in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] concludes that the scale of changes to journey length, travel patterns and access opportunities is limited, and that effects on PRoW users, whether local residents or visitors, would be negligible and therefore not significant across construction, operation, and decommissioning.
17.2		Policy	EN-1 advises that the Secretary of State ' <i>... should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to National Trails and other public rights of way and new coastal access routes.</i> ' (paragraph 5.11.24).	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to the Traffic and Transport Assessment at Appendix 13-A: Traffic and Transport Legislation and Policy of the ES [APP-163]. The Planning Statement [AS-098] also provides Policy Accordance Tables to demonstrate how the Applicant has complied with the policies referred to.
17.3		Policy	Paragraph 5.11.30 says the Secretary of State should expect applicants not just to take appropriate mitigation measures to address adverse effects, but also to consider opportunities to improve or create new access. The use, character, attractiveness and convenience of rights of way affected are highlighted as relevant considerations.	The Proposed Development will create approximately 9.5km of new permissive paths across the Principal Site including: - Route from Tunman Wood linking to PRoW LL/TOTH/11/1 to the east of Morton. - Route from Tunman Wood to Fosse Lane including a link to the Cathedral View Caravan Park linking with PRoW LL/TOTH/6A/1. - Cathedral View Caravan Park to Fosse Lane, providing a circular walk and safer route and access to Thorpe-on-the-Hill for residents. - East of Witham St Hughs, providing a circular walk around the proposed community orchard and linking to PRoW LL/AUbo/11/2. - Route south of Thurlby linking to PRoW LL/ThuN/2/1. - West of Bassingham providing a circular walk and linking to PRoW LL/NoDi/1/2. The assessments presented in the ES have had due consideration of factors such as the use, convenience, character and attractiveness of the proposed permissive paths, e.g. in considering the benefits afforded by linking into other routes, the offsets and management measures prescribed, and the proposed landscaping design.
17.4		Policy	Section 2.10 of EN-3 makes a number of recommendations in relation to accessibility and public rights of way, advising that applicants should keep, as far as is practicable and safe, all public rights of way that cross the proposed development site open during construction and protect users accordingly (paragraph 2.10.34). They are also encouraged to minimise visual impacts for users; and to use the design the layout and appearance of the site to maximise opportunities to facilitate enhancements for public rights of way and inclusion. Such enhancements could include the adoption of new rights of way or the creation of permissive paths (paragraph 2.10.36).	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to the Traffic and Transport Assessment at Appendix 13-A: Traffic and Transport Legislation and Policy of the ES [APP-163], Landscape and Visual Impact Assessment at Appendix 10-A: LVIA Policy of the ES [APP-148], and Appendix 12-A: Socio-Economics and Land Use Policy and Legislation of the ES [APP-160], as relevant. The Planning Statement [AS-098] also provides Policy Accordance Tables to demonstrate how the Applicant has complied with the policies referred to.
17.5		Policy	CLLP policy S4 8: Walking and Cycling Infrastructure states that: ' <i>Development proposals should facilitate active travel by incorporating measures suitable for the scheme from the design stage. Plans and evidence accompanying applications will demonstrate how the ability to travel by foot or cycle will be actively encouraged by the delivery of well designed, safe and</i>	This policy has been considered in the initial development of the Proposed Development (as relevant), and any detailed design will be cognisant of this.



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			<i>convenient access for all both into and through the site. Priority should be given to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of high quality pedestrian and cycle routes and green corridors, linking to existing routes and public rights of way where opportunities exist, that give easy access and permeability to adjacent areas. Proposals will: a) protect, maintain and improve existing infrastructure, including closing gaps or deficiencies in the network and connecting communities and facilities; b) provide high quality attractive routes that are safe, direct, legible and pleasant and are integrated into the wider network; c) ensure the provision of appropriate information, including signposting and way-finding to encourage the safe use of the network; d) encourage the use of supporting facilities, especially along principle cycle routes; e) make provision for secure cycle parking facilities in new developments and in areas with high visitor numbers across Central Lincolnshire; and f) consider the needs of all users through inclusive design.'</i>	
17.6		Policy	As set out in section 9 above, the Fosse Green energy solar farm is located in the Witham Valley Country Park (WVCP). Whilst the WVCP is not itself subject to a freestanding environmental designation (nor are impacts upon its role and function directly provided for in any policies of the CLLP), nevertheless it is notable for its number of accessible green spaces and contains a number of statutory and non-statutory ecological habitats and woodlands. This includes, within the Order Limits, Tunman Wood. The Council has identified that over the coming years the WVCP aims to connect green spaces into a unified network for active recreation, with new routes developed for walking, cycling, and horse riding, along with enhanced facilities for sports and leisure.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
17.7		General Comments	The application is accompanied by the following documents of particular relevance to rights of way and other walking paths: • ES Chapter 12: Socio-Economics and Land Use (AS-016) • ES Chapter 13: Traffic and Transport (APP-038) • Framework Rights of Way Management Plan (Rev 1) (APP-195) • Framework Landscape and Ecological Management Plan (REP1-039) • various figures including ES Figure 2 -2 Public Rights of Way Plan (Rev 2) (AS-020) and ES Figure 3 -3 Proposed Permissive Paths Plan (Rev 2) (AS- 024) • the Streets Rights of Way and Access Plans (REP1-004)	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
17.8		General Comments	ES Chapter 13 (APP-038) recognises the potential for a large number of rights of way to be affected during the construction and decommissioning phases. This is perhaps inevitable given	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment, although it should be noted that the second PRoW referenced in this comment should read LL Aubo 10-1 (not Aubo



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			the relatively spread out nature of the site, requiring construction access from a variety of points. However, the majority of rights of way will not require any diversions or closures, with 23 routes being affected to some degree, mostly having temporary diversions or construction route crossing controls. However, the following paths would be subject to permanent diversions: • TOTH -13/1 – diversion of 164m in length, with no disruption to connectivity with other rights of way • Aubo -13/1 – diversion of 434m in length, but less than 400m in addition to the existing route, with no disruption to connectivity with other rights of way • ThuN -2/1 – diversion of 292m in length, but following a path commonly used in practice, so not considered different from existing route	13/1) and is an additional 87m in length compared to the existing route. Please see para 3.5.10 of the Framework PRowMP [APP-195] which states: <i>"LL Aubo 10/1 – The current alignment of this PRow will pass through a land parcel comprising of proposed solar arrays and hence will need to be permanently diverted. The proposed diversion route is expected to be 434m in length (representing an additional 87m in length compared to the existing route) and will run to the west of the current route in parallel to the River Witham".</i>
17.9			In addition: • a 128m length of path TOTH -12/1 will be used by construction traffic – which will be segregated from other path users • paths TOTH -12/1, TOTH -12/2 and TOTH -12/3 will be used for emergency access if required during the operational phase • parts of paths TOTH -12/3 and TOTH -7/2 would be used by site traffic during the operational phase, which will be segregated from other path users	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
17.10		General Comments	Overall, the ES concludes that for the construction and decommissioning periods severance, pedestrian delay and user amenity impacts are assessed as being minor for five rights of way, and negligible for the remainder, and so are not considered to be significant – these are summarised in ES Appendix 13-C (APP-165).	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
17.11		Permissive Paths Plan	ES Chapter 13 identifies existing permissive paths which might be affected. However, the Council has been unable to identify a plan showing where these existing permissive paths (numbered at paragraph 13.5.24) are located.	The Applicant identified existing permissive paths onsite during early site visits and sought to obtain the routes of these from NKDC and LCC. Neither council was able to provide this, and therefore the Applicant mapped these routes during site visits and in liaison with landowners. The existing permissive paths are being retained and as such are labelled as 'Retained Permissive Paths' on Figure 3-3: Proposed Permissive Paths of the ES [AS-024]. Secured drawings of the DCO, such as the Landscape Mitigation Plan (which forms Appendix A of the Framework LEMP [REP1-039]) and the Streets, Rights of Way and Access Plans [REP1-004] show these existing permissive paths as part of the Proposed Development; this ensures that these permissive paths form part of the application and therefore will be retained by the undertaker during operation, therefore ensuring their benefits (e.g. improving connectivity across the site) are realised by the Proposed Development.



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17.12		General Comments	The application states that 9.5km of additional permissive paths are proposed, and proposals for these are described in some detail in section 6 of the Framework Landscape and Ecological Management Plan (REP1-039). It is proposed to integrate rights of way and permissive paths with the design to provide set-backs between the paths and the solar arrays, and providing signage. Overall, the ES concludes that there would be a minor beneficial (though not significant) effect on users of public rights of way.	LIR Ref. 17.3 above sets out further details regarding the proposed permissive paths.
17.13		Permissive Path Clarifications	Some of these aspects of the scheme are welcome in principle, however: a. the Proposed Permissive Paths shown on Fig 3 -3 (AS-024) are not secured beyond the duration of the operational phase of the development; and b. it is not clear from Figure 3 -3 which of the paths are already in place, and which would be genuinely additional due to the development c. it is not clear whether existing permissive paths would be adversely affected by the construction and decommissioning phases d. a 5m separation either side of a path between solar arrays (10m width in total) may assist in reducing the "tunnelling" effect on views and user amenity, but is unlikely to remove it entirely.	a) Under Requirement 20 of the Draft DCO [REP1-007], at the end of the Proposed Development's operating life, the land (inclusive of proposed permissive paths) will be made available for its current use, although the landowners would choose how the land is to be used and managed. b) Figure 3-3: Proposed Permissive Paths of the ES [AS-024] identifies 'Retained Permissive Paths' (i.e. those already in place) and 'Proposed Permissive Paths' (i.e. those proposed as part of the Proposed Development). AS noted at LIR Ref. 17.11 above, the Applicant identified existing permissive paths onsite during early site visits and sought to obtain the routes of these from NKDC and LCC. Neither council was able to provide this, and therefore the Applicant mapped these routes during site visits and in liaison with landowners. c) The Proposed Development does not require the closure or diversion of any identified existing permissive paths on-site, and as such there is no potential impact in this respect upon these permissive paths. Section 12.7 of Chapter 12: Socio-Economics and Land Use of the ES [AS-016] presents an assessment of the PRow impacted by the Proposed Development. Furthermore, the other technical assessments of the ES (e.g. noise, air quality) do not establish effects that would significantly affect users of existing permissive paths during the construction and decommissioning of the Proposed Development. d) The design of the Proposed Development has sought to avoid creating a tunnelling effect from new hedgerows, for example by minimising instances of development proposed on both sides of PRow and by embedding a minimum 10m offset from the centre line of PRow (ref. paragraph 6.1.1 of the Framework LEMP [REP1-039]). Where development is proposed on both sides of a PRow, sections of wider offsets reflecting local features, such as hedgerows, have been integrated to vary the visible extent of proposed infrastructure and the overall visual experience, where practicable. Where proposed hedgerows are anticipated to result in notable changes to the visual amenity of users of PRow, these have been acknowledged within Chapter 10: Landscape and Visual Amenity of the ES [AS-117], for example, on recreational users of PRow west of Thorpe on the Hill (TOTH/7/2, TOTH/21/1, TOTH/6/2, TOTH/6/3) in Table 10-13.
17.14		Residual Effects	The Council considers that despite the mitigation measures proposed, there will be some residual adverse effects on the rights of way network for users, particularly in terms of the amenity of routes over the 60 year duration of the operational phase of the development, when there will be substantial changes to the character of the surrounding landscape; and adverse impacts on views currently enjoyed by users during the operational phase.	From a traffic and transport perspective, in terms of accessibility and connectivity, no significant effects on PRow users are anticipated following the assessment of the Principal Site and Cable Corridor, as set out within Chapter 13: Traffic and Transport of the ES [APP-038]. From a landscaping perspective, Chapter 10: Landscape and Visual Amenity of the ES [AS-117] concludes that at Year 15 major adverse effects are likely to remain on Recreational users of PRow Aubo/8/1 for a short length of this PRow where the Proposed Development is visible at close quarters, and moderate adverse effects in Year 15 for Recreational users of PRow west of Thorpe on the Hill (TOTH/7/2, TOTH/21/1,



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				TOTH/6/2, TOTH/6/3), and also for Recreational users of PRowS Bass/22/1, Bass/21/2, Bass/20/1, TOTH/11/1, and TOTH/15/1 in Year 15 during winter when there are no leaves on the vegetation. In its pursuit of securing good design, the Applicant has sought to minimise landscape and visual impacts of the Proposed Development, as set out in the Design Approach Document [APP-186]. The provision of visual screening, for example for residents and users of PRow, has been considered throughout the design of the landscaping proposals, as illustrated in the Landscape Mitigation Plan presented in Figure 7.15-1 within the Framework LEMP [REP1-039], whereby (as noted in paragraph 4.1.4) the overall goal of the landscape strategy is to integrate the Proposed Development into its surrounding landscape and to avoid or minimise adverse landscape and visual effects as much as possible. As noted in the Framework LEMP [REP1-039] (ref. paragraphs 4.1.8 – 4.1.13), all solar PV panels and associated infrastructure have been sited within the existing field pattern, protecting existing vegetation, and maximising the natural screening provided by field boundary vegetation which will be supplemented with additional planting. The solar PV panels and associated infrastructure have been sited to preserve, as far as possible, cross valley views from Thorpe-on-the-Hill and important views towards Lincoln Cathedral from Tunman Hill. Larger infrastructure, such as the Onsite Substation and BESS Compound, have been located within areas of enclosed landscape, bound by frequent small woodlands and hedgerows, to minimise potential visual effects. The siting of solar PV panels and associated infrastructure seeks to minimise instances of development on both sides of PRow. Where components of the Proposed Development are proposed adjacent to a PRow, an offset of a minimum of 10m from the centre line has been incorporated, as per the Design Commitments set out in the Design Approach Document [APP-186]. Where components of the Proposed Development are proposed on both sides of a PRow, these minimum commitments still apply (i.e. the provision of a minimum of 10m from the centreline either side of the PRow), although sections of wider offsets have also been integrated to vary the extent of views experienced across the Principal Site where practicable. New and enhanced hedgerows have also been proposed to provide screening where appropriate. The detailed design of the Proposed Development must be in accordance with the Design Commitments, as secured by Requirement 6 of the Draft DCO [REP1-007].
17.15		Lincolnshire 'Stepping Out' Routes	The Council in large part defers to Lincolnshire County Council as highway authority for the whole of the statutory rights of way network across the county. However, the Council has identified a particular issue in relation to walking routes which it promotes for a variety of reasons, including the economic (tourism) and health (active travel) benefits which they can help to deliver.	With regards to the Stepping Out Walks, the Applicant has reviewed and considered the lengthy policy analysis provided by the Council in its Written Representation [REP1-057]. However, the Applicant does not consider that the Council has identified any policy foundation, policy recognition, special status or policy protection of 'Stepping Out Walks' in the context of the wider consideration of the impacts of the Proposed Development on designated Public Rights of Way (PRow) in terms of landscape and visual effects, socio-economic effects and others considered as part of the Environmental Impact Assessment prepared for the Application, and the provision of new Permissive Paths.
17.16		Lincolnshire 'Stepping Out' Routes	Over the past 20 years or so, the Council has developed the 'Stepping Out' network of 28 footpaths across the District. This network is promoted and maintained on the Council's behalf by a third party (Hill Holt Wood) to encourage public use.	Indeed, even within the lengthy policy analysis provided by the Council in its Written Representation, the only reference to stepping out walks that the Applicant can identify is in Priority Outcome 1 of the North Kesteven Active Travel Strategy 2025 – 2030, to "Investigate the potential for further development of 'stepping out' style routes and information for walking and wheeling." The Active Travel Strategy's goal is to increase participation in active travel by enhancing infrastructure, promoting safety, and raising awareness of health and environmental benefits, supporting overall council wellbeing and climate priorities. It does not provide any particular policy status or protection for 'Stepping Out Walks'. Accordingly, the Applicant submits that it has addressed and achieved the goals identified in the Active Travel Strategy in relation to formally designated PRow and Permissive Paths, as well as providing new Permissive Paths with the design of the Proposed Development.
17.17		Lincolnshire 'Stepping Out' Routes	The North Kesteven Active Travel Strategy 2025 - 2030 aims to increase participation in walking, wheeling and cycling by all. One of 3 'Priority Outcomes' of the Strategy is to ' <i>Increase all residents' awareness of active travel and its associated health, wellbeing and environmental benefits</i> '; and the proposed actions to implement this priority include: Work with partners to further develop and extend our 'Stepping Out' routes with information for walking and wheeling.	



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17.18		Lincolnshire 'Stepping Out' Routes	The development would affect three of the Stepping Out routes, which, as above are also located within the WVCP, namely; • Thorpe on the Hill and Tunman Wood • Marton and Tunman Wood • Bassingham Villages Circular.	As a consequence, in the absence of any clear policy support for the Council's position, the Applicant does not consider that, where a PRoWs can be identified as forming part of a Stepping Out Walk", such a PRoW has any enhanced policy status or protection. The Applicant considers that any impacts upon such PRoWs are to be assessed in the same manner and given the same weight as any other PRoW, whether a Stepping Out Walk or not. It should also be noted that, as shown on the plan submitted by the Council within its Response to Issue Specific Hearing Action Point 6 - Stepping Out Walks [REP1-136] whilst the routes of the Stepping Out Walks do partially follow PRoW and existing permissive paths, they also utilise land which is neither designated as PRoW nor permissive paths. Therefore, the Stepping Out Walks are reliant on the use of private land over which the public has no rights of access.
17.19		Lincolnshire 'Stepping Out' Routes	The main impacts would include disruption of use, noise and visual intrusion during the construction and decommissioning phases; adverse visual impacts during the operational phase. These impacts would likely involve interruption of longer, open and undeveloped views, replacing them with more urbanised and semi-industrial views of the landscape. Users would in some places be walking close to significant areas of solar panel arrays, and sometimes tunnelled along paths with panels on both sides. The Council suggests that all of this would negatively affect the user experience significantly.	With respect to the three Stepping Out routes highlighted in the comment at LIR Ref. 17.18, the route details are provided on the Hill Holt Wood Stepping Out website (https://www.hillholtwood.co.uk/stepping-out-walks). Further consideration of each Stepping Out route within the context of the PRoW network is set out below: • Thorpe on the Hill & Tunman Wood: This is a 3-mile (4.5 km) circular walk starting from the village of Thorpe on the Hill. The walk intersects with several PRoW within the Thorpe on the Hill parish PRoW network, which includes multiple designated footpaths and bridleways. The following PRoW are understood to be used along the route: LL TOTH 7/3, LL TOTH 7/2#2 and LL TOTH 7/2#1. • Morton & Tunman Wood: This circular walk of approximately 4 miles (6 km) lies just outside Thorpe on the Hill and falls partly within the Marton parish PRoW network. The route overlaps with several PRoW providing access between Thorpe on the Hill and Tunman Wood, including LL TOTH 11/2, LL TOTH 12/1, LL Swdb 5/1, LL TOTH 12/3, LL TOTH 11/1 and LL TOTH 13/1. • Bassingham route (and the Bassingham Villages Circular loop): The route lies within the Bassingham parish PRoW network and forms a 6.5-mile circular walk linking the villages of Bassingham, Carlton le Moorland, Stapleford and Norton Disney. The associated Bassingham & Aubourn circular walk makes use of public footpaths and restricted byways extending from Bassingham across the surrounding farmland. The walk intersects with several PRoW within Bassingham parish, including LL NoDi 1/2 and LL NoDi 1/1.
17.20		Lincolnshire 'Stepping Out' Routes	These impacts would not only affect members of the local community, but also potentially visitors to the area who make a contribution to the local economy. Walking is identified as a key reason for visiting North Kesteven in the Council's Tourism Strategy 2024 - 2029; and the promotion of walking routes is an action of the Council's Tourism Action Plan alongside being a noted priority for further enhancement as part of the WVCP. Research indicates that the target group most likely to visit North Kesteven have a preference for rural destinations with walking opportunities and a focus on natural beauty. The Council suggests that such users are likely to be particularly sensitive to the changes in the user experience along the Stepping Out walking routes and associated promoted sites within the WVCP.	It is important to note that not all sections of these routes follow PRoW. For example, Tunman Wood incorporates permissive (non-statutory) recreational paths rather than formal PRoW, and is therefore assessed as a recreational asset within Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. In addition, a substantial proportion of the Bassingham route lies outside the 500m study area radius from the DCO Site.
17.21		Lincolnshire 'Stepping Out' Routes	The Council considers that the application submissions have not properly addressed the adverse impacts of the development on these three walking routes. The routes are not identified as recreational facilities within paragraphs 12.7.27 – 28 of ES Chapter 12: Socio-Economics and Land Use (AS-016). Paragraphs 12.7.29 – 12.7.34 do not appear to fully consider public rights of way in terms of the local community or tourist user experience during the operational phase of the development.	Potential impacts on PRoWs, including those that coincide with promoted walking routes, are assessed in Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. The assessment treats PRoWs as part of the local recreational resource and assesses both temporary and permanent impacts arising from construction, operation and decommissioning. Chapter 12: Socio-Economics and Land Use of the ES [AS-016] identifies the baseline PRoW network, confirming the presence of 36 PRoWs and seven permissive paths within the Principal Site, as well as 26 PRoWs running either adjacent to or in close proximity to the Order Limits (paragraphs 12.5.30–12.5.32). This includes PRoW used by the three Stepping Out routes. The assessment focuses on PRoW because they form the legally defined access network and provide consistent, comprehensive baseline data for assessing impacts on journey length, travel patterns and access opportunities, whereas Stepping Out routes are not statutory designations but are made up of existing PRoW and permissive paths. Assessing PRoW therefore inherently captures any effects on Stepping Out routes without needing a separate assessment. As all PRoW within 500 m of the DCO Site were included, this



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				approach fully encompasses the Stepping Out network where it overlaps with PRowWs, ensuring a robust, proportionate and policy-aligned assessment. A further five PRowWs may be affected by the Cable Corridor (paragraph 12.5.33). While the ES Chapter does not specifically identify whether individual PRowWs form part of the Stepping Out Network, the assessment explicitly covers all PRowWs within 500m of the DCO Site (paragraph 12.4.6), which would include any promoted routes present within that area. The assessment in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] considers the permanent diversion of three PRowWs: LL_Aubo_10/1, LL_THUN_2/1, and LL_TOH_13/1 (paragraphs 12.7.31–12.7.33). Each diversion is described in terms of its existing length, the change to user journey length, and the availability of alternative routes within the wider PRowW network. For all three routes, sensitivity and magnitude of impact are assessed as low, resulting in negligible and not significant effects. Temporary closures may be required during the construction phase; however, Chapter 12: Socio-Economics and Land Use of the ES [AS-016] notes that the wider PRowW network offers suitable substitute routes and therefore assesses temporary impacts as very low adverse, leading to a negligible (not significant) effect (paragraph 12.7.34). The ES confirms that all PRowWs would be reinstated following completion of relevant works. The assessment within Chapter 12: Socio-Economics and Land Use of the ES [AS-016] refers to the Framework PRowWMP [APP-195] and sets out the approach to managing PRowW during all phases (paragraphs 12.6.5(d) and 12.7.35). This includes measures relating to signage, diversions, maintaining safe access and minimising disruption to users. During operation, the ES notes that the three permanent diversions would remain in place and continue to result in negligible, not significant effects (paragraph 12.7.57). No additional operational impacts on other PRowWs are identified (paragraph 12.7.58). The Proposed Development would also create approximately 9.5 km of new permissive paths, which are assessed as providing a low beneficial (minor, not significant) effect by enhancing local connectivity (paragraph 12.7.59). Overall, the assessment in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] concludes that the scale of changes to journey length, travel patterns and access opportunities is limited, and that effects on PRowW users, whether local residents or visitors, would be negligible and therefore not significant across construction, operation, and decommissioning. From a traffic and transport perspective, in terms of accessibility and connectivity, no significant effects on PRowWs (including those which overlap with the Stepping Out routes) are anticipated following the assessment of the Principal Site and Cable Corridor, as set out within Chapter 13: Traffic and Transport of the ES [APP-038]. Regarding noise, while it is acknowledged that there will be an increased level of noise on certain PRowWs during the construction period, levels such as those presented in Table 11-14 of Chapter 11: Noise and Vibration of the ES [APP-036] would be isolated both spatially and temporally as construction activity moves across the site. As described in paragraph 11.4.20 of Chapter 11: Noise and Vibration of the ES [APP-036] all reasonable steps to minimise the effects of noise on PRowW and Permissive Path users will be taken during construction, as outlined in the Framework CEMP [REP1-031] (ref. NV-C1). With reference to Streets, Rights of Way and Access Plans [REP1-004] and Figure 11.3: Noise Contours – Operational Phase Distributed



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				BESS of the ES [AS-063], worst-case operational noise associated with the Proposed Development would be between 35 and 50 dB on PRowS. These levels are below WHO guidelines on moderate community annoyance and are akin to the existing sound environment in the area, as evidenced by the baseline sound survey results given in Table 11-12 of Chapter 11: Noise and Vibration of the ES [APP-036]. As such, the enjoyment of PRowS, with respect to the sound level experienced, is not expected to be adversely affected by the operation of the Proposed Development. From a landscaping perspective, of relevance to the PRow used along Stepping Out routes, Chapter 10: Landscape and Visual Amenity of the ES [AS-117] concludes moderate adverse effects in Year 15 for Recreational users of PRowS TOTH/7/2 and TOTH/11/1 during winter when there are no leaves on the vegetation.
17.22		Lincolnshire 'Stepping Out' Routes	In conclusion, the Council considers that there will be a net adverse effect on the users of the rights of way and permissive path network due to the development which has not been fully assessed or mitigated. This is not least because the assessments have not taken a fully holistic approach to consider the full range of amenity, recreation, health, and economic benefits of the existing provision. Further, opportunities to deliver enhancements to that network have not been properly identified or taken into account through the proposals. This is highlighted in relation to the Stepping Out walk network discussed above and the WVCP. Without prejudice the Council will be seeking additional measures seeking to mitigate these impacts, and make compensatory provision where necessary. These measures might include: • Permanent dedication of routes which are currently proposed as temporary permissive paths as statutory rights of way – especially where these could close existing gaps in the footpath network • Enhanced waymarking and information boards • Improved surfacing, gates and stiles where appropriate • Contributions to maintenance • Assistance with promotional activities and guided walks	Detailed responses to the points raised in this concluding comment are provided above at LIR Ref. 17.1 – 17.21. Effects upon PRow and permissive paths are mitigated as necessary, for example by providing diversions and management controls as secured in the Framework PRowMP [APP-195]. As such, further mitigation or compensatory measures are not considered to be required.
17.23		General Comments	Therefore the Council considers that there is a negative impact on rights of way and other recreational paths arising from the development.	
18.0 Water Resources and Flood Risk				
18.1 – 18.5		Legislation and Policy	Paragraphs 18.1 – 18.5 cover legislation and policy.	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to the Water Resources and Flood Risk Assessment at Appendix 9-A: Water Environment Policy and Legislation of the ES [APP-144] . The Planning Statement [AS-098] also provides Policy Accordance Tables to demonstrate how the Applicant has complied with the policies referred to.
18.6		Legislation and Policy	In relation to this, the Government guidance states that: ' <i>In applying paragraph 175 a proportionate approach should be taken. Where a site -specific flood risk assessment demonstrates clearly that the proposed layout, design, and</i>	The Applicant notes this comment. Parts of the Proposed Development are within Flood Zone 3a, including the impacts of climate change; therefore, Paragraph 175 of the NPPF does not apply specifically to the Proposed Development, and the Sequential Test has subsequently been applied within the Flood Risk Assessment [REP1-023] .



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			<i>mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.'</i>	
18.7		Legislation and Policy	EN-1 confirms that the Exception Test should only be engaged where " ... <i>the Sequential Test has identified reasonably available, lower risk sites appropriate for the proposed development where, accounting for wider sustainable 2 Paragraph: 027 Reference ID: 7 -027-20220825 Revision date: 17 09 2025 development objectives, application of relevant policies would provide a clear reason for refusing development in any alternative locations identified</i> " (paragraph 5.8.10). The examples of such 'relevant policies' which would provide a clear reason for refusing potential alternative sites are those relating to landscape, heritage and nature conservation designations, for example National Landscapes, SSSI s and World Heritage Sites.	At paragraph 6.3.73 in the Planning Statement [AS-098] , the Exception Test is addressed. As set out in paragraph 6.7.75, the Exception Test is considered to be passed and the Proposed Development is compliant with the relevant section of paragraph 5.8.10 of NPS EN-1.
18.8		Legislation and Policy	Paragraph 5.8.23 also states that ' <i>All projects should apply the Sequential Test to locating development within the site.</i> '	The submitted Flood Risk Assessment [REP1-023] robustly applies the Sequential and Exception Tests, demonstrating that the Proposed Development will be safe for its lifetime without increasing flood risk elsewhere. Section 6 of the Flood Risk Assessment [REP1-023] demonstrates the Proposed Development's compliance with the Sequential and Exception Tests.
18.9		Legislation and Policy	Paragraph 2.10.52 of EN-3 also set out that applicants for solar generating stations will need to consider several factors when considering the design and layout of sites, including "... <i>ability to mitigate environmental impacts and flood risk</i> ".	The submitted Flood Risk Assessment [REP1-023] has appropriately assessed flood risk and residual flood risk to the Proposed Development from all sources of flooding. The accompanying Framework Surface Water Drainage Strategy [REP1-025] considers surface water runoff and has applied the appropriate mitigation for any increases in surface water runoff from the Proposed Development, ensuring no increase in flood risk elsewhere, taking into account the impacts of climate change and is therefore, in compliance with paragraph 2.10.60 of NPS EN-3 (November 2023 version as this was the in force version at the time of submission).
18.10		Legislation and Policy	Paragraph 2.10.76 notes that where a Flood Risk Assessment has been carried out this must be submitted alongside the applicant's ES and will need to consider the impact of drainage. It notes that as solar PV panels will drain to the existing ground, "... <i>the impact will not, in general, be significant</i> ".	The submitted Framework Surface Water Drainage Strategy [REP1-025] considers surface water runoff and has applied the appropriate mitigation for any increases in surface water runoff from the Proposed Development, including the impacts of climate change, ensuring no increase in flood risk elsewhere; therefore, in compliance with paragraph 2.10.84 of NPS EN-3 (November 2023 version as this was the in force version at the time of submission).
18.11		Legislation and Policy	Paragraph 2.10.146 also notes that where previous management of the site has involved intensive agricultural practice, "... <i>solar sites can deliver significant ecosystem services value in the form of drainage, flood attenuation, natural wetland habitat, and water quality management</i> ".	The submitted Framework Surface Water Drainage Strategy [REP1-025] considers surface water runoff and has applied the appropriate mitigation, including attenuation of runoff, for any increases in surface water runoff from the Proposed Development, allowing for climate change allowances, ensuring the Proposed Development is resilient to future climate change impacts, whilst ensuring no increase in flood risk elsewhere or deterioration of water quality. The introduction of swales can provide an opportunity for new biodiversity habitats that would otherwise not be present. Therefore, the Proposed Development is compliant with paragraph 2.10.154 of NPS EN-3 (November 2023 version as this was the in force version at the time of submission)
18.12		Legislation and Policy	Paragraph 2.3.3 of NPS EN -5: 'Electricity Networks Infrastructure' expects electrical connection infrastructure to be	The submitted Flood Risk Assessment [REP1-023] has appropriately assessed flood risk and residual flood risk to the Proposed Development, from all sources of flooding. The accompanying Framework Surface Water Drainage Strategy [REP1-025] considers surface water runoff and has applied the appropriate mitigation for



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			resilient to the effects of climate change, including any increased risk of flooding.	any increases in surface water runoff from the Proposed Development, ensuring no increase in flood risk elsewhere, taking into account the impacts of climate change; therefore, in compliance with paragraph 2.3.3 of NPS EN-5.
18.13		Legislation and Policy	CLLP policy S21 'Water Efficiency and Sustainable Water Management' sets out that in addition to the wider flood and water related policy requirements contained in policy S21, all residential development or other development comprising new buildings with outside hard surfacing, must ensure such surfacing is permeable unless technical considerations dictate otherwise.	The Applicant notes CLLP Policy S12 discusses " <i>Water Efficiency and Sustainable Water Management</i> ". The Framework Surface Water Drainage Strategy [REP1-025] applies the principles of SuDS, and the SuDS drainage hierarchy where appropriate, in the development of the proposed drainage strategy for the Proposed Development, and considers all relevant policies within the CLLP, including Policy S12 and S21. The Proposed Development prioritises permeable surfaces for drainage, such as access tracks, in line with paragraph 2.10.77 of NPS EN-3 which states " <i>Where access tracks need to be provided, permeable tracks should be used, and localised Sustainable Drainage Systems (SuDS), such as swales and infiltration trenches, should be used to control any run-off where recommended</i> ". BESS areas have been proposed to be impermeable, due to the potential risk of pollution entering waterbodies (groundwater or surface waterbodies) during a fire event, thus applying a conservative approach to potential pollution from fire events, mitigating the potential impact on soils and entering the groundwater environment. Surface water runoff from these areas will be drained to lined swales to capture runoff, including rainfall and firewater runoff. It is not feasible to drain these areas via infiltration due to the potential environmental risk posed by firewater runoff.
18.14		Legislation and Policy	CLLP policy S14 'Renewable Energy' supports proposals for renewable energy schemes, including ancillary development, where the direct, indirect, individual and cumulative impacts are or can be made acceptable, which with reference to point (i) includes flood risk, albeit there are no further references to flood risk under the 'Additional matters for solar based energy proposals' subheading.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.15		Legislation and Policy	CLLP policy S20 'Resilient and Adaptable Design' requires design proposals to be adaptable to future social, economic, technological and environmental requirements in order to make buildings both fit for purpose in the long term and to minimise future resource consumption, including that they are resilient to flood risk, from all forms of flooding.	The submitted Flood Risk Assessment [REP1-023] has appropriately assessed flood risk and residual flood risk to the Proposed Development, from all sources of flooding. The accompanying Framework Drainage Strategy [REP1-025] considers surface water runoff and has applied the appropriate mitigation for any increases in surface water runoff from the Proposed Development, ensuring no increase in flood risk elsewhere, taking into account the impacts of climate change; therefore, in compliance with CLLP Policy S20, the Proposed Development is resilient to flood risk, now and in the future, from all sources.
18.16		Legislation and Policy	CLLP policy S21 'Flood Risk and Water Resources' requires all proposals that are likely to impact on surface or ground water to consider the requirements of the Water Framework Directive and that with specific relevance to flood risk that they will be considered against the NPPF, including application of the sequential and, if necessary, the exception test.	The Flood Risk Assessment [REP1-023] has been prepared with due regard to the Central Lincolnshire Local Plan (CLLP), 2023. Regarding Policy S21. The Flood Risk Assessment [REP1-023] has been prepared to support the NPS suite of documents (NPS EN-1, EN-3 and EN-5. However, the Flood Risk Assessment [REP1-023] has been tested against the NPPF to ensure it remains compliant with the NPPF as well as satisfying the NPS documents. The Flood Risk Assessment [REP1-023] appropriately assess the Proposed Development with due regard to the Sequential and Exception Tests, locating all critical above ground infrastructure, other than solar PV panels, to areas at the lowest risk of flooding from all sources. With appropriate mitigation provided, where required, for solar PV panels in areas at risk of flooding, the Flood Risk Assessment [REP1-023] demonstrates the Proposed Development will remain safe and will remain operational in times of flood. A Water Framework Directive Assessment [APP-145] has been undertaken and shows that there would be no deterioration or prevention of future improvement in WFD objectives for any water bodies identified within the Zone of Influence for the Proposed Development.
18.17		General Comments	Amongst other things proposals are required to demonstrate that they are informed by and take account of the best available information from all sources of flood risk and by site specific flood risk assessments where appropriate; that the	The submitted Flood Risk Assessment [REP1-023] has appropriately assessed flood risk and residual flood risk to the Proposed Development, from all sources of flooding, taking into account the impacts of climate change. Hydraulic fluvial modelling has been undertaken to the latest climate change allowances to reliably inform the flood risk to the Proposed Development. The Environment Agency has been consulted throughout



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			development will be 'safe' during its lifetime taking into account the impacts of climate change, that flood defence integrity is not impacted, that wider scope for flood risk reduction has been considered and that where appropriate they have incorporated Sustainable Drainage Systems (SuDS).	the development of the Flood Risk Assessment [REP1-023] and supports the assessment, as set out in their latest response letter, dated 1 May 2025.
18.18		Legislation and Policy	Finally CLLP policy S59 'Green and Blue Infrastructure Network' states that proposals that cause loss or harm to the green and blue infrastructure network will not be supported unless the need for and benefits of the development demonstrably outweigh any adverse impacts.	With regards Policy S59, the Framework Surface Water Drainage Strategy [REP1-025] has been prepared in line with the current NPS documents, whilst also satisfying the current NPPF (and accompanying Planning Practice Guidance (PPG)). The Framework Surface Water Drainage Strategy [REP1-025] takes into account the impact of climate change from surface water runoff, and also applies the Simple Index Approach, as set out in Paragraph 26.7.1, Chapter 6, of the CIRIA SuDS Manual (C753, revision 6) has been applied when undertaking the assessment of pollution control of runoff from the Proposed Development, ensuring no adverse impact on existing watercourses, regarding flood risk and water quality, to ensure no detriment to biodiversity and ecology within the existing watercourse network.
18.19		Alternatives and Site Selection – Sequential Test	The applicant's Site Selection Report used flood risk as a major component of its identification and evaluation of alternative locations which might connect to the proposed NGNS. It was concluded that none of the available sites solely in Flood Zone 1 would satisfy the main criteria for the development in terms of factors such as size, regularity of shape and proximity to airbases. The site selection process also identified those potentially suitable sites which have already been taken up by other NSIP solar farm developers in the area – Springwell (awaiting a decision) and Leoda (not yet submitted for examination).	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.20		Alternatives and Site Selection – Sequential Test	Once potentially available sites containing areas of Flood Zones 2 and 3 were included in the search, four candidates were identified for further assessment, including the current Fosse Green land (Site 9). Two sites (Site 6 Harmston, and Site 7 Basingham Fen) scored a 'red' rating for flood risk due to the substantial areas of these sites within Flood Zone 3. Site 8 (Scopwick Heath – around Navenby, Boothby Graffoe and Wellingore in the west, and Scopwick and Ashby de la Launde in the east) does contain areas of Flood Zone 3 in its south eastern corner, but has no main watercourses, and received an overall 'green' rating for flood risk. This compares with the Fosse Green site, which contains some land within Flood Zones 2 and 3, including land forming parts of the floodplains of the River Brant and River Witham – leading to an overall rating of 'amber' for flood risk.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.21		Alternatives and Site Selection – Sequential Test	On this basis, it could be argued that Site 8 Scopwick Heath is sequentially preferred in terms of flood risk. However, there are some question marks over whether or not Site 8 is a reasonably available alternative, given that compared with Fosse Green it is more fragmented (less contiguous) and in multiple ownerships, both of which could impact the ability to deliver a viable project. Additionally, the policy framework in EN-1, NPPF and associated government guidance allows consideration of any site-specific Flood Risk Assessment	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			findings when deciding whether and how the Sequential Test should be applied – this is discussed further below.	
18.22	REP1-023	Flooding – General Comments	The submitted ES Appendix 9-C Flood Risk Assessment (FRA) (REP1-023) has evaluated multiple sources of flooding and has identified that for flooding from rivers, the majority of the Principal Site is within Flood Zone 1, where there is a less than 1 in 1000 annual probability of flooding. The northern part of the site (from Thorpe on the Hill down to Haddington / Witham St Hughs) is almost entirely in Flood Zone 1, with the exception of a relatively small area of the site in the far west, near Morton which is within Flood Zone 2.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.23		Flooding – General Comments	In the middle and eastern parts of the Principal Site areas of Flood Zone 2 and 3 are associated with the River Witham and River Brant floodplains.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.24		Flooding – General Comments	Areas of Flood Zone 2 and 3 continue as the Cable Corridor progresses east, but the remainder of the route to the proposed NGNS is largely in Flood Zone 1.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.25		Flooding – General Comments	Areas of medium and high risk of flooding from surface water are more scattered across the site, but most of the land within the Order Limits is at low risk.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.26		Flooding – General Comments	The Flood Risk Assessment (FRA) (REP1-023) notes that for flooding from rivers, almost all of the solar arrays would be located in areas of Flood Zone 1 land. For instance, the identified area of Flood Zone 2 near Morton in the north west of the site would not be used for solar panels or other above ground infrastructure, and instead is proposed to be retained in agricultural use.	The Applicant notes this comment and confirms the above ground infrastructure in this location does not encroach into Flood Zone 2 or 3.
18.27		Flooding – General Comments	However, the application proposals do include three fields of solar arrays which would be within Flood Zone 2 or Flood Zone 3a. However, further assessment via the FRA concludes that the development in these locations would not itself be at risk of flooding, and would not increase the risk of flooding elsewhere. The FRA also indicates that confidence in this could be enhanced if single-axis tracker panels were installed, as these could be rotated to sit higher than the minimum 0.8m ground clearance.	The Applicant confirms the comment is correct in terms of flood risk to the Proposed Development and the three fields where solar PV panels lie within Flood Zone 3a, taking into account climate change, with embedded mitigation of panels set a minimum of 0.8m above ground level. Tracker panels would improve this height.
18.28		Flooding – General Comments	No other above-ground infrastructure in the Principal Site is planned within Flood Zones 2 or 3 and as such the Council agrees that this does not raise significant issues of flood risk from rivers.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.29		Flooding – General Comments	In terms of the risk of surface water flooding, despite the development adding impermeable surfaces such as the panels themselves, it is considered that in nearly all cases this would transfer to natural ground. Additionally, it is proposed to create a system of swales in solar array fields, which could further reduce flood risk from this source; and indeed could add some	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			benefit in terms of surface water drainage as well as other benefits such as to biodiversity.	
18.30	REP1-025	Flooding – General Comments	The submitted Framework Surface Water Drainage Strategy (ES App 9-D, REP1-025) sets out what is proposed; and Requirement 10 in the Draft DCO (REP1-007) ensures that no part of the development can commence until full details of proposals for dealing with foul and surface water in that part have 3 The submitted documents refer to the risk level of land variously as being Flood Zone 2 and Flood Zone 3a been submitted and approved by the lead local flood authority (Lincolnshire County Council). The Council agrees that the development is unlikely to increase the risk of surface water flooding over its operational life.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.31		Alternatives and Site Selection – Sequential Test	As described above, the Sequential Test seeks to direct development to areas of lowest flood risk which are reasonably available and suitable. The Site Selection Report did identify one potential alternative location (Site 8: Scopwick Heath) which had a lower, green rating for flood risk than the medium, amber rating for Fosse Green, though there are question marks over the suitability and deliverability of Site 8. The Planning Statement goes on to state that, when other competing constraints were taken into account, there were no alternative locations available in Flood Zone 1 within the site; and the use of the three fields within Flood Zone 2/3a is necessary in order to maximise the delivery of low carbon renewable energy (AS-099, paragraph 6.3.71).	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.32		Alternatives and Site Selection – Sequential Test	Taking the breadth of the policy framework and guidance into account, the Council concludes that the overall site selection process represents a reasonable and proportionate application of the Sequential Test, having: a) identified this site as one which is appropriate for the development and largely within Flood Zone 1; b) prepared a scheme layout which has largely avoided higher risk areas; c) prepared a scheme design that would remain safe for the lifetime of the development and not increase the risk of flooding elsewhere.	The Applicant acknowledges that NKDC consider that the overall site selection process represents a reasonable and proportionate application of the Sequential Test.
18.33		Flooding – Panelled Fields in Flood Zones 2 and 3a	However it is not entirely clear why the solar arrays proposed for the three fields in question are essential and/or could not have been placed on other land in Flood Zone 1. This same issue has also been raised by the Examining Authority (ExA) in relation to a small component of the Springwell solar farm (specifically in Springwell East) and where the ExA is essentially seeking removal of those panels from the project. It is noted and accepted that the arrays from these three fields in the Fosse Green scheme represent a very small proportion of the generating capacity of the site; however out of consistency of approach with the Springwell project the ExA might wish to satisfy themselves that sufficient justification for the siting of panels in the flood zone has been provided.	Paragraphs 4.3.8 to 4.3.17 of the Flood Risk Assessment [REP1-023] appropriately assess the loss of floodplain storage from the legs of the solar PV panels that lie within the Flood Zone 3a extents, concluding the loss provides no material impact on the floodplain, with a potential total increase in flood depth of 1.57mm. During consultation with the Environment Agency, the Environment Agency letter dated 1 May 2025 confirmed the loss of floodplain storage from solar PV panel legs within Flood Zone 3a extents was negligible and agreed with the approach to the assessment undertaken. The total area of solar PV panels within Flood Zone 3a is 3.18 ha (7.86 acres) (as noted in Table 9 of the Flood Risk Assessment [REP1-023]). This equates to approximately 0.3% of the total area of the Principal Site. The Applicant notes that Annex C of the Framework Surface Water Drainage Strategy [REP1-025] shows a slightly earlier iteration of the proposed solar layout. This Annex will be updated to align with the correct layout



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				and will be submitted into the Examination at Deadline 3. Subsequent updates to the Flood Risk Assessment [REP1-023] are to be discussed with the Environment Agency and LCC, prior to submission to the Examination at Deadline 3. The amendments to Annex C of the Framework Surface Water Drainage Strategy [REP1-025] and the Flood Risk Assessment [REP1-023] will not affect the conclusions of the assessments undertaken, whereby these remain valid; this will be demonstrated at Deadline 3. Furthermore, paragraph 6.3.71 of the Planning Statement [AS-098] explains that there are areas where Solar PV panels are located within Flood Zone 2 and the climate change extents of Flood Zone 3a. While there are areas of lower flood risk within the Principal Site, the need to balance areas for solar generation with the provision of environmental mitigation, such as the provision of land for bird mitigation in a dispersed nature in order not to create flocking, and the need to retain intervisibility between heritage assets has resulted in the need for a solar PV panels to be located within areas of Flood Zone 2 and 3a, and there being no reasonably available locations within the site itself. This is required in order for the Proposed Development to maximise the delivery of low-carbon renewable energy. The sequential test is therefore considered passed for the Principal Site due to flood risk from any source to be low following the embedded mitigation.
18.34		Flooding – General Comments	Notwithstanding this, the Council accepts that the development proposed on the Principal Site would not present an unacceptable risk in terms of flooding from rivers.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.35		Flooding – General Comments	Parts of the Cable Corridor are also with Flood Zones 2 and 3. The Cable Corridor works are considered to be a low risk even in areas of Flood Zone 2 or 3 because these will be buried, with no above ground development once installed. The Council agrees that this does not represent a significant flood risk.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.36		Alternatives and Site Selection – Sequential Test	Sites involving development on higher flood risk areas may need to be subject to the Exception Test. As set out above, EN-1 paragraph 5.8.10 states that: <i>'The Exception Test is only appropriate for use where the Sequential Test alone cannot deliver an acceptable site. It would only be appropriate to move onto the Exception Test when the Sequential Test has identified reasonably available, lower risk sites appropriate for the proposed development where, accounting for wider sustainable development objectives, application of relevant policies would provide a clear reason for refusing development in any alternative locations identified. Examples could include alternative site(s) that are subject to national designations such as landscape, heritage and nature conservation designations, for example Areas of Outstanding Natural Beauty, SSSIs and World Heritage Sites which would not usually be considered appropriate.'</i>	The Proposed Development has been designed to accord with paragraph 5.8.10 of NPS EN-1. All critical infrastructure components have been located outside areas at risk of flooding from all sources, with the exception of solar PV panels, for which no reasonably available alternative sites at lower flood risk exist. The submitted Flood Risk Assessment [REP1-023] robustly applies the Sequential and Exception Tests, demonstrating that the Proposed Development will be safe for its lifetime without increasing flood risk elsewhere, whilst setting out the wider benefits in Section 6 of the Flood Risk Assessment [REP1-023]. Accordingly, the Proposed Development satisfies the Sequential and Exception Tests for development in areas at risk of flooding, taking into account wider sustainable development objectives. Paragraphs 6.3.73 to 6.3.83 of the Planning Statement [AS-098] set out how the Proposed Development meets the requirements of the Exception test, concluding that the Proposed Development passes the Exception Test.
18.37		Alternatives and Site Selection – Sequential Test	The Council considers that Sequential Test has been applied correctly, and (in flood risk terms) can deliver an acceptable site; that and no reasonably available, lower risk sites for the development have been identified. Clearly the ExA will need to satisfy themselves on this matter and with deference to the Environment Agency, the LLFA and the Internal Drainage Board where necessary.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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18.38		Alternatives and Site Selection – Exemption Test	Moving to the application of the 'Exception Test', the development proposed falls within the category of "Essential infrastructure", and so applying Table 3 in the NPPF leads to the conclusion that this project is appropriate in Flood Zones 1 and 2; and possibly appropriate in Flood Zone 3a, subject to the Exception Test being passed. The applicant has gone on to engage the Exception Test, which requires that: a. development that has to be in a flood risk area will provide wider sustainability benefits to the community that outweigh flood risk, and b. the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.39		Alternatives and Site Selection – Exemption Test	The conclusions on the applicant's use of the Exceptions Test are summarised in paragraphs 6.3.74 (and 6.3.75 of the Planning Statement. It is worth bearing in mind that the Council agrees that the level of flood risk presented by the development is small – this provides the overall context for the Exception Test.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.40		Alternatives and Site Selection – Exemption Test	The NPPG (paragraph: 036 Reference ID: 7 -036-20220825) provides some examples of 'wider sustainability benefits to the community' and which could include: • The re-use of suitable brownfield land as part of a local regeneration scheme, • An overall reduction in flood risk to the wider community through the provision of, or financial contribution to, flood risk management infrastructure; • The provision of multifunctional Sustainable Drainage Systems that integrate with green infrastructure, significantly exceeding National Planning Policy Framework policy requirements for Sustainable Drainage Systems;	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.41		Alternatives and Site Selection – Exemption Test 'Benefits to Community'	None of the above appear to engage here and the NPPG does not expressly state that the supply of renewable energy from the development and consequent decarbonisation should be considered to be 'benefits to the community' in the context of the Exception Test, however ultimately this is a matter for the ExA to consider and apply. As set out above, the Council's view is that in principle the provision of permissive paths for the operational phase of the development could when taken in isolation represent a net benefit to the community – however this as mitigation which does not fully address the effects on the rights of way network. This might be addressed if enhancements to the Stepping Out network are proposed. Nevertheless, the Council does accept that there is the potential for some employment, economic and biodiversity benefits to be realised. Given the overall low flood risk posed	The Applicant acknowledges NKDC's view that the low overall flood risk posed by the Proposed Development is outweighed by the benefits. The benefits of the Proposed Development are described in full in Section 5.3 of the Planning Statement [AS-098]. Please see LIR Ref. 17.1 – 17.23 for the Applicant responses relating to permissive paths and the Stepping Out network.



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			by the development within the Principal Site, the Council accepts that this would be outweighed by these benefits.	
18.42		Detailed Design Considerations in Flood Zones	In addition, the Council also notes the assessment of resilience of the arrays which would be placed in the higher flood risk fields in the event of flooding. Consideration should be given to installing single-axis tracker panels in these areas at the detailed design stage to increase this resilience. In conclusion, the Council considers that, subject to confirmation and clarification on scheme design issues, the development would have a Neutral on flooding.	With regards flood risk and mitigation for solar PV panels within Flood Zone 3a, the Applicant wishes to clarify that the minimum height of panels of 0.8m above ground provides sufficient clearance in all tested design flood scenarios, including the Credible maximum Scenario, as set out in the Flood Risk Assessment [REP1-023], and provides at least the minimum 0.3m freeboard from the highest flood level to the base of any solar PV panel. The minimum freeboard of 0.3m is provided regardless of the type of panel used, fixed or tracking, as the minimum height of panels will not be less than 0.8m above ground.
18.43		Water Quality	No parts of the Principal Site is located in a Source Protection Zone. However, the Cable Corridor passes through a Groundwater Source Protection Zone 3 (SPZ3) and is above a Principal Aquifer. The Council notes that it is proposed to: • apply precautionary measures when installing the cables, in line with the Framework CEMP (REP1-031); • remove all cables in the SPZ and Principal Aquifer during decommissioning (ES Chapter 9: Water Environment, paragraph 9.4.9).	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
18.44		Water Quality	The Council also notes the comments of the Environment Agency (EA) in their Relevant Representation. Subject to satisfaction of the EA's concerns, the Council considers the risk associated with water quality are Neutral.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
19.0 Access and Traffic				
19.1		General Comments	On matters of highway safety and management, the Council generally defers to Lincolnshire County Council who are the Local Highway Authority for the area. Nevertheless, the Council offers the following comments.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
19.2		Legislation and Policy	Paragraph 5.14.19 of EN-1 sets out that the Secretary of State should consider the substantial impacts of traffic and therefore should ensure ' <i>... that the applicant has sought to mitigate these impacts, including during the construction phase of the development. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the SoS should consider requirements to mitigate adverse impacts on transport networks arising from the development</i> '. Moreover, development consents should not be withheld if the applicant is willing to enter planning obligations to fund infrastructure and otherwise mitigating adverse impacts (5.14.21).	The need for transport mitigation is considered in Chapter 13: Traffic and Transport of the ES [APP-038] where it is concluded that taking into account the embedded mitigation, there are no significant transport effects and accordingly no additional mitigation is required. The embedded mitigation includes implementation of a Framework Construction Traffic Management Plan (CTMP) [REP1-043] and a Framework PRow-MP [APP-195]. These Framework Plans are to be developed into a detailed CTMP and PRowMP, substantially in accordance with the Framework Plans, secured under Requirements 14 and 18 of the Draft DCO [REP1-007] respectively.
19.3		Legislation and Policy	With regards to mitigation, EN-1 states that the SoS may attach requirements to a consent where there is likely to be substantial HGV traffic that control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements,	The Applicant has proposed that HGV numbers, routings and timings will be managed through the detailed CTMP, which will be substantially in accordance with the Framework CTMP [REP1-043]. Additionally, the site compounds will provide sufficient HGV parking/standing space off the public highway to minimise the risk of prolonged queues on the approaches to the Principal Site. The Framework CTMP is to be developed into a



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			make sufficient provision for HGV parking including to avoid prolonged queuing on approach roads and ensuring satisfactory arrangements for reasonably foreseeable abnormal disruption (paragraph 5.14.15).	detailed CTMP, substantially in accordance with the Framework Plan, secured under Requirements 14 of the Draft DCO [REP1-007].
19.4		Legislation and Policy	Section 2.10 of EN -3 makes a number of recommendations in relation to accessibility and public rights of way, noting that the suitability of the access routes to the proposed site for both the construction and operation of the solar farm must be considered, with the former likely to raise more issues. With reference to public rights of way, EN-1 advises that applicants should keep, as far as is practicable and safe, all public rights of way that cross the proposed development site open during construction and protect users accordingly. Applicants are also encouraged to design the layout and appearance of the site to ensure continued recreational use of public rights of way, where possible during construction, and in particular during operation, and to provide enhancements to public rights of way and the adoption of new public rights of way through the site. This matter is addressed above with reference to the Stepping Out walks.	The Framework PRoWMP [APP-195] outlines the existing PRoW which pass through or run adjacent to the DCO Site and demonstrates how safe access will be maintained along and across these during the construction, operation and decommissioning of the Proposed Development in accordance with Paragraph 2.10.45 of NPS EN3. The Framework LEMP [REP1-039] and Framework DEMP [REP1-035] also provide details of the proposed management measures and related mitigation for PRoW during the operational and decommissioning phases of the Proposed Development. These Framework Plans are to be developed into a detailed PRoWMP, LEMP and DEMP, substantially in accordance with the Framework Plans, secured under Requirements 18, 8 and 20 of the Draft DCO [REP1-007] respectively, this is discussed further at LIR Ref 17.15 to 17.21.
19.5		Legislation and Policy	CLLP Policy S47 'Accessibility and Transport' requires development to contribute towards an efficient and safe transport network and that proposals should demonstrate, where appropriate, that they have had regard to the need to minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, walking and cycling links and integration with existing infrastructure. The policy also sets out that any development that has severe transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.	As identified in Chapter 13: Traffic and Transport of the ES [APP-038], walking, cycling and public transport modes of travel to the site have been considered, but it has been concluded that due to the rural location and the timing of working hours, these are unlikely to be viable modes of travel for most staff. Accordingly, through commitments contained in the Framework CTMP [REP1-043], the Applicant will provide shuttle bus services as an alternative to private car travel to the site, in addition to which measures will be implemented to encourage those that do drive to car share. The Framework CTMP is to be developed into a detailed CTMP, substantially in accordance with the Framework Plan, secured under Requirements 14 of the Draft DCO [REP1-007].
19.6		Access Arrangements – General Comments	As the Fosse Green development is spread out over a wide area, rather than on one concentrated site, there is no single point of access, and no bespoke main roadway from the public highway into the site. Notwithstanding this, it is proposed that during construction there would be one main construction compound, as well as a series of smaller, satellite compounds around the site.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
19.7		Access Arrangements – General Comments	This would involve a total of 19 access points around the site, along with an internal network of access tracks (involving upgrading of existing tracks where possible) to reach all parts of the development. For the Principal Site there would be four accesses on Haddington Lane, two accesses on each of Fosse Lane, Bassingham Road and Clay Lane, and one access on each of The Avenue, Stone Lane and Moor Lane.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			For the Cable Corridor there would be a further seven access points. These access provisions would require: • works both within and outside the site to alter road layout, markings and signage; • management of vegetation including some hedgerow removal; • the closure of some existing field accesses (which would return to use after the development is decommissioned); • temporary closures of some parts of local roads.	
19.8		Access Arrangements – General Comments	There will be no direct access off the A46, local roads will be used instead. During site operation, the above will be reduced to seven access points for maintenance; along with three accesses reserved for emergencies. Internal access tracks would be 6m in width from the public highway to construction compounds, to allow heavy goods vehicles to pass; and for the remainder generally 5m in width with passing places.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
19.9		Access Arrangements – General Comments	These measures are considered necessary to enable safe access during the construction, operational and decommissioning phases, including to facilitate large and wide load movements.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
19.10		Traffic Movements – Construction Phase	Chapter 13 of the ES (APP-038) considers traffic and transport effects. This has assessed the scheme on the basis of the construction phase being at the lower end of the anticipated duration, 24 months, so as to represent a 'reasonable worst case' scenario. It is predicted that there would be a daily peak of 575 construction workers travelling to and from the Principal Site – a shuttle bus would be used for the roughly 25 workers on the Cable Corridor to reduce impacts on local roads. There would also be a daily two-way trip peak of 25 LGVs and 50 HGVs associated with the Principal Site, and 12 LGVs and 16 HGVs for the Cable Corridor.	The Applicant acknowledges this section of the LIR prepared by NKDC, although (rather than 575), all 600 workers would travel to the Principal Site, with 25 of these subsequently travelling by shuttle bus to the Cable Corridor works, as set out in paragraph 5.4.5 of the Framework CTMP [REP1-043].
19.11		Traffic Movements – Construction Phase	During the operational phase, it is anticipated that traffic would generally be much less intensive than during construction. Even during replacement of the solar panels (and possibly the BESS), management of these activities is expected to be only approximately 40% of the HGV activity and approximately 10% of car/van movements generated during the peak of initial construction.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
19.12		Traffic Impacts – Construction and Decommissioning	The potential impacts of construction traffic are proposed to be dealt with through measures which will be set out in detail for each part of the scheme, in accordance with the submitted Framework Construction Traffic Management Plan (CTMP) (AS-102) and the Framework Construction Environmental Management Plan (REP1-031). The CTMP would be used, for instance, to control the transport routes for HGVs visiting the development. Each part of the development would have to	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			provide detailed decommissioning proposals (in accordance with the submitted Framework Decommissioning Environmental Plan (REP1-035)), which would include a Decommissioning Traffic Management Plan and a Decommissioning Worker Travel Plan to deal with effects at that time.	
19.13		Traffic Impacts – Construction, Operation and Decommissioning	The ES concludes that the construction period impacts due to traffic and transport will be negligible or minor adverse and so not significant in EIA terms. The impacts during operation are assessed as 'negligible'. The ES states that the decommissioning phase is too far in the future to predict traffic flows at the present time.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
19.14		Conclusions	The Council generally defers to Lincolnshire County Council as the local highway authority on matters of traffic and transport. However, it is noted that in their Relevant Representation, Lincolnshire County Council expressed general agreement with the methodology and assessment of traffic impacts set out in the ES; and indicated that the impacts on the road network would be acceptable, subject to the delivery of the mitigation measures proposed. On that basis the Council therefore concludes that the proposed development would have a neutral impact on access and traffic.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
20.0 Noise and Vibration				
20.1		Legislation and Policy	Paragraph 5.12.15 of EN-1 states that developments should demonstrate good design through selection of the quietest cost-effective plant available; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission.	Evidence regarding how this aspect of policy is met is provided in Table 1 of Appendix 11-A: Noise and Vibration Policy and Legislation of the ES [APP-156] and Appendix B of 7.2 Planning Statement [AS-098].
20.2		Legislation and Policy	The NPS also states that the decision maker should not grant development consent unless it is satisfied that the proposals will avoid significant adverse impacts on health and quality of life from noise, mitigate and minimise other adverse impacts on health and quality of life from noise and where possible, contribute to improvements to health and quality of life through the effective management and control of noise.	This is noted. Evidence regarding how the Proposed Development policy is met is provided in Table 1 of Appendix 11-A: Noise and Vibration Policy and Legislation of the ES [APP-156].
20.3		Mitigation – General Comments	Moreover the decision maker should consider if mitigation methods are needed for construction and operational noise over and above any which may form part of the project application. The mitigation methods may include consideration of layout to ensure adequate distance between source and noise-sensitive receptors; incorporating good design to minimise noise transmission through screening by natural barriers, or other buildings and administrative controls such as restricting activities allowed on the site including specifying acceptable noise limits.	The Applicant considers that the mitigation measures committed to in the Framework CEMP [REP1-031] (ref. NV-C1). and the Framework OEMP [REP1-033] (ref. NV-O1) are sufficient to avoid significant adverse effects from noise and vibration. It should be noted that the Framework OEMP [REP1-031] makes a commitment (ref. NV-O1) that the final operational noise levels from the Proposed Development will be no higher than those predicted in Chapter 11: Noise and Vibration of the ES [APP-036]; modelling will be undertaken at the detailed design phase (as secured by measure NV-01 of the Framework OEMP [REP1-031]) to confirm the noise levels at sensitive receptors will not exceed these thresholds. Production of a detailed OEMP, which is to be developed substantially in accordance with the Framework plan, will be secured under Requirement 13 of the Draft DCO



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				[REP1-007] . Furthermore, Requirement 16 of the Draft DCO [REP1-007] ensures that the operational noise levels set out in Table 11-21 of Chapter 11: Noise and Vibration of the ES [APP-036] are to be complied with.
20.4		Legislation and Policy	EN-3 includes construction (including traffic and transport noise and vibration) as a specific factor to consider. The accompanying text does not however identify specific effects related to noise (aside from the volume of traffic potentially associated with construction activities).	Evidence regarding how NPS EN-3 is met, with respect to noise and vibration, is provided in Table 1 of Appendix 11-A: Noise and Vibration Policy and Legislation of the ES [APP-156] .
20.5		Legislation and Policy	CLLP policy S14 'Renewable Energy' supports the principle of new renewable energy schemes, including ancillary development, subject to the direct, indirect, individual and cumulative impacts on (inter alia) the amenities of sensitive neighbouring uses (including local residents) by virtue of matters such as noise, dust, odour, shadow flicker, air quality and traffic being satisfactorily addressed.	This policy is highlighted in Table 4 of Appendix 11-A: Noise and Vibration Policy and Legislation of the ES [APP-156] and has been given due consideration by the Applicant in preparing Chapter 11: Noise and Vibration of the ES [APP-036] .
20.6		Legislation and Policy	CLLP policy S53 'Design and Amenity' requires all development, including extensions and alterations to existing buildings, to achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. Under the 'Uses' sub-heading of the policy, this includes a requirement for development to 'not result in adverse noise and vibration taking into account surrounding uses nor result in adverse impacts upon air quality from odour, fumes, smoke, dust and other sources'.	This policy is highlighted in Table 4 of Appendix 11-A: Noise and Vibration Policy and Legislation of the ES [APP-156] and has been given due consideration by the Applicant in preparing Chapter 11: Noise and Vibration of the ES [APP-036] .
20.7		Legislation and Policy	In addition, the value of retaining trees and hedgerows in terms of reduced noise impacts from development is recognised in paragraph 11.7.2; the preface to CLLP policy S66 'Trees and Hedgerows'.	The Framework LEMP [REP1-039] (ref. Section 5.2) sets out the existing onsite habitats (including trees, shrubs, woodland and hedgerows) to be retained within the DCO Site. This is also illustrated on the Landscape Mitigation Plan (within Appendix A of the Framework LEMP [REP1-039]). The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007] .
20.8		Impacts – General Comments	ES Chapter 11: Noise and Vibration (APP-036) looks at the potential noise impacts of the proposals across the construction, operation and decommissioning of the scheme, including effects from construction traffic moving to and from the site. Noise and vibration could result from a range of construction, activities such as excavation and piling; horizontal direct drilling (HDD) to crossroads and watercourses. Operational noise could arise from maintenance activities, and the operation of equipment such as the BESS, transformers and the on-site substation.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
20.9		Methodology – General Comments	A programme of noise monitoring was carried out to establish the baseline situation in the area and for potentially sensitive receptors, including residential properties. In looking ahead, the ES has assumed that although new developments in the area may lead to increases in the baseline, these are likely to be localised and not significant across the wider area of the proposals. Therefore the study assumes no change from these other developments, which represents a conservative	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			approach to assessing impacts from the solar farm. The construction noise assessment does include allowance for the general growth in traffic - which provides the dominant noise source in the area - to the construction years (within 2031 – 2033). The construction noise assessment also assumes that all parts of the development are being constructed at the same time, whereas it is likely that a phased approach will be taken – this therefore also ensures the noise assessment is like to be conservative in its approach.	
20.10		Mitigation – General Comments	The ES takes into account the mitigation measures for noise and vibration which are embedded in the project. These include standard 'Best Practical Means' such as the use of modern, inherently quiet and well maintained plant and machinery; as well as routeing of traffic to avoid sensitive locations where possible. Another example is that 'percussive' piling works within 400m of residential properties would be limited to two periods of 4 hours between the times of 8am and 6pm each day, with at least one hour break in between. This is covered in the submitted control documents, including: • Framework Construction Environmental Management Plan (fCEMP) - which requires development of a construction noise monitoring scheme) • Framework Construction Traffic Management Plan (fCTMP) • Framework Decommissioning Environmental Management Plan (fDEMP)	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
20.11		Mitigation – Management Plans and S61 Application	More detailed plans are required to be submitted and approved under these frameworks at appropriate stages of the development. Where noise generating activities are planned outside the core daytime hours, an application under s61 of the Control of Pollution Act 1974 will be made, as these requirements have not been disapplied in the Draft DCO. Particular attention will be paid in the detailed plans to measures associated with the HDD activities, which will not be finalised until a contractor has been appointed for this specialist activity.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
20.12		Operational Mitigation	During the operational phase mitigation includes careful plant selection, and the design of solar station, BESS and on-site substation equipment to minimise noise generation. The applicant has committed in the submitted Framework Operational Environmental Management Plan (fOEMP) that if the final location of noise generating plant in the detailed design is closer to sensitive receptors than the monitoring positions covered in the ES, then it will ensure that the noise levels are no higher than those predicted as part of the assessment.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
20.13		Mitigation – use of Community Liaison	The assessment also refers to community liaison as an effective way to limit the perception and increase tolerability of	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			increased noise levels – for instance by warning residents when particular activities are planned to take place.	
20.14		Impacts – General Comments	The ES concludes that vibration levels during construction are predicted to result in significant adverse effects at three receptors if driven piling is undertaken at a distance of 60m or closer: • R26 - Grange Cottage, Bassingham Road • R35 - Housham Grange, Newark Road • R50 - 19 Park Crescent, Morton	As the comment notes, this significant adverse effect at these three receptors has been established due to vibration from noise generating construction works if driven piling is undertaken at a distance of 60 m or closer to these properties, associated with construction of the BESS, Solar Stations, and ground mounted solar PV panel arrays, based on worst-case parameters. This is considered to be a precautionary approach to construction vibration and likely to over-estimate vibration levels. If driven piling is to be undertaken, a commitment is included in the Framework CEMP [REP1-031] (ref. NV-C1) to undertake a construction vibration risk assessment such that significant effects would be avoided. If it is unavoidable that the relevant levels would be exceeded, the risk assessment would focus on limiting the exposure of nearby receptors to levels of vibration exceeding the relevant thresholds as far as reasonably practicable. Furthermore, the timing of any driven piling within 60m of residential receptors will be delayed until after 10am to avoid more sensitive time periods. Again, these significant effects would only occur for the short-term duration during which the driven piling works (if undertaken) are happening near to these residences. Management and mitigation measures have been included within the Framework CEMP [REP1-031] to minimise these impacts as far as practical. Production of a detailed CEMP, which is to be developed substantially in accordance with the Framework plan, is secured under Requirement 12 of the Draft DCO [REP1-007].
20.15		Impacts – General Comments	The ES also identifies: • One property (R35) which would be significantly affected by construction noise – though additional temporary noise mitigation screening could reduce this to below the Significant Observed Adverse Effect Level (SOAEL) • No properties are significantly affected by the Cable Corridor construction activities • No properties are significantly affected by plant during the operational phase (including the BESS, whether centralised or distributed) • Decommissioning noise effects are likely to be similar in nature to those for construction; vibration from equipment such as vibratory rollers is unlikely to have any significant effects.	As set out at paragraphs 11.8.2 – 11.8.3 of Chapter 11: Noise and Vibration [APP-036], significant construction noise effects were identified at receptor R35, which is considered to be a precautionary significant effect as construction noise assumptions are conservative and likely to over-estimate noise levels. However, to ensure that no exceedances of the SOAEL would occur, additional mitigation measures in the form of temporary, mobile acoustic screening will be implemented, as set out in the Framework CEMP [REP1-031] (ref. NV-C1). Guidance in BS 5228-1 states that: "...as a working approximation, if there is a barrier or other topographic feature between the source and the receiving position, assume an approximate attenuation of 5 dB when the top of the plant is just visible to the receiver over the noise barrier...". Assuming the implementation of this screening and subsequent reduction in noise at R35 by at least 5 dB, noise would be reduced below the SOAEL to 71 dB LAeq,T. As such, the overall residual construction noise effects are established to be not significant. Production of a detailed CEMP, which is to be developed substantially in accordance with the Framework plan, is secured under Requirement 12 of the Draft DCO [REP1-007].
20.16		Impacts – General Comments	Noise from construction traffic is predicted to lead to at most minor adverse effects, which are not considered significant.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
20.17		Methodology and Impacts – General Comments	The Council's Environmental Health Officer has reviewed the submitted documents, and is satisfied that the noise assessment methodology, including background noise monitoring/ receptor locations. The EHO also concurs with the findings of the assessment and notes that the largest residential area that could be impacted by noise levels is Aubourn; but the noise impact assessment shows that the effects would fall into the Lowest Observable Effect Level category, and the predicted sound levels are relatively low.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
20.18		Impacts – General Comments	The Environmental Health Officer notes that there are three receptor locations (as above) where there could be an impact from construction noise associated with piling after mitigation. However, this construction noise would be temporary, and it is	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			considered appropriate to rely on 'Best Practical Means', to be secured through the detailed CEMPs.	
20.19		Mitigation Recommendation – Amended Working Hours	The Environmental Health Officer is generally satisfied with the mitigation measures covered in the Framework Construction Environmental Management Plan, the Framework Operational Environmental Management Plan, and the Framework Decommissioning Environmental Management Plan. However, he does recommend working hours are brought into line with the Council's guidelines which state that: 'Generally, where residential occupiers can be disturbed, the following working hours should be adopted: 0700 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturdays with no noisy construction work Sundays or Public Holidays.'	It should be noted that the Framework CEMP [REP1-031] (ref. Section 2.3) notes the following core construction working hours on-site (emphasis placed on text in bold): a. Monday to Friday: 07:00 to 19:00 – all activities. Any percussive piling works within 400m of residential properties will only occur for two periods of four hours (between 08:00 to 18:00) with at least one hour break between the two periods; b. Saturday: 09:00 to 13:00 – all activities, except percussive piling within 400m of residential properties; c. Saturday: 13:00 to 18:00 – all activities, except for HGV deliveries, works likely to generate substantial levels of noise (defines as activities generating more than 45dB LAeq at neighbouring dwellings), and percussive piling (unless agreed with the relevant local authority); and d. Sundays, Bank Holidays and outside of the construction hours noted above (including nights): no activities except for Horizontal Directional Drilling (HDD) drilling which could be required subject to the restrictions stated in this Framework CEMP, future detailed CEMP(s), and any other restrictions agreed with the relevant planning authorities pursuant to the consent process under Section 61 of the Control of Pollution Act 1974. As such, the proposed working hours (in terms of noisy construction works) are therefore in line with the Council's guidelines, whereby any deviation from this would be subject to a Section 61 agreement. Production of a detailed CEMP, which is to be developed substantially in accordance with the Framework plan, will be secured under Requirement 12 of the Draft DCO [REP1-007].
20.20		Conclusions	On the basis that these hours of working are adopted, and the mitigation in the Framework Management Plans is implemented through more detailed plans, the Council considers that the impact of noise and vibration is neutral.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
21.0 Climate				
21.1 – 21.13		Legislation and Policy	Paragraphs 21.1 – 21.13 set out legislation and policy.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
21.14 – 21.18		Methodology / Impacts / Residual Effects	Paragraphs 21.14 – 21.18 set out the methodology, impacts and conclusions established in Chapter 6 Climate Change of the ES [REP1-017]	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
21.19		Recommendation for Annual Carbon Reporting	It is recommended that the development should provide annual carbon reports of emissions produced and renewable energy generated, as best practice to ensure transparency in regard to how this proposal helps the national net zero/carbon reduction agenda and how this would be contributing over the 60-year period. This is especially relevant where it is recognised that the Greenhouse Gas assessments within the ES are dependent on the quality of data and in some cases estimates have a high degree of uncertainty built in.	The Applicant notes this suggestion and will consider this reporting at the appropriate time post-consent, as well as considering how best to communicate any such reporting with the host authorities and/or local community. It is noted that DESNZ data is by region only and therefore some solar farm operators choose to share this information on their project website. Any reporting would likely be in the form MWhrs/yr energy generation. The greenhouse gas emissions during operation are predicted to be negligible and the Applicant does not currently propose to monitor this; it is not obvious to the Applicant how this data would be helpful for the Council, and the OEMP will include good industry measures to minimise GHG emissions during this phase.
21.20		Conclusions	Overall, the proposed methodology is reasonable and it is agreed that the proposal would have a positive impact in	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			regard to meeting the Council's carbon reduction ambitions and the national net zero/carbon reduction targets.	
22.0 Glint and Glare				
22.1		Legislation and Policy	EN-1 does not contain specific guidance on glint and glare in respect of solar farms. Paragraph 5.5.56 of EN-1 refers to the design of lighting in such a way that it avoids glare or dazzle to pilots and/or ATC and prevention of confusion with aeronautical lighting. Paragraph 2.10.151 of EN-3 states that ' <i>...while there is some evidence that glint and glare from solar farms can be experienced by pilots and air traffic controllers in certain conditions, there is no significant evidence that glint and glare from solar farms results in significant impairment on aircraft safety</i> '.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
22.2		Legislation and Policy	At 2.10.94 EN-1 states that ' <i>Solar panels are specifically designed to absorb, not reflect, irradiation. However, solar panels may reflect the sun's rays at certain angles, causing glint and glare. Glint is defined as a momentary flash of light that may be produced as a direct reflection of the sun in the solar panel. Glare is a continuous source of excessive brightness experienced by a stationary observer located in the path of reflected sunlight from the face of the panel. The effect occurs when the solar panel is stationed between or at an angle of the sun and the receptor</i> '. The main likely impacts of glint and glare would be on nearby homes, motorists, public rights of way and aviation infrastructure.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
22.3		Legislation and Policy	These points are reiterated in paragraphs 2.10.94 of EN-3, which also notes that glint and glare assessments should include consideration of whether fixed panels or tracking panels are proposed. Applicants should consider using mitigation such as anti-glare/anti-reflexive coatings, and screening where necessary (paragraphs 2.10.126 and 2.10.127).	The Applicant commits to anti-reflective coating of PV modules within the Proposed Development Parameters [REP1-029] (ref. page 5). Requirement 6(2) in the Draft DCO [REP1-007] requires the design of the Proposed Development to be in accordance with the proposed development parameters. Furthermore, as set out in GG-C1 of the Framework CEMP [REP1-031], native hedgerows will be planted/infilled and maintained to deliver a minimum height at least the same as the upper edge of the panels, which is currently proposed to be 3.5m, along panel boundaries, field boundaries and bridleway boundaries where the glint and glare assessment identifies mitigation as required. The proposed planting in the Landscape Mitigation Plan (within the Framework LEMP [REP1-039]) achieves the required mitigation, and the design will be carried out in accordance with this. The Framework LEMP [REP1-039] and Framework CEMP [REP1-031] are to be developed into a detailed LEMP and CEMP, substantially in accordance with the Framework Plans, secured under Requirements 8 and 12 of the Draft DCO [REP1-007] respectively.
22.4		Legislation and Policy	Policy S53: Design and Amenity, sub-section 8 (d) sets out that development proposals 'should not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare'.	As set out in Appendix 14-D: Glint and Glare Assessment Report of the ES [REP1-028] (ref. Section 8), following the implementation of mitigation (as included in the Framework LEMP [REP1-039]), no significant glint and glare effects upon receptors (including residential receptors and bridleway users) are anticipated. The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007].
22.5		Legislation and Policy	As identified in EN-1, Solar PV modules are specifically designed to absorb light rather than reflect it. Light reflecting from Solar PV modules results in the loss of energy output. Solar PV modules are dark in colour due to their antireflective coatings and are manufactured with low-iron, ultra-clear glass with specialised coatings and textures to enable maximum	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			absorption. The combination of these factors significantly increases electrical energy production of the panels and at the same time significantly reduces reflected rays.	
22.6		Methodology – General Comments	ES Appendix 14-D (parts 1 -5) (AS-092 to AS-096) addresses glint and glare, and is reported in section 14.3 of ES Chapter 14: Other Environmental Topics (APP-039). The assessment methodology takes into account that the solar panels proposed may be fixed south-facing, or single-axis trackers. Glint and glare at the construction stage was scoped out, with the assessment focussing on the operational phase.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
22.7		Methodology – General Comments	The assessment identifies potential receptors; screens some out (for instance because the development would not be visible); and uses a geometric approach to examine whether a reflection could occur, and if so at what time of day, in relation to the location of direct sunlight which may in any case reach the receptor at that time. Finally, the assessment looks at the likely intensity of reflection, and comes to a conclusion as to whether or not there would be a significant detrimental effect in accordance with defined criteria. The assessment covers the possible impact upon key sensitive receptors comprising: • Residential receptors • Road and rail users • Bridleway users – as there is a safety element, and walkers will only be affected momentarily • Aviation receptors – bearing in mind the proximity of aerodromes in the area	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
22.8		Mitigation – General Comments	Embedded mitigation measures to reduce the glint and glare impacts include: • Location and design of the solar arrays • Conserving vegetation patterns – such as retaining and managing trees and hedgerows • New planting	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
22.9		Impacts – General Comments	Much of this mitigation is included in proposals contained in the Framework Landscape and Ecological Management Plan. The findings of the assessment are summarised below: Residential Receptors: initial screening found that 178 of the 238 potential residential receptors could theoretically be subject to solar reflections. Taking into account actual local topography and broad scale screening, the ES found that glint and glare effects might be high at 11 receptors, and medium for 3 receptors – and low or negligible for the remaining receptors. Finally, taking into account screening such as field boundary hedgerows, overall impacts would be low for 36 receptors, and reduced to none for all remaining receptors. These results indicate that effects on residential receptors would be low or negligible, and therefore not significant.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			Road Users: initial scoping identified 215 of the 217 potential road receptor points could theoretically be subject to solar reflections. Taking into account actual local topography and broad scale screening, the ES found that glint and glare effects might be high at 30 receptors, and low or negligible for the remaining receptors. Taking into account screening such as field boundary hedgerows, overall impacts would be reduced to none for all remaining receptors – concluding that effects on road users would not be significant. Railway Operations and Infrastructure: initial scoping identified all 13 potential rail receptor points could theoretically be subject to solar reflections. Taking into account actual local topography and broad scale screening, the ES found that glint and glare effects would be reduced to none for all of these receptors. Therefore it was concluded that there would be no significant adverse effects. Aviation activity: the Applicant has assessed the impact on 12 runway approach paths and control towers for RAF and private airfields. A number impacts were considered a possibility, but on detailed analysis, including consideration of hedges, trees, buildings, and ground elevation, the glare impacts were assessed as negligible or none. Overall, therefore it was concluded that impacts would not be significant. Bridleway users: initial screening found that all of the 79 potential bridleway receptors could theoretically be subject to solar reflections. Taking into account actual local topography and broad scale screening, the ES found that glint and glare effects might be high at 65 receptors, and reduced to low for the remaining 14 receptors. Finally, taking into account screening such as field boundary hedgerows, overall impacts would be low for 10 receptors, and reduced to none for all remaining receptors. These results indicate that effects on bridleway receptors would be low or negligible, and therefore not significant.	
22.10		Overreliance of Screening for Residential Receptors	Based on this assessment, no further mitigation measures have been recommended in the assessment. However, the Council has residual concerns that some of detailed assessments of residential receptors may have placed greater reliance on screening vegetation to mitigate potential glint and glare effects than is warranted.	As set out in Appendix 14-D: Glint and Glare Assessment Report of the ES [REP1-028], the assessment modelled an initial bald-earth scenario, with no consideration of local vegetation, other obstacles, and cloud cover, which is considered the worst-case scenario. However, the results of the assessment are based upon a review of the actual visibility of receptors, when taking into account topography and local screening (both existing and proposed). This is considered a robust assessment approach, as it combines a worst-case model with a review of actual visibility of receptors which ensures the conclusions are not over or under-estimating the effects. As summarised in Section 8 of Appendix 14-D: Glint and Glare Assessment Report of the ES [REP1-028], the initial bald-earth scenario identified potential impacts as High at 48 receptors, including six residential areas, Medium at 19 receptors, including two residential areas, Low at 111 receptors, including 10 residential areas, and None at the remaining 50 receptors, including three residential areas. Upon reviewing the actual visibility of the receptors, impacts remain High at eight receptors, including one residential area, and Medium at three receptors, including one residential area, and reduce to Low at 47 receptors, including eight residential areas,



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				and to None at all remaining receptors, including 12 residential areas. Once mitigation measures were considered, impacts reduce to Low at 32 receptors and to None at all remaining receptors. Therefore, overall impacts on residential receptors are considered to be Low. The screening proposed has been developed in tandem by the glint & glare assessment team (Neo-environmental) and the landscape design team to ensure that the Landscape Mitigation Plan (included within Appendix A of the Framework LEMP [REP1-039]) captures all required locations of mitigation planting, and have also advised on the required management/mitigation measures (such as setting out the height at which screening vegetation must be maintained – ref. paragraph 5.3.13 of the Framework LEMP [REP1-039]) to allow the glint & glare assessment to arrive at the conclusions in Appendix 14-D: Glint and Glare Assessment Report of the ES [REP1-028]. As such, the Applicant considers it to be appropriate to place reliance on the screening vegetation for mitigation purposes given that the Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007].
22.11		Refinement of Residential Mitigation	The applicant identifies that mitigation is required due to the impacts found for residential receptors 97, 98, 101, 102, 148, 155, 157 – 160, 196 and 197, road receptors 13 - 16, 45, 78 – 80, 82 – 84, 98 – 104, 113, 144 - 148 and 177 - 182 and bridleway receptors 2 – 6, 8 – 11, 14 – 16, 27 – 38, 54 – 62 and 65 – 71 all being 'High' or 'Medium'. However, the precise locations of these receptors are difficult to identify owing to the level of mapping provided by the applicant which lacks clarity.	The precise geographical location (easting and northing) of each assessed residential receptors is set out in Table 1 of Appendix 14-D: Glint and Glare Assessment Report of the ES [REP1-028] and the location of each residential receptor assessed is illustrated on Figure 1A-1C of Appendix A of Appendix 14-D: Glint and Glare Assessment Report of the ES [REP1-028]. For further clarity, Appendix C: Glint and Glare Residential Receptors Plans provides smaller scale figures illustrating residential receptor locations.
22.12		Conclusions	Therefore, whilst on the basis of the ES the Council currently considers that the proposals would have a neutral impact in respect of glint and glare, nevertheless there appears to be a strong reliance on landscaping to mitigate impacts to a relatively large number of receptors; the locations of which are imprecise. The Council reserves the right to make further representations on this topic during the course of the examination, if necessary, once more detail is available and therefore a precautionary stance of 'negative' may be more appropriate.	Please see responses above at LIR Ref. 22.10 – 22.11 in response to the comments regarding landscaping and receptor locations.
23.0 Socio Economics				
23.1, 23.2, and 23.4 - 23.7		Legislation and Policy	Paragraphs 23.1, 23.2, and 23.4 - 23.7 cover legislation and policy, and are not repeated here.	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to the Socio-Economics and Land Use Assessment at Appendix 12-A :Socio-Economics and Land Use Policy and Legislation of the ES [APP-160]. The Planning Statement [AS-098] also provides Policy Accordance Tables to demonstrate how the Applicant has complied with the policies referred to.
23.3		Legislation and Policy	Furthermore, EN-1 also makes reference to the need to consider development of accommodation strategies, if appropriate, to address any potential impacts during the construction and decommissioning phases. In addition, it also refers to the potential for the SoS to require the approval of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, and additionally consideration of solar and potential for associated socio-economic effects is referenced in respect of the potential	The Applicant notes that a Framework Employment, Skills, and Supply Chain Plan (ESSCP) [APP-197] has been submitted as part of the DCO Application. Production of a detailed Employment, Skills, and Supply Chain Plan, which is to be substantially in accordance with the framework plan, is secured under Requirement 19 of the Draft DCO [REP-007].



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			for socio-economic benefits of the site infrastructure being retained after the operational life of solar photovoltaic generation.	
23.8		Impacts – General Comments	ES Chapter 12: Socio Economics and Land Use (AS-016) states that the construction phase is anticipated to require a peak of 600 direct full time equivalent (FTE) employment jobs on site per day, with an average of 350 FTE over the 24 – 30 months. Some workers will come from outside of the area, and there will be some displacement of related jobs in the Study Area. On the other hand, there is anticipated to be a multiplier effect whereby further economic activity associated with the additional local income, supplier purchase and longer-term development effects will occur.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
23.9		Impacts – General Comments	No significant impacts on hotels, bed and breakfast and other similar accommodation business are anticipated during construction. Overall, it is anticipated that the development will support, on average, 394 total net jobs per annum during the construction period. Of these, 177 jobs per annum will be expected to be taken up by residents within the Study Area. This job creation and the resultant Gross Added Value (GVA) of £27.4m - £12.3m of which would be in the local area – is considered to be a minor beneficial effect, but not significant.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
23.10		Impacts – General Comments	During the operational phase, the ES anticipates that the development will generate four direct jobs in maintenance. The ES reports that landowners involved in the scheme expect no overall job losses from the use of the agricultural land, with additional revenues diverted to support diversification. This is considered to be a neutral and not significant effect. Employment effects during the decommissioning phase are anticipated to be similar in nature to the construction phase, though at a lower level – assessed as minor beneficial and not significant, even allowing for the loss of the four direct operational jobs on site.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
23.11		Impacts – General Comments	The Council broadly agrees with the assessment provided in the ES Chapter on Socio-Economic effects. It is agreed that the economic impact of the construction phases in terms of direct employment will be minimal and that the jobs created will be temporary, the majority imported due to low levels of unemployment in North Kesteven.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
23.12		Framework ESSCP	Despite the lack of significant economic effects, the application includes a Framework Employment, Skills and Supply Chain Plan (fESSCP) (APP-197) has been submitted. Draft DCO Requirement 19 requires the submission of detailed ESSCP for each part of the development. The fESSCP identifies opportunities across three main themes: • Development of Skills • Access to Employment	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			Supporting the Supply Chain	
23.13		Framework ESSCP – Funding for training, recruitment and apprenticeships	Actions would include provision for training, recruitment to priorities local employment, and apprenticeships. However, the fESSCP does not mention funding.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
23.14		Framework ESSCP – Funding	The Council considers that the fESSCP requires a financial contribution to enable its delivery. The relatively consented Longfield and Heckington Fen DCOs were subject to s106 Agreements which provide for a £50,000 index - linked payment per annum (in the case of the latter) for increasing employment, education and skills opportunities in the local areas for individuals in the renewable energy, sustainable farming/agricultural diversification, ecology and sustainable development sector and which may include the provision of training and apprenticeships and education bursary payments. The Council seeks a similar contribution for the Fosse Green Energy DCO, which is also in line with its approach to the Springwell and Beacon Fen Solar DCO examinations and where this contribution will be secured via a s106 Agreement (at an advanced stage of preparation) in relation to the former. The Council will raise further points regarding the fESSCP in its Written Representations.	The Framework ESSCP [APP-197], submitted as part of the DCO Application, outlines the Applicant's commitment to delivering positive outcomes in terms of employment. As concluded in Chapter 12: Socio-economics and Land Use of the ES [AS-016], there are no adverse socio-economic effects as a result of the Proposed Development that require mitigation to be provided. This includes employment, skills and the supply chain. Therefore, this is considered an enhancement measure. This is recognised by the Council itself at LIR Ref 23.12 above where it states: <i>"Despite the lack of significant economic effects, the application includes a Framework Employment, Skills and Supply Chain Plan (fESSCP) (APP-197) has been submitted."</i> In order for a planning obligation to constitute a reason for the granting of consent, it must meet the conditions of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations 2010) in that it is (a) necessary to make the development acceptable in planning terms, (b) directly related to the development, and (c) fairly and reasonably related in scale and kind to the development. These conditions are duplicated in Government's Guidance on 'Use of planning obligations and process for changing obligations' (the Guidance). The Applicant has not been provided with evidence demonstrating that the proposed contribution is necessary to make the Proposed Development acceptable in planning terms. As mentioned above, Chapter 12 of the ES concludes that there are no adverse socio-economic effects that require mitigation to be provided. Similarly no policy requirement has been identified that would necessitate the contribution in order for development consent to be granted. In the absence of a clear and evidenced impact attributable to the Proposed Development, the Applicant does not consider the scale of the requested figure to be proportionate. No methodology or calculation has been provided to demonstrate that the amount sought fairly reflects the extent of the impact arising from the Proposed Development, which the Applicant has demonstrated have not arisen. Therefore the Applicant's view is that the request for a planning obligation does not meet the tests of Regulation 122 of the CIL Regulations 2010. On this basis, and as the delivery and implementation of the detailed ESSC Plan is secured via Requirement 19 of Schedule 2 to the Draft DCO [REP1-007], the Applicant does not consider that the s106 contribution sought is justified. Whilst the Applicant notes that the Council has agreed contributions on other schemes, when it comes to determining whether a contribution is required, and lawful in accordance with the conditions of Regulation 122 of the CIL Regulations 2010 and the Guidance, each scheme must be considered on its own merits and specifically any adverse impacts identified which would make a contribution "necessary to make the development acceptable in planning terms" (condition (a) under Regulation 122 of the CIR 2010 and para. 002 of the Guidance). The Applicant is therefore not proposing a contribution towards training as part of the DCO Application and nor is it required to do so. It is proposing a comprehensive ESSCP to maximise the beneficial effects reported in the assessment which will arise from employment generation (including supply chain opportunities, and skills



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				development), and Gross Value Added (GVA) generation during the construction and decommissioning phases of the Proposed Development. The Applicant has engaged with both NKDC and LCC in the development of the Framework ESSCP and will continue this engagement. A detailed Employment, Skills and Supply Chain Plan, which will be substantially in accordance with the framework Plan, is secured through Requirement 19 at Schedule 2 of the Draft DCO [REP1-007] and will be subject to approval by NKDC and LCC. The Applicant is also proposing a community benefit fund, the intention of which is that this will be delivered in cooperation with local community foundations and NKDC to benefit causes chosen by the local community. The community benefit fund delivered alongside the Proposed Development will provide a sum of £400 per MW of export capacity per year. The Applicant is exploring how this could best be managed. The Applicant believes those communities living closest to the Proposed Development are best placed to determine what a community benefit would be, and should be able to benefit from funding towards improvements to existing community facilities, such as village halls and sports facilities, provision of electrical vehicle charging points, subsidised solar PV panels for community use and lower cost energy, grants for broadband and wider improvements, educational visits and wider education/apprenticeship opportunities.
23.15		Tourism – Concern around Cumulative Impacts	Despite the ES finding that there will be no adverse effects in relation to tourism – including on the availability of serviced visitor accommodation across the District - the cumulative impacts of a number of NSIP and other TCPA solar projects in North Kesteven is of concern to the Council. Tourism is a key growth sector for the District and a significant net contributor to the local economy worth £201m and growing just over 5% in 2023. One of the Council's Tourism Strategy's aims is to continue to increase the length of visitor stay and thereby expenditure, while at the same time reducing emissions by cutting the volume of day trips. In order for this goal to be achieved there is a need to increase the volume of serviced accommodation in the District, which both STEAM (a tourism economic modelling tool) and the Council's own recent Hotel Study (2024) show are insufficient to meet current, let alone future, levels of demand. There are shortages at key times of the year. Any upside in construction worker spend will potentially be cancelled out by loss of visitor numbers and therefore visitor spend in the District with additional direct impacts on visitor attractions.	Recognising that visitor accommodation could be affected by the Proposed Development, the Applicant assessed the potential effects on this sector arising from an influx of construction workers within Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. If the construction and decommissioning phases of multiple Cumulative Schemes and the Proposed Development were to overlap, this would in turn increase demand in the accommodation sector from the increased workforce at the peak construction phase. The assessment presented in Chapter 12 found that, at peak workforce employment and based on typical seasonal occupancy levels, 100% of the Proposed Development's construction workers could be accommodated within a 60-minute drive time of the DCO Site. This will evidently include areas outside of North Kesteven. Whilst worker accommodation and travel arrangements will be the choice of the construction/decommissioning contractor, it is expected that for cost-efficiency, and to minimise trips and impacts on the road network, larger hotels/accommodation would be used which are typically not found in North Kesteven but in the larger centres of population such as Lincoln, Newark-on-Trent, and Grantham, with Nottingham and Leicester also being within this travel distance which host accommodation at scale. The number of workers staying within smaller local settlements would be minimised or avoided through this strategy to select larger hotels/accommodation. Cumulative impacts would therefore be not significant. It should also be noted that the analysis considered only hotel, bed and breakfast, and inn accommodation. Additional options, such as Airbnb and serviced apartments, were not included in the assessment. Peak occupancy within a 60-minute drive time occurs in July, during which 1,141 rooms are available. With 330 workers requiring accommodation, this results in a surplus of 911 rooms. The assessment concluded that the Proposed Development would generate no effect, including no negligible or minor effect, on the hotel, bed and breakfast, and inns accommodation sector. On this basis, cumulative effects on Temporary Worker Accommodation were not considered further within the ES. It should be noted that information on the size of the construction workforce cannot be reliably or robustly quantified for a number of cumulative schemes, however it is expected that each scheme has presented a conservative, worst-case estimate in their respective applications / information. It is also possible that the peak construction periods will not overlap. The assumptions in the ES are therefore likely to overestimate the impacts on accommodation. Chapter 12 Socio-economics and Land use of the ES [AS-016] also includes an assessment of potential effects on users of recreational receptors and visitor attractions which may include tourists. Section 12.5



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23.16		Lincolnshire 'Stepping Out' Routes	The Council have already commented on the potential effects on the Stepping Out Network of walking routes earlier in this LIR. The Council regularly monitors the footfall on the Stepping Out Network while visitor numbers are captured by STEAM. Longer -term impacts on the attractiveness of significantly changed rural landscapes to visitors may be adverse in nature.	identifies the size of the visitor economy and recognises that local villages of Coleby, Bassingham, Navenby and Aubourn contain visitor and recreational attractions, and that there is also a network of PRowS in the surrounding area which may be used by visitors. With due consideration given to other assessment findings set out in Chapter 10: Landscape and Visual Amenity [AS-117], Chapter 11: Noise and Vibration [APP-036], Chapter 13: Traffic and Transport [APP-038] and Chapter 14: Other Environmental Topics (Section 14.2: Air Quality) [APP-039] as appropriate, the assessment in Section 12.7 concludes that overall the impact of the Proposed Development on tourism/recreation receptors is not significant during the construction/ decommissioning and operational phases. The Stepping Out Network is a collection of waymarked walking routes across North Kesteven, extending over 130 miles of footpaths and comprising approximately 28 individual walks. These routes frequently follow existing PRowS, as these are legally protected, mapped, and publicly accessible. Many Stepping Out routes are also provided through the goodwill of local landowners, indicating that the network comprises a mixture of PRowS and permissive paths. The permissive elements are not legally protected in the same manner as PRowS and depend on ongoing agreements with landowners. Potential impacts on PRowS, including those forming part of the Stepping Out Network, are assessed in Chapter 12: Socio-economics and Land Use of the ES [AS-016]. Given the limited scale of impacts, effects on PRowS in respect of journey length, travel patterns and access opportunities are assessed as very low adverse, resulting in a negligible and therefore not significant outcome. Chapter 10: Landscape and Visual Amenity of the ES [AS-117] also notes at Table 10-15 that significant residual effects (Operation Year 15) from the Proposed Development are anticipated on the landscape character of the Principal Site, LLCA 03: Tunman Hill, and LLCA 08: Thurlby Fenland' as such establishing that longer term impacts on the landscape character would be localised. Within the Principal Site, there are 36 PRowS and seven permissive paths, alongside 26 PRowS that run either within close proximity to or along the Order Limits. In addition, five PRowS could be affected by the Cable Corridor. This includes PRow used by the three Stepping Out routes. The Proposed Development would require the permanent diversion of three PRowS, each resulting in minimal changes in journey length for users and each assessed as giving rise to a negligible and not significant effect. Some PRowS may also need to be temporarily closed during construction to ensure safe working conditions. Where temporary closure is proposed, an appropriate diversion route has been identified for the duration of the closure, with all PRowS to be fully reinstated following completion of the relevant works. The Streets, Rights of Way and Access Plans [REP1-004] identify each proposed temporary PRow closure and the indicative locations of temporary diversion routes. The Framework PRowMP [APP-195] sets out how PRowS within the Order Limits will be managed to ensure they are suitably considered and remain functional throughout the construction, operation (including maintenance), and decommissioning phases of the Proposed Development. The PRowMP addresses both user safety and accessibility across the full lifecycle of Proposed Development, including the potential interactions between construction activities and day-to-day PRow use. In its pursuit of securing good design, the Applicant has sought to minimise landscape and visual impacts of the Proposed Development, as set out in the Design Approach Document [APP-186]. The provision of visual screening, for users of PRow who may be visitors to the area, has been considered throughout the design of the landscaping proposals, as illustrated in the Landscape Mitigation Plan presented in Figure 7.15-1 within the Framework LEMP [REP1-039], whereby (as noted in paragraph 4.1.4) the overall goal of the landscape strategy is to integrate the Proposed Development into its surrounding landscape and to avoid or minimise



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23.17		Cumulative Economic and Land Use Impacts of Solar Development	The Council has further key areas of concern for the local economy, specifically: • The cumulative impact of land take on the Agri food sector locally both in terms of Food Security and land use: It is possible that a significant proportion of land in the District (up to 10% of the total area of NK - roughly 100,000ha) will be given over to NSIP solar energy production. Agriculture accounts for 90% of land use in the District and so the impact will be proportionately greater. Impacts on the agri-food sector and its supply chains are considered relevant here. The 'de facto' replacement of agricultural production with energy generation may have far-reaching impacts on the local economy, GVA, skills, future land values as well as more generally countywide in the construction and agri-food sectors. The move towards the 'monetisation' of the environment and biodiversity suggested by subsidy regimes and Biodiversity Net Gain legislation will allow the value of land and its potential outputs to be measured in different ways. Solar energy generation (in lieu of agricultural production) to drive profitability, productivity, or resilience both alongside and instead of primary agricultural production should therefore be considered. • Aggregating direct economic benefits: North Kesteven has a nationally significant role in feeding and defending the nation. In the future, mindful of the number of projects being proposed, it may have a similarly significant role in powering the nation. The value of the electricity produced could be of considerable direct economic benefit over time to impacted businesses and communities, the wider District and Greater Lincolnshire. Given that the Council is concerned with measuring the cumulative impacts of NSIP developments, it is logical to explore the case for aggregating the cumulative financial benefits of a large number of such schemes in order to assess the potential to contribute to strategic economic and socio-economic goals, particularly in respect of green infrastructure growth, carbon reduction and the building of green capital in the rural economy. • Future Energy needs: Solar Farms typically have a lifespan of 25 -40 years, and Fosse Green is proposed to be operational for 60 years. This raises questions about how decommissioning could be staggered across the Grid and how energy produced will be replaced if output is to be maintained and what will the land take be in 60 years' time given that energy demands are likely to increase.	adverse landscape and visual effects as much as possible. The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007]. It is noted that the Council has raised several points related to the Cumulative Economic and Land Use Impacts of Solar Development. The Applicant notes these points and has responded to each concern in turn below: • The cumulative impact of land take on the Agri food sector locally both in terms of Food Security and land use: The Proposed Development results in a non-significant effect on agricultural land. Cumulative assessment of other solar NSIPs also identifies no significant adverse effects on agricultural land or agricultural production. The LIR's suggestion that up to 10% of the District could be used for solar is not supported by evidence and, therefore, the Applicant cannot comment further on this; the Applicant's own calculations show that the cumulative solar NSIPs account for approximately 2.4% of the farmland in the County (note that this percentage is for Lincolnshire as a whole rather than NKDC). Claims of impacts on food security, agri-food supply chains, GVA, skills or land values go beyond the scope of EIA and are strategic economic matters, not project-level environmental effects. Solar farms do not represent a permanent shift away from agriculture – the Proposed Development is reversible and the land will be returned to the landowners at the end of decommissioning. The Defra UK Food Security Report 2024 is the key document outlining the Government's opinion on food security. It considers the Clean Energy targets for solar and concludes that "It is plausible that with continued growth in output and conducive market conditions, that food production levels could be maintained or moderately increased alongside the land use change required to meet our Net Zero and Environment Act targets and commitments". 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. Anecdotal evidence from the landowners in 2024 indicates c 50% of the land within the Principal Site is currently used for the cultivation of non-food crops. Of this, the majority (approximately 81%) is grown for use as fuels for carbon-intensive energy sources, rather than for direct human or animal consumption. With approximately 40% of the Principal Site not currently used for any human food production, and theoretically - best case - 48% of the Principal Site being available for arable production during operation, there is the potential for the Principal Site to produce more food during operation than it does now – albeit this depends on landowner/farmer decisions on whether some of this land is delivered as grassland or arable farmland. A total 489ha (1208 acres)(or 48%) of the Principal Site can continue to be used for arable farming during operation (181ha (447 acres) Managed Arable for Bird Mitigation and 308ha (761 acres) of Retained Arable/Grassland). It is therefore not considered that the Proposed Development contributes in a meaningful way to any food security impacts. • Aggregating direct economic benefits: The Council's recognition of the contribution that aggregated economic benefits from the Proposed Development and others can make to meeting economic/socio-economic goals is welcomed. It is not necessary or required for a single NSIP to quantify the cumulative financial benefits of cumulative schemes. The EIA process only requires the identification of likely significant effects; the ES has not identified a likely significant beneficial cumulative effect on socio-economics and therefore does not need to quantify this to provide justification. The Proposed Development already identifies its own direct socio-economic benefits, which is the correct scope for project-level assessment. Any broader evaluation of how multiple NSIP solar projects might contribute to strategic green-growth, carbon reduction or rural economic objectives is a matter for local and regional economic strategy, not for individual applicants in a DCO process. • Future Energy needs: Any future energy system must be resilient and affordable, and solar PV has been identified as being vital for a decarbonised grid and can support security of supply as part of a portfolio of different generation technologies, including wind and nuclear. Large-scale solar is an essential part of the future electricity system which must be deployed where there is the natural resource, where suitable land is available, and in proximity to available grid connection locations, such as the area local to the Proposed



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23.18		Change in landscape from agricultural to solar energy generation	In conjunction with the cumulative impacts on footpaths across North Kesteven from other large scale solar farm developments, the Council considers that there is potential for the change in the landscape from predominantly agricultural to solar energy generation which will have an unforeseen effect on the attractiveness of the District for walking and hence on the tourism economy, as well as the health of local residents.	Development, in line with the overarching NPS EN-1. The Proposed Development represents a significant opportunity in this respect and would provide a significant contribution to the delivery of the UK Government's commitment to achieve net zero emissions by 2050. The Applicant is seeking a 60 year consent, which aligns with other consented (made DCO) solar NSIPs such as Tillbridge Solar Farm, Mallard Pass Solar Project, West Burton and Gate Burton Energy Parks. Modern solar panels are now designed for 40–60 years, making shorter lifetimes economically and environmentally suboptimal. The Application also allows for the flexibility to repower the Proposed Development during the 60 year lifetime, should this become more viable due to the degradation of the installed panels, which would then require a longer lifetime than the typical 40 years to benefit from the repowering. The 60 year lifetime gives certainty that Proposed Development will be decommissioned after this time period. Potential effects on PRoW use during construction and decommissioning have been assessed Chapter 12: Socio-economics and Land Use of the ES [AS-016]. as negligible (not significant). Therefore, in line with the methodology presented in Chapter 5: EIA Methodology, Section 5.8 of this ES [APP-030], effects to PRoW during construction are not considered within the cumulative assessment as the Proposed Development would not make a meaningful contribution to any cumulative effect which may occur from other developments in the area. Furthermore, Chapter 10: Landscape and Visual Amenity of the ES [AS-117] acknowledges via paragraphs 10.5.4, 10.5.9 and 10.5.21 that the landscape character of the Study Area is predominantly agricultural. The Applicant also recognises that the agricultural land use is a defining characteristic of many landscape character areas identified within the published landscape character assessments. However, Chapter 10: Landscape and Visual Amenity of the ES [AS-117] also notes at paragraphs 10.10.8-10.10.38 that significant cumulative landscape and visual effects are only anticipated during the construction of the Proposed Development in addition to the North Hykeham Relief Road, Springwell Energy Farm and Leoda Solar Farm. By operation, once the landscape mitigation of each scheme has established, it is judged that there would be no significant cumulative landscape and visual effects including from other large-scale solar farm developments such that the predominantly agricultural land use will remain a defining characteristic of the landscape character areas identified within the published character assessments and therefore no effect on the attractiveness of the District would result. To mitigate visual impacts on recreation users of PRoW, the Applicant has embedded a minimum 10m offset from the centre line of PRoW (ref. paragraph 6.1.1 of the Framework LEMP [REP1-039]). In its pursuit of securing good design, the Applicant has sought to minimise landscape and visual impacts of the Proposed Development on users of PRoW, who may be visitors to the area, as set out in the Design Approach Document [APP-186]. The provision of visual screening has been considered throughout the design of the landscaping proposals, as illustrated in the Landscape Mitigation Plan presented in Figure 7.15-1 within the Framework LEMP [REP1-039], whereby (as noted in paragraph 4.1.4) the overall goal of the landscape strategy is to integrate the Proposed Development into its surrounding landscape and to avoid or minimise adverse landscape and visual effects as much as possible. To mitigate visual impacts on users of PRoW, the Applicant has embedded a minimum 10m offset from the centre line of PRoW (ref. paragraph 6.1.1 of the Framework LEMP [REP1-039]). Where development is proposed on both sides of a PRoW, sections of wider offsets reflecting local features, such as hedgerows, have been integrated to vary the visible extent of proposed infrastructure and the overall visual experience, where practicable. The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007].
23.19		Conclusions	Given the commitment to improving skills, employment and the local supply chain and provision of a new permissive path but potential adverse cumulative impacts on the tourism economy	The Council's conclusion is noted. The opinion that overall socio-economic effects are "neutral" appears to be driven primarily by its view that there may be adverse cumulative impacts on the tourism economy and visitor accommodation. Chapter 12: Socio-economics and Land Use of the ES [AS-016] includes detailed



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			and visitor accommodation, the Council considers the overall socio-economic impacts of the development to be neutral.	assessments of both temporary worker accommodation and tourism/recreation receptors, and these do not identify any significant adverse effects—either from the Proposed Development alone or in combination with other cumulative schemes. With respect to visitor accommodation, as noted above, Chapter 12 of the ES assessed the potential effects arising from an influx of construction workers. Even under a conservative scenario assuming overlapping construction phases with several cumulative schemes, the assessment found that 100% of the Proposed Development's peak construction workforce could be accommodated within a 60-minute drive time of the site during the busiest month of the year, with a surplus of 911 rooms. As stated above, whilst worker accommodation and travel arrangements will be the choice of the construction/decommissioning contractor, it is expected that larger hotels/accommodation would be used, which tend to be located in the numerous larger centres of population within the 60-minute drive time. The number of workers staying within smaller local settlements would be minimised or avoided through this approach to worker accommodation. On this basis, the assessment concludes that the Proposed Development would give rise to no effect on the hotel, B&B and inn sector, and that cumulative effects on temporary worker accommodation would therefore not be significant. In relation to the tourism economy more broadly, the ES also assessed potential effects on recreational receptors, visitor attractions and local villages. Drawing on relevant findings from the Landscape and Visual, Noise and Vibration, Traffic and Transport and Air Quality assessments, the ES concludes that impacts on tourism and recreation receptors would be not significant during both construction/decommissioning and operation. Overall, the assessment clearly demonstrates that the socio-economic effects of the Proposed Development comprise a mix of potential positive and potential negative impacts, with no significant adverse effects identified. Temporary construction employment, supply-chain spending, and opportunities for local contracting represent positive socio-economic contributions, while potential negative effects have been assessed as not significant.
24.0 Air Quality				
24.1		Legislation and Policy	Paragraph 5.2.16 of EN-1 states that the decision maker ' <i>... should give air quality considerations substantial weight where a project would lead to a deterioration in air quality in an area or leads to a new area where air quality breaches any national air quality limits.</i> ' In all cases the decision maker must take account of any relevant statutory air quality limits.	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to the Air Quality Assessment at Appendix 14-A: Other Environmental Topics Policy and Legislation of the ES [APP-168] . The Planning Statement [AS-098] also provides Policy Accordance Tables to demonstrate how the Applicant has complied with the policies referred to.
24.2		Legislation and Policy	The UK Air Quality Strategy (AQS) identifies nine ambient air pollutants that have the potential to cause harm to human health and two for the protection of vegetation and ecosystems. The AQS defines objectives for these pollutants that aim to reduce the impacts of these pollutants to negligible levels. The objectives are not mandatory but rather targets that local authorities should try to achieve.	
24.3		Legislation and Policy	CLLP Policy S14 'Renewable Energy' states that whilst renewable energy scheme will be supported, this is subject to an assessment as to whether the impacts are acceptable on the amenity of sensitive neighbouring uses (including local residents) by virtue of matters including dust and air quality.	



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24.4		Legislation and Policy	CLLP Policy S53 'Design and Amenity' requires that all development will not result in adverse noise and vibration taking into account surrounding uses nor result in adverse impacts upon air quality from odour, fumes, smoke, dust and other sources.	
24.5		North Kesteven Air Quality Baseline	The quality of the air at the site is generally good, based on the review of North Kesteven District Council air quality monitoring data, and there is not a designated Air Quality Management Area declared within the District.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
24.6		North Kesteven Air Quality Baseline	The NKDC Air Quality Strategy 2024 to 2029 confirms that historically, air quality within North Kesteven has complied with the AQS objectives, with no exceedances of the NO2 annual mean reported in the last five years. Therefore, due to this consistent compliance, no AQMA's have been declared and no AQAP has been published. The Strategy does however confirm the Council's commitment to taking actions that improve air quality to further reduce, and mitigate, pollution concentrations to ensure that no exceedances arise within the District in the future.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
24.7		Methodology – General Comments	Air Quality is addressed as a section of ES Chapter 14: Other Environmental Topics (APP-039). Following EIA scoping, the focus of the assessment is mainly concerned with the potential effects of dust emissions during the construction and decommissioning phases of the development, including traffic. ES Chapter 14 is accompanied by Appendix 14-B Dust Risk Assessment (APP- 169), which identifies receptor locations and zones of influence on Figure 14-1 Dust Risk Assessment Zones (AS-075). Sensitive receptors include residential locations, public rights of way and ecological sites.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
24.8		Impacts – General Comments	The ES finds that existing dust levels around the site are typical of an agricultural area. The assessment identifies the following potential risks during construction: - Dust soiling - medium risk from track out (vehicle movements), but low risk from earth works and construction activities. - Human health – medium risk from trackout (vehicle movements), but low risk from earth works and construction activities. - Ecology – Low risk from all sources	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
24.9		Impacts – General Comments	Using a conservative approach, the overall risk level is assessed as 'Medium Risk' for dust effects, mainly associated with trackout. This emphasises that mitigation measures embedded in the design centre around standard good site practices set out in the Framework Construction Environmental Management Plan (AS-102) need following, with particular attention to measures such as road sweeping and dampening	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			access routes in dry weather. With this mitigation in place, the impact of the construction phase in terms of dust is assessed as 'negligible', and not significant. This would need to be followed through during the operational phase, including periods of panel replacement, via the detailed proposals which will be submitted for each part of the development, in line with the submitted Framework Operational Environmental Management Plan (REP1-033).	
24.10		Impacts – General Comments	Dust effects during decommissioning are anticipated to be similar in nature, though likely smaller in magnitude, to the construction phase. The submitted Framework Decommissioning Environmental Management Plan (fDEMP) and Draft DCO require that detailed DEMPs are submitted for approval prior to decommissioning of any part of the development; and the fDEMP states that a Dust Risk Assessment and Dust Management Plan should form part of DEMPs.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
24.11		Conclusions	The Council's Environmental Health Officer is satisfied with the assessment methodology, receptor locations and findings of the ES in relation to air quality. On the basis of the proposed mitigation measures are successfully implemented, the Council considers that the effects of the development in relation to air quality are neutral.	Noted. The Applicant is pleased to reach agreement on this matter.
25.0 Other Environmental Topics				
25.3	Further details on Ancient and Veteran Trees and TPO Mitigation		The application does not propose the removal of any ancient or veteran trees, or any trees subject to Tree Preservation Orders, or any ancient woodland. Overall the Tree Officer is satisfied that the submitted documents provide good protection for trees and hedgerows whilst allowing the development to proceed. However, it is requested that: - Details of the assessments of the ancient and veteran trees identified as being within and adjacent to site are provided. This will assist both in future monitoring of tree impacts, and in assessing the correct baseline for the Biodiversity Net Gain calculation (see section 15 of this LIR). - The dDCO or project commitments are amended to require that 14 days notice is given of any works proposed to any tree which may become subject of a new TPO during the 60-year lifespan of the development (see section 27 of this LIR).	Details of surveyed ancient and veteran trees are included in Table 7 of the Arboricultural Impact Assessment [APP-155] which lists tree reference numbers, veteran status and species. Full survey data for each surveyed tree is included in the Tree Survey Schedule in Annex B. As stated in section 5.3.1, ancient trees are identified as those which are beyond maturity and are aged in comparison with other trees of the same species. Veteran trees are of at least mature dimensions for their species and feature extensive dead or decayed wood habitat. Veteran and ancient trees are clearly shown on the Tree Constraints Plan (Annex A) and Tree Protection Plan (Annex C) and are marked with a star symbol. With regard to the suggested amendment to require 14 days' notice of any works proposed to any tree which may become subject to a TPO which was made after 30 June 2025, the Applicant has amended Article 40(2) of the Draft DCO as follows: (2) <i>In carrying out any activity authorised by paragraph (1)—</i> <i>the undertaker must do no unnecessary damage to any tree or shrub and must pay compensation to any person for any loss or damage arising from such activity;</i> <i>the duty contained in section 206(1) (replacement of trees)([1]) of the 1990 Act is not to apply although where possible the undertaker is to seek to replace any trees which are removed; and</i> <i>the undertaker must give ~~consult~~ the relevant planning authority 14 days' notice prior to that activity taking place except in relation to dead or dangerous trees, where only 5 days' notice is required.</i> This is reflected in the updated Draft DCO [REP1-007] submitted at Deadline 2.



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25.4		Handling and Storage of Waste Materials at Decommissioning Stage	Ground Conditions: section 14.4 of ES Chapter 14 covers ground conditions, including geology, hydrogeology and contamination issues. The ES concludes that, subject to good site construction and operation management, there would be no significant effects on ground conditions. However, this does not appear to address issues related to the handling and storage of waste materials at the decommissioning stage. The Council raises a concern regarding potential contamination from solar panels during decommissioning particularly if they are damaged and stored during this phase.	As outlined in paragraph 14.5.55 of Chapter 14 Other Environmental Topics of the ES [APP-039] <i>"The Proposed Development will aim to prioritise waste prevention, followed by preparing for reuse, recycling and recovery and lastly disposal to landfill as per the waste hierarchy."</i> Forecasts for decommissioning waste arisings are presented in Table 14-25 Estimated Decommissioning Waste of Chapter 14 Other Environmental Topics of the ES [APP-039]. The specific waste management route would be confirmed by the decommissioning contractor however the wastes listed are recyclable or recoverable The Framework DEMP [REP1-035] outlines that all management of decommissioning waste will be in accordance with the relevant regulations and waste will be transported by licensed waste carriers to waste management sites which hold the necessary regulatory authorisation and/or permits for those wastes consigned to them. It includes measures such as segregation of waste at source, where practical, to facilitate a high proportion and high-quality recycling, off-site reuse, recycling and recovery of materials and waste, e.g. through use of an off-site waste segregation or treatment facility or for direct reuse or reprocessing off-site, and reuse of materials on-site wherever feasible, e.g. reuse of any excavated soil. The Framework DEMP states it is not proposed to store waste batteries on site. They will be removed from the containers and taken away straight away, following waste duty of care. With regard to contamination potential from removed solar PV panels, damaged panels are unlikely to release contaminants and pose a very low leaching risk to the environment. They would need to be heavily smashed and exposed to heavy rain for a long period to cause such issues. The panels would be removed from Site soon after removal and are unlikely to be badly damaged by the Contractor; the solar panels have a recycling value that the Contractor would be aiming to maximise by keeping the panels intact. The Framework DEMP contains some outline measures with regards to stockpiles of equipment, stating "the risk to surface water and groundwater from run-off from any contaminated stockpiles during decommissioning works will be reduced by implementing suitable measures to minimise rainwater infiltration and/or capture runoff and leachates, through use of bunding and/or temporary drainage systems. These mitigation measures will be designed in line with current good practice, follow appropriate guidelines and all relevant licences/permits" and "the Principal Contractor will be required to place arisings and temporary stockpiles away from watercourses and drainage systems, whilst surface water will be directed away from stockpiles to prevent erosion".
25.5		Land Condition Schedule	The Council recommends that a schedule of the condition of the land is prepared prior to decommissioning works being commenced. This should include some soil testing comprising a Phase II contaminated land assessment after decommissioning is completed and before the site is returned to agricultural use. Intrusive sampling can be carried out to determine the risk, from which remediation and verification (if needed) can be carried out to address any concerns.	With regards to the potential mobilisation of existing contaminants as a result of the Proposed Development, the Phase 1 Preliminary Risk Assessment (PRA) (ES Appendix 14-C) [APP-170], states in Chapter 14 Conclusions in paragraph 14.1.1 that <i>"The potential risks that have been identified from potential contaminated land have been assessed by the PRA as being very low to moderate / low"</i>. It should be noted that the Framework SMP [REP1-037] includes provision for monitoring of soils during operation and decommissioning, noting that the monitoring schedule will be determined in the detailed SMP, including determinants to be monitored, the frequency of monitoring and the acceptable limits for the data output. Furthermore, the Framework OEMP [REP1-033] at GC-O1 sets out a number of control measures to manage and mitigate the potential risk from contamination during the operational phase of the Proposed Development, such as the undertaking of appropriate remediation measures in the event that contamination is identified. GC-O1 also notes that specific requirements and frequency of the monitoring will be confirmed in the detailed OEMP(s).



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				As such, in developing the detailed SMP and OEMP, a programme will be detailed which includes when ground (chemical) quality is monitored and the determinants that will be analysed. The development of a detailed OEMP and SMP, to be substantially in accordance with the framework plans, is secured under Requirements 13 and 15 of Schedule 2 of the Draft DCO [REP1-007] respectively. This ensures that the mitigation and monitoring, as noted above, will be undertaken in line with the measures secured within the framework plans. It is noted that the detailed SMP/OEMP will be required to be submitted to and approved by NKDC, and as such NKDC will have the opportunity to review these plans at this stage.
25.6		Disposal of Solar Panels	Waste Management: the Council defers to the views of Lincolnshire County Council as the relevant Waste Planning Authority. The Council requests that the outline Decommissioning Management Plan includes a protocol for the disposal of solar panels. The Council would support an additional Requirement to fix the replacement rate of solar panels and other equipment to that set out in the DCO Application.	It is noted NKDC defers to LCC on this matter. Responses to LCC comments are provided in the Applicants Responses to LCC LIR in Table 2-2. As outlined in Table 11: Materials and Waste of the Framework DEMP [REP1-035] "the types, quantities and final destination of waste generated during the decommissioning phase would be identified, measured and recorded through the DEMP." This is considered to include a protocol for disposal of solar panels. Details regarding the replacement of solar PV panels and BESS area within the Proposed Development are presented in Chapter 3: The Proposed Development of the ES [REP1-015]. The replacement rate of solar panels and other equipment is not fixed, to avoid having to replace parts that do not require replacing. As outlined in paragraph 2.3.3 of Framework OEMP [REP1-033] the Applicant has committed to submit a maintenance schedule for the year ahead to the relevant planning authorities. As part of the maintenance schedule, the Applicant will also inform the relevant planning authority when a component is no longer operational and requires final decommissioning.
25.7		Definition of Major Accidents and Disasters	Major Accidents and Disasters: Paragraph 1(8) of Schedule 4 to the EIA Regulations requires consideration to be given to the risks of major accidents and disasters but does not include a definition of these terms. The regulations, however, specifically refer to effect on human health. On this topic, the Council is principally concerned with the BESS and fire safety.	The Applicant would like to emphasise that the safety risks of BESS are well known, whereby design requirements, standards and guidance have evolved in response to greater understanding. The Electric Power Research Institute (EPRI) BESS Failure Incident Database was established in 2021 as an information tool for both energy storage industry stakeholders and the public. Statistically, the significant global increase in BESS deployments means that there will be a likely increase in the number of failure events. However, BESS failure rates dropped by 98% from 2018 to 2024 as lessons learned from BESS failure events have been incorporated into BESS design, testing requirements, control and monitoring systems, safety standards, and construction and operations best practices. Electric Power Research Institute (EPRI), <i>Insights from Battery Energy Storage Systems (BESS) Failure Incident Database: Analysis of Failure Root Cause</i>, identified four primary root causes of BESS failure with the majority occurring in early lifecycle stages, i.e. construction, commissioning, or within two years of operation. The Applicant emphasises that the EPRI research concluded that the primary cause of failure was rarely the battery cells or modules, and the Framework BSMP [REP1-042] is drafted to address all key safety risk reduction topics to ensure that comprehensive BESS fire and explosion hazard prevention and mitigation strategies can be developed and implemented. The provision of a detailed BSMP, which will be substantially in accordance with the framework plan, is secured via Requirement 7 of the Draft DCO [REP1-007]. At the detailed design stage, the Applicant will only select a BESS system that, as mandated under NFPA 855³, must have undertaken Large Scale Fire Testing (LSFT) as part of UL 9540A tests (a standardised test method used to assess fire and explosion hazards associated with battery energy storage systems, including cell, module, unit, and installation-level testing) and / or 3rd party full scale destruction testing. This testing involves burning the full BESS system to validate safe equipment spacing and performance test active and

^{3 3} NFPA (2026) 855 – Standard for the Installation of Stationary Energy Storage Systems



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				passive mitigation systems integrated into the BESS design. The objective of the test is to evaluate the thermal exposure impacts from a developed BESS enclosure, to determine propagation risk to adjacent BESS or equipment. Testing also defines the length of burn, duration of Peak Heat Release Rate, maximum burn temperatures, etc. Section 5.1.5 of the Framework BSMP stipulates: <i>"A BESS system and site specific Plume Analysis study based on the detailed design will be conducted to assess the environmental impact of a site incident to sensitive receptors within a 1km radius. An unplanned emissions assessment is presented within Appendix 14-G: Unplanned Emissions Assessment of the ES [APP-176]. Toxic gas emissions to sensitive receptors must be below relevant public health exposure limit guidelines when the battery system of a BESS is fully consumed (burnt out), production of Particulate Matter (PM) and a visibility impact assessment on any transport links within a 1 km radius of the BESS area will also be included."</i> Final BESS design and site layout will have been validated through mandatory LSFT and rigorous consequence modelling to minimise the requirement for any Lincolnshire Fire and Rescue Service (LFRS) intervention in a thermal runaway incident. LSFT must establish minimum equipment spacing distances that demonstrate there is no fire propagation to adjacent BESS enclosures or Energy Storage System (ESS) equipment. LFRS intervention in worst-case scenarios would typically be limited to boundary cooling of adjacent BESS and ESS units to prevent the fire from spreading. This strategy will be finalised with LFRS and be clearly communicated in the Emergency Response Plans (ERP). The Framework BSMP [REP1-041] sets out further design and mitigation measures to be implemented as part of the Proposed Development detailed design. The Applicant has consulted the NFCC guidelines and engaged with LFRS throughout the pre-application phase, whereby close consultation will continue with LFRS throughout the planning process. The provision of a detailed BSMP, which is to be substantially in accordance with the framework plan, is secured under Requirements 7 of the Draft DCO [REP1-007]. It should be noted that the LFRS are a named consultee on this Requirement, and as such the LFRS will have the opportunity to review the detailed Battery Safety Management Plan prior to any approval. The layout of the BESS has been design in consultation with LFRS and has taken account of relevant, up-to-date guidance from the NFCC. The Applicant has engaged with LFRS throughout, including in the development of the Framework BSMP [REP1-041] and the identification of appropriate mitigation measures. The Framework BSMP [REP1-041] sets out that, at the detailed design stage, the BESS is to be designed in accordance with the applicable UK and internationally recognised good practice guidance at the applicable time (ref. Paragraph 1.2.8) to ensure that the BESS meets all relevant standards. The provision of a detailed BSMP, which is to be substantially in accordance with the Framework BSMP [REP1-041], is secured under Requirement 7 of Schedule 2 to the Draft DCO [REP1-007]. Under the same Requirement, the chosen BESS work (i.e. Work No. 2 or Work No. 3) must not commence until a detailed BSMP has been submitted to the relevant planning authority and approved, in consultation with both LFRS and the Environment Agency. This Requirement also secures that the detailed BSMP must be implemented as approved. In addition to the above noted engagement with LFRS which is ongoing, the Applicant has agreed protective provisions for LFRS which have been inserted into Schedule 14 to the Draft DCO [REP1-007] submitted at Deadline 1. These protective provisions require reasonable endeavours to be used to facilitate a site familiarisation exercise by LFRS, for the BESS, before the date of final commissioning of the same. This will



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				provide assurance to LFRS, and by extension, the general public, that all aspects of the BESS have been implemented in accordance with the approved BSMP. Furthermore, reasonable endeavours must be used to facilitate an annual review of the BESS by LFRS, for every year of its operational lifetime. In connection with this, the protective provisions require the Applicant to provide annual financial contributions to LFRS for the operational lifetime of the BESS.
25.8		Legislation and Policy	EN-1, EN-3 and EN-5 are silent regarding consideration of major accidents and disasters and other safety issues which may arise specifically from solar PV development and associated energy storage systems as well as electricity networks infrastructure.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
25.9		Risk from BESS Fire	The Planning Practice Guidance section on 'Renewable and low carbon energy' provides specific guidance regarding potential risks arising from BESSs, including engagement with the relevant local fire and rescue service so that its views can be taken into account regarding potential mitigations which could be put into place in the event of an incident.	The Applicant has engaged with LFRS throughout the pre-application phase and in developing the Framework BSMP [REP1-041], including regarding potential mitigation measures secured by the Framework BSMP [REP1-041] in the unlikely occurrence of a fire, whereby close consultation will continue with LFRS throughout the planning process. The provision of a detailed BSMP, which is to be substantially in accordance with the framework plan, is secured under Requirements 7 of the Draft DCO [REP1-007]. It should be noted that the LFRS are a named consultee on this Requirement, and as such the LFRS will have the opportunity to review the detailed Battery Safety Management Plan prior to any approval.
25.10		Adverse Health Impacts	Part (7) of CLLP policy S53 'Design and Amenity' requires development to avoid adverse impacts associated with noise, dust and air quality, and part (9) requires schemes to minimise the need for resources both in construction and operation of buildings and be easily adaptable to avoid unnecessary waste production.	Regarding noise, noise from construction activity is assessed in Chapter 11: Noise and Vibration of the ES [APP-036]. With the embedded and additional mitigation measures, identified in Section 11.6 and 11.8 respectively and secured through the Framework CEMP [REP1-031], significant adverse effects from construction noise are not expected. With regards to operation, the Framework OEMP [REP1-033] (ref. NV-01) makes a commitment that the final operational noise levels from the Proposed Development will be no higher than those predicted in Chapter 11: Noise and Vibration of the ES [APP-036]; modelling will be undertaken at the detailed design phase (as secured by measure NV-01 of the Framework OEMP [REP1-033]) to confirm the noise levels at sensitive receptors will not exceed these thresholds. Production of a detailed CEMP and OEMP, which are to be developed substantially in accordance with the Framework plans, will be secured under Requirements 12 and 13 of the Draft DCO [REP1-007] respectively. Furthermore, Requirement 16 of the Draft DCO [REP1-007] ensures that the operational noise levels set out in Table 11-21 of Chapter 11: Noise and Vibration of the ES [APP-036] are to be complied with. Regarding dust and air quality, potential impacts during construction are assessed in Chapter 14 Other Environmental Topics of the ES [APP-039], Section 14.2: Air Quality. With the embedded mitigation measures identified within Section 14.2: Air Quality (paragraph 14.2.50 onwards) of Chapter 14: Other Environmental Topics of the ES [APP-039] and additional measures (such as the development and implementation of a Dust Management Plan) which are secured through the Framework CEMP [REP1-031] (ref. AQ-C1), Framework OEMP [REP1-033] (ref. AQ-O1) and Framework DEMP [REP1-035], (ref. AQ-D1), significant adverse effects regarding air quality are not expected. Production of a detailed CEMP, OEMP and DEMP, which are to be developed substantially in accordance with the Framework plans, will be secured under Requirements 12, 13 and 20 of the Draft DCO [REP1-007] respectively.
25.11		Adverse Health Impacts	CLLP policy S54 seeks to ensure that where any potential adverse health impacts are identified the developer will be expected to demonstrate how these will be addressed and mitigated.	Assessments relating to health are included within the Environmental Statement. In line with the approach set out in the Scoping Opinion (Appendix 1-B: EIA Scoping Opinion of the ES [APP-199]), Chapter 5: EIA Methodology of the ES [APP-030] explains (ref. paragraph 5.1.11) that potential likely significant effects to human health are considered within the relevant ES technical chapters. This notes the following ES chapters: - Chapter 9: Water Environment [REP1-021]; - Chapter 10: Landscape and Visual Amenity [AS-117]; - Chapter 11: Noise and Vibration [APP-036]; - Chapter 13: Traffic and Transport [APP-038]; and



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				Chapter 14: Other Environmental Topics, Section 14.2: Air Quality [APP-039]. In line with the methodology set out in Chapter 5: EIA Methodology of the ES [APP-030] (ref. paragraph 5.9.12) and within the impact assessment methodology for each of the technical chapters as relevant, consideration is inherently given to human health receptors where relevant within each of the technical assessments. For example, noise and vibration, air quality and EMF assessments consider the potential for direct effects upon human receptors, and each of these have specific health limits/thresholds set for the protection of sensitive members of the population. Where significant adverse effects upon receptors have been identified within the ES, mitigation has been secured (for example within the various management plans) to reduce or remove significant adverse effects where possible. Chapter 16: Summary of Environmental Effects of the ES [APP-041] provides a summary of the residual likely significant effects anticipated to arise as a result of the Proposed Development.
25.12		Risk from BESS Fire	In 2023 the National Fire Chiefs Council produced 'Grid Scale Battery Energy Storage System planning – Guidance for FRS' (Fire and Rescue Services), an update for which was published in draft form for consultation in summer 2024. A final version of the update is expected to be published this year, but for the time being the 2023 guidance remains in force. The 2023 guidance applies only to grid -scale BESS which use Lithium-ion batteries.	The BESS layout has been developed in consultation with the LFRS and has taken account of relevant, up-to-date guidance from NFCC. The Framework BSMP [REP1-041] sets out how the BESS will be designed in accordance with the UK and internationally recognised good practice guidance available at the time of detailed design (ref. paragraph 1.2.8) in order to ensure that the design will follow appropriate, up-to-date guidance. The Framework BSMP [REP1-041] is to be developed into a detailed BSMP, substantially in accordance with the Framework BSMP, as secured under Requirement 7 of Schedule 2 to the Draft DCO [REP1-007]. It is noted that the LFRS are a named consultee on this Requirement, and as such the LFRS will have the opportunity to review the detailed BSMP prior to any approval.
25.13		Risk from BESS Fire	In addition, in light of the rapidly growing volume of BESS facilities across the country, it has been recognised that appropriate health and safety standards are required and in recent years, new guidance has been emerging. In March 2024, the guidance document 'Health and Safety in Grid Scale Electrical Energy Storage Systems' was published on behalf of the Department for Energy Security and Net Zero. In August DEFRA carried out a consultation on integrating grid-scale battery energy storage systems into the Environmental Permitting Regulations, to determine whether more robust regulatory and operational oversight is required. The results of that consultation area awaited.	
25.14		BESS Optionality	To date, the applicant has identified two options for the BESS with no current commitment either way, namely; - Work No. 2: a single, centralised, BESS - likely AC-coupled, and which would be located in a compound near to the site of the on -site substation; or - Work No.3: a distributed BESS - DC-coupled, co-located in individual solar station compounds located close to the panel arrays, each of which would accommodate smaller BESS units.	This is correct - the Proposed Development includes flexibility at this stage for a centralised or distributed BESS. BESS is an important component of the transition to net zero and providing flexibility to the energy system. The BESS has a direct relationship with the Proposed Development and will support its operation by storing energy when it is generated in abundance and releasing it to the grid when it is needed, increasing the reliability of the energy system and contributing to the security of supply more generally. The decision as to whether a centralised BESS or a distributed BESS arrangement is taken forward will be made post-consent, as part of the detailed design process and the relevant planning authorities will be made aware of that decision pursuant to Requirement 6(6) at Schedule 2 of the Draft DCO [REP1-007].
25.15		Framework Battery Safety Management Plan	The applicant has submitted a Framework Battery Safety Management Plan (FBSMP) (REP1-041); and Design Approach Document contains Design Principle 11: 'The Proposed Development will ensure that battery safety is managed through appropriate siting away from sensitive	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			receptors and ensuring the inclusion of embedded design mitigation (FBSMP) measures to minimise risks.'	
25.16		Framework Battery Safety Management Plan	The FBSMP is intended to form the basis for a final BSMP, to be submitted and approved prior to commencing either at the centralised BESS (Work No.2) or the distributed BESS (Work No.3). Currently, the BESS is anticipated to include approximately 328 battery enclosures – either centralised or distributed across the site – however the final number of enclosures is not set. The FBSMP states that for the centralised BESS, the closest offsite structure is approximately 790m from the BESS enclosures. For the distributed BESS, the closest residential off site structure would be required to be a minimum of no closer than 200m (see Development Parameters (REP1-029) – though the Council has not yet identified this Parameter). It is stated that these distances exceed the recognised separations for explosion debris impacts and evacuation of buildings.	The Applicant has committed to a minimum buffer of 200m from the centralised BESS infrastructure and 150m from the distributed BESS infrastructure to residential receptors - this is far in excess of the 25m offset required by the National Fire Chief Council from residences for safety, as referenced in paragraph 2.3.5 of the Framework BSMP [REP1-041]. Prior to commencement of construction of the BESS, a BSMP (to be substantially in accordance with the Framework BSMP [REP1-041]) is required to be submitted to the relevant planning authority and approved, in consultation with the EA and LFRS, in accordance with Requirement 7 of Schedule 2 of the Draft DCO [REP1-007]. This detailed BSMP must be implemented as approved and maintained throughout the construction, operation and decommissioning phases of the Proposed Development.
25.17		Framework Battery Safety Management Plan	The FBSMP argues that the design of the internal layout of the BESS elements, and their relationships to other infrastructure within the site will also ensure safety standards are maintained. Other provisions include fire suppression water storage tanks at the BESS site; and each BESS enclosure would have its own heating, ventilation and air conditioning system. The Council notes that Lincolnshire Fire and Rescue Service (LFRS) have been consulted and the relevant legislation has influenced the proposal design.	This is correct - The Applicant has engaged with LFRS throughout the pre-application phase and in developing the Framework BSMP [REP1-041], whereby close consultation will continue with LFRS throughout the planning process. The provision of a detailed BSMP, which is to be substantially in accordance with the framework plan, is secured under Requirements 7 of the Draft DCO [REP1-007]. It should be noted that the LFRS are a named consultee on this Requirement, and as such the LFRS will have the opportunity to review the detailed Battery Safety Management Plan prior to any approval, in addition to the Protective Provisions for the benefit of the LFRS which are outlined above.
25.18		Unplanned Emissions Assessment Conclusion	Paragraphs 14.6.45 onwards in ES Chapter 14 assess the potential for fire related to the BESS element of the development; and references the FBSMP, together with Appendix 14-G: Unplanned Emissions Assessment (APP-176), which assesses the proposed BESS for smoke and toxic gas hazards in the event of a thermal runaway incident and fire. The ES concludes that, with the previously discussed mitigations in place, significant risk of fire is unlikely.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
25.19		Unplanned Emissions Assessment Conclusion	The Unplanned Emissions Assessment concludes that even if a large scale fire were to break out (which it considers unlikely), "... <i>hydrogen fluoride concentrations at the closest receptors would be below the levels that UKHSA has identified as resulting in notable discomfort to members of the general population</i> " (paragraph 4.1.7). Section 5.1.5 of the FBSMP makes a commitment to undertake a further unplanned emissions assessment at the detailed BESS design stage to demonstrate that the impacts associated with an unplanned fire would not exceed the effects outlined in the Unplanned Emissions Assessment or cause any significance adverse health effects to the local community.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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25.20		Risk from BESS Fire and Associated Human Health Risks	Notwithstanding these separation distances and design aims, the Council has strong concerns about the potential risk to human health arising from fire related accidents at BESS developments. The ES notes that there are several battery storage technologies available to system designers, and the exact technology and system will be determined at the detailed design stage. The applicant states though that for the purposes of preparing the FBSMP, the use of Lithium Iron Phosphate (LFP) cells is assumed, a popular type of chemistry within the lithium-ion battery type, and used on other sites being developed in the UK market. The applicant suggests that this is a 'reasonable worst -case' scenario for the purposes of evaluating BESS toxic gas emission and explosion risk (which can result from 'thermal runaway' leading to fire).	With regards to potential health impacts associated with the BESS, such as fire risk, as set out within the Framework BSMP [REP1-041] (ref. paragraph 2.3.5) the centralised BESS and distributed BESS will be located a minimum of 200m and 150m respectively from the closest residential receptors, which will mitigate any potential significant effects on nearby receptors in the unlikely event of a fire - Appendix 14-G Unplanned Emissions Assessment of the ES [APP-176] assesses the impact of airborne chemicals and gases produced in the event of a BESS fire and shows that the dilution of gases and the distance from the BESS is sufficient to avoid any exceedances of airborne gas safety levels. The Framework BSMP [REP1-041] is a key document produced as part of the DCO Application that addresses the safety measures proposed for the BESS, which has been developed in close coordination with the LFRS. The detailed BSMP will be developed in accordance with Requirement 7 of Schedule 2 of the Draft DCO [REP1-007], which requires that the chosen BESS work (i.e. Work No. 2 or Work No. 3) must not commence until a BSMP has been submitted to the relevant planning authority and approved, in consultation with the EA and LFRS. Requirement 7 also provides that the detailed BSMP must be substantially in accordance with the Framework BSMP [REP1-041].
25.21		Risk from BESS Fire and Associated Human Health Risks	The degree to which the Planning Act (2008) can compel what is essentially and ultimately a matter of customer choice in relation to battery technology is unclear. Section 105 of the Planning Act (2008) requires SoS decisions to have regard both to 'any local impact report' and 'any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision'. The scope of material planning considerations is wide and must have a planning purpose that relates to the character and use of the land, and it must fairly and reasonably relate to the proposed development under consideration.	Whilst this application will be determined under Section 104 of the Planning Act 2008, the point stands that the SoS must have regard under s104(2)(e) 'Any other matters which the SoS thinks are both important and relevant to the SoS's decision'.
25.22		Risk from BESS Fire and Associated Human Health Risks	In that regard the Council's view is that the 'perception of harm' to public amenity, safety and wellbeing associated with an incident at the BESS is capable of being a material planning consideration. As such the Council consider that there is a need to consider the battery type proposed within the BESS as part of the requirement to agree the BSMP in view of the changing market trends and the need to minimise the impact on human health following any major accident or disaster, and the 'perception of harm' to public amenity, safety and wellbeing as a material planning consideration.	The potential health risks associated with an incident at the BESS have been assessed in Chapter 14 Other Environmental Topics [APP-039] of the ES, which draws from Appendix 14-G Unplanned Emissions Assessment [APP-176] and demonstrates no potential health risk to local residents in the unlikely event of a BESS fire. As such, it is not considered that BESS safety should affect mental wellbeing or health of members of the public or therefore be a material planning consideration. The Applicant does not consider it appropriate to fix the battery type at this stage. The Framework Battery Safety Management Plan [REP1-041] notes that "The exact technology and system chemistry type is still to be determined, but for the purpose of this FBSMP it is assumed that the technology will be a lithium-ion battery cell type. The popular types of this chemistry within the lithium-ion family are Lithium Nickel Manganese Cobalt Oxide (LiNiMnCoO2) known as "NMC" after the three key cathode materials or Lithium Iron Phosphate (LiFePO4) known as "LFP". The BESS design and system chemistry type is still to be determined, and the final battery chemistry will be confirmed as part of the detailed design prior to the commencement of construction". It goes on to say "For the purposes of this document, a concept design has been considered that uses a BESS system based upon an LFP lithium-ion battery technology that is currently used on other sites being developed by the Applicant. This is considered to be a reasonable worst-case for the purposes of the assessment in terms of BESS toxic gas emission potential (Hydrogen Fluoride production) and explosion risk (significant levels of hydrogen produced during thermal runaway)". The assessment of environmental effects has therefore been based on a reasonable worst-case scenario, which is an appropriate approach for environmental impact assessment. To restrict the technology at this stage may mean safer or more efficient batteries cannot be utilised by the Applicant when at procurement stage, should alternative technologies improve or be introduced to the market. The Applicant is seeking flexibility to select the most appropriate battery technology at the time of procurement which adheres with the safety regulations and



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				guidelines. The Councils will have the opportunity to ensure they are satisfied with the safety credentials of the battery through the final Battery Safety Management Plan, which must be substantially in accordance with the Framework BSMP, secured through Requirement 7 of the Draft DCO [REP1-007].
25.23		Risk from BESS Fire and Associated Human Health Risks	Research suggests that LFP cells have an advantage over other lithium-ion chemistries in relation to thermal and chemical stability, which improves battery safety, as well as having a higher charge/discharge cycle life. The Council will defer to comments from LFRS to be provided as part of LCC's LIR and also advise the ExA to have regard to advice from the UK Health Security Agency (UKHSA). However, the Council's view is that the ExA should consider this BESS safety issues through the Examination, including the selection of battery technology type.	The Applicant notes NKDC's position regarding BESS safety. The Applicant notes NKDC's statement on fixing the BESS technology choice but disagrees with this approach. Although LFP is the leading battery chemistry currently; to fix this now would preclude the use of any battery chemistry that is developed between now and the time the Proposed Development is constructed that could be superior to LFP in all parameters that NKCD have stated in their comment. The Applicant would not want to be in a position when the Proposed Development is restricted and not able to use the most up-to-date, safest and most effective battery chemistry available at the time of construction by agreeing to this approach now.
25.24		Risk from BESS Fire and Associated Human Health Risks	Currently, the Council considers that there would be a negative impact as a result of fire safety risk on human health until it has been confirmed that all of LFRS's requirements are agreed; including securing a monitoring contribution through the DCO.	Protective provisions for the protection of LFRS were included at Schedule 14 of the version of the Draft DCO [REP1-007] submitted by the Applicant at Deadline 1 (20 January 2026). These protective provisions require reasonable endeavours to be used to facilitate a site familiarisation exercise by LFR, for the BESS, before the date of final commissioning of the same. This will provide assurance to LFR that all aspects of the BESS have been implemented in accordance with the battery safety management plan. Furthermore, reasonable endeavours must be used to facilitate an annual review of the BESS by LFR, for every year of its operational life. In connection with this, the protective provisions require the Applicant to provide annual financial contributions to LFR for the operational lifetime of the BESS. The outcomes of consultations with LFRS are summarised within the SoCG between the Applicant and LCC (which includes LFRS), which is currently under preparation and will be submitted at the midpoint of Examination, in line with the Examining Authority's request in its Procedural Decision dated 22 August 2025 [PD-005].
25.29		Extended Period of Outage	Extended Period of Outage: In line with another DCO decision in North Kesteven (Heckington Fen solar farm) and a DCO that has recently completed examination (Springwell Solar Farm), the Council suggests that provision is made for periods of extended outage. In line with the provision made within Heckington Fen solar farm outline Operational Environmental Management Plan (oOEMP), the Council suggests that such a provision would cover a situation whereby, should the development stop generating electricity for a continuous period of 12 months for non -maintenance reasons, the applicant would be required to provide details on the steps it is taking to rectify the issue along with an expected timeframe for when generation is predicted to re - commence operation.	The Framework OEMP has been updated (to be submitted to the Examination at the next available deadline) to note: <i>"The Applicant must provide notice to the relevant planning authority once any part of the authorised development stops generating electricity for a continuous period of 12 months for non-maintenance reasons ("Period of Extended Outage"). When giving such notice the Applicant must provide details of the steps it is taking to rectify the issue along with an expected timeframe for when generation is predicted to re-commence operation. The Applicant agrees to keep the relevant planning authorities updated following the Period of Extended Outage until the re-commencement of operation. The above does not apply if it was a force majeure event*, the outage occurred as a result of National Grid undertaking any activities to the transmission network, the relevant planning authority agree otherwise (acting reasonably), including where the relevant planning authority agree otherwise following decommissioning commencing pursuant to an approved decommissioning environmental management plan.</i>
25.30		Extended Period of Outage	The Council does not anticipate that the provision would be triggered by a force majeure event or if the outage occurred as a result of the National Grid undertaking any activities to the connection substation and/or transmission network. The Council would welcome discussions with the applicant on this matter as to whether this should be included in the Framework	<i>*Footnote: A 'force majeure event' means an event or circumstance which is beyond the reasonable control of the Applicant which will include but is not limited to an act of God, war, civil disturbance, statutory prohibition, disruption to or issues with supply chains, Government intervention, order or act of Government or local/public authority, acts of terrorism, fire, lightning, flood, adverse weather conditions, prevention of access to any site as a consequence of any local, regional or national restriction on movement in consequence of a health</i>



LIR Ref.	Document Ref.	Theme	Comments from North Kesteven District Council Local Impact Report [REP1-056]	Applicant's Response to North Kesteven District Council Local Impact Report [REP1-056]
			Operational Management Plan, the Framework Decommissioning Management Plan, or as an additional Requirement in the DCO.	<i>emergency, or otherwise to prevent the spread of any communicable disease, explosion, accident, theft, vandalism or national strike action."</i> The detailed OEMP, which is required to be substantially in accordance with the Framework OEMP, is secured by Requirement 13 of Schedule 2 to the Draft DCO [REP1-007].
25.31		Funding Statement Clarification on Decommissioning and Extended Period of Outage	Also, it is not clear to the Council that provision has been made within the applicant's Funding Statement (AS-014) for decommissioning nor an extended period of outage. The Council consider that funding for decommissioning is not suitably addressed within the Draft DCO. The Council notes that the submitted Funding Statement, while it may be adequate for compulsory acquisition purposes, does not include evidence for the funding of decommissioning. The scheme thus does not provide sufficient security that decommissioning could and would be funded by the applicant. Consequently, the Council would support an additional Requirement requiring the provision for funding (by way of a bond or other form of security) for decommissioning both as a result of an extended period of outage and at the end of the lifespan of the development.	The Applicant submitted a Funding Statement [AS-014] with the application which sets out the financial position of the Applicant, and the proposed funding structure for the Proposed Development. In response to GC.1.15 of the Examining Authority's first written questions and requests for information (ExQ1) [PD-011], the Applicant has updated the Funding Statement at Deadline 2. These updates provide the clarity sought by the Council that the cost estimate for the Proposed Development includes decommissioning costs. It should be noted that the Applicant considers that this is not strictly required because under Regulation 5(2)(h) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations), the Funding Statement [AS-014] is only intended to demonstrate how an order which contains the authorisation of compulsory acquisition (as the Draft DCO [REP1-007] does) is to be funded. The Applicant is applying for a 60-year operational period for the Proposed Development which is secured under Requirement 20 of Schedule 2 to the Draft DCO [REP1-007]. This Requirement provides that decommissioning works must commence no later than 60 years following the date of final commissioning. The Applicant has provided a Framework DEMP [REP1-035] and, as also secured under Requirement 20 of Schedule 2 to the Draft DCO [REP1-007], this will be developed into a detailed DEMP which will be substantially in accordance with the Framework. The Proposed Development will be decommissioned in line with the controls which will be set out in the detailed DEMP as, under Requirement 20 of Schedule 2 to the Draft DCO [REP1-007], the DEMP (as approved by NKDC as the relevant planning authority) must be implemented in relation to the works required to decommission the Proposed Development. As part of decommissioning, the land is to be reinstated to its original quality before being returned to the landowners, who would choose how the land is to be used and managed (as is the case currently). The decommissioning of the Proposed Development is therefore, as noted, secured by a DCO Requirement. 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. In addition to the points set out above, there is no requirement under the Planning Act 2008 for funding for decommissioning to be secured and nor is the Applicant aware of any guidance requiring this in the NPSs or otherwise. There are sufficient provisions for control of decommissioning as detailed above, and the Applicant considers that any further requirement would be a duplication of such existing controls and would be a potential cause of confusion. The Applicant considers the legally binding obligation to carry out decommissioning works, including the funding of the same, to be sufficient and does not consider there to be justification for the provision of a bond or any other form of financial security.
25.32		Funding Statement Clarification on Decommissioning and Extended Period of Outage	This matter is considered particularly important given the extended, 60-year operational lifespan for the development sought in the application. The Council would draw the ExA's attention to the following NSIP examples where this matter has been considered: • Helios Renewable Energy Project (under Recommendation): p37 of the Draft DCO, Requirement 5(3) includes provision for notification to the local planning authority that the undertaker has put in place the requisite decommissioning security. This was required as the Funding Statement did not include provision for decommissioning funding. Requirement 5(3) states 'No	The Applicant has set out above the reasons why it is not considered necessary to include within the DCO [REP1-007] any requirement for the funding of decommissioning [REP1-007]. With regards to the decision on Oaklands Farm Solar Park, the Applicant notes the Council's comment that an additional requirement should be included "if it is not demonstrated that decommissioning funding is suitably covered within the Funding Statement." As noted above, the Applicant has updated the Funding Statement [AS-014] at Deadline 2 to clarify that the cost estimate for the Proposed Development includes decommissioning costs, notwithstanding that this is not strictly required under the APFP Regulations. The conclusions of the SoS's decision for the Oaklands Farm Solar Park Order 2025 with regard to decommissioning funding should be noted. At paragraph 4.45 of the decision letter, the SoS confirms that there is no requirement to secure a decommissioning fund where sufficient information has been provided



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			<i>later than year 15 of operation the undertaker must notify the local planning authority that the undertaker has put in place the requisite decommissioning security in the form as required by the landowners.'</i> EN010140 -001078 -3.1 Draft Development Consent Order (Clean).pdf Oaklands Farm Solar Park (determined): p8 paragraph 4.22 of the SOS's decision letter states that '<i>the Applicant stated a fund was not necessary since Requirement 22 of the dDCO secured decommissioning of the site, was legally enforceable, and was consistent with recent precedent. The Applicant considered its funding statement as part of the application demonstrated it had sufficient funds to construct, operate and decommission the Proposed Development.</i>' This reinforces the Council's argument that if it is not demonstrated that decommissioning funding is not suitably covered within the Funding Statement, then it would be in public interest to ensure that it is covered in the Draft DCO by way of an additional Requirement. Decision Letter - Oaklands Farm Solar Park - 19.06.2025	elsewhere to demonstrate how decommissioning would be secured. The Applicant considers that sufficient information has been provided. This is also consistent with paragraph 4.1.16 of NPS EN-1 which, as noted in the same decision letter, stipulates that the SoS should only impose requirements in relation to a DCO that are, amongst other things, necessary. Given the updated Funding Statement [AS-014] explicitly refers to decommissioning costs, the Applicant does not consider it necessary nor justified to include a requirement for the same.
25.33		Conclusions	The Council considers that there would be a negative impact on the landscape until the provisions are made for unexpected cessation of energy generation and decommissioning are made as part of the DCO; including through an amendment to the Funding Statement.	
26.0 Cumulative Effects				
26.9		Cumulative Residual Effects	For the majority of the above topics, ES Chapter 15 (APP-040) reports that no likely significant intra -project effects were found in addition to impacts that had already been identified for the Fosse Green Energy development on its own; and the potential adverse effects of the development would not be made greater by the presence of the other identified projects in the area. However, ES Chapter 15 does identify the following cumulative effects: <u>Intra-project cumulative effects:</u> - Temporary significant effects due to the combined effect of visual, transport and access, socio -economic, noise and vibration impacts during construction and decommissioning - Long term (but reversible) significant effects due to the combined effect of noise and vibration, landscape and visual amenity impacts on residential properties, businesses and community facilities <u>Inter-project cumulative effects:</u> - Major adverse, significant effects on landscape character of the North Kesteven District landscape sub -area Witham and Brant Vales during construction, together with changes to the visual amenity of users of the Viking Way public right of way	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			- Moderate adverse, significant effects on landscape character of North Kesteven landscape sub-area Limestone Heath due to the construction of the development together with Springwell Energy Farm, and Leoda Solar Farm. - However, in both cases the ES concludes that by year 15 of the operation of the Fosse Green Energy scheme, there would be no difference between the landscape effects of the development on its own and the cumulative landscape effects of the development together with these other solar farms.	
26.10		Landscape and Visual Cumulative Effects	The Council disagrees with some of the conclusions set out in ES Chapter 15. As stated in section 13 of this LIR, the cumulative landscape and visual effects of the Fosse Green Energy solar farm proposals present a further concern, both with other ES topics and together with other renewable energy and infrastructure projects across the county and into adjacent counties.	Please refer to the Applicant response provided at LIR Ref. 13.30.
26.11		Intra-project cumulative effects	Some of the individual cumulative effects of this project on its own are considered to have been understated – for instance in terms of the scale and significance of landscape and visual effects on rights of way users, with particular cross-cutting effects on topics such as recreation, health and the related economic tourism issues. This is exemplified by the absence of proper consideration of effects on the Stepping Out walking network.	Please refer to the Applicant response provided at: LIR Ref. 13.30 regarding consideration of landscape and visual cumulative effects; LIR Ref. 23.15 regarding tourism cumulative effects; and LIR Ref. 17.15 – 17.21 regarding consideration of the Stepping Out network. With regards to health, potential effects to human health are considered within the relevant ES technical chapters, in line with the Scoping Opinion (Appendix 1-B: EIA Scoping Opinion of the ES [APP-199]). In line with the methodology set out in Chapter 5: EIA Methodology of the ES [APP-030] (ref. paragraph 5.9.12) and within the impact assessment methodology for each of the technical chapters as relevant, consideration is inherently given to human health receptors where relevant within each of the technical assessments. For example, noise and vibration, air quality and EMF assessments consider the potential for direct effects upon human receptors, and each of these have specific health limits/thresholds set for the protection of the sensitive members of the population. Where significant adverse effects upon receptors have been identified within the ES, mitigation has been secured (for example within the various management plans) to reduce or remove significant adverse effects where possible. Chapter 16: Summary of Environmental Effects of the ES [APP-041] provides a summary of the residual likely significant effects anticipated to arise as a result of the Proposed Development.
26.12		Cumulative Landscape Character Effects	In addition, the scale of other NSIP and large-scale energy projects proposed in the wider area raises the potential for extensive alteration of the regional landscape character. The combined effect of these developments could be a marked and enduring change, both directly through a change in land use and introduction of solar as a key element, and also in the perception and experience of the landscape, particularly for visual receptors travelling through the landscape and experiencing sequential effects. The Council considers that this represents a clear, marked and potentially extensive alteration of the regional landscape character.	Please refer to the Applicant response provided at LIR Ref. 13.30.

27.0 Draft Development Consent Order and Planning Obligation



LIR Ref.	Document Ref.	Theme	Comments from North Kesteven District Council Local Impact Report [REP1-056]	Applicant's Response to North Kesteven District Council Local Impact Report [REP1-056]
27.2		Decommissioning Dates / Framework DEMP	a. Part 1 (Interpretation) Decommissioning The Council notes that the definition of 'date of final decommissioning' in article 2 of the dDCO is set as being no later than 60 years following the date of final commissioning. In turn, the 'date of final commissioning' is defined in Schedule 2 as being '... the date on which each part of the authorised development commences operation by generating electricity on a commercial basis ...' (following the commissioning and testing periods).	Following consideration of the oral submissions made by NKDC during ISH2, the Applicant has amended the Draft DCO [REP1-007] to address these concerns. The definition of "date of final commissioning" within Article 2 has been revised as follows: <i>“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”</i> An updated version of the Draft DCO [REP1-007] reflecting this amendment has been submitted alongside this document at Deadline 2.
27.3 / 27.4 / 27.5 / 27.6		Decommissioning Dates / Framework DEMP	The term 'each part of the authorised development' is not defined in the DCO, although paragraph 2 of Schedule 1 states that: <i>'The nationally significant infrastructure project comprises one generating station with a gross electrical output capacity of over 50 megawatts comprising all or any of the works numbers in this Schedule or any part of any work number in this Schedule'</i> The Framework DEMP (APP -191) envisages separate DEMP's for different parts of the development – see e.g. 1.1.9. Framework DEMP 1.1.4 says: <i>'Decommissioning comprises the process of removing all solar PV array infrastructure including modules, mounting structures, cabling inverters and transformers and concrete foundations to those elements, for recycling or disposal in accordance with good practice and market conditions at that time.'</i> Therefore it appears that 'each part' of the development (as yet undefined) may have its own date of final commissioning; and consequently also its own date for the commencement of decommissioning works. It is also noted that some of the Works comprised in the authorised development do not generate electricity themselves. If the term 'each part' is linked to the Works, this could mean that these 'parts' do not have a date of final commissioning, and so there is no trigger for the date of commencement of decommissioning. NKDC seeks clarification on these points and possibly amendments to the wording of the DCO to ensure that at the end of the operational life of the development – which could be over 60 years hence – it is clear to those present at the time when the triggers and deadlines for decommissioning plans and works fall.	In order to address this concern, and to bring the wording in line with the amendment to the definition of "date of final commissioning", the Applicant has revised Requirement 20 of Schedule 2 to the Draft DCO [REP1-007] as follows: <i>"20.—(1) Decommissioning works must commence no later than 60 years following the date of final commissioning.</i> <i>(2) Prior to the commencement of any decommissioning works for any part of the authorised development, the undertaker must submit to the relevant planning authority for approval, in consultation with Lincolnshire County Council (in its capacity as the local highway authority and waste planning authority), National Highways and the Environment Agency, a decommissioning environmental management plan for that part.</i> <i>(3) 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.</i> <i>(4) No decommissioning works must be carried out until the relevant planning authority has approved the plan submitted in relation to such works.</i> <i>(5) The plan submitted and approved pursuant to sub-paragraph (2) must be implemented as approved for the works required to decommission that part of the authorised development.</i> <i>(6) This requirement is without prejudice to any other consents or permissions which may be required to decommission any part of the authorised development."</i> An updated version of the Draft DCO [REP1-007] reflecting these amendments has been submitted alongside this document at Deadline 2.
27.7		Replacement of solar panels	The Council also considers that the definition of 'maintain' in article 2 of the dDCO is too broad in that it would allow for the	The definition of "maintain" has been included to ensure that the activities authorised under Article 5 (Power to maintain authorised development) of the Draft DCO [REP1-007] are clearly defined and directly reflect the



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			wholesale replacement of up to 99% of solar panels at any point; and replacement of all of the panels (Work No. 1) more than once over the life of the development. These scenarios would bring potential significant environmental effects. It would be difficult for the relevant authority to monitor ongoing panel replacements unless provisions were put into place within the DCO such as an additional requirement to limit the replacement of panels to a lower percentage each year; and to require a replacement panel reporting scheme, where deviations from the approved plans are reported to the relevant planning authority on an annual basis.	nature and context of the Proposed Development. It is acknowledged that the drafting retains an element of flexibility, however, this is necessary to keep pace with changing standards, controls and advances in technology both between the granting of the DCO and the commissioning of the Proposed Development, as well as throughout its operational lifetime. It is intended that the definition of "maintain" be read alongside the Framework Operational Environmental Management Plan (OEMP) [REP1-033], particularly paragraphs 2.3.1 to 2.3.6 which set out how an annual maintenance schedule will be agreed. Examples of anticipated maintenance activities are set out in paragraph 4.2.2.f.ii of the Explanatory Memorandum to the Draft DCO [REP1-009].
27.8		Tree Felling and Lopping Provisions	b. Part 6 (Miscellaneous and General), Article 40 Article 40 provides a blanket approval to fell or lop any tree within or overhanging the land within the Order subject to a TPO made after a predefined date if it believes it necessary to do so for the construction, maintenance, or operation of the development; or constitutes a danger to people using the development land (such as walkers). This date is not yet specified.	With regards to the Council's concern that maintenance activities will potentially result in significant environmental effects, sub-paragraph (3) of Article 5 of the Draft DCO [REP1-007] prevents this. This article provides the power to maintain the authorised development and this sub-paragraph explicitly states that the article "does not authorise the carrying out of 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 Applicant therefore considers that this sufficiently addresses the concern raised by the Council in this regard.
27.9		Tree Felling and Lopping Provisions	Whilst such a provision is also common to the other solar NSIP schemes in North Kesteven, the Council is concerned at the open ended nature of this provision and the lack of a date, and which at present does not fully cater for the future safeguarding of valuable trees within and adjacent to the Order Limits over the very long (60 year) duration of the development. It is possible that the Council may wish to make relevant TPOs within the Order Limits within such a timeframe as will need to be specified, especially given the ancient and veteran trees identified by the submitted documents. Whilst the Council does not seek to wholly restrict the undertaker's powers to carry out works to such trees, it does ask that this article is amended to require that 14 days advance notice is given to enable consideration and discussion regarding the works.	The Council is correct in that Article 40 (Trees subject to tree preservation orders) of the Draft DCO [REP1-007] provides that the undertaker may fell or lop any tree within or overhanging land within the Order Limits subject to a tree preservation order (TPO), where the undertaker reasonably believes it to be necessary to do so to prevent the tree from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development or from constituting a danger to persons using the authorised development. The Applicant has amended the wording of Article 40 to insert the relevant date at sub-paragraph (1). Therefore, Article 40(1) of the Draft DCO [REP1-007] is now as follows: <i>"(1) The undertaker may fell or lop any tree within or overhanging land within the Order limits subject to a tree preservation order which was made after 30 June 2025 if the undertaker reasonably believes it to be necessary to do so to prevent the tree or shrub--"</i> With regard to the suggested amendment to require 14 days' notice of any works proposed to any tree which may become subject to a TPO which was made after 30 June 2025, the Applicant has amended Article 40(2) of the Draft DCO as follows: <i>"(2) In carrying out any activity authorised by paragraph (1)— (a) the undertaker must do no unnecessary damage to any tree or shrub and must pay compensation to any person for any loss or damage arising from such activity; (b) the duty contained in section 206(1) (replacement of trees) of the 1990 Act is not to apply although where possible the undertaker is to seek to replace any trees which are removed; and (c) the undertaker must give consult the relevant planning authority 14 days' notice prior to that activity taking place except in relation to dead or dangerous trees, where only 5 days' notice is required."</i> An updated Draft DCO [REP1-007] reflecting these amendments has been submitted at Deadline 2.
27.10		Timeframes for determination of consent	Article 46 provides for a time period of 8 weeks for determination of any consent, agreement or approval required. The Council considers that a time period of 10 weeks would be	Under the Draft DCO [REP1-007], Article 46 provides procedures in relation to consents and approvals required pursuant to the DCO, other than the Requirements set out in Schedule 2 to the Draft DCO [REP1-007]. This provides that applications for consent submitted by the undertaker will be deemed to be granted if



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			more consistent with the timeframe for the discharge of requirements.	notice is not given of their refusal by the consenting authority within eight weeks of the submission of the application, unless a longer period has been agreed in writing between the parties. The Applicant must, under sub-paragraph (5) of this article, provide a statement of the timeframe for consideration by the consenting authority which details the consequences of failure to meet that timeframe. The Applicant notes the Council's point about the timescale, this article has precedent in the Mallard Pass Solar Farm Order 2024 and is considered appropriate and justified in order to ensure that the authorised development can proceed in a reasonable timescale, and so that there is a consistent approach to consents that must be sought by the undertaker pursuant to the DCO. Whilst it is acknowledged that there is automatic approval if there is non-determination within the set timeframe, extending this set timeframe beyond eight weeks could result in unnecessary delays and impact the efficient delivery of the Proposed Development and is therefore not appropriate. The timescales currently provided are appropriate given the nature of the Proposed Development as a Nationally Significant Infrastructure Project which is meeting an identified, urgent national need for renewable energy.									
27.11	Schedule 2 Requirement Comments	c. Schedule 2 – Requirements	The Council provides comments on the draft requirements in the table below: <table><tr><th>No.</th><th>Requirement</th><th>NKDC Suggested Amendment</th></tr><tr><td>17, 18</td><td>Permissive Path Public Rights of Way</td><td>For the avoidance of doubt North Kesteven District Council (as a ‘relevant planning authority’) must be consulted on the details submitted in the discharge of these Requirements</td></tr><tr><td>20</td><td>Decommissioning</td><td> NKDC Suggested Amendment NKDC suggest 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. NKDC seeks clarification and possible rewording of this requirement, together with the definitions of ‘date of final commissioning’ in paragraph 1 of Schedule 2, and of “decommissioning’ in article 2 to ensure that there is no doubt when the relevant triggers fall </td></tr></table>	No.	Requirement	NKDC Suggested Amendment	17, 18	Permissive Path Public Rights of Way	For the avoidance of doubt North Kesteven District Council (as a ‘relevant planning authority’) must be consulted on the details submitted in the discharge of these Requirements	20	Decommissioning	NKDC Suggested Amendment NKDC suggest 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. NKDC seeks clarification and possible rewording of this requirement, together with the definitions of ‘date of final commissioning’ in paragraph 1 of Schedule 2, and of “decommissioning’ in article 2 to ensure that there is no doubt when the relevant triggers fall	17 / 18: The Applicant acknowledges the Council’s requests to be added as a named consultee on Requirement 17 and Requirement 18 of Schedule 2 to the Draft DCO [REP1-007]. Accordingly, the Applicant has updated the Draft DCO as follows: Article 17(1) <i>"Prior to the construction of a permissive path, the undertaker must submit details of that permissive path to the relevant planning authority for approval in consultation with North Kesteven District Council."</i> Article 18(1) <i>"No part of the authorised development may commence until a public rights of way management plan for any sections of public rights of way shown to be temporarily closed on the streets, rights of way and access plans for that part has been submitted to and approved by the relevant planning authority in consultation with North Kesteven District Council."</i> An updated version of the Draft DCO [REP1-007] reflecting these amendments has been submitted to the Examination at Deadline 2. 20: The Applicant has addressed these comments at section 27 above. New – Replacement Panels: It is not considered necessary to introduce a Requirement to limit the replacement of panels during operation as this would not affect the conclusions of the Environmental Statement (ES). It is the number of road trips during operation that matters and has the potential to introduce new significant environmental effects beyond those assessed in the ES, if not properly managed. It is for this reason that the Applicant has added two commitments into the DCO Application. Firstly, the Framework OEMP [REP1-033] stipulates that “every 12 months from the data of final commissioning the Applicant will submit a planned maintenance schedule for the year ahead to the relevant planning authorities (excluding unforeseen emergencies, breakages and malfunctions that require maintenance throughout the year)”. This would detail the extent of planned repowering for the next 12 months, providing the councils with foresight of the planned number of panels that would be replaced in the following 12 months.
No.	Requirement	NKDC Suggested Amendment											
17, 18	Permissive Path Public Rights of Way	For the avoidance of doubt North Kesteven District Council (as a ‘relevant planning authority’) must be consulted on the details submitted in the discharge of these Requirements											
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			and to which parts of the development they apply.	
			New Replacement Panels NKDC suggest an additional Requirement to limit the replacement of panels to a programme to be approved, and a replacement panel monitoring reporting regime should be agreed with the Relevant Planning Authority.	Secondly, the assessment of traffic and transport effects presented in Chapter 13 Traffic and Transport [APP-038] has been based on: "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. It is not anticipated that any AILs will be required. This is much lower than the vehicle trips generated during the peak construction phase, representing approximately 40% of the HGV activity and approximately 10% of car/LGV movements generated during the peak construction of the Proposed Development." This was assessed as being Negligible significance. The Applicant is required to deliver the Proposed Development in accordance with the significance of effects presented in the ES. Article 5 (Power to maintain the authorised development) of the Draft DCO [RE1-007] expressly states, at sub-paragraph (3) that "this article does not authorise the carrying out of 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".
			New Grid connection / proposed NGNS NKDC seeks an additional Requirement to the effect that no part of the development (including pre-construction site clearance and preparation works) shall commence unless and until planning permission has been granted for the proposed National Grid Navenby Substation	New – Grid Connection / Proposed National Grid Navenby Substation: The Applicant does not consider there to be justification for the imposition of a requirement to restrict the commencement of the Proposed Development until such time as planning permission has been granted for the proposed National Grid Navenby Substation. At the time of writing, the anticipated timeline provided for the Navenby Substation on the National Grid's website estimates that a planning application under the Town and Country Planning Act 1990 (TCPA 1990) will be submitted to NKDC in early 2026 for permission to construct and operate the Navenby Substation. It is currently estimated by National Grid that the application will be determined in Spring 2026 and, subject to approval, construction is hoped to begin mid/late 2026. Based on these timescales, the estimated completion date will be late 2029. The Applicant would like to reiterate that it does not have any information beyond that which is in the public domain, and that this anticipated timeline based on National Grid's estimates, although accurate at the time of writing, is subject to change. As stated above, according to National Grid, the currently estimated completion date is late 2029 which is around 3.5 years ahead of the connection date for the Proposed Development. The Applicant has secured a grid connection for the Proposed Development, as detailed in the Grid Connection Statement [APP-200], meaning that it has been allocated a connection bay at the Navenby Substation. In the event there were a delay to National Grid's currently estimated timetable, this would be highly unlikely to impact the Proposed Development. On the basis that National Grid takes a responsible approach to siting, design and mitigation, in compliance with the 'Horlock Rules', and given the generally supportive national and local policy position, there are no obvious reasons known to the Applicant why consent for the Navenby Substation and associated overhead lines to connect it into the national grid would be withheld. Furthermore, the Applicant understands from National Grid that, should planning permission not be granted, the fall back is to appeal any such refusal to the SoS and await determination. Therefore, there is nothing to create any doubt surrounding the deliverability of the Navenby Substation. As such, a requirement is not necessary for inclusion in the Draft DCO.
27.13, 27.14		Procedure for Discharging Requirements	e. Schedule 1 5 Procedure for Discharging Requirements, paragraph 5 – Fees	The Applicant acknowledges the Council's comments regarding fee structure, however, would note that a decision is yet to be made on the DCO Application for Springwell. Therefore, until such time as a decision is made, and development consent is granted, there is no precedent for the inclusion of the increased fee structure. Additionally, the Applicant notes that the fee structure in the Draft DCO [REP1-007] is consistent



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			The Council considers that the proposed fee structure would not cover the Council's reasonable costs in discharging Requirements. The Council recommends that the fee structure provided within a number of recent Lincolnshire NSIPs, allowing for a corresponding increase in line with the increase in national planning fees introduced in April 2025, is followed. An example of the most up-to-date fee structure and amounts can be found within the Springwell solar farm Draft DCO, final version referenced dDCO Springwell, (REP5 -004), schedule 16 on page 147. The Requirement discharge fees for the Fosse Green dDCO therefore need to be increased to £2,578 (first application) from £2,535. The fees at schedule 16 (5) (1) (b) and (c) should be increased to £588 and £298 per Requirement respectively. In addition, in order to be consistent with precedents elsewhere (including the dDCO for Springwell solar farm), Requirements 7 (Battery safety management), 10 (Surface and foul water drainage), 14 (Construction traffic management plan) and 15 (Soil Management Plan) will need to be charged at the £2,578 rate (first application).	with made DCOs in the Lincolnshire County Council area including the Cottam Solar Project Order 2024, Heckington Fen Solar Park Order 2025 and the Tillbridge Solar Order 2025. The scale of the Proposed Development is also a relevant consideration, particularly comparative to other solar NSIPs in Lincolnshire, and as such, the Applicant considers the fees set out in Schedule 15 to the Draft DCO [REP1-007] to be appropriate and proportionate.
27.15		Proposed s106 Planning Obligations	The Council would welcome further discussions with the applicant to progress a s106 planning obligation to secure funding for reviewing the applicant's BNG monitoring (via a wider Ecological Steering Group) and a skills and education package. With reference to the review of the applicant's BNG monitoring the Council will provide an indicative BNG monitoring fee based on the broad principles contained in the adopted Central Lincolnshire BNG monitoring fee schedule, with precedent examples in negotiation elsewhere on other solar NSIP schemes in the District, and once the applicant has responded to the information gaps relating to BNG as set out above.	The Applicant does not consider that the provision of a BNG monitoring fee is required. A Framework Landscape and Ecological Management Plan (LEMP) [REP1-039] has been prepared for the Proposed Development which, amongst other things, sets out details of the relevant management and monitoring regimes to ensure that the delivery of BNG is in line with the commitments. The provision of a detailed LEMP, which is to be substantially in accordance with the Framework LEMP [REP1-039], is secured under Requirement 8 of Schedule 2 to the Draft DCO [REP1-007] and the Applicant therefore considers that BNG monitoring for the Proposed Development is sufficiently secured. The following is secured within the Framework LEMP [REP1-039] (ref. paragraph 7.1.7) which will be carried through into the detailed LEMP: "A <i>post-construction monitoring programme will be formalised, agreed and included within the detailed LEMP. Walkover surveys of the DCO Site will be undertaken between April and June in years 2, 4, 6, 10 and then every 5 years post-construction until year 60. This monitoring will also be used for the purposes of BNG Condition Assessments that requires a 30-year management plan.</i>" Given this commitment, monitoring of the BNG, ecology and landscape mitigation works by the Council is not considered to be required. The above reference to a 30-year management plan relates to the plans for how the land will be managed over at least 30 years to create and enhance habitats for BNG, and to manage and monitor the BNG. Such management measures may be set out in a Habitat Management and Monitoring Plan (HMMP) however, as noted in the Applicant's responses to relevant representations [REP1-047], the Applicant considers that the commitments made within the Framework LEMP [REP1-039] are sufficient to ensure that the detailed LEMP will contain the relevant information in relation to BNG management and monitoring. The proposed long-term auditing programme includes AI habitat identification and 20% truth-testing which goes beyond that which is normally expected for an NSIP as well as going beyond what is required for developments outside of the mandatory BNG regime (as the Proposed Development is). Given the commitments noted above, the Applicant does not consider monitoring of BNG by the Council to be required and therefore does not consider that the provision of a financial contribution for the same is justified. As detailed at 27.18 below, paragraph 7.1.9 of the Framework LEMP [REP1-039] secures the provision of an



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				Ecological Advisory Group (or similar). This Ecological Advisory Group (or similar) will oversee the monitoring of BNG and will provide the relevant information to the host authorities and Lincolnshire Wildlife Trust.
27.16		Skills and Education Funding	With reference to skills and education funding, the Council would recommend that an annual funding contribution of £50,000, for the lifetime of the development, is made to assist the delivery and implementation of the applicant's Framework Employment, Skills, and Supply Chain Plan (FESSCP). The plan, from paragraph 3.2.1 onwards sets out potential opportunities for young people and adults to develop skills relevant to the proposed development through interventions such as apprenticeships, vocational qualifications, and early careers support which could be pursued by the applicant.	Despite the conclusion in Chapter 12: Socio-economics and Land Use of the ES [AS-016], that there are no adverse socio-economic effects as a result of the Proposed Development that require mitigation to be provided, including in respect of employment, skills and the supply chain, the Applicant has committed to providing an ESSCP. The overarching aim of the ESSC Plan is to identify opportunities for individuals and businesses to access employment, skills and supply chain opportunities associated with the Proposed Development. The Applicant submitted a Framework ESSCP [APP-197] as part of the application and Requirement 19 of Schedule 2 to the Draft DCO [REP1-007] secures the provision of a detailed ESSP, which is to be substantially in accordance with the Framework ESSCP [APP-197].
27.17		Proposed s106 Planning Obligations	A similar contribution has been provided by way of a s106 Agreement in relation to the Longfield and Heckington Fen solar farms and has been agreed, in principle, as part of the Springwell solar farm examination with the draft s106 Agreement securing such a contribution at an advanced stage of preparation. As above the purpose of the funding would be help support the initiatives identified within the FESSCP such as the implementation and provision of apprenticeships, training workshops, bursaries, courses and qualifications.	Engagement with both the Council and LCC was undertaken throughout the development of the Framework ESSCP [APP-197] and the Applicant is committed to continuing this engagement. The detailed ESSC Plan will be subject to approval by the Council in consultation with LCC by virtue of sub-paragraph (1) of Requirement 19 of Schedule 2 to the Draft DCO [REP1-007]. The ESSC Plan must be implemented as approved. As noted by the Council, the Applicant has given consideration to a variety of potential opportunities for which provision could be included in the detailed ESSC Plan such as: • A programme to promote apprenticeships during the construction phase; • Interventions to support the training of employees and works on the Proposed Development; • Engagement with Local Authorities and Job Centre Plus; • Community and volunteer sector groups which specialise in local recruitment; • Awareness raising events to provide businesses with information on supply chain opportunities and the key capacity and capability requirements they would need to meet; and • Establishing relationships with the relevant Chambers of Commerce and Federation for Small Businesses. Full details of the Applicant's proposals, including for delivery and monitoring, are set out in the Framework ESSCP [APP-197]. On this basis, and as the delivery and implementation of the detailed ESSCP is secured via Requirement 19 of Schedule 2 to the Draft DCO [REP1-007], the Applicant does not consider the financial contribution sought by the Council to be justified.
27.18		Formation of an Ecological Steering Group	With reference to the formation of an Ecological Steering Group (ESG), the Council, alongside LCC, would welcome the formation of such a group to, amongst other things, monitor progress of the FLEMP and the subsequent detailed LEMPs for each part of the development; and to consider and recommend remedial measures where objectives are not being met, especially in the initial years of establishment. The group would enable cross-referencing with other large scale solar farms where similar species or habitats are impacted, or mitigation is being provided. The Council considers that a key function of the ESG (and occupying a significant proportion of its time and resource) will be reviewing the applicant's BNG monitoring reports.	The Applicant notes the Council's suggestion of setting up an Ecological Steering Group, which was also raised in its relevant representation (RR) [RR-210]. As noted in the Applicant's responses to RRs [REP1-047], with regards to monitoring the provisions of the Framework LEMP [REP1-039] the following wording is already included at paragraph 7.1.9 of the same: <i>"Post-construction monitoring for flora, birds (breeding and non-breeding), riparian mammals, badgers and bats (bat box roosting and activity survey), will be undertaken in the respective seasons, in years 1, 3, 5, 10 and 14 post-construction and thereafter every ten years from years 20 to 60. These surveys are likely to involve similar methods to those used to determine the ecological baseline of the Proposed Development and will be overseen by an Ecological Advisory Group or similar."</i> The Applicant considers that the aforementioned Ecological Advisory Group (or similar) to be the same as the suggested Ecological Steering Group and would fulfil the same role. The Ecological Advisory Group (or similar) would serve to oversee the monitoring and mitigation of impact as relevant with the monitoring reports for surveys undertaken during operation sent to the host authorities and Lincolnshire Wildlife Trust for their information. These would be accompanied by a summary of any changes to the management measures set



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				out in the approved detailed LEMP. This detailed LEMP is to be developed, substantially in accordance with the Framework LEMP [REP1-039], as secured under Requirement 8 of Schedule 2 to the Draft DCO [REP1-007]. The specific details of the role of the Ecological Advisory Group (or similar) will be set out in the detailed LEMP. Under sub-paragraph (1) of Requirement 8 of Schedule 2 to the Draft DCO [REP1-007] the detailed LEMP is subject to approval by the Council, in consultation with LCC, Natural England and the Environment Agency and therefore, the Council will receive the detailed LEMP and have chance to review it, alongside the other named consultees, before providing formal approval. Whilst the Applicant notes the Council's point regarding other large-scale solar farms in the District, it is envisaged that these other solar farms would also be required to have an Ecological Advisory Group (or similar) which would also send monitoring reports as relevant to the host authorities and the Lincolnshire Wildlife Trust. This will enable the Council and LCC, as host authorities, to have oversight of the mitigation proposed across all relevant developments, to allow for coordinated mitigation suggestions as part of their approval of the detailed LEMP(s).
27.19		Conclusions	The Council welcomes ongoing and early 'without prejudice' discussions in relation to the above two matters and, given that we consider that these contributions are necessary to comply with the provisions of NPPF paragraph 58/ Regulation 122(2) of the Community Infrastructure Levy Regulations 2010, we raise concern at the lack of s106 Agreement heads of terms at this stage.	The Proposed Development is a Nationally Significant Infrastructure Project (NSIP) as defined by s14(a), s15(1) and s15(2) of the Planning Act 2008 (PA 2008) and as such, is to be determined in accordance with the decision-making framework set out in the PA 2008 and relevant NPSs (NPSs). The NPSs are statutory planning documents designated under the PA 2008 and are the primary consideration in the determination of a DCO Application, though consideration is given to other matters that are relevant. The National Planning Policy Framework (NPPF) may be a relevant matter, but it is not the primary consideration in decision-making for NSIPs. Paragraph 58 of the NPPF states that: <i>"Planning obligations must only be sought where they meet all of the following tests:</i> <i>a. necessary to make the development acceptable in planning terms;</i> <i>b. directly related to the development; and</i> <i>c. fairly and reasonably related in scale and kind to the development."</i> Therefore, notwithstanding the lack of direct applicability outlined above, the Applicant does not consider that all of these tests are met by the Proposed Development. With regards to the Community Infrastructure Levy Regulations 2010 (CIL Regulations 2010), the same conditions must be met as in order for a planning obligation to constitute a reason for the granting of consent, it must meet the conditions of Regulation 122 of the CIL Regulations 2010 in that it is (a) necessary to make the development acceptable in planning terms, (b) directly related to the development, and (c) fairly and reasonably related in scale and kind to the development. These conditions are duplicated in Government's Guidance on 'Use of planning obligations and process for changing obligations' (the Guidance). The Applicant has not been provided with evidence demonstrating that the proposed contributions are necessary to make the Proposed Development acceptable in planning terms. Similarly no policy requirement has been identified that would necessitate the contribution in order for development consent to be granted. In the absence of a clear and evidenced impact attributable to the Proposed Development, the Applicant does not consider the scale of the requested figures to be proportionate. No methodology or calculation has been



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				provided to demonstrate that the amount sought fairly reflects the extent of the impact arising from the Proposed Development, which the Applicant has demonstrated have not arisen. Therefore the Applicant's view is that the request for a planning obligation does not meet the tests of Regulation 122 of the CIL Regulations 2010. Whilst the Applicant notes that the Council has agreed contributions on other schemes, when it comes to determining whether a contribution is required, and lawful in accordance with the conditions of Regulation 122 of the CIL Regulations 2010 and the Guidance, each scheme must be considered on its own merits and specifically any adverse impacts identified which would make a contribution "necessary to make the development acceptable in planning terms" (condition (a) under Regulation 122 of the CIL Regulations 2010 and para. 002 of the Guidance).
28.0 Grid Connection – General				
28.1	Navenby Substation Planning Application		Finally, as set out above the Fosse Green Energy solar farm is reliant upon the National Grid constructing a new substation at Navenby (the NGNS) to enable a point of connection to be made to the National Electricity Transmission System. EIA screening and scoping has concluded and an application under the TPCA (1990) as expected to be submitted to North Kesteven District Council in 'early 2026' according to National Grid.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
28.2	Navenby Substation Planning Application		The application documents confirm that the solar farm applicant has secured a grid connection agreement (up to 240MW export capacity) with the National Energy System Operator (NESO). Construction of the Fosse Green solar farm is anticipated to take from 2 - 2.5 years commencing in 2031. The latest timeline provided by the National Grid estimates completion of the NGNS by 'late 2029' assuming a projected planning application determination timeframe – but which the Council observes ought to have further contingency applied.	At the time of writing this response, information provided on the National Grid website for the proposed substation in Navenby states the planning application submission is early 2026 and it is currently expected that the application will be determined in Spring 2026. Subject to approval, the website states that substation construction will start in mid-late 2026, with the substation construction complete in late 2029. As stated in paragraph 3.4.2 of the Grid Connection Statement [APP-200], this is 3.5 years ahead of the connection date for Fosse Green Energy.
28.3	Navenby Substation Planning Application		Consistent with its approach to the Springwell solar farm, the Council also suggests that the delivery of the NGNS and alignment with the construction of the Fosse Green energy solar farm is a crucial matter upon which the Examining Authority should satisfy itself. Whilst there is now an increased amount of publicly available information in relation to the NGNS, and the applicant may have secured a grid connection, the NGNS cannot be delivered until a planning permission first has been secured and any and all pre-commencement conditions have been discharged.	Whilst the Proposed Development will connect into the proposed National Grid substation near Navenby substation, which does not yet have planning consent and has not been constructed, this is not a barrier to the granting of development consent for the Proposed Development if there are no obvious reasons for the other application not to be granted consent.
28.4	Navenby Substation Planning Application		As set out above, EN-1 advises that the connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct a generation plant such as a solar farm. It envisages that <i>'wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the Secretary of State or in</i>	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



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			<i>separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall.'</i> (paragraph 4.11.7). Paragraph 4.11.8 then requires that (where separate applications are proposed) <i>'the applicant should include information on the other elements and explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused.'</i>	
28.5		Navenby Substation Planning Application	Page 234 of the applicant's Planning Statement deals with this very simplistically, noting that 'whilst the proposed National Grid substation near Navenby does not form part of this DCO Application and is subject to a separate decision-making process under the Town and County Planning Act 1990, there is no indication that this development will not come forward, with the website for the project stating planning submission will be in "Late 2025" (at the time of writing)'.	The Applicant maintains that given the generally supportive national and local policy position, and on the basis that National Grid Electricity Transmission (NGET) take a responsible approach to siting, design and mitigation, in compliance with the 'Horlock Rules', there are no obvious reasons known to the Applicant why planning permission for the proposed National Grid substation near Navenby and associated overhead lines to connect it into the national grid would be withheld.
28.6		Navenby Substation Planning Application	Paragraph 3.4.3 of the applicant's Grid Connection Statement then sets out that 'given the generally supportive national and local policy position, and on the basis that NGET take a responsible approach to siting, design and mitigation, following the Horlock Rules, there are no obvious reasons known to the Applicant why consent for the Navenby substation and associated overhead lines to connect it into the national grid would be withheld'. Continuing it notes that 'NGET has stated to the Applicant that should consent not be granted the fall back is to appeal any such refusal to the Secretary of State and await determination'.	This remains the Applicant's position. Further to this, it should be noted that under NGET's Transmission Owner's Licence: Standard Licence Condition D4A: Obligations in Relation to Planning, NGET is required to undertake all reasonable steps to obtain the required consents. At the time of writing, the anticipated timeline provided for the Navenby Substation on NGET's website estimates that a planning application under the TCPA 1990 will be submitted to NKDC in early 2026 for permission to construct and operate the Navenby Substation. This anticipated timeline estimates that the application will be determined in Spring 2026 and, subject to approval, NGET has indicated that construction is hoped to begin mid/late 2026. This timeline estimates that the completion date will be late 2029. The Applicant wishes to reiterate that this is the anticipated timeline set out by NGET at the time of writing, and the Applicant does not have information beyond that which is available in the public domain. NGET has stated to the Applicant that should planning permission not be granted the fall back is to appeal any such refusal to the SoS and await determination. Under the commercial agreement between the Applicant and NGET, should no new substation at Navenby be available, it would fall to NGET to find an alternative point of connection for the Proposed Development.
28.7		Navenby Substation Planning Application	Whilst the Council accepts the currently projected time lag between the proposed completion of the NGNS ('late 2029') and the applicant's grid connection date of 2033 (which in this regard is materially different to the respective timescales for the proposed Springwell solar farm) the Council does not consider that such high level commentary is sufficient to evidence that there are 'no obvious reasons' why the NGNS application will not be refused (as per paragraph 4.11.8 of EN-1) and we would suggest that this a key matter for the Examining Authority to engage with.	The Applicant maintains that given the supportive national and local policy position, and on the basis that National Grid Electricity Transmission (NGET) take a responsible approach to siting, design and mitigation, in compliance with the 'Horlock Rules', there are no obvious reasons why planning permission for the proposed National Grid substation near Navenby and associated overhead lines to connect it into the national grid would be withheld. The Applicant will provide a note on this matter at a subsequent deadline.



2.2 Lincolnshire County Council Local Impact Report [REP1-053]

Table 2-2: Applicant's Responses to Lincolnshire County Council Local Impact Report [REP1-053]

LIR Ref.	Document Ref.	Theme	Comments from Lincolnshire County Council Local Impact Report [REP1-053]	Applicant's Response to Lincolnshire County Council Local Impact Report [REP1-053]
1. Terms of Reference				
1.1-1.12			(Text not copied from Lincolnshire County Council (LCC) Local Impact Report (LIR))	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
2. Purpose of the LIR				
2.1-2.3			(Text not copied from LCC LIR)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3. Overview of the proposed development				
3.1-3.5			(Text not copied from LCC LIR)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4. Description of Site and Surrounding Areas				
4.1-4.11			(Text not copied from LCC LIR)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5. Policy Context				
5.1-5.8			(Text not copied from LCC LIR)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5.9		National Policy Statements for Energy	On 24 April 2025 the Government published a consultation on revisions to EN-1, EN-3 and EN-5. On 13 November 2025 Government published its response to the consultation and updated draft versions of the NPS's which are, at the time of writing this report, laid in Parliament and will come into force following a 21 sitting day consideration period. Whilst this takes place the current suite of energy NPS's remain relevant and have effect for the purposes of the Planning Act 2008. Under the transitional arrangements the Fosse Green proposal will be considered under the November 2023 NPS's, as it was accepted for examination prior to the updated versions coming into force.	The Overarching National Policy Statement for Energy (EN-1) (updated NPS EN-1), the National Policy Statement for Renewable Energy (EN-3) (updated NPS EN-3) and the National Policy Statement for electricity networks infrastructure (EN-5) (updated NPS EN-5) (collectively the updated energy National Policy Statements (NPSs)) were updated in December 2025 and came into force on 6 January 2026. Section 1.5 of the updated NPS EN-1 states that <i>"for any application accepted for examination before the final publication of the approved 2025 amendments, the 2024 suite of NPSs should have effect in accordance with the terms of those NPSs."</i> Section 1.6 of the updated NPS EN-1 states that the <i>"2025 amendments will ... have effect only in relation to those applications for development consent accepted for examination after the final publication of those amendments"</i> Given the DCO Application was accepted by the Planning Inspectorate for examination on 15 August 2025, and the updated energy NPSs came into force on 6 January 2026, the 2024 suite of NPSs have effect in relation to the Proposed Development.
5.10-5.26			(Text not copied from LCC LIR)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
6. Assessment of Impacts and Adequacy of Response				



LIR Ref.	Document Ref.	Theme	Comments from Lincolnshire County Council Local Impact Report [REP1-053]	Applicant's Response to Lincolnshire County Council Local Impact Report [REP1-053]
6.1-6.3			(Text not copied from LCC LIR)	The Applicant acknowledges this section of the Local Impact Report (LIR) prepared by Lincolnshire County Council (LCC) and has no further comment.
7. Site Selection and Alternatives				
7.1-7.4		Legislation and Policy	(Text not copied from LCC LIR)	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to sites selection and alternatives in Section 4-2 of Chapter 4 Alternatives and Design Evolution of the ES [APP-029] and Section 2 of Appendix A: Site Selection Report of the Planning Statement [AS-098]. National and local planning policy relevant to site selection and alternatives is also considered in Appendix B National Policy Accordance Tables and Appendix C Local Policy Accordance Tables of the Planning Statement [AS-098].
7.5		Legislation and Policy	Section 3.10 of NPS EN-3 sets out factors influencing site selection and design for Solar Photovoltaic Generation and includes irradiance and site topography, proximity to dwellings, agricultural land classification and land type, accessibility, PRow, security and lighting and network connection.	It is assumed that LCC is making reference to Section 2.10 of NPS EN-3. The Site Selection Report of the Planning Statement [AS-098] sets out the approach to assessing the suitability of the site for the Proposed Development and potential alternative sites against a range of planning, environmental, and operational criteria for a generating station with capacity of more than 50MW. Paragraph 2.1.3 (bullet point 'e') of Appendix A: Site Selection Report of the Planning Statement [AS-098] sets out the factors stated in paragraphs 2.10.18 to 2.10.48 of NPS EN-3 that influence site selection and design and where they have been considered in the site selection report.
7.6		Legislation and Policy	The Council would highlight paragraph 3.10.14 as being of particular relevance <i>"While land type should not be a predominating factor in determining the suitability of the site location applicants should, where possible, utilise previously developed land, brownfield land, contaminated land and industrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land (avoiding the use of "Best and Most Versatile" agricultural land where possible)."</i>	It is assumed that LCC is making reference to paragraph 2.10.29 of NPS EN-3. Section 3.3 of the Site Selection Report of the Planning Statement [AS-098] provides the context to the consideration of Best and Most Versatile Agricultural Land in site selection.
7.7		General Comments	Chapter 4 of the ES [APP-029] describes the consideration of alternatives and design evolution, including a summary of the site selection process in relation to the proposed development.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
7.8	AS-098	Initial Approach to Site Selection	The Site Selection Report (SSR) (Appendix A of the Planning Statement (PS) [AS-098]) describes the applicant's assessment of reasonable alternative sites. The site identified for the Proposed development is stated as being driven by the availability of land and site suitability, as well as available capacity in the transmission network and a grid connection. The starting point however appears to have been the offer of land by a group of landowners in the locality which, following review by the applicant, was deemed to be a viable option (paragraph 2.3.1).	Reasonable alternatives were considered during the site selection process (see the Appendix A: Site Selection Report of the Planning Statement [AS-098]), including brownfield and non-agricultural land. No suitable sites of the required scale were identified within a viable distance of the proposed grid connection near Navenby.
7.9		General Comments	The site identified was assessed against other potential sites utilising a five-stage assessment methodology, as described in section 3 of Appendix A of the PS [AS- 098]. Stage 1 is the identification of an area of search, based on the point of connection. Paragraph 3.2.2 states that the extent of the search area was informed by land secured by the Applicant at Morton Manor and Housham Grange. Paragraph 4.1.1 identifies a 15 km area of search from the point of connection at the proposed Navenby Substation.	The site selection process, set out in Appendix A: Site Selection Report of the Planning Statement [AS-098], which 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.



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7.10		ALC Constraints in the Site Selection Process	Stage 2 sought to establish if there was an unconstrained alternative site that could deliver the proposed development by excluding planning and environmental constraints from the area of search. There was a particular focus on minimising the extent of Flood Zone 2 and 3 land and avoiding BMV agricultural land. For the latter, the SSR notes that this was done by excluding all land graded 1, 2 and 3 under the Provisional Agricultural Land Classification. However, there is no distinction in this dataset between grades 3a and 3b, and therefore it undoubtedly will include some 3b grade land, which falls outside the category of BMV. Contrary to the statement at 3.3.4, the post-1988 Survey datasets referred to in this stage of the site selection process do distinguish between Grades 3a and 3b, albeit at a site specific survey level, therefore it is not clear how any post -1988 detailed ALC survey data has been incorporated into this stage of the SSR process.	It is acknowledged that the Post 1988 Survey dataset distinguishes between Grades 3a and 3b agricultural land, and the earlier preliminary dataset does not, however the Post 1988 Survey dataset is sporadic and there is very limited data in the area of search. Therefore, data from Natural England's 1970s Provisional Agricultural Land Classification has been relied upon for the purposes of site selection as the best available dataset for this purpose.
7.11		ALC Constraints in the Site Selection Process	As a consequence, on the basis of the approach taken, Figure 4 in the SSR is not strictly correct in stating that it shows 'BMV Excluded Land' since some of that land will definitely fall within Grade 3b, non-BMV. At a national scale, Grade 3 land constitutes about half of the agricultural land in England and Wales. The only 'Available Land' shown in Figure 4 is limited to Grade 4 and 'Non-agricultural' land as defined in the Provisional ALC grading. The Council does accept that this approach reflects the 'coarseness' of the Provisional ALC grading mechanism, but it does mean the process will inherently limit the number of options going forward and significantly under-represents the amount of potentially available land that may fall outside the BMV category upon further investigation. However, in the absence of detailed ALC data for the whole search area showing the 3a/3b split, the approach taken is considered acceptable for this purpose.	As stated above in response to LIR Ref. 7.10, there is very limited data from the Post 1988 Survey datasets in the area of search, therefore data from the Natural England's 1970s Provisional Agricultural Land Classification has been relied upon for the purposes of site selection. The Applicant acknowledges LCCs comment that in the absence of detailed ALC data for the area of search showing the split between Grade 3a and 3b the approach taken is acceptable.
7.12		Role of Commercial Viability in Site Selection	Stage 3 identifies potential alternative sites by applying key assessment criteria for large scale solar development such as site size, land assembly, and topography. Previously Developed Land (PDL) was also considered. Whilst it is noted that the applicant did consider smaller sites of at least 40ha, the applicant's stated preference is for a contiguous site of approximately 1,000 ha. Commercial viability seems to have played a major role in shaping this preference.	As set out in Section 2.3 of Appendix A: Site Selection Report of the Planning Statement [AS-098] , the identification of the site for the Proposed Development was driven by the availability of deliverable land and site suitability in accordance with the requirements of policy. As stated in paragraph 2.3.1 of Appendix A: Site Selection Report of the Planning Statement [AS-098] , the Applicant was approached by a group of landowners who were willing to provide land north of the A46 at Morton Manor and Housham Grange, which comprises a large area of contiguous land, for the purposes of a nationally significant infrastructure project related to solar energy generation. Following a review of available capacity in the transmission network the Applicant identified a line in and line out connection into the 400kV Overhead Line close to Whisby Hall. A desk top review of the site to consider planning and environmental constraints, concluded that the site was viable, and accordingly, a formal application was made to National Grid for a connection into the 400kV Overhead Line. However, National Grid informed the Applicant that this point of connection (POC) was not available and instead the Applicant was offered and subsequently secured a POC at the proposed National Grid substation near Navenby, which was a location capable of serving multiple customers, including the Applicant. Subsequently, the site selection process seeks to verify the location of the Proposed Development by considering whether the site is the most suitable



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7.13		Role of Commercial Viability in Site Selection	The Council would like to highlight to the ExA that other solar projects in Lincolnshire have successfully combined smaller, non-contiguous sites, and these have been considered viable by their developers. Cottam for example consists of 4 land parcels, Cottam 1 - a discontinuous ring of sub-sites (totalling 812.1ha), Cottam 2, 3a and 3b single sites of 168ha, 132ha and 73ha respectively.	taking into account operational requirements, national and local planning policy and environmental constraints. Commercial viability is a consideration, however, it is one of a number of factors taken into account in site selection. In relation to site size, as set out in paragraph 3.4.2 of Appendix A: Site Selection Report of the Planning Statement [AS-098] the Applicant's preference was to secure a large area of contiguous land to form a single development as there is less cabling through third party land, which increases viability and deliverability of a project, and this can also assist in reducing environmental impacts, such as reducing the extent of vegetation removal.
7.14		Site Selection Methodology – Influence of Land Availability vs Policy-Led Criteria	Stage 4 then assessed the potential alternative sites identified at Stage 3 which were subject to a desktop assessment to further understand the constraints. Stage 5 re-introduced constraints into the area of search	The Applicant acknowledges there are different approaches to finding a suitable site, however it was the Applicant's preference for a contiguous site as set out in paragraph 3.4.2 of Appendix A: Site Selection Report of the Planning Statement [AS-098]. Paragraph 3.4.2 states that large areas of contiguous land are ideal for large scale solar development as they can be joined together as a single development, which is reflected in the substantial landholding secured at Morton Manor and Housham Grange, and there would be less cabling through third party land which increases viability and deliverability and reduces environmental impacts, such as less vegetation removal which reduces impacts on hedgerows and trees. It is noted that other solar NSIP schemes in Lincolnshire have combined smaller, non-contiguous sites, which is an equally valid approach, however this does not undermine the validity of the approach adopted by the Applicant in the case of the Proposed Development. NPS EN-1 recognises that there may be different approaches, stating at paragraph 4.3.22, in relation to the Secretary of State's decision making <i>"the Secretary of State should subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives: ... only alternatives that can meet the objectives of the proposed development need to be considered."</i> Paragraph 3.4.5 of Appendix A: Site Selection Report of the Planning Statement [AS-098] also adds that the Applicant considered that should the alternative sites for the Proposed Development comprise a number of sites, the minimum size of at least 40ha (99 acres) for an individual site would be viable, however the Applicant's preference was to deliver the Proposed Development on as few land parcels, with as few landowners, as possible, to ensure the deliverability of the Proposed Development). The Applicant identified 40ha (99 acres) as the minimum site size as this is the size that would constitute one circuit at the chosen Medium Voltage of 33kV for the Proposed Development which would avoid the need for splitting circuits between smaller parcels involving a higher environmental impact for more interconnecting cables and avoids the need for more third party land. As set out in Appendix A: Site Selection Report of the Planning Statement [AS-098], the identification of the site for the Proposed Development was driven by the availability of deliverable land and site suitability in accordance with the



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			including Grade 3 agricultural land and land within Flood Zones 2 and 3, should it not have been possible to identify a site through stages 1-4. Willing landowners were also considered to be an important consideration at this stage which would avoid the need for compulsory acquisition. However, as raised earlier, the willing landowner factor appears to be the main driver in identifying alternative sites at Stage 5 of the SSR process, as opposed to being primarily policy-led. Whilst the Council accepts that landowner willingness will undoubtedly feature as an important consideration in deliverability terms, the point at which this factor enters the assessment process in the context of (or in advance of) weighing up land use policy considerations/interactions is something that we consider requires further explanation.	requirements of policy. Section 2 of Appendix A: Site Selection Report of the Planning Statement [AS-098] sets out the relevant policy, and Section 3.3 describes how planning and environmental constraints were considered, taking into account the requirements of policy. For example, internationally and nationally designated biodiversity sites were excluded and in terms of flood risk which requires a sequential approach, the Applicant considered land at lower risk of flooding (Flood Zone 1) in the search for an unconstrained site before introducing Flood Zones 2 and 3 into the area of search at a later stage. Paragraph 3.6.2 of Appendix A: Site Selection Report of the Planning Statement [AS-098] sets out that the availability of willing landowners is also an important consideration at Stage 5 in order to assemble a site that is deliverable and meets the policy requirements in relation to compulsory acquisition. The availability of willing landowners reduces and potentially avoids the need for Compulsory Acquisition powers to be used. With this in mind, and to maximise development and efficiency, the Applicant then sought to identify a principal site in as few land ownerships as practically possible within the search area. Suitable landowners were approached by the Applicant to discuss inclusion of their landholdings into the potential project. As described previously, 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.
7.15		General Comments	Having applied the five-stage assessment process, the applicant concluded that Site 9 (Fosse Green) represented the preferred location for the Proposed Development and was taken forward by the Applicant to the next stage of design development. The results of the applicant's site selection process are considered in further detail in relation to BMV agricultural land and flood risk under the relevant topic chapters below.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
7.19		Conclusions	In summary, the Council raises some general concerns regarding the Applicant's site selection process, as set out above, primarily the acknowledged starting point of landowner willingness, the preference for a contiguous site and a drive to avoid the need for compulsory purchase acquisition. The ExA will need to be satisfied that the site selection process is robust and in line with the EIA Regulations and policy requirements, rather than being a 'retrofit' exercise to align with landowner aspirations.	Appendix A: Site Selection Report of the Planning Statement [AS-098] demonstrates how the Applicant has sought to identify a suitable site that is as least environmentally constrained as possible. Additionally, the Applicant sought to reduce the need for the use of Compulsory Acquisition powers, meaning that the availability of landowners willing to lease land for the Proposed Development was an important consideration. Taking account of the suitability of the location for solar infrastructure, the availability of a network connection, appraisal of planning and environmental constraints and willing landowners, the Site was selected to be taken forward for the Proposed Development. Following site selection, and through the process of design evolution, the Applicant has sought to minimise impacts wherever possible. The Applicant has followed the Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land from paragraph 8, which states <i>"The applicant should be able to demonstrate to the satisfaction of the Secretary of State that all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored. The applicant will also need to demonstrate that the proposed interference with the rights of those with an</i>



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				<i>interest in the land is for a legitimate purpose, and that it is necessary and proportionate."</i> 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. In terms of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, 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 <i>"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"</i>. Therefore, 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. Accordingly, the Applicant has set out the reasonable alternatives it studied in Chapter 4 Alternatives and Design Evolution of the ES [APP-029] which are relevant to the Proposed Development and its characteristics. 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 access point put forward at statutory consultation. The Applicant has set out in Chapter 4 Alternatives and Design Evolution of the Environmental Statement [APP-029] the main reasons for the options chosen, taking into account the effects of the development on the environment. This approach taken therefore fulfils the requirements of the EIA Regulations in terms of describing the reasonable alternatives studied by the Applicant.

8. Grid Connection and BESS

8.1-8.4	Navenby Substation Planning Application	The Council are of the view that a crucial aspect of this proposal is ensuring certainty about the grid connection. There is currently no existing grid connection available to the applicant for the Fosse Green Energy Park project and the development relies on connection to a new substation that is being promoted by National Grid at Navenby. The Applicant has received a grid connection offer from National Grid to connect to the proposed Navenby Substation with an export and import capacity of 240MW. However, the required infrastructure does not yet benefit from planning permission and hence is some years away from being available as a point of connection for the Fosse Green project. The proposed new Navenby Substation does not form part of the DCO application and will be subject to planning permission through the Town and Country Planning Act 1990, as amended, for which a planning application is to be submitted to NKDC. This presents potential	The Environmental Statement assesses any likely significant effects as a result of the Proposed Development, with cumulative effects specifically considered in Chapter 15: Cumulative Effects and Interactions of the ES [APP-040]. Given the uncertainty regarding the proposed National Grid substation near Navenby the ES assesses a worst-case Cable Corridor with the Order Limits significantly wider than shall be required during construction. The approximate 10km Cable Corridor is expected to require a 30m to 40m wide working area for the purposes of construction with a small number of wider areas up to 60m width for example at the location of any required HDD entry and exit pits. The Cable Corridor will be further refined during detailed design post consent of the DCO to take account of any unexpected, localised issues, including but not limited to archaeological finds, implications with respect to protected species and reducing impacts upon trees and hedgerows, for example.
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			concerns regarding the information available to inform the ES, the timing of the two related projects and the deliverability of the Fosse Green project. NPS EN1 paragraph 4.11.8 states that "On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead -in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element¹⁶⁰. Where this is the case, the applicant should include information on the other elements and explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused." Footnote 160 of NPS EN-1 acknowledges that different levels of information may be available at different times and as such applicants should take a proportionate approach to what information should be included. Paragraph 4.11.9 of NPS EN-1 further advises applicants that if this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections.	The Proposed Development is due to connect to the national electricity transmission network at the proposed National Grid substation near Navenby. Whilst the Proposed Development will connect into the Navenby substation, which does not yet have planning consent and has not been constructed, this is not a barrier to the granting of development consent if, as per paragraph 4.11.8 of the NPS EN-1 as highlighted by the Council, there are no obvious reasons for the other application not to be granted consent. Whilst it is acknowledged there is no planning permission for the proposed substation at the time of writing, given the generally supportive national and local policy position, and on the basis that National Grid Electricity Transmission (NGET) takes a responsible approach to siting, design and mitigation, in compliance with the 'Horlock Rules', there are no obvious reasons known to the Applicant why planning permission for the Navenby substation and associated overhead lines to connect it into the national grid would be withheld. NGET has stated to the Applicant that, should consent not be granted, the fall back is to appeal any such refusal to the Secretary of State and await determination. Paragraph 3.4.2 of the Grid Connection Statement [APP-200] states "<i>The Proposed Development will be connected to the proposed National Grid substation near Navenby. This substation will be the basis of a planning application by NGET under the Town and Country Planning Act 1990. At the time of writing of this report the application for the rights to construction and operate the proposed Navenby Substation is expected to be submitted in late 2025. It is currently expected that the application will be determined in Spring 2026. Subject to approval, NGET has informed the Applicant that construction work is expected to begin mid/late 2026 with a currently anticipated completion date in late 2029.</i>" At the time of writing this response, information provided on the National Grid website for the proposed substation in Navenby aligns with this timeline. It states that the anticipated timeline for the project is planning application submission in early 2026 with determination of the application currently expected in Spring 2026. Subject to receiving planning approval, the website states that substation construction would start in mid-late 2026, with construction of four new pylons in spring/summer 2028, and completion of the substation construction in late 2029. As stated in paragraph 3.4.2 of the Grid Connection Statement [APP-200], this is 3.5 years ahead of the connection date for the Proposed Development. NGET has a legal obligation to provide the Proposed Development and other energy generators with a connection to the National Electricity Transmission System (NETS). Following grid connection applications by several energy generators, including Springwell Energy Farm Limited and Fosse Green Energy Limited, National Grid concluded that it would not be possible to connect all the proposed developments to existing regional substations and that a network upgrade would be required, in the form of the proposed Navenby Substation. NGET confirmed that the proposed substation is not due to the Proposed Development alone, but the wider demand for connection in the area.



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8.5		Navenby Substation Planning Application – Justification for Separate Applications	An explanation of the reasons for the separate applications is not evident to the Council in the DCO application and reasoning on why the application for the development should not be refused is also considered to be lacking. The Applicant's statement s at paragraph 3.4.3 of the Grid Connection Statement [APP -200] and paragraph 4.5.4 of the PS [AS-098] are acknowledged. The Applicant is of the view that the substation proposal would align with policy and, subject to the appropriate application of mitigation measures, is anticipated to be granted planning consent, with no identified reasons for refusal. However, these are high level comments and are not considered to provide sufficient evidence that there are no obvious reasons why the Navenby substation application would not be refused as required by paragraph 4.11.8 of NPS EN-1.	The Applicant maintains that given the generally supportive national and local policy position, and on the basis that National Grid Electricity Transmission (NGET) take a responsible approach to siting, design and mitigation, in compliance with the 'Horlock Rules', there are no obvious reasons known to the Applicant why planning permission for the proposed National Grid substation near Navenby and associated overhead lines to connect it into the national grid would be withheld. The Applicant will provide a note on this matter at a subsequent deadline.
8.6		Navenby Substation Planning Application – Cumulative Effects	The Applicant has carried out an assessment of inter-project cumulative effects, the outcomes of which are detailed in Chapter 15 of the ES [APP -040] and under specific topic chapters of the ES. The proposed Navenby Substation is included on the short list of developments considered as part of this assessment. The ExA will need to be satisfied that a sufficient level of information is available for the Navenby substation and that a robust assessment of the inter -project effects has been undertaken in determining this application in order to comply with the EIA regulations, and paragraph 4.11.9 of EN-1. Further commentary on cumulative effects is provided in section 19 of this report below.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment. A robust assessment of cumulative effects has been carried out in the ES and is presented in Chapter 15 Cumulative Effects and Interactions of the ES [APP-040]. This has considered the effects of the proposed National Grid substation near Navenby along with the Proposed Development and other nearby schemes. Due to the distance between the proposed National Grid substation near Navenby from nearby sensitive receptors, and the temporary nature of works associated with the cabling works for the Proposed Development in this vicinity, the assessment has not identified any likely significant effects on any receptors when considering these this scheme with the Proposed Development.
8.7		Navenby Substation Planning Application – Potential for Construction Delays	Regarding the timings of the two projects, construction of the Fosse Green Energy Park is anticipated to take from 2 to 2.5 years commencing in 2031. The Grid Connection Statement [APP -200], states that engagement with the National Energy System Operator (NESO) has resulted in a grid connection offer which provides a connection date of 30 May 2033. It goes on to state that the applicant intends to negotiate an advancement in the connection queue post consent. The National Grid project website indicates that a planning application for the new substation would be submitted to NKDC in early 2026 with construction intended to commence mid-late 2026 and construction being completed by late 2029. The Grid Connection Statement at 3.4.3 further states that NGET has stated to the applicant that should consent not be granted the fall back would be to appeal any such refusal to the Secretary of State and await determination. This would likely result in a delay to the construction of the Navenby substation development.	The Applicant acknowledges there are timings to consider for the Proposed Development and the proposed National Grid substation in Navenby. However, at the time of writing this response, as set out on the National Grid website, the anticipated timeline for the project is planning application submission in early 2026 with determination of the application currently expected in Spring 2026. Subject to approval, the website states that substation construction would start in mid-late 2026, with construction of four new pylons in spring/summer 2028, and completion of the substation construction in late 2029. As stated in paragraph 3.4.2 of the Grid Connection Statement [APP-200], this is 3.5 years ahead of the connection date for Fosse Green Energy. Section 3.4 of Chapter 3: The Proposed Development of the ES [REP1-015] sets out the anticipated timelines for construction. It states the construction phase is anticipated to take 24 months if multiple construction teams are mobilised simultaneously, or up to 30 months if it is built out sequentially. Subject to being granted development consent construction is anticipated to start in 2031 to enable completion for the agreed connection date of 2033.
8.8		Navenby Substation Planning Application – Risk Associated with Consents and Non-Delivery	The Council considers the delivery of the Navenby substation to be a crucial element to the deliverability of the proposals. Whilst it is acknowledged that there is a significant time separation between the anticipated completion of the Navenby substation and commencement of construction of Fosse Green, uncertainty remains that the substation can be delivered within the indicated timescale or even not delivered at all, as it is still subject to consents being secured. As such there is a potential risk for negative environmental impacts	It is understood that under NGET's Transmission Owner's Licence: Standard Licence Condition D4A: Obligations in Relation to Planning, NGET is required to undertake all reasonable steps to obtain the required consents. Under the commercial agreement between the Applicant and NGET, should no new substation at Navenby be available, it would fall to NGET to find an alternative point of connection for the Proposed Development.



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			to occur from the Fosse Green development commencing without the benefits of generation which would be relied upon for the grant of any consent being secured.	
8.9	Navenby Substation Planning Application – Suggestion for Additional Requirement		The Council would suggest that further contingency is applied to compensate for potential delays in the forthcoming Navenby Substation application. It is recommended, that should the SoS be minded to grant consent for Fosse Green, that a requirement be imposed to restrict the commencement of the development, including any preparatory works, until such time planning permission has been secured for the Navenby Substation.	The anticipated timeline provided for the Navenby Substation on the National Grid's website, at the time of writing, estimates that a planning application under the Town and Country Planning Act 1990 (TCPA 1990) will be submitted to North Kesteven District Council (NKDC) in early 2026 for permission to construct and operate the Navenby Substation. National Grid's current estimate is that the application will be determined in Spring 2026 and, subject to approval, construction is hoped to begin mid/late 2026. On this basis, the estimated completion date will be late 2029. The Applicant would like to reiterate that it does not have any information beyond that which is in the public domain, and that this anticipated timeline based on National Grid's estimates, although accurate at the time of writing, is subject to change. The currently estimated completion date, according to National Grid, is late 2029 which is around 3.5 years ahead of the connection date for the Proposed Development. As detailed in the Grid Connection Statement [APP-200], the Applicant has secured a grid connection for the Proposed Development, meaning that it has been allocated a connection bay at the Navenby Substation. In the event there were a delay to National Grid's currently estimated timetable, this would be highly unlikely to impact the Proposed Development. On the basis that National Grid takes a responsible approach to siting, design and mitigation, in compliance with the 'Horlock Rules', and given the generally supportive national and local policy position, there are no obvious reasons known to the Applicant why consent for the Navenby Substation and associated overhead lines to connect it into the national grid would be withheld. Furthermore, the Applicant understands from National Grid that should planning permission not be granted, the fall back is to appeal any such refusal to the Secretary of State and await determination. Therefore, there is nothing to create any doubt surrounding the deliverability of the proposed National Grid substation near Navenby. As such, a requirement is not necessary for inclusion in the Draft DCO.
8.10	Navenby Substation Planning Application – Suggestion for Additional Requirement		The Council would draw the ExA's attention to the following DCO's where similar scenarios relating to further consents being required have been considered and restrictions in the DCO have been applied. Requirement 20 of the Viking CCS Carbon Dioxide Pipeline Order 202 53 which imposes a restriction on commencement until evidence that a permit for the offshore pipeline and storage works is in place and of any authorisation required by the Petroleum Act 1998 has been submitted and approved by the SoS; Requirement 33 of the Keadby 3 Carbon Capture Equipped Gas Fired Generating Station Order 20224 imposes a restriction on commencement	The Applicant notes that the DCOs referred to by the Council are not for Solar NSIPs, but for carbon capture projects which are, by their very nature, different to the Proposed Development. Therefore, these projects are inevitably subject to different permit regimes and legislative requirements than those that are applicable to the Proposed Development. These vastly different circumstances necessitate the inclusion of certain requirements in the DCO which are not required for the projects such as the Proposed Development. Whilst the Applicant notes the Council's point regarding the Springwell Solar DCO Application, it is important to acknowledge that although the changes suggested by an Examining Authority are included in its recommendation report, the Secretary of State is under no obligation to include them when granting a DCO.



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			until evidence that the following are in place and have been submitted and approved by the relevant planning authority: 2. Development Consent for constructing the National Grid Carbon Gathering Network; 3. A Carbon Dioxide Storage Licence for the intended storage site; 4. An Environmental Permit for Work No. 1; and 5. Any pipeline works authorisation required under section 14 of the Petroleum Act 1998 for offshore pipeline works. The Springwell Solar DCO application (currently at recommendation stage) is also seeking a point of connection at the Navenby Substation. The ExA's Schedule of Proposed Changes to the draft DCO includes a requirement to restrict the commencement of development, including preliminary works, until planning permission for the Navenby Substation has been granted. The ExA acknowledged that in terms of commercial reality and the unlikelihood that the developer would proceed with the construction of the development until there was certainty that the Navenby Substation would be delivered. However, the ExA was mindful that it would be possible for the developer to undertake site preparation works (such as hedgerow and tree removal) prior to planning permission being granted for the Navenby Substation that would be at limited commercial cost, but which could result in adverse environmental effects. A decision on this application is expected May 2026.	The Secretary of State is the decision-maker for a DCO Application. Although the Examining Authority provides a written recommendation, the Secretary of State can make a decision contrary to this. Therefore, whilst acknowledging that a requirement to restrict the commencement of development until such time as planning permission for the Navenby Substation has been granted was included in the Examining Authority's Schedule of Proposed Changes to the Draft DCO for Springwell Solar Farm, at this time, there is no indication that this will be incorporated into the as made DCO, should development consent be granted. The Examining Authority's recommendation for the Springwell Solar Farm DCO Application was sent to the Secretary of State for Energy Security and Net Zero on 8 January 2026, with a decision expected to be made on or before 8 April 2026. Until the decision is made, there is no indication of whether such a requirement will be included within any DCO granted by the Secretary of State.
8.11 – 8.14		BESS Capacity	The Fosse Green proposals include the construction and operation of a BESS as part of the development. The BESS is expected to have a capacity of 480MWh, that would be charged by 2 hours of peak production. This would equate to approximately 328 batteries that would either be located in a single centralised facility or would be distributed in smaller units around the site alongside the solar stations. The battery containers would measure up to 6.5m x 2.5m, and 3m in height. If a centralised BESS is selected during detailed design, it would be positioned adjacent to the on -site substation compound in a dedicated area of approximately 315 m × 165 m. NPS EN-3 paragraph 3.10.40 acknowledges that solar farm applications may also include associated infrastructure such as energy storage. 'Planning Act 2008: Guidance on associated development applications or major infrastructure projects' (April 2013) states that <i>"Associated development should be proportionate to the nature and scale of the principal development" and "The definition of associated development requires a direct relationship between associated development and the principal development. Associated development should therefore either support the construction or operation of the principal development, or help address its impacts... ii. Associated development should not be an aim in itself but should be subordinate to the principal development."</i> The Council recommends that additional information is sought to clarify the relationship between the 240MW grid connection offer, the 480MWh BESS capacity and a yet to be determined generating capacity of the solar arrays (stated as between 319 to 384MW dc depending on panel type and planting ratio). This is considered necessary to assess the assertion that the BESS	The Applicant notes that NPS EN-3 (as designated in January 2024) states that "Associated infrastructure may also be proposed and may be treated, on a case by case basis, as associated development, such as energy storage" (Paragraph 2.10.16). Battery storage will play a key role in transitioning to net zero with the additional storage capacity also benefitting the wider electricity system. The Planning Statement [AS-098] and Statement of Need [APP-184] both discuss the supporting planning policy for co locating a BESS with solar PV and highlight the ability of this combination to support the National Electricity Transmission System. The inclusion of a BESS will be a major contributing factor, not only in terms of the success of the Proposed Development by avoiding surplus electricity generation on peak sunny days to be stored rather than wasted, but also in its ability to support the wider Electricity System by importing electricity when there is excess electricity in the National Electricity Transmission System and exporting it when it is most needed. The BESS element of the Proposed Development supports operation by storing energy when it is generated in abundance and releasing it to the grid when it is needed (peak demand, when prices may also be higher), increasing the reliability of the energy system and contributing to the security of supply. Additionally, the BESS will help to support the grid through grid balancing mechanisms, due to the ability to import power from the grid. The main purpose of the BESS is to increase the operational efficiency of the solar PV panels by ensuring that energy generated can be stored when demand is low. The Applicant has provided its justification for the associated nature of the proposed BESS in answer to the Examining Authority's First Written Questions,



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			development is 'associated development' and is proportionate to the nature and scale of the principal development, in accordance with the Planning Act 2008.	GC.1.07(d), set out in the Applicant's Response to the Examining Authority's First Written Questions [EN010154/EXAM/9.9] and also included in the Solar Technology Technical Guide [EN010154/EXAM/9.12] , both submitted at Deadline 2.
9. Landscape and Visual				
9.1-9.12	N/A	Legislation and Policy	(Text not copied from LCC LIR)	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to landscape and visual in ES Appendix 10-A LVIA Policy [APP-148] and appraised in Section 6 of the Planning Statement [AS-098] . National and local planning policy relevant to landscape and visual is also considered in Appendix B National Policy Accordance Tables and Appendix C Local Policy Accordance Tables of the Planning Statement [AS-098] .
9.13-9.14	N/A	Council Commissioned Landscape and Visual Review	The Council commissioned AAH Landscape Consultants to assist in the consideration and review of the landscape and visual elements of the Fosse Green proposal and have engaged and provided feedback and advice to the Applicant's design team on behalf of the Council throughout the pre - application stage. A full copy of the report prepared by AAH is attached as an Appendix i which has reviewed the DCO application documentation, and the following summary and conclusions is based on those comments and should be read in conjunction with the full document. It should also be noted that AAH Landscape Consultants are providing landscape and visual advice and support for NKDC in addition to the Council, as such the content of their response is substantially the same for each of these authorities. The AAH consultant's report provides an overall summary and conclusion on the suitability of the Landscape and Visual elements of the DCO Application and whether they are sufficient to support an informed decision. This includes the adequacy of the Landscape and Visual Assessment (LVIA), which has been reviewed in accordance with the Landscape Institute Technical Guidance Note 1/20 (10 Jan 2020): LVIA's and Landscape and Visual Appraisals (LVAs). Finally, there are recommendations for further information that should be provided to assist in the examination of the DCO Application.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
9.15	AS-117	Methodology – General Comments	The LVIA submitted as part of the DCO Application is considered comprehensive, well-presented and generally undertaken in accordance with current best practice, notably GLVIA3 and LI TGN-2024-01. The LVIA is proportionate to the scale of the Development and has been prepared by competent experts. It clearly identifies the main potential effects arising from construction, operation (Years 1 and 15) and decommissioning phases.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
9.16	AS-117	Landscape Scale, Permanence and Significance of Effects	By reason of its mass and scale, the Development would lead to Significant adverse effects on landscape character and visual amenity at all main phases of the scheme (construction, operation year 1, operation year 15). The Development has the potential to transform the local landscape by altering its character on a large scale across an extensive area. This landscape change also has the potential to affect a wider landscape character, at a regional scale, by replacing large areas of agricultural or rural land with solar development, affecting the current openness, tranquillity and agricultural character that are identified as defining characteristics of the area. AAH also	The Applicant acknowledges AAH's summary of the potential landscape character and visual amenity impacts. The mass and scale of the Proposed Development, resulting change in land use and perceptual qualities, have been considered in ES Chapter 10: Landscape and Visual Amenity [AS-117] in reaching judgements on the likely significant landscape and visual effects. This includes landscape receptors at a regional, district, local and site-level, as well as visual receptors within 2km of the DCO Site, as agreed with the host authorities. The Applicant judges that significant residual landscape effects (Year 15 of Operation) would remain at a local and site-level due to the notable change in land use but the establishment and maturation of vegetation implemented as part



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			judges that this would likely be classed as a permanent project in regards to landscape and visual matters, spanning several generations.	of the Proposed Development would allow the solar PV infrastructure to integrate into the landscape framework such that the changes to the landscape character at a regional and district level would not be significant. The Applicant is seeking a 60-year consent, which is consistent with other similarly sized solar projects including consents granted for a number of solar NSIPs, such as Tillbridge Solar Farm, Mallard Pass Solar Project, West Burton and Gate Burton Energy Parks, which have all been granted 60-year consents. In recent decisions the Secretary of State has confirmed that the 60- year consent lifespan is 'temporary and reversible for the majority of the land' (paragraph 4.167 of the Gate Burton decision) and it is the case for this Proposed Development as noted in paragraph 4.4.2 of the Planning Statement [AS-098] that at the time of decommissioning the land will be returned to its original condition. The Applicant acknowledges that the residual effects would be long term but disagrees that the project should be classed as a permanent project. The DCO Application is for a time-limited consent; thus, following decommissioning and removal of all above ground infrastructure from within the Site, the associated landscape and visual effects would cease. There is only 4.6ha of land that is classed as permanently lost, due to the proposed landscaping that the Applicant does not intend to remove during decommissioning. However, this land is not truly lost from farming forever; the landowners/farmers can choose to remove the landscaping/planting in the future if they choose (and part of this is the community orchard, which technically is a form of agricultural use). The justification for partly reversible effects is based on the provision within the Framework DEMP [REP1-035] for hedge and tree planting to be retained as far as possible where its removal is not required to facilitate decommissioning (ref. Table 5, ID LV-D1).
9.17	AS-117	Landscape Character and Visual Impacts – General Comments	Based on AAHs review, it is clear from the LVIA findings that the Development is of a scale that would introduce extensive change to the existing agricultural landscape, permanently altering the character and experience of the Site and its immediate context. Significant adverse effects on both landscape character and visual receptors are identified at all stages of the Development, even following the establishment of mitigation (Year 15). The assessment recognises that the Development would transform the Principle Site and areas within the Local Landscape Character Areas (LLCA), including LLCA 03: Tunman Hill and LLCA 08: Thurlby Fenland, resulting in direct and long-term impacts.	The Applicant acknowledges AAH's summary of the potential Landscape Character Impacts and notes that the assessment of landscape impacts for these LLCAs, contained at Appendix 10-E: Landscape Assessment of the ES [APP-152] , conclude a Moderate adverse effect during operation (Year 15) for LLCA 03: Tunman Hill and LLCA 08: Thurlby Fenland.
9.18	AS-117	Mitigation Limitations, Residual Harm and Disagreement with LVIA Judgements:	While mitigation would partially reduce effects over time, the predicted benefits are dependent on successful implementation, establishment and ongoing long-term management of new planting. The reliance on planted mitigation in a predominantly open landscape may introduce its own adverse effects, including changes to the perceived openness and rural qualities, and potential enclosure where currently absent. The key areas of disagreement have been identified with elements of the LVIA, primarily regarding:	The detailed assessment of landscape effects is provided at ES Appendix 10-E Landscape Assessment [APP-152]. In response to the point that reductions in significance for some of the sub-areas (reducing to non-significant levels by Year 15 as a result of mitigation) are inappropriate due to changes in land use across the Order Limits, this relates to Sub-area 2: Terrace Sandlands and Sub-area 5: Witham and Brant Vales only. Significant effects are reported for these sub-areas during construction and Year



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			- The extent and permanence of effects on directly affected landscape character areas, where reductions in significance are presented for certain sub-areas but would more appropriately remain Significant due to land - use change across the Order Limits; - The treatment of LCT 4a: Unwooded Vales, which is judged in the LVIA as experiencing only Minor adverse effects despite clear direct alteration of its defining characteristics (openness, agricultural land use); - The conclusion that some LLCA would reduce to non -significant levels by Year 15, which is inconsistent with other directly affected areas; - The conceptual treatment of the Development's operational duration as temporary needs clarifying, whereas its 60-year lifespan is more akin to a permanent change in landscape terms.	1 but then reduce to non-significant levels at Year 15. This is due to the establishment and maturation of the proposed landscape mitigation, providing an increased density of planting in both sub-areas, such that perceived changes would be limited to the Order Limits and its immediate setting. In the context of these sub-areas, this would amount to a small geographic extent and therefore only a subtle alteration to the landscape character. In response to the point about LCT 4a: Unwooded Vales experiencing Minor adverse effects at Year 1, despite direct impacts, this is because the scale and extent of the changes would affect a small geographic extent of a much larger regional LCT. As such, there would only be subtle alteration to the landscape character. In response to the point that some of the LLCAs reducing to non-significant levels by Year 15 would be inconsistent with other directly affected areas, this relates to LLCA 13, LLCA 14 and LLCA 15 only. Significant effects are reported for these LLCAs during the construction phase as a result of cabling works, but during the operational phase the cable would be buried and no physical infrastructure would remain above ground, hence the reduction to non-significant levels of effect. The Applicant acknowledges that the residual effects would be long term but disagrees that the project should be classed as a permanent project. GLVIA3 notes at paragraph 5.52 that developments that have a limited life are often argued to be reversible, in other words temporary, as the development will eventually be removed and the land reinstated. The DCO Application is for a time-limited consent thus, following decommissioning and removal of all above ground infrastructure from within the Site, the associated landscape and visual effects would cease. The justification for partly reversible effects is based on the assumption that trees and hedgerows planted as part of the Proposed Development would be retained.
9.19	AS-117	Visual Impacts – General Comments	The visual assessment identifies numerous receptors experiencing Significant adverse visual effects during construction and early operation, notably users of key PRoW networks and residents in proximity to the Development. Some residual significant effects would remain at Year 15 despite mitigation, indicating that full visual integration is not achievable due to the scheme's scale and proximity to these receptors.	The detailed assessment of visual effects is provided at ES Appendix 10-F Visual Assessment [AS-120] Those visual receptors that would experience residual significant effects (Year 15 of Operation) relate to the recreational users of PRoW that pass through or adjacent to the Order Limits where substantial alterations to views are inevitable due to the close distance and large exposure to the Proposed Development. Nonetheless, in the pursuit of securing good design, the design has evolved in line the Project's Design Principles which includes <i>'The Proposed Development will be sensitively integrated into its landscape setting, to minimise adverse landscape and visual effects as far as possible'</i>, details of which are set out in the Design Approach Document [APP-186]. For example, this includes commitments such as siting larger infrastructure such as the Onsite Substation and centralised BESS Compound within areas of enclosed landscape, maintaining existing field patterns and landscape structure, and specifying stock proof fencing with wooden posts around the perimeter of the Principal Site.



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9.20	AS-117	Visual Impacts on Recreational Users	The visual effects on recreational users is of particular concern. Several of the PRow identified as experiencing Significant adverse effects form part of promoted walking routes in the local area, including the Stepping Out Walks at Thorpe on the Hill, and Morton and Tunman Wood, which attract increased levels of use due to their recreational value. In addition, while not specifically identified in the LVIA, the Bassingham and Villages Circular Trail passes alongside the southern Order Limits and would be subject to clear, close - range views of the Development, resulting in adverse visual effects that are not explicitly recognised in the assessment. The proposed permissive paths, while providing additional route connectivity, are located in close proximity to the solar infrastructure and would offer continuous sequential views of the scheme. As such, they would not serve to reduce or offset the adverse effects on users of existing PRow and would not be considered as meaningful mitigation to visual effects.	To mitigate visual impacts on recreation users of PRow, the Applicant has embedded a minimum 10m offset from the centre line of PRow (ref. Paragraph 6.1.1 of the Framework LEMP [REP1-039]). Where development is proposed on both sides of a PRow, sections of wider offsets reflecting local features, such as hedgerows, have been integrated to vary the visible extent of proposed infrastructure and the overall visual experience, where practicable. The permissive paths are proposed as a means of enhancing public provision and connectivity with the existing network of PRow in accordance with Design Principle 10 of the Design Approach Document [APP-186], rather than as a means of mitigating the visual impacts. The provision of a detailed LEMP, which is to be substantially in accordance with the Framework LEMP [REP1-039], is secured under Requirement 8 of Schedule 2 to the Draft DCO [REP1-007] Where the Bassingham and Villages Circular Trail passes along the southern Order Limits, it does so along Clay Lane, which is a non-classified highway, rather than an adopted PRow. ES Chapter 10: Landscape and Visual Amenity (Rev 2) [AS-117] has therefore assessed users of Clay Lane on this basis, and the potential for clear, close-range views of the Proposed Development has influenced the conclusions of Moderate adverse (significant) effects at construction and Year 1 of operation. By Year 15 of operation, the effects are anticipated to reduce to Minor Adverse (Not Significant) on the basis that the proposed and existing hedgerows will screen and filter views of the Proposed Development such that the exposure to views of solar PV infrastructure will be substantially reduced.
9.21	AS-117	Underestimation of Cumulative and Sequential Landscape Effect	Cumulative effects are acknowledged within the LVIA; however, the scale and extent of existing and potential future energy developments across the district and region are likely to lead to a more transformative combined impact than suggested. We consider regional landscape character may be fundamentally altered, and sequential visual effects across multiple solar schemes may be underplayed.	The approach to assessing cumulative landscape and visual effects is consistent with PINS Guidance on Cumulative Effects and follows a proportionate methodology as outlined in GLVIA3. The cumulative assessment contained in ES Chapter 10: Landscape and Visual Amenity [AS-117] primarily focusses on the cumulative schemes within the 2km Zone of Influence (Zol), as this was judged to be the geographic area across which landscape and visual effects were most likely to occur, although the nearest NSIP scale solar schemes beyond 2km were also scoped in given their similar scale and typology to the Proposed Development. Furthermore, as set out in ES Chapter 15: Cumulative Effects and Interactions [APP-040], only residual effects classified as minor, moderate, or major in the individual technical topic assessments were considered in relation to potential Effect Interactions. Residual effects classified as negligible or no effect were excluded from the assessment of the Effect Interactions as, by virtue of their definition, they are considered to be imperceptible and are unlikely to lead to a significant in-combination effect. As set out in the detailed assessment of landscape effects provided at ES Appendix 10-E Landscape Assessment [APP-152], no regional landscape character areas were identified as likely to experience more than negligible



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				residual effects and were therefore not considered further as part of the cumulative assessment.
9.22	AS-117	Residential Visual Amenity	Residential Visual Amenity (RVAT) has been addressed within the LVIA, and although no properties are assessed as exceeding the RVAT, several are expected to experience Significant adverse effects, particularly in the early years of operation. This should be interrogated further during Examination, but we agree that the RVAT is unlikely to be met.	The Applicant's approach to assessing Residential Visual Amenity is provided at Section 1.5 of ES Appendix 10-B LVIA Methodology [APP-149]. This explains that the iterative design process has sought to embed mitigation such that the Residential Visual Amenity Threshold has not been met, i.e. no residential receptors were found to have major adverse effects at Year 15, and therefore a specific Residential Visual Amenity Assessment has not been undertaken.
9.23	AS-122	Anticipated Content of Detailed Management Plans	While the submission includes landscape proposals (as shown on Figure 15-1: Landscape Mitigation Plan within Appendix A of the Landscape and Ecological Management Plan (LEMP), secured via Work No. 9. on the Works Plans and DCO), these are of a high level and it would be expected that if the project proceeds much more detailed plans would be submitted and subsequently agreed with the appropriate authority prior to the commencement of any works and secured through Requirements of the DCO. This would include clear detail of the areas of landscape mitigation, location and types of planting (species), as well as number, density and specification. The mitigation illustrated on the Landscape Mitigation Plan has been utilised to assess the landscape and visual effects of the scheme; therefore, we would expect any detailed landscape proposals to consist of the area and extent shown on these plans as a minimum.	Paragraph 1.2.4 of the Framework LEMP [REP1-039] notes that the Landscape Mitigation Plan provided at Figure 7.15-1 shows how the landscape and ecology mitigation and enhancement will be implemented across the DCO Site. The Framework LEMP also sets out the requirement for detailed specifications of planting to be developed as part of the detailed LEMP based upon the information set out within the Framework LEMP. For example, (ref. paragraph 5.3.19) requires that a "detailed specification for hedgerows will be developed based on the indicative species, sizes, and percentages outlined in Table 2". Requirement 8 of Schedule 2 to the draft Development Consent Order [REP1-007] provides that the detailed LEMP, substantially in accordance with the Framework LEMP, is to be submitted to NKDC (as the relevant planning authority) for approval following consultation with LCC, Natural England and the Environment Agency. The detailed LEMP is to be implemented as approved.
9.24	N/A	Conclusions	Therefore, the Council concludes that the proposed development would have negative landscape and visual impacts.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10. Ecology				
10.1	N/A	Legislation and Policy	Section 5.4 of NPS EN-1 covers biodiversity and geological conservation. The government's policy for biodiversity in England is set out in the Environmental Improvement Plan 2023, the National Pollinator Strategy and the UK Marine Strategy. The aim is to halt overall biodiversity loss in England by 2030 and then reverse loss by 2042, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. Healthy, naturally functioning ecosystems and coherent ecological networks will be more resilient and adaptable to climate change effects. Failure to address this challenge will result in significant adverse impact on biodiversity and the ecosystem services it provides (paragraph 5.4.2).	The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to ecology in ES Appendix 8-A Ecology Legislation, Planning Policy Context and Guidance [APP-133] and appraised in Section 6 of the Planning Statement [AS-098]. National and local planning policy relevant to ecology is also considered in Appendix B National Policy Accordance Tables and Appendix C Local Policy Accordance Tables of the Planning Statement [AS-098].
10.2	N/A	Legislation and Policy	Paragraph 5.4.39 states that the SoS 'should have regard to the aims and goals of the government's Environmental Improvement Plan 2023 and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere'. Paragraph 5.4.41 goes on to state that 'the benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The SoS may take account of any such net benefit in cases where it can be demonstrated'. Paragraph 5.4.43 states 'If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



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			<i>resort, compensated for, then the SoS will give significant weight to any residual harm'.</i>	
10.3	N/A	Legislation and Policy	Paragraph 5.4.46 advises that development proposals provide many opportunities for building -in beneficial biodiversity or geological features as part of good design and the SoS should give appropriate weight to environmental and biodiversity enhancements, but any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.4	N/A	Legislation and Policy	Local Policies: • CLLP Policy S14: Renewable Energy • CLLP Policy S59: Green and Blue Infrastructure Network • CLLP Policy S60: Protecting Biodiversity and Geodiversity • CLLP Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains • CLLP Policy S66: Trees, Woodland and Hedgerows	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.5	N/A	Legislation and Policy	CLLP Policy S60 (Protecting Biodiversity and Geodiversity) states that development proposals will be considered in the context of the relevant Local Authority's duty to promote the protection and recovery of priority species and habitats. Where adverse impacts are likely, development will only be supported where the need for and benefits of the development clearly outweigh these impacts. In such cases, appropriate mitigation or compensatory measures will be required.	The Applicant acknowledges this section of the LIR prepared by LCC and notes that specific mitigation and compensatory measures will be provided as part of the Proposed Development and are outlined in the Framework CEMP [REP1-031] and the Framework LEMP [REP1-039] and secured via Requirements 12 and 8 of Schedule 2 of the Draft DCO [REP1-007].
10.6	N/A	Legislation and Policy	CLLP Policy S61 (Biodiversity Opportunity and Delivering Measurable Net Gains) states that all qualifying development proposals must deliver at least a 10% measurable BNG attributable to the development. The net gain should be calculated using Natural England's Biodiversity Metric and be provided on-site where possible. Unless specifically exempted by Government, a biodiversity gain plan should be submitted providing clear and robust evidence for BNGs and losses. This plan should also include details of the pre-development biodiversity value of the onsite habitat, the post-development biodiversity value of the onsite habitat following implementation of the proposed ecological enhancements/interventions, and an ongoing management strategy for any BNG proposals.	A BNG assessment has been undertaken and provided in the Biodiversity Net Gain Report [APP-194] to quantify the overall effect of the Proposed Development upon the DCO Site's biodiversity value. This is achieved by comparing the DCO Site's baseline habitat value with that following implementation of the Proposed Development. Calculations consider the level of proposed habitat loss, retention, enhancement and/or creation delivered by the Proposed Development and are measured using DEFRA's Statutory Biodiversity Metric. The Proposed Development will deliver at least 10% measurable BNG and would be provided within the Order Limits. The Applicant is committing in Requirement 8 of the draft Development Consent Order [REP1-007] 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 based on Statutory Biodiversity Metric Version 1.0.4. Habitats will be monitored to ensure correct establishment and growth, and remedial action would be taken if establishment and growth does not proceed, as provided for in the Framework LEMP [REP1-039] to ensure the delivery of the committed biodiversity units. A detailed LEMP, substantially in accordance with the Framework LEMP, is to be submitted to NKDC for approval as the relevant planning authority. The detailed LEMP must be implemented as approved.
10.7	N/A	Legislation and Policy	CLLP Policy S66 (Trees, Woodland and Hedgerows) states that planning permission will only be granted if the proposal provides evidence that it has been subject to adequate consideration of the impact of the development on any existing trees and woodland found on-site. Proposals for new development will also be expected to retain existing hedgerows where	All woodland, hedgerows and trees have been retained wherever practicable and have been afforded suitable protective buffers, as laid out in the Framework CEMP [REP1-031] and Framework LEMP [REP1-039]. Retained hedgerows have been integrated into the design and supplemented to increase the total



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			appropriate and integrate them fully into the design, having regard to their management requirements.	length of on-site hedgerow and the biodiversity value of these hedgerows as detailed in the Framework LEMP [REP1-039]. Existing individual trees, shrubs and woodland (including hedgerow trees) will be managed to provide longevity, increase species diversity, enhance habitat value and improve resilience to climate change. This will include the gapping up of existing hedgerows, where appropriate, to boost species and age diversity, providing better connectivity and increasing the number of climate and disease resilient species. During construction the retained vegetation will be protected. Measures to be employed will include the use of clearly defined stand-offs, managing the structure and integrity of the retained vegetation, and undertaking any pruning outside of the bird breeding season and in accordance with hedgerow regulations. Further detail of the management of existing habitat, and implementation, establishment and management of new habitat will be detailed in the detailed LEMP and CEMP to be developed during detailed design post-consent.
10.8	APP-033	Ecology and Nature Conservation Impacts – General Comments	The Council has reviewed the submitted information concerning the assessment of potential ecological effects of the proposed development. APP-033 (6.1 Environmental Statement Chapter 8: Ecology and Nature Conservation) and associated appendices set out the biodiversity and ecological elements of the Applicant's Environmental Statement. The Council considers that information included in (APP-033) and its appendices provides a reasonable summary of ecological interest features and likely significant effects, mitigation, and residual effects of the proposed development.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.9	AS-042	Baseline Understanding – Statutory Designated Sites	There are no internationally important sites designated for biodiversity within 10km of the proposal and two nationally important sites designated for biodiversity within 5km of the Order limits. The location of these sites is shown in ES Figure 8-1 Sites Statutorily Designated for Biodiversity Value (Revision 2) [AS-042].	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.10	AS-043	Baseline Understanding – Non-Statutory Designated Sites	There are 29 non-statutory sites designated for biodiversity importance either within or within 2km of the Order limits. The locations of these non-statutory sites are set out in 6.2 ES Figure 8-2 Sites non -statutorily designated for their biodiversity value (Revision 2) [AS-043].	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.11	APP-033 APP-189	Baseline Understanding – Local Wildlife Sites and Planned Mitigation	Sections of two Local Wildlife Sites (LWS) fall within the proposed DCO boundary and will therefore potentially be directly affected by the proposals. These are the River Witham, Aubourn to Beckingham LWS and Navenby, Green Man Road Verges LWS. Table 8-13 of APP-033 sets out proposed mitigation for potential impacts which includes using trenchless methods to cross the River Witham and soil storage and habitat restoration using locally sourced seed for the impacted length of road verge. These mitigation proposals are considered acceptable and are secured in the framework Construction Environmental Management Plan (CEMP) [APP-189]. Appropriate mitigation measures are also proposed for LWS which lie adjacent to the proposed DCO boundary.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.12	N/A	Ecology and Nature Conservation Impacts – General Comments	When proposed mitigation measures are taken into account, no significant effects on LWS sites are predicted.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



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10.13	APP-181	Habitats Regulations	A Habitats Regulations Assessment report [APP-181] has been prepared which assesses potential pathways for Likely Significant Effects on European sites. There are no European sites present within 10km of the DCO Site boundary, and no European sites are designated for birds (within 20km) or bats (within 30km). The Wash SPA/Ramsar and the Wash and North Norfolk Coast SAC are hydrologically connected to the Proposed Development via the River Witham, however they are approximately 70km downstream of the Proposed Development. APP-181 concludes that at this distance there are no potential impact pathways. APP-181 therefore concludes that there will be no significant effects on any European site.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.14	APP-181	Habitats Regulations	The Council agrees with the Applicant's conclusion that a Habitats Regulations Assessment is not required however, The Planning Inspectorate will need to satisfy itself that sufficient information has been submitted by the Applicant to enable this conclusion to be reached.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.15	APP-033	Existing Biodiversity Value	A range of both desk-based studies and field surveys has been undertaken to establish the suite of habitats present within the DCO site boundary. These are described in APP-033 and associated appendices. A suite of habitat types of up to national importance were identified. The Council is of the opinion that the level of survey effort, survey methods and desk -study research undertaken to identify important habitats and establish the baseline biodiversity value is appropriate.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.16	APP-033	Existing Biodiversity Value	APP-033 identifies a range of ecological impacts across all phases of the development. These potential impacts include both permanent and temporary or damage to habitats, species mortality and disturbance and the potential for causing the introduction or spread of invasive non -native species (INNS). If unmitigated these impacts have the potential to result in significant impacts on various elements of the site's ecological interest.	Within the ES Chapter 8 Ecology and Nature Conservation [REP1-019] potential impacts to habitats and species have been identified then assessed based on the embedded mitigation measures that are incorporated into the Proposed Development design. Additional mitigation and enhancement measures are provided along with residual and cumulative effects. The mitigation and enhancement measures provided as part of the Proposed Development are provided in the Framework CEMP [REP1-031] and the Framework LEMP [REP1-039] and secured in Schedule 2 Requirements 12 and 8 of the Draft DCO [REP1-007]
10.17	APP-189 APP-190 AS-101 (now AS-122) APP-191 APP-183	Existing Biodiversity Value	The Applicant has prepared a Framework CEMP [APP-189], a Framework Operational Environmental Management Plan [APP-190], a Framework LEMP [AS-101] and a Framework Decommissioning Environmental Management Plan (DEMP) [APP-191]. A Commitments Register [APP-183] has been prepared which provides a helpful summary of the how mitigation identified for the Project including embedded and additional mitigation measures are secured.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.18	N/A	Existing Biodiversity Value	Overall, the Council agrees with the Applicant's approach and considers that the proposed impact avoidance and mitigation measures for construction, operational and decommissioning phases of the development are appropriate and will need to be secured in the DCO. The Council has the following specific comments to make in relation to impacts on the suite of habitats present on the site:	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.19	APP-155	Ancient Woodland and Veteran and Ancient trees	The applicant's Arboricultural Assessment [APP-155] states that there are no areas of ancient woodland identified within the proposed DCO boundary however Tunman and Housham Woods are immediately adjacent to the DCO	Whilst no areas of ancient woodlands (including replanted ancient woodland) are present within the DCO Site Tunman/Housham Woods are immediately adjacent to the DCO Site.



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			boundary, and these are identified on as Ancient Replanted Woodlands on Priority Habitat Mapping on the MAGIC website.	Tunman Wood and Housham Woods will be protected and buffered by a minimum of 15m from the Proposed Development with the buffer zones in accordance with British Standard Recommendations BS 5837:201222, as stated in the Framework CEMP [REP1-031]. These buffer zones will not only ensure protection but allow regeneration of the woodland edge to provide additional habitat and linkages from the wood. Other measures to prevent indirect impacts (e.g. potential dust, noise and lighting impacts) are provided in the Framework CEMP [REP1-031].
10.20	APP-155	Ancient Woodland and Veteran and Ancient trees	APP-155 identifies 126 trees considered likely to be veteran and two trees considered likely to be ancient. No veteran or ancient trees are proposed to be removed to facilitate the development, and appropriate buffers will be implemented to ensure their protection. Clarification is required however in relation to how trees have been classified as veteran or ancient as this will have an impact on the site's baseline biodiversity value as calculated by the Statutory Biodiversity Metric.	Section 5.3 of the Arboricultural Impact Assessment [APP-155] defines how veteran and ancient trees have been classified, as follows; <i>"the classification of such trees is relatively subjective with no universally accepted criteria to determine status. Various attributes are associated with veteran trees including extensive decay or hollowing, crown retrenchment, large girth, fungi, dead wood etc. For the purposes of this assessment, the Applicant considers ancient trees to be individuals beyond maturity that are "aged" in comparison with other trees of the same species (intraspecies). Veteran trees are considered those with a mature stem diameter, showing extensive decay or deadwood habitat features, they may feature fungal fruiting bodies or other associated organisms, often with a good development of functional units. Veteran trees are generally considered to be 'survivors'. Both ancient and veteran tree features are considered to be irreplaceable habitats under planning policy"</i> .
10.21	APP-155 APP-189	Ancient Woodland and Veteran and Ancient trees	The Council considers that measures aimed at the protection of ancient woodlands and veteran or ancient trees set out in the Framework CEMP [APP-189] are appropriate.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.22	AS-101 (now AS-122)	Arable field margins and scarce arable flora	The Council notes that Field AF29 has been assessed as being of national importance for scarce arable flora and fields AF17 and AF72 are assessed as being of County Importance for scarce arable flora. Prior to construction, seed from these fields would be harvested and seeded in cultivated field margins within retained arable fields close to these fields. In addition to this following the cessation of arable farming these fields would be subject to the provision of disturbed field margin strips to ensure that suitable conditions remain for these species. The Council considers that this proposed mitigation is appropriate and is effectively secured within the Framework LEMP [AS-101] at 4.1.18 and 5.3.88.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.23	APP-043	Protected and priority species	A suite of both desk -based studies and field surveys has been undertaken to identify protected and priority species likely to occur within the DCO Site Boundary. These are described in APP-043 and associated appendices. The Council has reviewed the application in accordance with Natural England's standing advice for protected species. Having considered APP-043, the Council considers that the survey methods used, and the survey effort deployed were appropriate.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.24	N/A	Protected and priority species	Without mitigation, the proposed development has the potential to result in negative effects on the populations of a number of species / species groups.	Mitigation measures will be provided as part of the Proposed Development and are outlined in the Framework CEMP [REP1-031] and the Framework LEMP [REP1-039]. These relate to specific habitats and species and will be refined as part of the detailed CEMP and detailed LEMP produced following the grant of DCO consent and which will be substantially in accordance with the framework plans, as secured by Requirements 12 and 8 of the Draft DCO [REP1-007].



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10.25	N/A	Protected and priority species	Where protected species will be affected by the proposed development, a licence from Natural England will be sought and mitigation will be secured as part of the licensing process. The Council agrees with this approach.	As set out in Table 8-2 of ES Chapter 8: Ecology and Nature Conservation [REP1-019] the Applicant does not anticipate that any protected species licences will be required, due to the avoidance and mitigation measures embedded in the Proposed Development design. However, should pre-commencement surveys indicate a change in baseline ecological conditions which may require protected species licences, then Natural England will be consulted and appropriate licences applied for as relevant.
10.26	N/A	Protected and priority species	The Council has the following specific comments to make in relation to impacts on protected and priority species:	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.27	APP-033	Terrestrial invertebrates	The Council notes that the presence of two notable butterfly species has been detected in the study area. Habitat mitigation and enhancement proposals should take account of the species presence and any opportunities to bolster their populations. An example of this could be ensuring that any elm present in the site are retained as far as possible and included in any planting which would benefit White-letter hairstreak.	As described in the Framework LEMP [REP1-039] over 16km of additional native hedgerows will be planted as part of the Proposed Development, this will provide opportunities for invertebrates, including butterflies. To benefit the White-letter hairstreak butterfly, the proposed hedgerow mix includes Elm (<i>Ulmus</i> 'Wingham'), which is a fast-growing, highly resistant hybrid elm cultivar specifically developed to replace the English Elm (<i>Ulmus procera</i>) lost to Dutch Elm Disease. It possesses strong, demonstrated resistance to the fungus, making it a reliable choice for conservation and landscaping.
10.28	APP-179 (now AS-085)	Breeding birds	Breeding bird surveys described in APP-179 have detected an assemblage of breeding birds of County importance. The presence of three Schedule 1 breeding birds has also been detected.	An assessment of the impact of the Proposed Development on birds is presented in Table 8-14 of Chapter 8: Ecology and Nature Conservation of the ES [REP1-019], with Section 8.12 of Chapter 8 setting out specific mitigation requirements for ground nesting birds such as skylark. With these measures in place Table 8-16 of Chapter 8 concludes that no significant effects on ground-nesting birds (or other birds) will arise as a result of the Proposed Development. Specific habitat creation and management for Schedule 1 bird species, as well as other bird species, is set out in the Framework LEMP [REP1-039] and secured via Requirement 8 of Schedule 2 of the Draft DCO [REP1-007]. The extent and type of mitigation provided by the Proposed Development has been informed by the detailed ornithological surveys undertaken by the Applicant, as detailed in Appendix 8-G: Breeding Birds [AS-086] and Appendix 8-H: Non-breeding birds [AS-087] of the ES and summarised in Table 8-13 of Chapter 8 Ecology and Nature Conservation of the ES [REP1-019].
10.29	APP-033	Breeding birds	The proposed development would result in the loss of considerable areas of arable habitats which are of value to ground nesting species such as lapwing and skylark. Both species are recorded within the proposed DCO area. Without mitigation the development has the potential to have significant negative effects on populations of ground nesting farmland birds. This is particularly the case give the number of other developments within Lincolnshire that potentially have the same impacts.	Specific mitigation and compensation measures have been put in place for ground nesting birds, primarily Skylark and Lapwing, that includes alternative nesting and foraging habitats including Skylark plots and permanent grassland, as shown on Figure 8-5 Bird Mitigation Land Allocation [APP-081] and detailed in the Framework LEMP [REP1-039]. The mitigation provisions for ground-nesting birds consist of 64ha (158.1 acres) of permanent grassland and a minimum of 181ha (447.3 acres) of retained arable. These areas are indicatively illustrated as Arable fields A to F on Figure 8-5: Bird Mitigation Land Allocation (Revision 2) of the ES [AS-046] but could be rotated within the areas of the Order Limits where there is no solar PV infrastructure, providing the principles for field sizes are achieved. The mitigation has been developed and agreed through discussion with LCC and is secured in the Framework LEMP [REP1-039], a detailed version of which is secured via



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				Requirement 8 of Schedule 2 to the Draft DCO [REP1-007] and is to be substantially in accordance with the Framework LEMP. Table 8-19 of Chapter 8: Ecology and Nature Conservation [REP1-019] of the ES concludes that "where cumulative developments are predicted to have adverse effects on the same ground- nesting bird species as those present within the Order limits, e.g., Lapwing and Skylark, that appropriate mitigation measures are or will be included within the respective developments, to ensure there are no significant residual effects on the species, in adherence with legislation and policy. As such and given the extensive areas of undeveloped land within the Order limits along with targeted creation and management of habitat for ground-nesting birds, the Scheme adequately offsets the loss of arable farmland habitats and no significant cumulative effects on ground-nesting birds are predicted."
10.30	APP-033 AS-046 AS -101	Breeding birds	At 8.12.19 to 8.12.26 of APP-033 and in Figure 8-5: Bird Mitigation Land Allocation [AS-046], the Applicant has set out proposed measures designed to reduce the effect of the proposed development on ground nesting farmland birds. Measures include the provision of areas of undeveloped grassland and retained arable within the development area. Within these areas, skylark plots will be established which will be managed to provide the species' favoured nesting conditions. The Council welcomes this approach, and the proposed measures are secured in the Framework LEMP (AS-101).	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.31	APP-189	Breeding birds	Subject to the above and measures relating avoiding vegetation clearance during the nesting season and undertaking pre-commencement ecological surveys set out in the CEMP (APP-189), the Council agrees that the proposed mitigation measures are appropriate and should ensure that significantly negative effects on breeding birds are avoided.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.32	AS-088	Bats	Surveys described in AS-088 have identified the presence of at least 10 species of bats. This includes the nationally rare barbastelle and serotine which is rare in Lincolnshire. The Council notes the Applicant's intention to avoid impacts to roosts or potential roost features and to undertake additional pre-construction surveys to update data on bats.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.33	AS-088	Bats	A recent study (Tinsley et al., 2023) has shown a decrease in levels of bat activity associated with the presence of solar developments, though reasons for this are not yet clearly understood. The Council recommends that monitoring of post-construction bat activity is undertaken to compare activity levels prior to construction and to assess mitigation efficacy in order to increase understanding of the impacts of solar developments on local bat populations.	Potential impacts to bats have been discussed in Section 8.12 of the ES Chapter 8 Ecology and Nature Conservation [REP1-019]. A programme of post-construction monitoring has been provided in Section 7 of the Framework LEMP [REP1-039]. This will be formalised, agreed and included within the detailed LEMP and includes pre-construction surveys and post-construction surveys for bats in years 1, 3, 5, 10 and 15 post-construction and thereafter every ten years from years 20 to 60.
10.34	AS-089	Riparian mammals	AS-089 sets out the results of riparian mammal surveys. Populations of both otter and water vole have been detected with the proposed DCO boundary. The Council consider that mitigation measures set out in Table 3 of the Framework CEMP [APP- 189] are appropriate in relation to both species.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.35	AS-089	Riparian mammals	The Council advises that the Greater Lincolnshire Partnership's 'Operation Water Vole' project may offer opportunities to deliver additional water vole mitigation.	The Applicant would welcome working with local groups such as Greater Lincolnshire Nature Partnership to help deliver measures for the conservation of water vole, such as enhancement of riparian habitat. The Framework LEMP [REP1-039] includes measures for restoring and enhancing water-bodies within the DCO Site that would benefit water vole.



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10.36	APP-194	Biodiversity Net Gain (BNG)	The delivery of at least 10% BNG is not currently mandatory for NSIPs however it is considered best practice. Given the scale and nature of the proposed development, the Council will expect the project to deliver significantly more than 10% BNG. The applicant has set out their approach to BNG in APP-194. Based on current calculations the Proposed Development is predicted to result in a net gain of 30.64% for area habitat units, 50.62% for hedgerow units, and 11.83% for watercourse units. The Council welcomes this level of BNG delivery. Details of establishment and management required to achieve the predicted levels of BNG will need to be provided prior to construction.	Details of establishment and management required to achieve the predicted levels of BNG will need to be provided prior to construction within the detailed LEMP produced following DCO consent and which will be substantially in accordance with the Framework LEMP, as secured by Requirement 8 of the Draft DCO [REP1-007] .
10.37	APP-194	BNG	In addition to comments made in the Council's Relevant Representation, there are further areas of the applicant's BNG assessment that require additional information or clarification:	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.38	APP-194	BNG	At APP-194, 2.33, the applicant states " <i>Where habitat condition data was not recorded on -site, for example due to access restrictions, habitat conditions were assumed to be 'good' as a precautionary, 'worst-case' measure.</i> " This does not appear to be the case in all instances of assumed condition e.g. Metric sheet A1 rows 28, 31, 34 etc. The Applicant should review the metric and clarify the position in relation to assumed habitat condition where field surveys were not undertaken. Where condition has been assumed the Applicant should adhere to the precautionary principle by assuming the highest possible condition where uncertainty exists.	The Applicant arranged a meeting with LCC's and NKDC's Ecologists on 22 January 2026 in response to Issue-Specific Hearing 1 Action Point 7 – Biodiversity and Ecology to discuss this comment. The Applicant confirms that the assumed habitat condition was applied in two circumstances only: 1. Access restrictions – where surveyors were unable to access land, the precautionary principle was applied, and habitats were assumed to be in 'good' condition as a worst-case scenario. 2. Contextual assumption – where access was not possible to discrete parcels, condition was inferred from immediately adjacent habitat parcels of the same type and management, surveyed at the same time. In these instances, this approach is considered proportionate and appropriate given the level of certainty provided by surrounding surveyed habitats. Further clarity will be provided in an updated Biodiversity Net Gain Report and Statutory Biodiversity Metric to be issued at the next available examination deadline.
10.39	APP-194	BNG	Confirmation is required that the habitat baseline reflects habitat condition prior to any degradation since January 2020 (or August 2023 for extant permissions).	This comment was discussed during a meeting with LCC's and NKDC's Ecologists on 22 January 2026 in response to Issue-Specific Hearing 1 Action Point 7 – Biodiversity and Ecology. The Applicant understands that LCC seeks confirmation of habitat degradation beyond what is 'purposeful', this includes where grassland has been converted to cropland. Further evidence will be provided in an updated Biodiversity Net Gain Report and Statutory Biodiversity Metric to be issued at the next available examination deadline.
10.40	APP-194	BNG	In the Applicant's Biodiversity Metric, for on -site area habitats, the total area of lost habitat was found to be 680.27 ha, and the total area of created habitat was found to be 680.29 ha. These areas should be equal.	The Applicant refers LCC to paragraph 2.9.1 of the Biodiversity Net Gain Report [APP-194] which states " <i>The total habitat areas and lengths within the DCO Site may vary slightly between the baseline and post-development data within the SBM. This difference is caused by the rounding of areas and lengths of individual habitats within the dataset to two decimal places within the SBM calculations. This minor variation in area and lengths has a negligible impact on the assessment. This does generate the following error message in the SBM: "Input errors/rule breaks present in metric"</i> ". This is a known and 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



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				biodiversity unit calculations. This issue is routinely encountered in large BNG assessments and does not compromise the validity or robustness of the results.
10.41	APP-194	BNG	Clarification is required on the implications of using either fixed or tracker panels. If habitat loss or shading implications are higher for one system type than the other, a precautionary approach using the most impactful scenario should be adopted.	The Applicant confirms that there will be negligible differences between both panel types and the current 'worst-case' scenario assumptions currently used applied to both, therefore the BNG results will remain the same. Further clarity will be provided in an updated Biodiversity Net Gain Report and Statutory Biodiversity Metric to be issued at the next available examination deadline.
10.42	APP-194	BNG	The Council also encourages the Applicant to work with other developers and stakeholders in the area to identify opportunities to deliver BNG strategically. The Council welcomes further engagement with the Applicant in relation to BNG.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.43	APP-033	Cumulative Effects	There are a number of development proposals of varying scales in the vicinity of this proposal. These range from small scale housing developments to NSIP scale energy developments. Details of the approach to the assessment of cumulative effects and a list of projects considered are presented in APP -040 and section 8.15 of APP-033.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.44	APP-033	Cumulative Effects	Cumulative effects on sensitive ecological receptors are considered for sensitive ecological receptors including Navenby Green Man Road Verges LWS, rivers and ditches, ground nesting birds and bats. The Council notes however that Table 8 -19 of APP-033 includes an empty row relating to impacts on Veteran and Ancient Trees.	This empty line in Table 8-19 of the ES Chapter 8 Ecology and Nature Conservation [APP-33] on cumulative impacts on Veteran and Ancient Trees should be ignored. Table 8-19 only includes Important Ecological Features where there could be residual cumulative adverse effects. As assessed in Table 8-18 the Proposed Development results in a moderate beneficial effect on Veteran and Ancient Trees and is therefore excluded from Table 8-19.
10.45	APP-033	Cumulative Effects	The assessment concludes that given mitigation proposed for this development and likely standard / good practice mitigation proposed for other nearby developments there will be no significant adverse effects on these receptors arising from cumulative impacts. Assuming that proposed mitigation for this proposal is adequately secured in the DCO, the Council agrees with the applicant's conclusions in relation to cumulative effects on ecology.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.46 – 10.47	N/A	Ecology Steering Group	The Council suggests that consideration is given to the establishment of an Ecological Steering Group or similar for the Proposed Development. This group should consist of key ecological stakeholders (both statutory and non-statutory). The remit of the group would be to receive updates on project progress and to advise on issues encountered during construction as well as to refine delivery of required mitigation and enhancement measures. Meetings should be held at an appropriate frequency to ensure good communication between both the developer and stakeholders. Establishing such a group is also likely to yield benefits by assisting with the identification of opportunities for strategic working with other solar NSIP developers in the vicinity. This is particularly the case in relation to the delivery of BNG where strategic delivery could result in significant benefits for species groups such as ground nesting birds.	The Applicant notes the suggestion of setting up an Ecological Steering Group and confirms that consideration has been given to the potential cumulative impacts of the various solar NSIPs proposed within the vicinity of the Proposed Development. The Framework LEMP [REP1-039] , secured by the DCO, includes the following commitment (ref. paragraph 7.1.9): <i>"Post-construction monitoring for flora, birds (breeding and non-breeding), riparian mammals, badgers and bats (bat box roosting and activity survey), will be undertaken in the respective seasons, in years 1, 3, 5, 10 and 15 postconstruction and thereafter every ten years from years 20 to 60. These surveys are likely to involve similar methods to those used to determine the ecological baseline of the Proposed Development and will be overseen by an Ecological Advisory Group or similar."</i> The Ecological Advisory Group (or similar) is considered by the Applicant to be the same as and fulfil the role of the suggested Ecological Steering Group noted in this response, overseeing the monitoring and mitigation of impacts as relevant. The monitoring reports for surveys during operation would be sent to the host authorities and the Lincolnshire Wildlife Trust for their information, along with a summary of any changes to management set out in the approved detailed LEMP. The role of the Ecological Steering Group will be set out in the detailed LEMP, whereby the



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				relevant consultees would be given an opportunity to review the detailed LEMP before it is formally approved to discharge the Requirement. It should be noted that it is envisaged that the other NSIPs within the District would be required to also have an Ecological Steering Group/Ecological Advisory Group (or similar), who would also send monitoring reports as relevant to the host authorities and the Lincolnshire Wildlife Trust for their information. Therefore, the host authorities will have oversight of the mitigation proposed across all relevant schemes within the District, to allow for coordinated mitigation suggestions as part of their approval of the detailed LEMP(s).
10.47	N/A	Ecology Steering Group	Establishing such a group is also likely to yield benefits by assisting with the identification of opportunities for strategic working with other solar NSIP developers in the vicinity. This is particularly the case in relation to the delivery of BNG where strategic delivery could result in significant benefits for species groups such as ground nesting birds.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.48	APP-033	Overall impact of the development on ecology and biodiversity	The Applicant's ES identifies a series of potential impacts on ecology arising from the development. These range from minor adverse impacts to significant adverse impacts depending on the species, habitat or site concerned. Measures to address these impacts are proposed and should be secured in the DCO. If the mitigation measures are secured and delivered as proposed the Council considers that the development would have a minor, temporary, negative impact on ecology during the construction phase.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
10.49	APP-194	Conclusions – BNG	The Applicant has also signalled an intention to deliver BNG. Levels currently being predicted are subject to confirmation of final scheme designs, however, if these levels are delivered, the Council considers that overall, the development could have a positive impact on ecology and biodiversity. Commitments to deliver a minimum of 10% BNG should be secured with a specific requirement in the DCO if BNG is to be given positive weight in the planning balance.	By virtue of Requirement 8 of Schedule 2 to the Draft DCO [REP1-007] , the Applicant is committing to the delivery of 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 based on Statutory Biodiversity Metric Version 1.0.4.
11. Traffic and Transport				
11.1	N/A	Legislation and Policy	Paragraph 5.14.18 of EN-1 sets out that the SoS should consider the substantial impacts of traffic and therefore should ensure <i>'that the applicant has sought to mitigate these impacts, including during the construction phase of the development'</i> . Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the SoS should consider requirements to mitigate adverse impacts on the transport networks arising from the development. Development consent should not be withheld where applicants are willing to enter planning obligations for funding infrastructure or where requirements can be imposed mitigating adverse impacts (paragraph 5.14.20).	The need for transport mitigation is considered in Chapter 13 Traffic and Transport of the ES [APP-038] where it is concluded that, taking into account the embedded mitigation, there are no significant transport effects and accordingly no additional mitigation is required. The embedded mitigation includes implementation of a detailed CTMP and a detailed PRowMP substantially in accordance with the Framework CTMP [AS-102] and Framework PRowMP [APP-195] respectively, submitted as part of the Draft DCO.
11.2	N/A	Legislation and Policy	Paragraph 5.14.14 of EN-1 states that the SoS may attach requirements to a consent where there is likely to be substantial HGV traffic that control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements, make sufficient provision for HGV parking including to avoid prolonged queuing on approach roads and ensuring satisfactory arrangements for reasonably foreseeable abnormal disruption.	The Applicant has proposed that HGV numbers, routings and timings will be managed through the detailed CTMP, which will be substantially in accordance with the Framework CTMP [APP-102] submitted as part of the Draft DCO. Additionally, the site compounds will provide sufficient HGV parking/standing space off the public highway to minimise the risk of prolonged queues on the approaches to the Principal Site.



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11.3	N/A	Legislation and Policy	The NPPF at paragraph 116 states that <i>“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.”</i>	As concluded in Chapter 13: Traffic and Transport of the ES [APP-038], taking into account the embedded mitigation proposed, no significant adverse, or severe, transport impacts have been identified. As identified at 11.18, below, LCC conclude in their LIR that the traffic and transport impacts during all phases would be neutral.
11.5	N/A	Legislation and Policy	CLLP Policy S47 (Accessibility and Transport) states that development proposals are required to contribute towards an efficient and safe transport network. All developments should demonstrate, where appropriate, that they have regard to the need to minimise additional travel demand through the use of travel planning, safe and convenient public transport, walking and cycling links, and integration with existing infrastructure. This policy also states that any development that has severe transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.	As identified in Chapter 13: Traffic and Transport of the ES [APP-038], walking, cycling and public transport modes of travel to the DCO Site have been considered, but it has been concluded that due to the rural location and the timing of working hours, these are unlikely to be viable modes of travel for most staff. Accordingly, through commitments secured in the Framework CTMP [AS-102], the Applicant will provide shuttle bus services as an alternative to private car travel to the site, in addition to which measures will be implemented to encourage those that do drive to car share.
11.6	APP-038	Methodology – General Comments	The Applicant's assessment of the likely effect of the proposed development on traffic and transport are set out in ES Chapter 13 (Traffic and Transport) [APP-038]. This document considers the potential for likely significant effects of Severance Pedestrian Delay, Non-Motorised User Amenity, Fear and Intimidation, Driver Delay, Road Safety, Large Loads and PRoW Diversions and Closures. The assessment considers the impact of the proposed development on traffic and transport during the construction, operation, and decommissioning phases, the greatest impacts are likely to occur during the construction and decommissioning phase.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
11.7	APP-038	Access Arrangements – General Comments	The Principal Site would have 13 different access points and the Cable Corridor would be served by 7 access points from the public highway. For access to the Principal Site, all HGVs would be expected to travel via the A46 and via the A15 for the Cable Corridor and would then utilise the local highway network to reach the access points.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
11.8	APP-038	Traffic Movements – Construction Phase	The construction phase assessment is based on a daily peak of 600 construction workers, as a maximum daily figure, and includes total workers associated with both the Principal Site and the Cable Corridor. A shuttle bus service is proposed to be utilised to transport construction workers from the Principal Site to the Cable Corridor (and vice-versa) to reduce vehicular trips on the surrounding highway network.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
11.9	APP-038	Traffic Movements – Construction Phase	In addition, there would be a daily peak of 25 LGVs deliveries (50 movements per day) and 50 HGVs deliveries (100 movements per day) associated with the Principal Site as well as 12 LGVs and 16 HGVs associated with the Cable Corridor works.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
11.10	APP-008 (now AS-105) APP-199 (now AS-102) APP-191	Mitigation	The Applicant has incorporated mitigation measures into the design of the scheme, described in Section 13.6 of APP-008 and these would be set out in the detailed Construction Traffic Management Plan (CTMP) that would be secured through a requirement and subject to approval by the County Council; an outline Framework CTMP [APP-199] has been submitted with the DCO application. Similar measures are proposed to be included in	Mitigation measures are set out in Section 13.6 of ES Chapter 13: Traffic and Transport [APP-038] and within Chapter 7 of the Framework CTMP [AS-102] submitted with the DCO Application. These measures will also be included in the detailed CTMP, which is to be substantially in accordance with the Framework CTMP [AS-102], in accordance with Requirement 14 of Schedule 2 to the Draft DCO [REP1-007].



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			Framework Decommissioning Environmental Management Plan (DEMP) to mitigate decommissioning-related effects.	
11.11	APP-038	Residual Effects	Taking into account the embedded mitigation measures the applicant's assessment concludes that there would be no residual significant effects of the Proposed Development on any of the Traffic and Transport receptors in the construction and decommissioning phase. All effects are minor or negligible significance.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
11.12	APP-038	Cumulative Effects	The Applicant has also provided an assessment of the potential cumulative effects of traffic and transport with other projects. Cumulative effects expected on Traffic and Transport receptors within the Study Area are assessed as likely to be Slight Adverse or Neutral (Not Significant).	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
11.13	N/A	Councils Capacity as the Local Highway Authority	The Council in its capacity as Local Highway Authority has reviewed the application documents and has been involved in discussions with the Applicant pre-submission of the DCO application. In general, the Council's position on highway matters remains as stated in our relevant representation [RR -157].	As per the Applicant's response to RR-157 (Section 7: Transport), the Applicant acknowledges LCC's comments in its capacity as Local Highways Authority and will continue to work collaboratively with LCC in matters relating to transport and access as it has done to date. Production of a detailed CTMP, which is to be substantially in accordance with the Framework CTMP [AS-102], and the requirement for it to be approved by the relevant authorities (including LCC) before construction commences is secured under Requirement 14 of Schedule 2 to the Draft DCO [REP1-007].
11.14	APP-008 (now AS-105) AS-102	Methodology & Assessment – General Comments	In summary, the methodology and assessment of traffic impact is generally agreed with the Council. It provides a reasonable estimate of construction traffic that would be associated with the development. The Local Highway Authority do not expect capacity issues on the highway network as result of this development provided the mitigation measures included in Section 13.6 of APP-008 are undertaken and delivered. This would mostly be achieved through the Framework CTMP. The Framework CTMP provides sufficient details at this stage for all proposed access locations. It also outlines proposals for site working hours, HGV routes, security, compound parking, wheel washing, delivery management, and traffic monitoring. These elements must be detailed in the final CTMP and be monitored, controlled, and be enforceable to ensure highway safety and that traffic impacts align with the ES assessment.	The Applicant confirms that the elements listed will be detailed in the detailed CTMP. Production of a detailed CTMP, which is to be substantially in accordance with the Framework CTMP [AS-102], and the requirement for it to be approved by LCC as the relevant planning authority (in consultation with National Highways) before construction commences is secured under Requirement 14 of Schedule 2 to the Draft DCO [REP1-007].
11.15	AS-102	Highway Access Approvals and Compliance with Section 184 Procedures	The technical and construction details of the accesses will need to be approved by the Council under its Section 184 Vehicle Access Crossing Procedure. This is acknowledged at paragraph 1.3.1 of the Framework CTMP which states " <i>The draft DCO includes a requirement for the Framework CTMP to be developed into a detailed CTMP that would be submitted for the approval of the relevant authorities before construction commences. The DCO would, therefore, include a Requirement to secure compliance with the measures set out in the detailed CTMP.</i> "	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
11.16	AS-102	Technical Approval Processes within the CTMP	However, in addition the CTMP should reference the need for future technical approvals. The Council 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: "5.4. <i>Delivery of Road Modifications</i>	The Applicant has updated the Framework CTMP, to be submitted to the Examination at the next available deadline, to include the following: " <i>Prior to any construction works being undertaken within the limits of highway adoption, the detailed design of these works must be submitted to LCC for approval. These submissions will include:</i>



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			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: - A programme for the works, details of the construction method and traffic management requirements; - A detailed design pack of drawings and specifications detailing the works and any service / utility works that may need to be accommodated; - The necessary health and safety information required under the Construction, (Design & Maintenance) Regulations, or their equivalent at the point of submission; Details of the proposed contractor, including their insurance provisions; - If required by the local road authorities, a Road Safety Audit (RSA) to a combined Stage 1 and Stage 2 standard; - Details of any necessary road signage and road markings; and - Details of any proposed remediation proposals should the works not be permanent. 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. 5.4.3. The finalised CTMP will detail the exact process for these technical approvals."	- A programme for the works, details of the construction method and traffic management requirements; - A detailed design pack of drawings and specifications detailing the works and any service / utility works that may need to be accommodated; - The necessary health and safety information required under the Construction, (Design & Maintenance) Regulations, or their equivalent at the point of submission; - Details of the proposed contractor, including their insurance provisions; - If required by the local road authorities, a Road Safety Audit (RSA) to a combined Stage 1 and Stage 2 standard; - Details of any necessary road signage and road markings; and - Details of any proposed remediation proposals should the works not be permanent. The detailed CTMP will detail the exact process for these technical approvals." Note that the Applicant will agree a cost reimbursement process with LCC following any future consent which will apply to the discharge of Requirements.
11.17	APP-016	Draft DCO Article 9 Wording	It is noted that the draft DCO [APP-016] contains a specific Article (9) regarding the application of the Lincolnshire Scheme for Road Works and Street Works, which is welcomed. The wording of Article 9 is acceptable to the Council.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
11.18	N/A	Residual Effects	Subject to the necessary mitigations being secured and implemented, the Council concludes that traffic and transport impacts of this development during all phases of the development would be neutral.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
11.19	APP-038	Cumulative Effects	Regarding cumulative effects, in terms of highway capacity and traffic, the Highway Authority does not consider that the development would result any significant issues at key junctions in the area in combination with other developments.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
12. PRow				
12.1	N/A	Legislation and Policy	Section 2.10 of NPS EN-3 makes several recommendations in relation to accessibility and PRow, noting at 2.10.35 that the suitability of the access routes to the proposed site for both the construction and operation of the solar farm must be considered, with the former likely to raise more issues. EN-3 advises that applicants should keep, as far as is practicable and safe, all PRow that cross the proposed development site open during construction and protect users accordingly. They are also encouraged to design the layout and appearance of the site to ensure continued recreational use of PRow, where possible during construction, and in particular during operation, and to provide enhancements to PRow and the adoption of new PRow through the site.	The Framework PRowMP [APP-195] outlines the existing PRow which pass through or run adjacent to the DCO Site and demonstrates how safe access will be maintained along and across these during the construction, operation and decommissioning of the Proposed Development in accordance with NPS EN-3 . PRow will be managed throughout the construction phase to ensure that existing routes can continue to be used safely throughout the duration of the proposed works. Sections of seven of the PRow within the Principal Site and five of the PRow within the Cable Corridor are expected to be temporarily (and locally) diverted around works areas whilst construction works are undertaken. These diversions are detailed in paras 3.3.6 and 3.4.4 of the Framework PRowMP [APP-195]. Existing widths will be maintained for all PRow throughout the construction



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				phase. The provision of a detailed PRowMP, which is to be substantially in accordance with the Framework, is secured under Requirement 18 of Schedule 2 to the Draft DCO [REP1-007]. The proposed PRow diversion and management measures are shown on 2.3 Streets, Rights of Way and Access Plans [AS-106]. From a traffic and transport perspective, in terms of accessibility and connectivity, no significant effects on PRow users are anticipated as a result of the Proposed Development as set out in the assessment of the Principal Site and Cable Corridor within Chapter 13: Traffic and Transport [APP-038] of the ES. Additionally, the Applicant has committed to creating approximately 9.5km of new permissive paths to supplement the existing PRow network, linking together existing walking routes and creating enhanced connections to surrounding villages. The Framework LEMP [REP1-039], a detailed version of which is to be developed, substantially in accordance with the framework plan, as secured by Requirement 8 of the Draft DCO [REP1-007], sets out the permissive path network will be implemented during operation of the Proposed Development providing routes across the Principal Site and enhancing the recreational value of the Order Limits. The proposed permissive path network has evolved following feedback at the statutory consultation stage, as explained in Chapter 4 Alternatives and Design Evolution of the ES [APP-029], providing more effective linkages across the site. The Proposed Development will create new permissive paths available to the public during the operational lifetime. These permissive paths include: new connections around Cathedral Park; a new connection at Tunman Wood; a new connection at Thurlby; and a new circular route to the west of Bassingham. These permissive paths are secured in Requirement 17 (Permissive paths) and Requirement 8 (Landscape and ecological management plan) as set out in the Draft DCO [REP1-007] and as shown on the Streets, Rights of Way and Access Plans [AS-106].
12.2	N/A	Legislation and Policy	Local Policies: • CLLP Policy S48: Walking and Cycling Infrastructure • CLLP Policy S54: Health and Wellbeing • CLLP Policy S59: Green and Blue Infrastructure Network	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
12.3	N/A	Legislation and Policy	The theme of the CLLP policies relates to the protection, maintenance, and availability of public rights of way, specifically on the grounds that they provide public access to green/natural spaces as well as provide places for exercise, health, and wellbeing.	Once the Proposed Development is operational there will be approximately 9.5 km of new permissive paths created, as well as the provision of a 1.8ha (4.4 acres) new community orchard with open access within the landscaping designs, which can have a quality of life benefit for users through improving access to recreation. The framework management plans noted above are to be developed into detailed management plans, substantially in accordance with the respective frameworks, as secured under Requirements 12 (CEMP), 13 (OEMP), 20 (DEMP) and 8 (LEMP) of Schedule 2 to the Draft DCO [REP1-007]. It is noted that LCC is a named consultee on these Requirements, and as such will have the opportunity to review the detailed management plans prior to any approval.
12.4	AS-117 AS-016	Impacts – General Comments	The application details have been reviewed by the Council's Public Rights of Way and Access officers. In general, the proposal would significantly impact	The Applicant acknowledges that there will be some visual impact on recreational users of the PRow network and Chapter 10: Landscape and Visual



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	APP-038		the PRoW network, particularly in terms of visual impact and the “look and feel” of the routes. The area is a popular spot for people to access the countryside and contains promoted routes and permitted paths established by NKDC, and the Council would echo and support the comments from NKDC on these points, that there is likely to be adverse impacts from the development which would make the routes less attractive to use.	of the ES [AS-117] identifies residual significant effects (Year 15 of Operation) on recreational users of PRoW that pass through or adjacent to the Order Limits. However, the Applicant considers that substantial alterations to these views are inevitable due to the close distance and large exposure to the Proposed Development. Nonetheless, in the pursuit of securing good design, the design has evolved in line the Project's Design Principles which includes <i>'The Proposed Development will be sensitively integrated into its landscape setting, to minimise adverse landscape and visual effects as far as possible'</i>, details of which are set out in the Design Approach Document [APP-186]. For example, this includes commitments such as siting larger infrastructure such as the Onsite Substation and centralised BESS Compound within areas of enclosed landscape, maintaining existing field patterns and landscape structure, and specifying stock proof fencing with wooden posts around the perimeter of the Principal Site. To further mitigate visual impacts on recreation users of PRoW, the Applicant has also embedded a minimum 10m offset from the centre line of PRoW (ref. Paragraph 6.1.1 of the Framework LEMP [REP1-039]). Where development is proposed on both sides of a PRoW, sections of wider offsets reflecting local features, such as hedgerows, have been integrated to vary the visible extent of proposed infrastructure and the overall visual experience, where practicable. Potential impacts on PRoW are also assessed in Chapter 12: Socio-economics and Land Use of the ES [AS-016] (ref. paragraphs 12.7.29 – 12.7.35). There are 36 PRoW and seven permissive paths located within the Principal Site, as well as 26 PRoW which run alongside the boundary or are within close proximity to the Principal Site. Furthermore, there are five PRoW which could be impacted by the Cable Corridor. The Proposed Development would require the permanent diversion of three PRoW, each of which is assessed to result in a negligible effect, which is considered not significant. Some PRoW may need to be temporarily closed to facilitate the safe construction of the Proposed Development. Where a PRoW is proposed for temporary closure, a diversion route has been proposed for the duration of the closure, with the original PRoW to be fully reinstated upon completion of the relevant works. The Streets Rights of Way and Access Plans [AS-106] show each proposed temporary PRoW closure, as well as the corresponding proposed indicative location of temporary PRoW diversion. The Framework PRoWMP [APP-195] outlines how the Applicant will manage PRoW within the Order Limits to ensure they have been suitably considered and will continue to operate effectively throughout the construction, operation and decommissioning of the Proposed Development. The Framework PRoWMP [APP-195] reviews both user safety and accessibility, during the complete life cycle of the Proposed Development, considering the potential interaction and impact on the PRoW associated with the construction works, as well as the day-to-day operation of the Proposed Development. As set out within Chapter 13: Traffic and Transport [APP-038] of the ES, in terms of accessibility and connectivity, no significant effects on PRoW users are anticipated following the assessment of the Principal Site and Cable Corridor,



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12.5	N/A	Betterment suggestions	Whilst the inclusion of permitted paths is in general supported, they are not protected routes and remain temporary whilst the proposed development is active. It is recommended that the routes are dedicated as PRow instead, which would allow them to be protected in perpetuity, recorded on Ordnance Survey plans, and provide a permanent betterment as an outcome of the proposal.	The Proposed Development is seeking an operational lifetime of 60 years, after which it would need to be decommissioned and removed. At this point the land is reinstated and handed back to the landowners, with the expectation it is returned to arable use. The Applicant is therefore not in control of what happens after the end of the Proposed Development and as such cannot commit to permanent rights of way. The provision of permissive paths for the planned 60 years duration during the operational lifetime is considered to be long-term and beneficial for the local community.
12.6	N/A	Betterment suggestions	There exists a significant residential area to the south of the A46 to the south of this development. It is suggested that the applicant consider options for installing a footbridge or underpass to allow pedestrians to cross the A46 safely, as a betterment offering to the proposed solar farm.	The Applicant shared its initial thoughts on a planned permissive path network at statutory consultation and received several comments at this stage which informed the final design on which the application is based. A bridge or tunnel to cross the A46 has never been proposed, due largely to the Applicant's opinion that it would not be used sufficiently to justify the cost and disruption to the A46 traffic. Adding weight to this opinion, the Applicant is not aware of feedback from the community suggesting a crossing. The Proposed Development includes 9.5km of new permissive paths, providing better connectivity in the area between settlements and linkages between recreational routes. The proposed permissive path network has evolved following feedback at the statutory consultation stage, as explained in Chapter 4: Alternatives and Design Evolution of the ES [APP-029].
12.7	N/A	Comments on the specific path changes	A number of path changes, both permanent and temporary, are proposed. Comments on each of these proposed changes are tabulated below: - Toth/12 – This route has a long history of vehicle issues and the surface is not suitable for sustained vehicle use. This route should be upgraded to cater for any site traffic. Any surface laid must be suitable for equestrian use so sealed surfaces would not necessarily be appropriate. Further consultation with the PRow team should be undertaken when detailed proposals for surfacing are being explored. - Toth/13 – Permanent diversion – No objections. The permanent diversion at this point is considered acceptable. - Toth/15 – Temporary diversion during construction – No objections. - Toth/6 – Temporary diversion during construction – No objections. The temporary diversion does appear that it will require the installation of a temporary bridge. - Toth/11 – Temporary diversion during construction – No objections. It is recommended the permitted path that follows from this route is dedicated as a permanent PRow. - Aubo/12 – Temporary diversion during construction – No objections. This route is a well-used path by the public - Aubo/11 – Temporary diversion during construction – No objections. - Aubo/10 – Temporary diversion during construction – No objections. - Aubo/10 – Permanent diversion – No objections. The permanent diversion at this point is considered acceptable in principle but there will need to be consideration as to whether the corner of this field will flood. Any diversion must be as substantially convenient for the public. - Aubo/8 – Temporary diversion during construction – No objections.	The Applicant recognises the amenity value of the site and its surroundings, in particular the importance of PRow's to local residents, and has sought to enhance local connectivity and avoid the closure of PRow's wherever practicably possible. Please find responses to LCC's comments below. Toth/12 - In terms of the construction phase only a very short section of Toth/12 is utilised by temporary construction traffic and for a relatively short period. In the operational phase, Toth/12 will only be used to access the emergency access (E-001) further north however this will be in emergency situations only and so very, very infrequently. The Applicant is happy to consult further with the PRow team regarding this route at detailed design stage. Toth/6 - It is unclear exactly where on Toth/6 the Council has identified a requirement for the installation of a temporary bridge as the indicative diversion shown retains the route on the southern side of the drain in this location. . Toth/11 – The Proposed Development is seeking an operational lifetime of 60 years, after which it would need to be decommissioned and removed. At this point the land is reinstated and handed back to the landowners, with the expectation it is returned to arable use. The Applicant is therefore not in control of what happens after the end of the Proposed Development and as such cannot commit to permanent rights of way. The provision of permissive paths for the planned 60 years duration during the operational lifetime is considered to be long-term and beneficial for the local community. Aubo/10 – The Applicant directs LCC to Figure 9-3: Fluvial Flood Risk [AS-049], Figure 9-4: Surface Water Flood Risk [AS-050] and Appendix 9-C: Flood Risk Assessment [REP1-023 Annex D] of the ES which illustrate that the proposed permanent diversion of Aubo/10 does not change the likelihood of flooding relative to the current route. More specifically, the proposed permanent diversion of Aubo/10 along the western perimeter of the field has a very low risk of flooding



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			• ThuN/2 – Temporary diversion during construction – No objections. • ThuN/2 – Permanent diversion – No objections. The permanent diversion at this point is considered acceptable. • Bass/23 – Temporary diversion during construction – No objections. • Cole/4 – Temporary diversion during construction – No objections. This is not a very well used path. • BooG/5 – Temporary diversion during construction – No objections. • BooG/2 – Temporary diversion during construction – No objections.	(a surface water flooding Annual Exceedance Probability of <0.1%, within Flood Zone 1 with a <1:1000yr +20% Climate Change fluvial flood probability).
12.8	APP-195	Framework PRow Management Plan	Comments on the Framework PRow Management plan [APP-195] are tabulated below: • 3.1.6a – The approach to ensure rights of way users have priority over construction traffic is supported. The surfacing of this path should be upgraded to handle construction traffic, and the surface should be designed to cater for equestrian use as well as pedestrians and cycles. • 3.1.7 – Agree with the approach under this section. • 3.1.8a – We note that the document states that existing widths will be retained, however later on in 3.5.2 it states that there will be increased width, with a 5-metre spacing either side of the centreline, leading to 10 metres minimum. These two paragraphs should align. If only the existing path width is retained, and if the routes are then further enclosed by fencing or hedges when prior to development they were open routes, this would lead to a significant detrimental impact. This would not just be relating to the look and feel of the route and the view from the route and thus public enjoyment of the route, but also would cause problems in practical terms as to how the public can get past each other when using the route. Narrow enclosed paths will also not allow for sufficient sunlight and wind to reach the surface and enable it to dry out after periods of rain. As these routes are popular a fenced off and narrow route through the development would quickly lead to problems. The existing path width of any route should be confirmed with the public rights of way and access team as it may not be apparent on the ground. • 3.1.8b – Temporary routes should also consider the surface of the path. Some surface treatment may be required at certain sites depending on the ground conditions. • 3.8.1d – The approach detailed here is supported. • 3.8.1e – The approach detailed here is supported. • 3.8.1f – The communication strategy should include details and proposals as to how the public will be kept informed about the progress, and in particular about any upcoming temporary or permanent path changes. It should also include details about communication with the public right of way and access team. • 3.2.3a – No new gates should be erected across the public rights of way. Instead the construction roads should be gated, with the right of way unhindered.	Para 3.1.6a – The Applicant assumes that LCC are referring to Toth/12. In terms of the construction phase only a very short section of Toth/12 is utilised by temporary construction traffic and for a relatively short period. In the operational phase, Toth/12 will only be used to access the emergency access (E-001) further north however this will be in emergency situations only and so very, very infrequently. The Applicant is happy to consult further with the PRow team regarding this route at detailed design stage. Para 3.1.7 - The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment. Para 3.1.8a, 3.5.2 – Where components of the Proposed Development are proposed adjacent to a PRow, an offset of a minimum of 10m from the centre line has been incorporated, as per the Design Commitments set out in the Design Approach Document [APP-186]. Where components of the Proposed Development are proposed on both sides of a PRow, these minimum commitments still apply (i.e. the provision of a minimum of 10m from the centreline either side of the PRow), although sections of wider offsets have also been integrated to vary the extent of views experienced across the Principal Site where practicable. These buffers are secured by Requirement 6: Detailed design approval as set out in the Draft DCO [REP1-007]. The PRowWMP will be updated in line with the FLEMP and Design Commitments at the next available examination deadline. Fencing around the Order Limits will be a 'stock proof fence' (i.e., wooden posts and metal wire mesh) and will be up to 2m in height. Palisade fencing will only be utilised around the perimeter of the BESS compounds (Work No. 2 and 3), and the Onsite Substation (Work No. 4) and will be up to 2.5m in height and painted in a muted colour sympathetic to the surrounding environment. 3.1.8d, 3.1.8e, 3.2.8 - The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment. 3.1.8b, 3.1.8f, 3.2.3a - Further details of the temporary routes (surfacing, fencing etc) as well as communication strategy with the public and PRow & Access team regarding upcoming changes and progress will be determined in consultation with the PRow & Access team at detailed design stage



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			3.2.8 – The approach to have as limited time for diversions as possible is supported. 3.5.2 – Other NSIP proposals have allowed for a wide route, 15 metres either side of the centreline, to mitigate against the impact of the development. We note the inclusion of a 10 metre route however but a wider width would be more beneficial to the public and help to mitigate the impact of the development further. Details of the fencing is needed which would be erected either side of the public right of way. Electric fencing for example would not be acceptable	
12.9	N/A	Clarifications on Visual Shielding of Panels and Suggestion to add PRowWs to Layout Plans	We have some further questions that we were unable to determine from the documentation: - Clarification on how the panels be visually shielded. - Clarification on the layout plans, which do not show the routes of the existing public right of way – it would be helpful if these can be updated so that we are able to determine the space given for each route etc.	In its pursuit of securing good design, the Applicant has sought to minimise landscape and visual impacts of the Proposed Development, as set out in the Design Approach Document [APP-186]. The provision of visual screening, for example for residents and users of PRow, has been considered throughout the design of the landscaping proposals, as illustrated in the Landscape Mitigation Plan presented in Figure 7.15-1 within the Framework LEMP [REP1-039], whereby (as noted in paragraph 4.1.4) the overall goal of the landscape strategy is to integrate the Proposed Development into its surrounding landscape and to avoid or minimise adverse landscape and visual effects as much as possible. As noted in the Framework LEMP [REP1-039] (ref. paragraphs 4.1.8 – 4.1.13), all solar PV panels and associated infrastructure have been sited within the existing field pattern, protecting existing vegetation, and maximising the natural screening provided by field boundary vegetation which will be supplemented with additional planting. The siting of solar PV panels and associated infrastructure seeks to minimise instances of development on both sides of PRow. Where components of the Proposed Development are proposed adjacent to a PRow, an offset of a minimum of 10m from the centre line has been incorporated, as per the Design Commitments set out in the Design Approach Document [APP-186]. Where components of the Proposed Development are proposed on both sides of a PRow, these minimum commitments still apply (i.e. the provision of a minimum of 10m from the centreline either side of the PRow), although sections of wider offsets have also been integrated to vary the extent of views experienced across the Principal Site where practicable. New and enhanced hedgerows have also been proposed to provide screening where appropriate. The detailed design of the Proposed Development must be in accordance with the Design Commitments, as secured by Requirement 6 of the Draft DCO [REP1-007]. The SRoWA Plans [REP1-004] show PRow (and proposed permissive paths) within the Order Limits including proposed temporary PRow closure, as well as the corresponding proposed indicative location of temporary PRow diversion. The proposed locations of temporary PRow diversions shown on the SRoWA Plans [REP1-004] represent indicative alignments of the temporary diversion which would be implemented to enable the safe passage of members of the public during the construction phase. Due to their indicative nature, these may be refined during the detailed design phase and/or the construction phase, but any final diversion will maintain public access and comply with the measures outlined in the Framework PRowWMP [APP-195].
12.10	APP-016	Wording of Article 16	The Council does have concerns about the wording of Article 15 in the draft DCO [APP -016] which appears to give blanket powers for the undertaker to	The Applicant believes that the Council is referring Article 12 (Temporary prohibition or restriction of the use of streets and public rights of way). A



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			<i>"temporarily close, prohibit the use of, restrict the use of, authorise the use of, alter or divert any street or public right of way"</i> , noting that this cannot be done without consulting the street authority (subsection 4). Further comments are provided below in section 22 – Draft Development Consent Order.	comprehensive response has been provided to the further comments in section 22 of this report.
12.11		Conclusions	In consideration of the application documents concerning rights of way, the Council maintains that the temporary closure of multiple footpaths during the construction phase is likely to result in a detrimental impact on the accessibility and functionality of the wider PRow network. Consequently, the overall effect on PRow is considered to be negative.	Potential impacts on Public Rights of Way are assessed in Chapter 12: Socio-economics and Land Use of the ES [AS-016]. There are 36 PRow and seven permissive paths located within the Principal Site, as well as 26 PRow which run alongside the Order Limits or are within close proximity to the Principal Site. Furthermore, there are five PRow which could be impacted by the Cable Corridor. The Proposed Development would require the permanent diversion of three PRow, with minimal changes in journey length experienced by users, and each of which is assessed to result in a negligible effect, which is considered not significant. Some PRow may need to be temporarily closed to facilitate the safe construction of the Proposed Development. Where a PRow is proposed for temporary closure, a diversion route has been proposed for the duration of the closure, with the original PRow to be fully reinstated upon completion of the relevant works. The Streets, Rights of Way and Access Plans [AS-106] show each proposed temporary PRow closure, as well as the corresponding proposed indicative location of temporary PRow diversion. The Framework PRowWMP [APP-195] outlines how the Applicant will manage PRow within the Order Limits to ensure they have been suitably considered and will continue to operate effectively throughout the construction, operation (including maintenance) and decommissioning of the Proposed Development. The Framework PRowWMP [APP-195] reviews both user safety and accessibility, during the complete life cycle of the Proposed Development, considering the potential interaction and impact on the PRow associated with the construction works, as well as the day-to-day operation of the Proposed Development. PRow will be managed throughout the construction phase to ensure that existing routes can continue to be used safely throughout the duration of the proposed works. From a traffic and transport perspective, no significant effects on PRow users are anticipated following the assessment of the Principal Site and Cable Corridor, as set out within Chapter 13: Traffic and Transport [APP-038] of the ES.
13. Water Resources and Flood Risk				
13.1 – 13.2	N/A	Legislation and Policy	Paragraph 5.16 of NPS EN-1 focuses on water quality and resources. In the decision-making process, the SoS should note that activities that discharge to the water environment are subject to pollution control. Moreover, the SoS will <i>'need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Framework (Water Framework Directive) (England and Wales) Regulations 2017'</i> (paragraph 5.16.12). EN-1 also states that the SoS should consider <i>'whether appropriate requirements should be attached to any development consent and/or planning obligations are necessary'</i> to mitigate adverse effects on the water environment (paragraph 5.16.16).	The Simple Index Approach, as set out in Paragraph 26.7.1, Chapter 6, of the CIRIA SuDS Manual (C753, revision 6) has been applied when undertaking the assessment of pollution control of runoff from the Scheme. Detail of the Simple Index Approach assessment is provided in Chapter 9: Water Environment of the ES [REP1-021] , paragraph 9.4.25 to 9.4.28. The assessment itself is undertaken in the Framework Surface Water Drainage Strategy (Section 4.6) [REP1-025] , and is considered compliant with the requirements set out in Section 5.16, notably paragraph 5.16.16, of NPS EN-1.
13.3 – 13.4	N/A	Legislation and Policy	Paragraph 5.8.7 notes that new energy infrastructure should only be permitted by exception in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), and that it should be safe for its lifetime without increasing flood risk elsewhere and, where possible,	The Proposed Development has been designed to accord with the requirements set out in paragraph 5.8.7 of NPS EN-, and paragraphs 5.8.9, 5.8.10, 5.8.23 and 5.8.29 with regards the Sequential and Exception Tests. All critical infrastructure components have been located outside areas at risk of flooding from all sources,



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			should reduce flood risk overall. It should also be designed and constructed to remain operational in times of flood. Paragraphs 5.8.9 and 5.8.10 confirm the requirement for the flood risk Sequential and (where applicable) Exception tests to be applied. Further, paragraph 5.8.23 states that all projects should apply the Sequential Test to locating development within the site. Vulnerable aspects of the development should be located on parts of the site at lower risk and residual risk of flooding (paragraph 5.8.29).	with the exception of solar PV panels, for which no reasonably available alternative sites at lower flood risk exist. The submitted Flood Risk Assessment [REP1-023] robustly applies the Sequential and Exception Tests, demonstrating that the Proposed Development will be safe for its lifetime without increasing flood risk elsewhere. The assessment confirms that appropriate mitigation and design measures are incorporated such that floodplain storage is not materially impacted, and that the Proposed Development would remain operational in times of flood. Accordingly, the Proposed Development satisfies the Sequential and Exception Tests for development in areas at risk of flooding.
13.5	N/A	Legislation and Policy	NPS EN-3 sets out that applicants for solar generating stations will need to consider several factors when considering the design and layout of sites, including inter alia the ability to mitigate environmental impacts and flood risk (paragraph 2.10. 60). Paragraph 2.10.154 advises that 'Water management is a critical component of site design for ground mount solar plants. Where previous management of the site has involved intensive agricultural practice, solar sites can deliver significant ecosystem services value in the form of drainage, flood attenuation, natural wetland habitat, and water quality management'.	The Flood Risk Assessment [REP1-023] has been prepared in accordance with the considerations noted in Paragraph 2.10.60 relating to mitigating the impacts of flood risk. The Framework Surface Water Drainage Strategy [REP1-025] appropriately assesses drainage of the Proposed Development, in accordance with Paragraph 2.10.154 of NPS EN-3, taking into account attenuation of surface water runoff and treatment of surface water runoff, to ensure water quality and flood attenuation is suitably assessed.
13.6	N/A	Legislation and Policy	Paragraph 2.10.76 of EN-3 notes that where a Flood Risk Assessment has been carried out this must be submitted alongside the applicant's ES and will need to consider the impact of drainage. It notes that as solar PV panels will drain to the existing ground, the impact will not, in general, be significant.	The Flood Risk Assessment [REP1-023] has been prepared in accordance with Paragraph 2.10.76 of NPS EN-3. The Framework Surface Water Drainage Strategy [REP1-025] appropriately assesses drainage of the Proposed Development, in accordance with Paragraph 2.10.76 of NPS EN-3.
13.7	N/A	Legislation and Policy	Local Policies: • CLLP Policy S12: Water Efficiency and Sustainable Water Management • CLLP Policy S21: Flood Risk and Water Resources • CLLP Policy S59: Green and blue infrastructure network • North Kesteven Strategic Flood Risk Assessment (SFRA) (2009)	The Flood Risk Assessment [REP1-023] has been prepared with due regard to the Central Lincolnshire Local Plan (CLLP), 2023, and the North Kesteven Strategic Flood Risk Assessment (SFRA), as set out in paragraph 2.3.3 of the FRA [REP1-023]. The CLLP and North Kesteven SFRA have been reviewed to comply with the requirements set out within, regarding flood risk and sustainable drainage opportunities.
13.8	N/A	Legislation and Policy	CLLP Policy S12 (Water Efficiency and Sustainable Water Management) states that in addition to the wider flood and water related policy requirements of Policy S21, all residential or other development comprising new buildings with outside hard surfacing, must ensure such surfacing is permeable (unless there are technical and unavoidable reasons for not doing so).	The Framework Surface Water Drainage Strategy [REP1-025] applies the principles of SuDS, and the SuDS drainage hierarchy where appropriate, in the development of the proposed drainage strategy for the Scheme, and considers all relevant policies within the CLLP, including Policy S12 and S21. The Scheme prioritises permeable surfaces for drainage, such as access tracks, in line with paragraph 2.10.85 of NPS EN-3 which states "<i>Where access tracks need to be provided, permeable tracks should be used, and localised Sustainable Drainage Systems (SuDS), such as swales and infiltration trenches, should be used to control any run-off where recommended</i>". BESS areas have been proposed to be impermeable, applying a conservative approach to potential pollution from fire events impacting soils and entering the groundwater environment. Surface water runoff from these areas will be drained to lined swales to capture runoff, including rainfall and firewater runoff. It is not feasible to drain these areas via infiltration due to the potential environmental risk posed by firewater runoff.
13.9	N/A	Legislation and Policy	CLLP Policy S21 (Flood Risk and Water Resources) states that all development proposals will be considered against the NPPF, including application of the sequential and, if necessary, the exception test. Proposals should demonstrate that they are informed by and take account of the best available information from all sources of flood risk and by site specific flood	The Flood Risk Assessment [REP1-023] has been prepared with due regard to the Central Lincolnshire Local Plan (CLLP), 2023. Regarding Policy S21, the Flood Risk Assessment [REP1-023] has been prepared to support the NPS suite of documents (NPS EN-1, EN-3 and EN-5). However, the Flood Risk Assessment [REP1-023] has been tested against the NPPF to ensure it remains compliant



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			risk assessment where appropriate; that the development will be safe during its lifetime taking into account the impacts of climate change; how the wider scope for flood risk reduction has been positively considered; and that they have incorporated Sustainable Drainage Systems (SuDS) / Integrated Water Management into the proposals, unless they can be shown to be inappropriate.	with the NPPF as well as satisfying the NPS documents. The Flood Risk Assessment [REP1-023] appropriately assess the Scheme with due regard to the Sequential and Exception Tests, locating all critical above ground infrastructure, other than solar PV panels, to areas at the lowest risk of flooding from all sources. With appropriate mitigation provided, where required, for solar PV panels in areas at risk of flooding, the Flood Risk Assessment [REP1-023] demonstrates the Scheme will remain safe and will remain operational in times of flood.
13.10	N/A	Legislation and Policy	CLLP Policy S59 (Green and Blue Infrastructure Network) states that proposals that cause loss or harm to the green and blue infrastructure network will not be supported unless the need for and benefits of the development demonstrably outweigh and adverse impacts.	With regards Policy S59, the Framework Surface Water Drainage Strategy [REP1-025] has been prepared in line with the current NPS documents, whilst also satisfying the current NPPF (and accompanying Planning Practice Guidance (PPG)). The Framework Surface Water Drainage Strategy [REP1-025] takes into account the impact of climate change from surface water runoff, and also applies the Simple Index Approach, as set out in Paragraph 26.7.1, Chapter 6, of the CIRIA SuDS Manual (C753, revision 6). The assessment of pollution control of runoff from the Proposed Development has been conducted in line with CLLP Policy S59 to ensure that there is no adverse impact on the flood risk and water quality, biodiversity or ecology of existing watercourses.
13.11 – 13.16	APP-034 APP-146 AS-098	Methodology & Assessment – General Comments	(Text not copied from LCC LIR)	The Applicant acknowledges this section of the LIR prepared by LCC and welcomes the supportive comment to the approach set out in the Flood Risk Assessment [REP1-023]
13.17 – 13.21	AS-098	Site selection and flooding	(Text not copied from LCC LIR)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
13.22	N/A	Sequential and Exception Test	The aim of the Sequential Test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the development in areas with a lower risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the development in areas with lower risk of flooding.	The Applicant has considered the Sequential Test at both the site selection stage, and in terms of site layout and design. Appendix A, Site Selection Report of the Planning Statement [AS-098] demonstrates how areas in Flood Zone 1 were considered before areas in Flood Zones 2 and 3 were introduced into the area of search. Given the initial consideration of areas at low risk of flooding and then higher risk areas, it has been demonstrated that the sequential test has been applied and satisfied as part of site selection. In terms of site layout and design, paragraph 6.3.71 of the Planning Statement [AS-098] explains that there are areas where Solar PV panels are located within Flood Zone 2 and the climate change extents of Flood Zone 3a. While there are areas of lower flood risk within the Principal Site, the need to balance areas for solar generation with the provision of environmental mitigation, such as the provision of land for bird mitigation in a dispersed nature in order not to create flocking, and the need to retain intervisibility between heritage assets has resulted in the need for a solar PV panels to be located within areas of Flood Zone 2 and 3a, and there being no reasonably available locations within the site itself. This is required in order for the Proposed Development to maximise the delivery of low carbon renewable energy. The sequential test is therefore considered passed for the Principal Site due to flood risk from any source to be low following the embedded mitigation.
13.23	N/A	Sequential and Exception Test	If it is not possible for development to be located within areas of lower risk of flooding (taking into account wider sustainable development objectives), the	The Proposed Development has been designed to accord with the requirements set out in paragraph 5.8.7 of NPS EN-, and paragraphs 5.8.9, 5.8.10, 5.8.23 and



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			Exception Test may have to be applied. The need for the Exception Test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3: "Flood Risk vulnerability classification" of the NPPF. Solar farms sit within the 'Essential infrastructure' category. For such development, the NPPG (Table 2: Flood Risk Vulnerability and Flood Zone Incompatibility) (Paragraph 079 Reference ID: 7 -079-20220825) requires the Exception test to be applied where development falls within Flood Zone 3a.	5.8.29 with regards the Sequential and Exception Tests. All critical infrastructure components have been located outside areas at risk of flooding from all sources, with the exception of solar PV panels, for which no reasonably available alternative sites at lower flood risk exist. The submitted Flood Risk Assessment [REP1-023] robustly applies the Sequential and Exception Tests, demonstrating that the Proposed Development will be safe for its lifetime without increasing flood risk elsewhere. The assessment confirms that appropriate mitigation and design measures are incorporated such that floodplain storage is not materially impacted, and that the Proposed Development would remain operational in times of flood. Accordingly, the Proposed Development satisfies the Sequential and Exception Tests for development in areas at risk of flooding.
13.24	N/A	Sequential and Exception Test	Where it is engaged, for the Exception Test to be met, both of the following points need to be satisfied for the development to be allocated or permitted: a. The development would provide wider sustainability benefits to the community that outweigh the flood risk; and b. The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.	The submitted Flood Risk Assessment [REP1-023] robustly applies the Sequential and Exception Tests, demonstrating that the Scheme will be safe for its lifetime without increasing flood risk elsewhere. Section 6 of the Flood Risk Assessment [REP1-023] demonstrates the Scheme compliance with the Sequential and Exception Tests. Furthermore, paragraphs 6.3.73 to 6.3.83 of the Planning Statement [AS-098] set out how the Proposed Development meets the requirements of the Exception test, concluding that the Proposed Development passes the Exception Test.
13.25	AS-098	Site Selection and Flooding	The two sites with a 'red' rating for flooding (Site 6: Hamston and Site 7: Bassingham Fen) have been excluded. While Site 8 (Scopwick Heath) presents an overall lower flood risk compared to Fosse Green ('amber' rating), the land within this area sits almost entirely within higher grade agricultural land (Provisional ALC Grade 2) and therefore would be in conflict with policies that seek to direct development to poor quality land in preference. The Scopwick site also sits alongside/overlaps two other solar schemes (Springwell – awaiting decision from SoS) and Leoda (to be submitted to SoS), thereby also raising potentially significant issues in terms of adverse cumulative effects. Balancing these criteria alongside other factors, the applicant considers Fosse Green to offer the most suitable site for the proposed development.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
13.26	AS-098	Site Selection and Flooding	The Council does have concerns over the main drivers influencing the original area of search and choice of sites to be included in the selection process (being largely centred around the availability of willing landowners and avoidance of compulsory acquisition, and to deliver on as few land parcels as possible) (reference para 3.4.5 of PS [AS -098]). These concerns are addressed at section 7 of this LIR. Notwithstanding this position, in terms of the actual analysis to assessing the four 'Stage 5' sites, in flood risk and sequential test terms, the approach is satisfactory, representing a reasonable and proportionate methodology to site selection.	As set out in Appendix A: Site Selection Report of the Planning Statement [AS-098], the identification of the site for the Proposed Development was driven by the availability of deliverable land and site suitability in accordance with the requirements of policy. Section 2 of Appendix A: Site Selection Report of the Planning Statement [AS-098] sets out the relevant policy, and Section 3.3 describes how planning and environmental constraints were considered, taking into account the requirements of policy. For example, internationally and nationally designated biodiversity sites were excluded and in terms of flood risk which requires a sequential approach, the Applicant considered land at lower risk of flooding (Flood Zone 1) in the search for an unconstrained site before introducing Flood Zones 2 and 3 into the area of search at a later stage. Appendix A: Site Selection Report of the Planning Statement [AS-098] also sets out how the Applicant sought to reduce the need for the use of Compulsory Acquisition powers, meaning that the availability of landowners willing to lease land for the Proposed Development was an important consideration. Taking account of



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				the suitability of the location for solar infrastructure, the availability of a network connection, appraisal of planning and environmental constraints and willing landowners, the Site was selected to be taken forward for the Proposed Development. Following site selection, and through the process of design evolution, the Applicant has sought to minimise impacts wherever possible. The Applicant notes that LCC considers that the approach to site selection and flooding is satisfactory and represents a reasonable and proportionate methodology.
13.27	AS-098 APP-146	Site Selection and Flooding	Having established Fosse Green as the chosen site through the five-stage Site Selection process, at a site-specific level the Flood Risk Assessment [APP-146] identifies areas where there is overlap between some elements of the proposed solar panel fields within the Principal Site and Flood Zones 2 and 3, associated with the River Brant, West Brant Syke, River Witham and Mill Dam Dyke. These areas are referred to as the 'Interaction Zones' in the FRA.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
13.28	AS-098 APP-146	Flood Risk Interaction Zones	For the field adjacent to Mill Dam Dyke (field 8) modelling shows that the flood depth would not reach the topographical height of the solar panels and therefore no mitigation is required.	The Applicant confirms this response to Field 8 in relation to the Mill Dam Dyke, as set out in paragraph 4.3.28 of the Flood Risk Assessment [REP1-023]
13.29	APP-146	Flood Risk Interaction Zones	For the areas associated with the River Brant, West Brant Syke and the River Witham, there are three fields (45, 54 and 57) proposed to contain solar PV panels that interact with Flood Zones 2 and 3. The solar PV panel heights are to be a minimum 800mm above ground. The applicant states that whilst fields 54 and 57 do lie partially within Flood Zone 3, the height of the panels above ground surface will ensure that a minimum freeboard depth of 300mm can always be achieved below the bottom of the panel. Therefore, for the design storm event including climate change, no mitigation is proposed.	The Applicant confirms this response in relation to Fields 45, 54 and 57, as set out in paragraphs 4.3.36 to 4.3.41 of the Flood Risk Assessment [REP1-023]. The Applicant notes that Annex C of the Framework Surface Water Drainage Strategy [REP1-025] shows a slightly earlier iteration of the proposed solar layout. This Annex will be updated to align with the correct layout and will be submitted into the Examination at Deadline 3. Subsequent updates to the Flood Risk Assessment [REP1-023] are to be discussed with the Environment Agency and LCC, prior to submission to the Examination at Deadline 3. The amendments to Annex C of the Framework Surface Water Drainage Strategy [REP1-025] and the Flood Risk Assessment [REP1-023] will not affect the conclusions of the assessments undertaken, whereby these remain valid; this will be demonstrated at Deadline 3.
13.30	APP-146	Flood Risk Interaction Zones	Whilst the Council do not disagree with the technical assessment that the applicant has undertaken with regard to fluvial flood risk and solar PV panels, it is noteworthy that as part of the discussions around flood risk for the adjoining Springwell Solar Farm NSIP, the ExA is seeking the removal of areas of panels that intersect with areas of higher flood risk. Whilst the areas in question as part of the proposed Fosse Green development are limited in scope, there is a question around consistency in approach across NSIP projects that the ExA may want to consider further.	Paragraphs 4.3.8 to 4.3.17 of the Flood Risk Assessment [REP1-023] appropriately assess the loss of floodplain storage from the legs of the solar PV panels that lie within the Flood Zone 3a extents, concluding the loss provides no material impact on the floodplain, with a potential total increase in flood depth of 1.57mm. During consultation with the Environment Agency, the Environment Agency letter dated 1 May 2025 confirmed the loss of floodplain storage from solar PV panel legs within Flood Zone 3a extents was negligible and agreed with the approach to the assessment undertaken. The total area of solar PV panels within Flood Zone 3a is 3.18 ha (as noted in Table 9 of the Flood Risk Assessment [REP1-023]). This equates to approximately 0.3% of the total area of the Principal Site. The Applicant notes that Annex C of the Framework Surface Water Drainage Strategy [REP1-025] shows a slightly earlier iteration of the proposed solar layout. This Annex will be updated to align with the correct layout and will be submitted into the Examination at Deadline 3. Subsequent updates to the Flood



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				Risk Assessment [REP1-023] are to be discussed with the Environment Agency and LCC, prior to submission to the Examination at Deadline 3. The amendments to Annex C of the Framework Surface Water Drainage Strategy [REP1-025] and the Flood Risk Assessment [REP1-023] will not affect the conclusions of the assessments undertaken, whereby these remain valid; this will be demonstrated at Deadline 3. Furthermore, paragraph 6.3.71 of the Planning Statement [AS-098] explains that there are areas where Solar PV panels are located within Flood Zone 2 and the climate change extents of Flood Zone 3a. While there are areas of lower flood risk within the Principal Site, the need to balance areas for solar generation with the provision of environmental mitigation, such as the provision of land for bird mitigation in a dispersed nature in order not to create flocking, and the need to retain intervisibility between heritage assets has resulted in the need for a solar PV panels to be located within areas of Flood Zone 2 and 3a, and there being no reasonably available locations within the site itself. This is required in order for the Proposed Development to maximise the delivery of low carbon renewable energy. The sequential test is therefore considered passed for the Principal Site due to flood risk from any source to be low following the embedded mitigation.
13.31	APP-146	Surface Water Flood Risk and Increases in Impermeable Areas	Surface water flood risk is generally low across the Principal Site, with some areas of higher risk associated with natural topography and proximity to surrounding watercourses. Increases in impermeable areas are envisaged to be localised and relate to the establishment of BESS compounds (or singular BESS compound if the 'centralised BESS option is chosen) and the on-site substation.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
13.32	APP-146 APP-147	Sustainable Drainage Measures	The projected increase in runoff is proposed to be managed via sustainable drainage techniques designed to temporarily attenuate increased surface water flows before discharging to surrounding watercourses at restricted rates. These techniques are set out in the applicant's Framework Surface Water Drainage Strategy (FSWDS), FRA Appendix 9-D [APP-147]. The applicant states that solar PV panels and mounting structures will not increase post-development surface water flood risk as they are not considered to alter the existing drainage regime.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
13.33	APP-147	Mitigation	The application identifies a specific area adjacent to fields 25, 30 and 34 which are known to experience surface water flooding from natural overland runoff, presenting a medium flood risk to properties in the vicinity. As part of the FSWDS, mitigation includes edge swales, which are able to capture excess runoff from PV fields. Voluntary enhancement, through the establishment of swales in fields 24, 30 and 34, is proposed to provide betterment and reduce existing surface water runoff to nearby properties.	The Applicant confirms this comment regarding proposed voluntary mitigation in fields 25, 30 and 34 which, for clarity, relates to the properties along The Avenue. The Applicant notes that Annex C of the Framework Surface Water Drainage Strategy [REP1-025] shows a slightly earlier iteration of the proposed solar layout. This Annex will be updated to align with the correct layout and will be submitted into the Examination at Deadline 3. Subsequent updates to the Flood Risk Assessment [REP1-023] are to be discussed with the Environment Agency and LCC, prior to submission to the Examination at Deadline 3. The amendments to Annex C of the Framework Surface Water Drainage Strategy [REP1-025] and the Flood Risk Assessment [REP1-023] will not affect the conclusions of the assessments undertaken, whereby these remain valid; this will be demonstrated at Deadline 3.



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13.34	APP -146	Sequential Flood Risk Approach	In line with the sequential approach, all proposed buildings/compound areas, substation / transformers stations and BESS and the majority of the solar PV panels (excepting those described above) will be located outside of Flood Zones 2 and 3. At paragraph 6.1.6 of the FRA [APP-146], the Applicant states that <i>'where required, embedded mitigation within the design has been included to remain in operation in times of flood . East-west tracking panels <u>may</u> be used enabling them to be tilted and as such provide greater resilience to instances of flooding in specific areas'</i> [Council's emphasis]. Although it is not clear from this statement whether such mitigation will definitely be employed, the applicant indicates that, given the solar panels sit at 0.8m above existing ground elevation, providing sufficient minimum freeboard of 300mm between the bottom of panels and maximum flood height in all circumstances, no mitigation is technically necessary. The Council notes that the Environment Agency has indicated that this is a sensible assumption and aligns with the freeboard used for other solar farms (Appendix C of FRA).	The Flood Risk Assessment [REP1-023] assesses the worst case minimum height of solar PV panels as 0.8m above the ground, including for the Credible Maximum Scenario and the H++ Scenario for sea level rise, discussed in Section 4.3 and Section 4.4 respectively. Raising of solar PV Panels is not required in either scenario noted above, with 300mm freeboard provide in all scenarios assessed, irrespective of tilting the solar PV panels. The Applicant notes that Annex C of the Framework Surface Water Drainage Strategy [REP1-025] shows a slightly earlier iteration of the proposed solar layout. This Annex will be updated to align with the correct layout and will be submitted into the Examination at Deadline 3. Subsequent updates to the Flood Risk Assessment [REP1-023] are to be discussed with the Environment Agency and LCC, prior to submission to the Examination at Deadline 3. The amendments to Annex C of the Framework Surface Water Drainage Strategy [REP1-025] and the Flood Risk Assessment [REP1-023] will not affect the conclusions of the assessments undertaken, whereby these remain valid; this will be demonstrated at Deadline 3.
13.35	N/A	Exception Test Compliance	In terms of compliance with the Exception Test, the applicant relies on the provision of wider sustainability benefits including habitat creation and enhancement, with some areas of the site at higher risk of flooding excluded from solar panel development but used instead for ecological enhancement. The Framework Surface Water Drainage Strategy, to be secured in the DCO, is proposed to ensure the proposed development is safe for its lifetime and that there will be no increases in flooding elsewhere.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
13.36	APP-034	Cable Corridor Flood Risk and Temporary Construction Works	The application also states that the Main Rivers and other Ordinary Watercourses within and surrounding the DCO Site will not be impacted by a change in flood risk level within the Cable Corridor, since no permanent above ground installations are proposed for the operational phase of the Proposed Development The seven temporary construction compounds to facilitate construction in the Cable Corridor are outside Flood Zones 2 and 3. The two proposed Horizontal Directional Drilling camp areas are small and very temporary, to be set up, used and demobilised within 2 – 4 days.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
13.37	APP-146	LLFA Endorsement and Secured Water Management Controls	The FRA and associated documents have been reviewed by the Council in its capacity as Lead Local Flood Authority (LLFA). The LLFA considers these documents provide, at this stage, a suitable assessment of the surface water flood risk and how it will be mitigated by the development. The details of the measures will need to be approved at the detailed design stage and the LLFA would expect these mitigation measures to be secured within the draft DCO.	The Applicant acknowledges this section of the LIR prepared by LCC and welcomes the supportive comment to the approach set out in the Flood Risk Assessment [REP1-023] and associated documents. The provision of a detailed SWDS, to be substantially in accordance with the Framework Surface Water Drainage Strategy [REP1-025], is secured under Requirement 10 of Schedule 2 to the Draft DCO [REP1-007]. By virtue of the same Requirement, the detailed SWDS must be submitted to LCC as LLFA and LPA, for approval, in consultation with Anglian Water and the Environment Agency, and must be implemented as approved.
13.38	APP-034	LLFA Endorsement and Secured Water Management Controls	In terms of water quality and resources, Chapter 9 of the ES [APP-034] presents an assessment of the potential impacts of construction, operation and decommissioning phases of the proposed development on surface water features, including impacts on water quality and hydromorphology, as well as flood risk and drainage. Reference is made in the application to the drainage	The Applicant acknowledges this section of the LIR prepared by LCC and welcomes the supportive comment to the approach set out in the Flood Risk Assessment [REP1-023] and associated documents.



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			attenuation measures, which the applicant states will ensure no increase in surface water discharge and facilitate improvements in water quality through filter strips and swales. Measures to prevent pollution and flooding are also included in the approach to ensure no adverse impacts on water quality, which can be embedded into the CEMP, the OEMP and the DEMP, supplemented with a Water Management Plan (WMP). Providing these documents are adequately secured through the DCO, then the Council would agree that this approach is proportionate and appropriate to control potential impacts of the development on water resources and quality.	
13.39	n/a	Conclusions	In conclusion, notwithstanding the comments regarding the placement of solar PV panels on Flood Risk Zones 2 and 3 land, the Council considers that the effects of the development on flood risk and water resources have been adequately addressed and that the impacts of the development on water quality, resources and flooding would be Neutral.	The Applicant acknowledges this section of the LIR prepared by LCC and welcomes the supportive comment to the approach set out in the Flood Risk Assessment [REP1-023] and associated documents.
14. Cultural Heritage (Built Heritage and Archaeology)				
14.1 – 14.9	N/A	Legislation and Policy	(Text not copied from LCC LIR)	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to cultural heritage in ES Appendix 7-A Cultural Heritage Policy and Legislation [APP-124] and appraised in Section 6 of the Planning Statement [AS-098]. National and local planning policy relevant to cultural heritage is also considered in Appendix B National Policy Accordance Tables and Appendix C Local Policy Accordance Tables of the Planning Statement [AS-098].
14.10	APP-032	Built Heritage Study Area and approach to assessment	The Council is broadly satisfied the ES adopts a structured approach, however, key elements of the assessment remain incomplete. The study area for designated above-ground assets should extend to 2km, consistent with established practice with other NSIPs in Lincolnshire. The current 1km approach is selective and risks excluding assets whose settings extend beyond the Order Limits. For clarity, the applicant's agreement with Historic England on study areas (APP-032, p7-28) does not constitute agreement with Lincolnshire County Council, nor does it bind the Council. We are a separate statutory consultee with responsibilities covering all built heritage assets — not only those of the highest significance. In Lincolnshire's rural context, many Grade II and non-designated assets derive significance from wider settings and collective landscape relationships that extend beyond the Applicant's 1km study area. The Council therefore maintain that a 2km study area for designated above-ground assets remains necessary and appropriate.	The Applicant acknowledges there is a difference of opinion regarding suitable scope of assessment between the consultees. In such circumstances, a decision has to be made regarding scope that is most appropriate, considering the potential cultural heritage receptors and the Proposed Development, based on the advice provided and professional opinion. Following Historic England's advice, the flexible approach, based on expertise and not constrained by fixed radii, was utilised in the submission documents, and it is considered that this approach provides proportionate and sufficient understanding of the cultural heritage resource and the potential impacts from the Proposed Development. However, for the avoidance of doubt, the Applicant would like to highlight that a 3km (not 1km, as stated by LCC) study area for above ground designated heritage assets was utilised (extending to 5km for designated heritage assets of the highest significance). The Applicant is of the opinion that the suggested study areas for designated heritage assets, as agreed with Historic England (3km for all such assets, 5km for those that are of the highest significance, and exceptional examples beyond) are appropriate. However, a Technical Note is under preparation (to be submitted to the Examination at a future examination deadline), accompanied by an appropriate illustration. This will list, in a tabulated format, all designated heritage assets within 5km area from the Principal Site that have been scoped out (with distances from the DCO Site Boundary for all assets). This will list, in a tabulated format, all designated heritage assets within 5km area from the Principal Site that have previously been scoped out (with



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				distances from the DCO Site Boundary for all assets). Additional exceptional assets beyond the study area (also scoped out at early stage due to no potential for any impacts) will also be included in the note. The Applicant's intention to submit this additional note was communicated to the LCC Historic Buildings & Landscape Officer and NKDC Conservation Officer via email on 28 January 2026. With regard to non-designated heritage assets, although not specifically mentioned in the LCC LIR Ref. 14.10, indeed a 1km study area was utilised. This has provided sufficient information with regard to archaeological baseline (to help identify archaeological potential of the DCO Site) and there is no evidence (considering limited potentially sensitive non-designated assets within 1km study area identified in the ES Chapter 7 Cultural Heritage [APP-032], and its appendices, and no evidence to the contrary from the LCC LIR) that there would be any effects on non-designated heritage assets beyond the selected study area. As such, it is considered that extending the study area for non-designated heritage assets would be disproportionate and not add any value to the process.
14.11	APP-032	Underweighting of Setting-Based Significance and Methodological Omission	While embedded mitigation is acknowledged, insufficient weight has been applied to several designated and non-designated receptors, particularly those whose significance derives from their rural, open settings. The assessment also treats many historic assets in isolation and the absence of a group-value farmsteads assessment is a substantive methodological omission (see below).	The Applicant is of the opinion that Appendix 7-D Detailed Heritage Asset Setting Assessment of the ES [APP-127], in line with Historic England guidance, has been sufficiently detailed to ascertain potential effects of the Proposed Development upon heritage assets, with aspects of the setting that contribute to those assets sufficiently identified and assessed. More detailed commentary on this is included in responses to LCC Ref. 14.12-14.17 below.
14.12	APP-032	Change to Setting and Potential Harm to Receptors	The ES underestimates harm to River Farmhouse (Grade II, NHLE 1168186) and Grange Cottage (Grade II, NHLE 1061951). Both rely on their surrounding agricultural landscape to articulate their historic function and significance. The introduction of large -scale solar arrays would materially alter those settings and the “<i>lower end less than substantial harm</i>” judgement is not sufficiently evidenced. A number of designated assets located on or near the site boundary require further assessment. These include: • Hill Cottage (Grade II, NHLE 1360507) • Corner Farmhouse (Grade II, NHLE 1061953) • Church of St Germain (Grade II, NHLE 1061972) and the Rectory (Grade II, NHLE 1061973) • Churchyard Cross (Scheduled Monument, NHLE 1013082) • Morton Manor (Grade II, NHLE 1061930) and Morton Grange (Grade II*, NHLE 1317323) • Hall Close (Scheduled Monument, NHLE 1021080) • Thurlby Hall and outbuildings (Grade II*, NHLE 1317332)	With regard to the assets for which additional comments have been raised, the following response is provided: - River Farmhouse. The assessment of level of harm upon the Listed Building, taking into consideration the asset's heritage significance and its setting, the Proposed Development and mitigation measures, was presented within the detailed settings assessment (Appendix 7-D Detailed Heritage Asset Setting Assessment of the ES [APP-127]), in line with Historic England guidance. This focused on aspects of the asset's setting which contribute to its significance (Historic England guidance clarifies that not all elements of setting contribute), and the Applicant is of the opinion that the assessment has accurately described the aspects of the setting of River Farmhouse which do contribute. These include, in summary, the gardens, associated farm range (and associated views), wider setting of agricultural land, and longer distance views in which the asset can be experienced. In response to the assessment of impact, the Applicant would like to stress, as per Historic England guidance, that setting is not itself a heritage asset and as such the assessment of impact must be directed to change to the significance of the heritage asset (not just the change to the setting). Here, the Proposed Development will change part of the asset's wider setting (the historic and architectural interest of the Listed Building itself, and the contribution to the heritage significance from the asset's immediate setting will not be affected at all). As such, although there will be a change within the wider setting, its overall effect on the significance of the asset will be minor (as only part of the asset's setting and experience will be affected), and the conclusion



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				within the assessment (which found the overall harm to be within the lower end of less than substantial harm) to be accurate. - Grange Cottage. The Applicant acknowledges the comment and considers that Appendix 7-D Detailed Heritage Asset Setting Assessment of the ES [APP-127] provides an appropriate assessment of the harm to the asset from the Proposed Development. In line with Historic England guidance, this considered how change within the setting of an asset affects the asset's significance (as the setting in itself is not an asset), and a slight change to the experience and perception of the asset within its rural setting resulting from the Proposed Development was deemed to fall within the lower end of less than substantial harm (see explanation against River Farmhouse above). Additional consultations with Historic England were held on 15 September 2025 during an in person meeting on site to discuss the layout of the Proposed Development in proximity to Grange Cottage. In response to Historic England concerns regarding the proximity of solar PV to Grange Cottage and heritage assets at Aubourn, the Proposed Development design has been altered to remove panels from field 46. These changes are reflected within updated plans and photomontages, which were submitted to the Examination as part of Change Request 1 [AS-103]. In summary, whilst the Applicant is of the opinion that the assessment of lower end of less than substantial harm is accurate, the response to remove the panels will ameliorate or resolve LCC's concerns too. With regard to other assets 'on or near the site boundary', the distance of these from the DCO Site boundary varies (i.e. the Rectory is c 155m to the east), and, consideration only of the distance from the boundary does not take account of the distance from components of the Proposed Development which could alter the setting and affect significance of those assets (thus implying that proximity from the DCO Site Boundary, regardless of the proposed uses of the proximate areas of the DCO Site or associated impacts, could lead to harm). It is also not clear from the LCC LIR Ref. 14.12 what sort of 'further assessment' would be deemed by LCC to be appropriate. The Applicant considers that the Appendix 7-D Detailed Heritage Asset Setting Assessment of the ES [APP-127] provides a proportionate level of assessment with regard to potential impacts from the Proposed Development upon those designated heritage assets. Where required (i.e. where potential for effects has been identified), the assessment includes a detailed consideration of the assets and their setting as well as the effects of the Proposed Development. It also has to be stressed that many of those assets, due to distance from components of the Proposed Development (Solar PV panels, solar stations, substation etc.), would have no potential to be affected, and which were scoped out at step 1 on this basis. Where potential for impacts was highlighted, those assets were assessed in more detail within Appendix 7-D Detailed Heritage Asset Setting Assessment of the ES [APP-127]. In summary: - Hill Cottage II Listed Building, as well as other designated assets in Thorpe on the Hill. The potential sensitivities in relation to these Listed Buildings were identified at an early stage and have influenced the final layout of the Proposed Development, including the retention of undeveloped fields between the Solar PV Array and the assets and additional planting. As a result, although the DCO Site Boundary extends



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				to c. 45m to the south of Hill Cottage (where it encompasses a section of Fosse Lane), the closest above ground elements of the Proposed Development (i.e. the Solar PV Array) are located over 530m to the south, separated from the asset by residential development along Fosse Lane, intervening fields and vegetation (with additional planting proposed to further screen the Solar PV Array). As such, it was considered that the Proposed Development would not affect Hill Cottage (or other Listed Buildings in the village) in any way, and they were scoped out from further assessment at step 1, on the basis that further assessment would be disproportionate. This approach demonstrates that inclusion of embedded mitigation at the right stage in the development of the Proposed Development can remove (and it does so here) the potential for assets to be affected. - Corner Farmhouse. The Grade II Listed Building was assessed in detail, and it was concluded that the layout of the Proposed Development has taken into account the setting of the asset, with the areas immediately west of it devoid from above ground elements, with solar panels proposed at distance of c. 330m to the north-west, c. 670m to the west and c. 550 to the south-east. The Proposed Development will not physically or experientially alter the building's immediate garden setting or the fields immediately surrounding the garden plot, therefore resulting in no harm. - Assets in Thurlby (Grade II* listed (rather than Grade II as mentioned by LCC) Church of St Germain, Grade II Rectory and Grade II (rather than Grade II* as mentioned by LCC) Thurlby Hall) were also assessed in detail (with the Scheduled Churchyard Cross, due to its confined setting in the churchyard, considered together with the Church). The assessment concluded that the layout of the Proposed Development was designed to ensure the rural experience of the assets is retained (with solar panels introduced at distance of c. 480m south of the Rectory, 590m west, 510m north-west of the Hall and 500m north-west and 360m north-east of the Church). This will result in no change to the physical fabric of the Listed Buildings, their relationship with their associated garden plots, the adjacent roads, and the fields directly surrounding their plots and the rural context of the setting of the Listed Buildings will be unaffected, resulting in no harm to the assets' significance. - Morton Manor and Morton Grange (it should be noted that both buildings are listed as Grade II, rather than II*, as stated by LCC for Morton Grange). The detailed settings assessment considered, and discussed in detail, elements of the assets' setting which contribute to their significance, which includes elements such as views of the buildings from Morton Lane and the wider rural landscape, highlighting those which contribute to the heritage significance of those assets, including the visibility of the Principal Site in those views. This assessment subsequently informed the assessment of impacts of the Proposed Development upon those assets, also presented within Appendix 7-D, concluding that with the proposed mitigation measures (which include undeveloped parcels of land separating the assets from Solar PV Array), the appreciation and understanding of the special interest of the Listed Buildings would not be affected (resulting in no harm).



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				- Hall Close Scheduled Monument. In relation to Hall Close Scheduled Monument, an appropriate understanding of the significance of the asset and contribution made by setting to that significance is presented in Appendix 7-D. It is also highlighted that the sensitivities associated with this asset have informed the layout of the Proposed Development (including not placing panels in areas immediately adjacent to the Scheduled Monument). The detailed assessment concluded that the Proposed Development will not obscure or impact on the appreciation, understanding or experience of the Scheduled Monument and whilst the solar panels will introduce change to one part of the asset's surroundings, this change will in no way harm its historic, aesthetic and evidential values, or the understanding and appreciation of these values. Consequently, it was concluded that there would be no harm to the significance of this asset and Historic England in their Relevant Representations did not raise any concerns with regard to the Scheduled Hall Close.
14.13	APP-032	Change to Setting and Potential Harm to Receptors	The same issue arises for several non-designated heritage assets, including Tonge's Farm (MLI119774) and other historic farmsteads in the area. In the case of Tonge's Farm, the ES concludes that there would be "very limited harm" but this does not reflect its intact agrarian setting or its wider associative relationships with neighbouring farmsteads.	Tonge's Farm. The Applicant has presented the assessment of level of harm upon the Listed Building, taking into consideration the asset's heritage significance, its setting, the Proposed Development and mitigation measures, within the detailed settings assessment (Appendix 7-D Detailed Heritage Asset Setting Assessment of the ES [APP-127]) and is of the opinion that the assessment is proportionate to the asset's significance and impacts as a result of the Proposed Development. It should be noted that the level of change within the <i>setting</i> of an asset does not necessarily translate to the level of overall harm to heritage significance of that asset. Additionally, the Applicant considers that the mention of the 'intact' agrarian setting in this context is inaccurate, considering the current context of this non-designated heritage asset. This includes the fact that fields have been subject to extensive field amalgamation, resulting in loss of historic field boundaries and character, as well as the transformation of the landscape character near the asset associated with the creation of the angling site. All these aspects of the asset's setting, and how they contribute to the significance of the farm are detailed within Appendix 7-D. With regard to other farmsteads, please see the response to LIR Ref. 14.15 below.
14.14	APP-032	Change to Setting and Potential Harm to Receptors	For Somerton Castle (Grade I, NHLE 1061974), we support Historic England's view that the assessment lacks sufficient consideration of the Castle's long -distance associative links, including with the Roman road corridor. These relationships contribute materially to its significance and require fuller evaluation.	Clarification was sought during consultation with Historic England regarding the potential effects on designated heritage assets from work within the Cable Corridor, and during a meeting on 31 March 2025, an agreement was reached that there would be no issues on designated heritage assets from construction work along the Cable Corridor (details in the Chapter 7 Cultural Heritage of the ES [APP-032]). As discussed in the detailed settings assessment (Appendix 7-D Detailed Heritage Asset Setting Assessment of the ES [APP-127]), there is no visibility between the assets and the Proposed Development (and a distance of c. 2.88km from the asset to the nearest proposed solar array).
14.15 – 14.17	APP-032	Historic Farmsteads: Need for a Group -Value Assessment	Historic farmsteads form a coherent rural heritage network across the Lincolnshire landscape. Following the Springwell and Beacon Fen examinations, the use of a designation-neutral group-value assessment has become an established and proportionate approach to understanding the collective significance of dispersed farmsteads within NSIPs in the county.	The response here addresses comments raised in this point, as well as in LIR Ref. 14.16-14.17. The historic landscape aspects are considered not only within the settings assessment [APP-127] but also within the Appendix 7-E Historic Landscape Character Assessment of the ES [APP-128] and the Applicant is of the opinion



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			The absence of such an assessment in the ES means that the current understanding of historic landscape character and cumulative setting effects is incomplete. Farmsteads should be considered collectively where they display shared agricultural history, spatial patterning, or intervisibility within an open rural landscape. Without a group-value assessment, the ES cannot fully evaluate how the proposed development may diminish coherence, weaken historic relationships, or erode appreciation of the wider farmed landscape. A supplementary assessment is therefore required to: • identify the farmstead group(s) and their contribution to local historic landscape character. • assess how changes to rural setting may affect the ability to understand historic-functional and spatial relationships between farmsteads; and Ensure consistency of method with other recent NSIPs within rural Lincolnshire	that a proportionate level of assessment with regard to historic landscape was undertaken taking into account the overall significance and impacts from the Proposed Development. In addition, the proposed layout of the Proposed Development has taken into account the sensitivities associated with designated and non-designated heritage assets and historic landscape. As a result, the overall harm upon such assets is assessed as less than substantial harm (lower end) (to Grade II Listed River Farmhouse) and very limited harm (to a non-designated heritage asset, Tonge's Farm), and no potential for significant effects which would warrant consideration within the ES were identified. However, as the Applicant notes that additional information on those aspects has been provided for other solar NSIPs like Springwell. As such, it is the intention to submit a Technical Note (to be submitted to the Examination at a future examination deadline), which would discuss the historic farmstead group in the vicinity of the DCO Site Boundary (both designated and non-designated), their collective value, setting and potential effects on those values as a result of the Proposed Development.
14.18	APP-032	Collaborative Agreement on Heritage Assessment Methodology	Lincolnshire County Council would welcome working with the Applicant to agree the baseline and methodology for this assessment, ensuring that effect judgements and mitigation proposals are underpinned by a complete and proportionate evidence base.	The Applicant is of the opinion that the assessment of the cultural heritage resource as submitted within Chapter 7 Cultural Heritage of the ES [APP-032] and its Appendices is appropriate and proportionate. However, to address those comments relating to the study area considered and the historic farmsteads group, it is the intention of the Applicant to submit a Technical Note (to be submitted to the Examination at a future examination deadline), addressing those points. It is anticipated that the note will be submitted to the Examination at Deadline 3.
14.19	APP-032	Cumulative effects	Cumulative assessment is limited. The ES does not fully address how multiple solar schemes are incrementally eroding the rural historic landscape, particularly the legibility of dispersed settlement patterns, farmsteads and rural churches. This requires further work to ensure that landscape -scale change and the collective effects of multiple NSIPs are properly captured.	The Applicant is of the opinion that due regard has been given to the importance of understanding the cumulative impacts, as presented within Chapter 7 Cultural Heritage of the ES [APP-032] and Chapter 15 Cumulative Effects and Interactions of the ES [APP-040] in line with the EIA Regulations. With regard to the heritage assets which would be adversely affected by the Proposed Development, the cumulative schemes (incl. solar NSIPs) are situated at sufficient distance from those assets, and separated by the DCO Site, built form (settlements) and vegetation, and as such would be unlikely to affect those historic buildings in any way (resulting in no cumulative impacts).
14.20	APP-032	Overall Assessment	The development will result in harmful effects on the significance of several designated and non-designated heritage assets. The study area for designated assets is too narrow; harm to certain receptors is understated; the cumulative assessment is incomplete and critically the absence of a group - value farmstead assessment means the baseline is not yet sufficiently developed. Further assessment and bespoke mitigation are required to ensure compliance with NPPF paragraphs 212 – 216, EN-1 (5.9.1 –5.9.36) and EN-3 (2.10.118, 2.10.157), all of which require great weight to be given to the conservation of heritage assets and clear, convincing justification for any harm. On this basis, the effects of the proposed development on built heritage interests are considered to be negative.	As mentioned above, the Applicant is of the opinion that the assessment of the cultural heritage resource (including cumulative effects) as submitted within Chapter 7 Cultural Heritage of the ES [APP-032] and its Appendices is appropriate and proportionate, and the embedded mitigation measures incorporated in the design provide an appropriate response in relation to the above ground designated and non-designated heritage assets, and there is no evidence in the comments provided where specifically the mitigation is lacking. However, to address those comments relating to study area considered and the historic farmsteads group, it is the intention of the Applicant to submit a Technical Note (to be submitted to the Examination at a future examination deadline) addressing those points. Furthermore, to provide a more detailed overview of the employed mitigation measures, a summary of embedded measures (informed by the assessment work completed to inform the ES) has been submitted as Action 3a of the ISH1, provided in Appendix B of the Applicant's Written Summaries of



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				Oral Submissions for Issue Specific Hearing 1 [REP1-046] (paragraphs 1.2 to 1.9)
14.21 – 14.23	APP-032 APP-131	Archaeology Methodology and Assessment	Having reviewed the submitted documents, the Council continues to have concerns regarding the level of archaeological assessment undertaken to inform the Applicant's DCO application, particularly given the lack of site-specific assessments for a range of developmental stages which will have extensive ground impacts including: drainage, engineering works, the amount and layout of cabling and landscaping, as well as the potential for impacts in ecological mitigation areas such as soil inversion. The Planning Inspectorate, in their Scoping Opinion, stated that '<i>The ES should contain information on how the results of the desk based and field-based assessments and surveys have informed the ongoing design development and supported the design of an appropriate mitigation strategy.</i>' (6.3 ES Appendix 1-B EIA Scoping Opinion, APP-119, section 3.1 Cultural Heritage). We acknowledge the applicant's assessment work to date, including a desk-based assessment (DBA) and geophysical survey (magnetometry). Some targeted evaluation trenching is currently ongoing. The agreed trenching WSI is for the first phase of trenching (6.3 ES Appendix 7-H Written Scheme of Investigation for an Archaeological Evaluation, APP-131, Section 1.1).	This response also addresses the LIR Ref. 14.22-14.23 below. The Applicant is of the opinion that the assessment work completed as part of the ES (ES Chapter 7 Cultural Heritage [APP-032], and relevant Appendices, especially [APP-127], [APP-129], [APP-130], [APP-132] is proportionate and fully compliant with the policies of NPS EN-1 and NPS EN-3, the NPPF and the EIA Regulations, and provides an appropriate response to the EIA Scoping Opinion [APP-119]. Of particular note (within all of the relevant policies) is the need to understand the specific nature of the potential impacts of the Proposed Development (acknowledged in policy to be 'limited'); to undertake a 'proportionate' assessment of these effects; and to develop mitigation proposals to manage any residual effects. For the avoidance of doubt, the Applicant is committed to ensuring that archaeological remains are taken into account during the detailed design process, and where activities such as those listed are identified as unavoidable, appropriate mitigation measures can be defined in response to specific impacts. HE and LCC have been engaged in discussions with the on-going work, with LCC and HE attending site visits during the trial trenching work. A meeting on the subject of the completed trial trenching work was held on 6 January 2026, where the positive and collaborative working between all parties continued. It should also be noted that the Final Trial Trenching Report, which is being finalised, has been provided to the consultees for comment and will be submitted to the Examination at a future Examination deadline (with the results superseding the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]). However, and for the avoidance of doubt, a number of surveys and assessments were carried out and contributed to the understanding of the archaeological resource across the DCO Site which, together with the Final Trial Trenching Report, provide sufficient level of detail to inform the decision making process with regard to archaeology.
14.24	N/A	Archaeology Methodology and Assessment	There is currently then a limited data set from trenching results for identifying the presence, depth, date, character, location, state of preservation and significance of archaeology which currently survives across the redline boundary. The current programme of trenching does not include trenches to test areas where these previous techniques have not been successful in identifying archaeological remains.	The trial trenching was designed to be proportionate, and targeted both areas of known remains and tested areas where previous surveys did not identify such remains. This allowed confirmation at the interim report stage of an overall good correlation between the anomalies identified in the geophysical survey [APP-130] and during the trial trenching [APP-132]. Appendix 7-H Written Scheme of Investigation (WSI) for an Archaeological Evaluation of the ES [APP-131] was subject to consultation with the archaeological advisor at LCC and was approved on 7 May 2025, prior to the evaluation commencing. For the avoidance of doubt, the Final Trial Trenching Report (which supersedes the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]), is currently subject to consultation with HE and LCC. Once updated (to be submitted to the Examination at a future Examination deadline) the Final Trial Trenching Report will enable a detailed consideration of the relevant results as part of the decision making process. It should be noted, however, that the overall results from the final evaluation conform to the summary presented in the interim report submitted with the DCO Application [APP-132].
14.25	N/A	Unsurveyed Geophysical Survey Areas	Some areas have not been subject to geophysical survey and while we appreciate there will be access issues, there must at some point be access	The Applicant acknowledges that a small amount of the DCO Site area was unavailable for the geophysical survey. However, the vast majority of that area



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			so that the scheme can be built. These unsurveyed areas will need higher levels of evaluation to compensate for the lack of information or else be subject to stronger archaeological mitigation, as their potential has not been determined.	falls within areas of retained agricultural land or where ecological mitigation areas are proposed (the impacts of which have not yet been subject to detailed design but which are anticipated to be minimal at most) and the survey was only one of a number of surveys and assessment which informed the ES Chapter 7 Cultural Heritage [APP-032]. Additional trenching will be carried out where required, as secured within the Framework WSI [AS-001] (to be updated/finalised).
14.26	N/A	Need for Comprehensive Archaeological Evaluation to Inform Mitigation	Any areas of unknown potential will need adequate levels of evaluation in advance of any works, including plant movement which may damage or destroy currently surviving but unknown archaeology, otherwise mitigation measures will be required to allow the archaeology to be planned, investigated and recorded before the groundworks can commence. It is therefore much preferred that sufficient trenching is undertaken across the full Order Limits to provide the essential baseline evidence to design a reasonable and fit for purpose mitigation strategy.	With regard to potential impacts from plant movement upon unknown archaeology, there is the commitment to ensure that archaeological remains to be preserved in-situ as part of the mitigation are protected from impacts, as secured within the Framework CEMP [REP1-031], ref. measure CH-C1. The understanding of the archaeological resource (informed by the completed and further trial trenching) will feed into detailed design and specific construction methods, and thus allow for appropriate measures to be specified within the detailed CEMP, with further archaeological mitigation agreed as per the Framework WSI [AS-001] (to be updated/finalised). There needs to be an understanding that where non-intrusive methods are proposed, some machinery movement will be required to facilitate construction, but this can be done using appropriate equipment in the right conditions (and not heavy machinery on saturated ground). The details will depend on the detailed design and the mitigation measures proposed, and those can be agreed in the detailed CEMP, which is to be approved by the relevant planning authority. The Applicant would also like to highlight the opportunities the Proposed Development brings to define appropriate measures to protect such remains (with no protection currently in place from regular ploughing and movement of farm machinery which result in impacts such as wheel ruts or plough scars). To further expand on the point of identification of archaeological remains, following the granting of the DCO, additional trenching will be carried out where required, as secured within the Framework WSI [AS-001] (which is currently being finalised). The results of the completed phase of trenching, which are considered to be sufficient to inform the decision making process, will be submitted as the Final Trial Trenching Report to the Examination at a future Examination deadline (with the results superseding the results of Appendix 7-1 Trial Trenching Report (Interim) of the ES [APP-132]). However, and for the avoidance of doubt, a number of surveys and assessments were carried out and contributed to the understanding of the archaeological resource across the DCO Site which, together with the Final Trial Trenching Report, provide sufficient level of detail to inform the decision making process with regard to archaeology.
14.27	N/A	Inclusion of Habitat Creation Areas within Archaeological Evaluation	Some habitat creation requires ground preparation which would damage or destroy surviving archaeology, particularly in land previously in agricultural use where surviving archaeology may be close to the current ground surface. These areas therefore need to be included in the evaluation work and the results can be used to inform the design process effectively.	The Applicant is committed to ensuring that archaeological remains are taken into account during the detailed design process. The Final Trial Trenching Report will enable a detailed consideration of the relevant data as part of the decision making process. The results of the Final Trial Trenching Report, and any additional required trenching under Requirement 11 (Archaeology) of the Draft DCO [REP1-077], will inform the detailed design, which will be carried out following granting of the DCO, as detailed within the Framework WSI [AS-001]. This will include the Cable Corridor and other areas of potential impacts, such as below ground impacts in areas where habitat creation or soil management are required). These areas have not been subject to trial trenching at this stage, as detailed design is yet to be developed (and therefore it is not known where and if



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				impacts would be incurred). As part of an iterative approach to the detailed design process, the locations for construction activities associated with the Cable Corridor (or other areas devoid of solar panels) will be fed into the design for a programme of further trial trenching work, which will in turn inform the design process and appropriate mitigation measures. The Applicant is committed to ensuring that archaeological constraints feed into the detailed design, with appropriate mitigation to be agreed. The details to be submitted under Requirement 6 (Detailed design approval) of the Draft Development Consent Order [REP1-077] must accord with any details approved under Requirement 11 (Archaeology). The Applicant would like to highlight here that there are numerous examples that demonstrate the potential archaeological resource can be managed through trenching carried out post-consent, which then leads to inform either mitigation measures by design (i.e. micro-siting/avoidance) or specific and appropriate mitigation via preservation by record (archaeological investigations). At the request of the Examining Authority, examples of where such measures have been successfully implemented on other schemes have been submitted as Action 3b of the ISH1, provided in Appendix B of the Applicant's Written Summaries of Oral Submissions for Issue Specific Hearing 1 [REP1-046] (paragraphs 1.2 to 1.9). As appropriate evaluation will be carried out following the granting of the DCO (pursuant to Requirement 11 of the Draft DCO), to adequately identify surviving archaeological remains across the DCO Site which may be affected by the construction works, appropriate mitigation measures to ensure the remains are either protected or appropriately recorded will be defined at the post-consent stage including via detailed design and through the detailed CEMP.
14.28	N/A	Role of Groundwork in Archaeological Mitigation	Other significant groundwork impacts from developmental activities will need to inform what further evaluation may be required in order to provide sufficient baseline evidence for a reasonable, fit for purpose agreed mitigation strategy to effectively deal with the impact on currently surviving archaeology.	The Applicant agrees and the process of additional evaluation and development of the mitigation strategy to respond to the impacts identified through detailed design is discussed against the LIR Ref. 14.27 above.
14.29	APP-192 (now AS-100)	Role of Groundwork in Archaeological Mitigation	Examples of such major impacts are available in a number of the submitted documents. 7.10 Framework Soil Management Plan (SMP) (Rev 1) [APP-192] for example lists the potential uses for soil including 'General use within cut/fill proposals. (section 6.2.3) as well as use 'within the creation of wetlands or SuDS features' (section 6.4.1). There's also the preliminary works in advance of soil placement: ' <i>The receiving surface (in -situ layer of soil) must be de -compacted first prior to placement and spreading. In some instances this receiving layer may require deep ripping.</i> ' (section 6.8.2).	The Applicant would like to reiterate that the detailed design for those areas has not been completed. The Applicant is committed to ensuring that archaeological remains are taken into account during the detailed design process and the process of additional evaluation and development of the mitigation strategy to respond to the impacts identified through detailed design is discussed against the LIR Ref. 14.27 above. All archaeological work will be undertaken in line with the Framework WSI (secured by requirements of the DCO) [AS-001] (to be updated/finalised), with the approach also clarified in CH-C1 of the Framework CEMP. This specifies that where impacts to archaeological remains are unavoidable, an appropriate programme of archaeological investigation and recording will be undertaken. Specifics of the appropriate measures will be confirmed/updated in the detailed CEMP).
14.30	APP-192 (now AS-100)	Topographical Surveys	The Council notes that this document also states that there will be a ' <i>Topographic survey – determine site levels, changes in elevation, earmark cut and fill locations.</i> ' (section 7.2.2) This type of information is critically useful for understanding the site -specific developmental impacts across the scheme, we recommend such technical information be shared as soon as available in order to inform the archaeological evaluation and mitigation process.	Similarly, as mentioned above, the Applicant would like to reiterate that the detailed design for those areas has not been completed. The Applicant is committed to ensuring that archaeological remains are taken into account during the detailed design process and the process of additional evaluation and mitigation strategy to respond to the impacts identified through detailed design is discussed against the LIR Ref. 14.27 above. As and when impacts from on site



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				works are identified through the design process, appropriate mitigation measures can be agreed within site specific WSIs (to be agreed with the local authority).
14.31	N/A	Conclusions	Table 7-2: Statutory Consultation Responses (Cultural Heritage) pp7-31 to 7-56 in ES Chapter 7 Cultural Heritage (APP-32) lists the concerns expressed by Lincolnshire County Council and while some of these issues have been noted we remain concerned. The Council maintains that the applicant's submission for buried heritage and the proposed developmental impacts upon it lacks consistency and necessary detail in some areas.	The Applicant is of the opinion that due regard has been given to the importance of understanding the significance of archaeological remains through a staged process, and the potential impact of the Proposed Development is understood. Crucially, measures to ensure appropriate and proportionate mitigation is included have been built into the process. This is further addressed above in LIR Ref. 14.21, 14.24-25 and 14.27 above.
14.32	N/A	General Comments	The following comments are made with specific reference to the scheme's submission documents.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
14.33	APP-008 (now AS-105)	Draft DCO Works no 9 Wording	2.2 Works Plans [APP-008] states that Works no 9 includes 'landscaping, biodiversity and ancillary works.' We are seeing proposed amendments to draft DCO wording from Applicants on other Lincolnshire solar NSIPs for similar works they wish to undertake, in advance of the main work programme, to be specifically excluded from the Archaeological Requirements. We would strongly oppose any proposed DCO wording which excludes any such works.	This point was discussed between the Applicant and North Kesteven District Council (NKDC) prior to the submission of the DCO Application. It is acknowledged that, for the majority of the Requirements in Schedule 2 of the Draft DCO [REP1-007], the only works which are excluded from the pre-commencement requirements are the 'permitted preliminary works' as these are specifically excluded from the definition of 'commence' under Article 2(1) of the Draft DCO [REP1-007], and are themselves defined in Article 2(1). However, as a result of the aforementioned discussions with NKDC, the Applicant amended Requirement 11 at Schedule 2 of the Draft DCO [REP1-007] to make clear, at sub-paragraph (3) of the Requirement that: <i>"for the purposes of sub-paragraph (1), "commence" includes any permitted preliminary works."</i> The inclusion of this wording means that the provisions in Requirement 11 must be complied with before even the 'permitted preliminary works' can be commenced, unlike the other Requirements in Schedule 2. This therefore means that there is no provision within the Draft DCO that would exclude works of the type referred to by the Council from the need to comply with the archaeological mitigation provided for by Requirement 11 of Schedule 2 to the Draft DCO [REP1-007]. Furthermore, the inclusion of the more restricted drafting at sub-paragraph (3) of Requirement 11 demonstrates that the Applicant has no intention to seek to exclude such works from compliance with the archaeological mitigation provisions of that Requirement.
14.34 – 14.35	APP-034	Hydrology-Related Groundworks and Archaeological Impact Contradiction	6.1 ES Chapter 9 Water Environment [APP-034] lists a variety of developmental impacts during decommissioning as well as construction phases for this scheme: 'Construction activities such as earthworks, excavations, site preparation, levelling, and grading operations result in the disturbance of soils' (section 9.7.4) and also 'Potential impacts from the decommissioning of the Principal Site are similar in nature to those during construction, as some ground works would be required to remove infrastructure installed.' (section 9.7.140).	The Chapter 7 Cultural Heritage of the ES [APP-032] discusses potential development impacts on archaeology including during construction and decommissioning phases. Firstly, it should be noted that physical impacts from construction upon archaeological remains would not be reversed (i.e. construction groundworks for the BESS would result in truncation of archaeological remains – with appropriate prior mitigation and recording – and as such removal of such infrastructure would not affect any archaeology as it would have already been recorded and removed). However, this Chapter also highlights a degree of uncertainty regarding potential harm upon the archaeological remains during decommissioning phase largely due to unknown



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			This would of course destroy any currently surviving archaeology in the areas of these works. This is contrary to statements elsewhere in the submission documents that there will be no decommissioning impacts or even construction impacts to archaeology.	techniques/methodology for such works which would be used decades from now. As such, the ES Chapter (paragraph 7.7.49) highlights that appropriate methodology, as presented in the Framework DEMP [REP1-035], will be updated as required. As such, if the updated/detailed DEMP at the time of the decommissioning works indicates that any potential work could affect archaeology, appropriate mitigation measures will be agreed with the relevant LPA at the time in order to ensure that the effects remain as established in Chapter 7 Cultural Heritage of the ES [APP-032].
14.36	APP-041	Residual Effects	6.1 ES Chapter 16 Summary of Environmental Effects, [APP-041] states there will be 'No significant residual effects on Cultural Heritage are predicted during the construction of the Proposed Development.' (Table 16-1: Summary of significant effects during the construction phase of the Proposed Development, and again in Table 16.2 of the operation phase). This single line is inadequate and incorrect. This proposed development may be for a long-term temporary scheme but any developmental impacts across the Order Limits on currently surviving archaeology will be permanent impacts on the non-renewable archaeological resource.	With regard to the assessment of the residual effects, the Applicant notes the assessment methodology, as presented in the Chapter 7 Cultural Heritage of the ES [APP-032] and the discussion of impacts. Throughout the discussion, permanent impacts upon archaeological remains are acknowledged, where applicable. The consideration of the residual effects takes into account not only the level (and duration – in this case, permanence) of the impact, but also the values of the assets affected and the mitigation proposed. The Applicant is of the opinion that this assessment has been completed and suitable mitigation can be delivered, and the delivery of the mitigation, to be agreed with the relevant Local Planning Authority (LPA), will ensure the residual effect will be neutral (with different mitigation options available including no-impact solutions, or benefits of a programme of archaeological investigation and recording, delivering benefits which would offset the loss of remains).
14.37 – 14.39	APP-147	Depth of Swales	6.3 ES Appendix 9-D Framework Surface Water Drainage Strategy [APP-147] makes reference to lined swales, 'infiltration swales lining the boundaries of these seven fields' (section 4.1.10), edge swales which 'will be sized and located accordingly to capture as much excess overland surface water runoff that can be reasonably accommodated' (section 4.1.12) and 'a new open green ditch.' (section 4.1.13). There will be over 6 ha of 'the proposed impermeable areas' (Section 4.2.2), swales will be approximately 0.6m deep (section 4.4.8) and for the seven fields which will need edge swales there are spaces 'suitable for up to 300m, 6m wide and 0.6m deep.' (section 4.5.5). Archaeology survives across this scheme at less than half that depth. These, and all the other substantial ground impacts from proposed development works, will need reasonable evaluation and where necessary appropriate mitigation measures to effectively deal with impacts on surviving archaeology.	Swales are not proposed to be located within areas identified of archaeological importance, with critical infrastructure (such as the BESS) located away from any identified risk of archaeological remains. Swales are initially sized at a maximum depth of 0.6m; however, the majority of swales provide betterment, i.e. those in solar PV areas, and can be moved should archaeological remains be located. The Applicant has acknowledged the range of potential impacts upon the archaeological remains throughout the submission documents, including Chapter 7 Cultural Heritage of the ES [APP-032] The impact assessment has been undertaken on the basis of a reasonable worst case scenario in terms of archaeological impacts. As such, the worst-case parameters considered within the assessment are likely to exacerbate the impacts that would arise as a result of the detailed design, whereby the impacts in reality will likely be less than those reported. Appendix 9-D Framework SWDS [REP1-025] specifically explains that those swales 'are to be designed' (paragraph 4.1.10). The Applicant is committed to ensuring that archaeological remains are taken into account during the detailed design process. The results of the Final Trial Trenching Report, and any additional required trenching, will inform the detailed design under Requirement 6 of the Draft DCO [REP1-007], which will be carried out following granting of the DCO, as detailed within the Framework WSI [AS-001]. This will include areas of potential impacts (including areas of below ground impacts from work such as establishment of swales or drainage). These areas have not been subject to trial trenching at this stage, as detailed design is yet to be developed. As part of an iterative approach to the detailed design process, the locations for construction activities will be fed into the design for a programme of further trial trenching work, which will in turn inform the design process and appropriate mitigation measures. The Applicant is committed to ensuring that archaeological constraints



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14.40 – 14.43	APP-180 (now AS-097)	NTS Residual Archaeological Effects	6.4 ES Non-Technical Summary (Rev 1) [APP-180] states that 'The significance of the potential effects on known and potential buried archaeological remains (including late prehistoric/Roman remains, medieval remains and agricultural features) before additional mitigation ranged from neutral to moderate adverse. However, following the implementation of the embedded and additional mitigation measures, it is considered that in the worst-case scenario, the residual effect on buried archaeological remains would be a neutral (not significant). (section 6.3.10). The Council do not agree with this statement. Trenching evaluation is ongoing and the full report on the findings has yet to be produced. Some mitigation options have been listed but there is no site-specific fit for purpose mitigation strategy. Having undertaken site monitoring visits during the trenching fieldwork, certainly there are areas of significant surviving archaeology within the Order Limits of this scheme. The potential effects cannot be said to be 'neutral to moderate' when 'potential buried archaeological remains' have yet to be located, identified or characterised. This is a reductive assumption and, until there is sufficient baseline evidence for an informed understanding of the significance of surviving archaeology within the Order Limits, we recommend that potential effects be 'high' until proven otherwise. The worst-case scenario would not be 'neutral' as stated above, rather it would be that currently unknown significant archaeology is destroyed by development works without recording. This is contrary to national policy and guidance including the Central Lincolnshire Local Plan which states that 'Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance.' (Policy S57 The Historic Environment, p126). Section 6.3.10 of the Non-Technical Summary [AS-097] goes on to state that: 'Additional mitigation comprising a programme of archaeological investigation and recording would deliver benefits which would offset the loss of remains and allow for this already non-significant adverse effect to be further reduced or potentially avoided completely.'	feed into the detailed design process, with appropriate mitigation to be agreed, ensuring that the residual effects do not exceed those reported within Chapter 7 Cultural Heritage of the ES [APP-032]. This response also addresses comments in LIR Ref. 14.41-43 below. The Applicant is of the view that the process for the assessment of the archaeological resource, design and mitigation ensures that the residual effects would be neutral and not significant. The Applicant is of the view that this assessment has been completed and suitable mitigation can be delivered, and the delivery of the mitigation, to be agreed with the relevant Local Planning Authority (LPA), will ensure the residual effect will be neutral (with different mitigation options available including no-impact solutions, or benefits of a programme of archaeological investigation and recording, delivering benefits which would offset the loss of remains). The Applicant appreciates archaeological remains are located within the DCO Site, for which appropriate mitigation measures are, or will be, agreed, and wholly disagrees with the statement that archaeological remains would be destroyed without recording. It should be noted that, as per Requirement 12 of the Draft DCO [REP1-007], the CEMP must be substantially in accordance with the Framework CEMP [REP1-031] and construction of the authorised development must be carried out in accordance with the approved CEMP. The Framework CEMP [REP1-031] (ref. CH-C1) notes: "Where impacts to below ground archaeological remains as a result of the Proposed Development cannot be avoided, an appropriate programme of archaeological investigation and recording will be undertaken, with the objective of advancing the understanding of the significance of archaeological remains within the DCO Site that may be disturbed or either wholly or partially lost. The fieldwork will be undertaken prior to the commencement of construction works but may also include monitoring and recording works during construction. The detailed CEMP(s) will reflect mitigation required during construction which will be set out in the WSI and include measures such as ensuring monitoring is in place where required." DCO requirements are legally binding and enforceable by the LPA, as such the various management plans secured under the DCO requirements must be complied with; failure to comply with the provisions of the various management plans (and other measures) secured under the DCO requirements would be a breach of the terms of a DCO, which is a criminal offence. As such, the destruction of archaeological remains without recording would be a criminal offence. The results of the Final Trial Trenching Report, and any additional required trenching, will inform the detailed design under Requirement 6 of the Draft DCO [REP1-007], which will be carried out following granting of the DCO, as detailed within the Framework WSI [AS-001]. As part of an iterative approach to the detailed design process, the locations for construction activities will be fed into the design for a programme of further trial trenching work, which will in turn inform the design process and appropriate mitigation measures. This staged approach to further investigation of those additional areas is presented within the Framework WSI [AS-001], which will be finalised following completion of the Final Trial Trenching Report (which supersedes the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]) and submitted to the Examination at a future Examination deadline to inform the decision making process. Under Requirement 11 of the Draft DCO [REP1-007] the Applicant will



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14.44	APP-180 (now AS-097)	NTS Additional Mitigation Conclusions	The ability to record archaeology which is destroyed by development is not a 'benefit', it is simply preservation by record rather than preservation in situ of archaeological remains. NPPF states that 'the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.' (para 218). National policy and guidance and professional standards have a presumption in favour of preservation in situ. The CLLP for example states that 'Wherever possible and appropriate, mitigation strategies should ensure the preservation of archaeological remains in-situ.' (p125).	be liaising with relevant Local Planning Authority (LPA) to develop the next stage of site-specific WSIs to guide the detailed design process and post-consent activities, and prior to the carrying out of any archaeological works. As such, it is considered that there are appropriate measures in place to ensure there will be no significant effects
14.45 – 14.48	APP-180 (now AS-097)	NTS Residual Archaeological Effects	Sections 6.3.14 and 6.3.15 of the Non-Technical Summary state there will be no impacts to below ground archaeological remains during the operational and maintenance phases of the development, nor during decommissioning activities. This does not align with a number of the submission documents which list specific impacts for every phase of this scheme, examples of which are included in this response. 6.5 Environmental Commitments Register (Rev 1), [APP-183], Cultural Heritage makes reference to 'low level piling and avoidance of archaeology from key areas of impact within Solar PV Areas (such as Solar stations or access tracks)' and 'small exclusion zones (around remains of particular significance) or no -dig solutions such as ballast footings (to be discussed with the archaeological advisor) to avoid piling completely, or areas where cabling is excluded (to reduce any impacts to the low level piling only).' (pp9 - 10).	With regard to preservation in-situ, the Chapter 7 Cultural Heritage of the ES [APP-032] and the Framework WSI [AS-001] highlight the option to preserve remains in situ where possible (and required, depending on the value of the assets), with measures to ensure such remains are protected from additional construction impacts to be described within the detailed CEMP, as secured within the Framework CEMP [REP1-031], ref. measure CH-C1. As such, whilst the potential for impacts from the Proposed Development cannot be entirely removed, preservation in-situ forms part of the approach to archaeological mitigation. Where archaeology will be affected, the Chapter 7 Cultural Heritage of the ES [APP-032] clarifies that the loss of evidential value of archaeological remains (truncation of the physical remains) would be offset by the enhanced historical value (advancement of our understanding of the remains) as well as the public benefits the dissemination of the results would deliver. It makes it clear therefore that it is not only the preservation by record (mitigation measures which will be agreed with the Local Authority), but public benefits stemming from this that are being taken into account in the overall balance regarding the effects. In <i>R (Hayes) v City of York Council</i> [2017] EWHC 1374 (Admin), commonly referred to as the Cliffords Tower judgment, the officers' report to the Committee had identified that mitigation measures, including the archaeological recording of finds, would deliver significant public benefit. Accordingly, the Committee was invited to take into account the recording of "evidence of our past" as part of the public benefit to be weighed against an impact of "less than substantial harm" to the significance of a heritage asset. The Court found that approach to be consistent with the meaning of the concluding words of NPPF 141 (now 218) and rejected the Claimants' assertion that it was unlawful to take into account and give weight to the ability to record evidence of the past. Indeed, it follows that LLC's approach misreads NPPF 218 and fails to apply the correct legal approach to it. The correct approach is that it is open to a decision maker to give weight to the ability to record archaeology, albeit that weight should not be the decisive factor in the balance to be struck. The Applicant would like to clarify that Chapter 7 Cultural Heritage of the ES [APP-032] acknowledges impacts during operation/maintenance and decommissioning phases of the development are unlikely (considering replacement infrastructure would be within areas where impacts had been incurred during construction), however the detailed OEMP and DEMP will specify appropriate measures (i.e. Framework OEMP [REP1-033], ref. CH-O2, which states '<i>If potential for archaeological impacts is identified, appropriate mitigation measures would be agreed with the relevant local authority</i>'). The Applicant considers that the potential for preservation in situ represents a suitable mitigation measure for sensitive archaeological remains where identified (as those remains would not incur any impacts) – the piling was one of the options (not the only option provided). The iterative process of archaeological evaluation and detailed design would ensure that such remains are identified and appropriate measures put in place (see the Framework WSI [AS-001] which will



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			These measures are insufficient. The use of low-level piling will make similar detrimental impacts to standard piling in archaeology that is within 30 - 50cm from the current ground surface, for example on burials and structured deposition in discrete features. Any proposed mitigation measure must be informed by an understanding of the state of preservation and the nature of the surviving archaeology. On another Lincolnshire solar NSIP, unexpected Saxon burials were found 20cm from the ground surface in a very delicate state of preservation. Use of any of these proposed measures would destroy them without identification or recording. In the event of preservation in situ mitigation, the full extent of the archaeological areas must be determined, and each area must be fenced off and subject to a programme of monitoring throughout the construction and the decommissioning phases. There will be no ground disturbance whatsoever which may disturb or affect the archaeological remains, including plant movement or storage. The proposal for 'no-dig solutions' requires a full understanding of the depth, extent, importance and significance of archaeology. Any proposal in archaeologically sensitive areas will require a firm evidence base proving that any proposed work, including decommissioning, will have no impact upon the archaeology including not only direct destructive impact through groundworks, compaction or reduction in the depth of soil necessary for protecting the archaeology, but also through environmental changes which would be detrimental to the surviving archaeology.	be updated and submitted to the Examination at a future Examination deadline following completion of the Final Trial Trenching Report (which supersedes the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]), and subsequent site specific WSIs to be agreed with the relevant local authority). Low level piling (which is called low not because of the depth, but because of the limited footprint and low frequency) is an appropriate measure for other less sensitive remains as the impacts are limited to small discrete areas, with the vast majority of the feature unaffected, preserving those other areas in situ for future investigation if required). As part of the Proposed Development, there is the commitment to ensure that archaeological remains to be preserved in-situ as part of the mitigation are protected from impacts, as secured within the Framework CEMP [REP1-031], ref. measure CH-C1. Details of appropriate measures will be informed by the understanding of the archaeological resource informed by the ongoing and further trial trenching, and defined within the detailed CEMP, as secured within the Framework CEMP [REP1-031], ref. measure CH-C1, to ensure those reflect the development design, specific construction methods and archaeological remains. Measures such as fencing off of areas, use of appropriate equipment and monitoring, and any other specific measures which respond to the context of the site, are commonly applied and can be specified within the detailed CEMP. The Applicant would also like to highlight here that there are numerous examples that demonstrate the potential archaeological resource can be managed through trenching carried out post-consent, which then leads to inform either mitigation measures by design (i.e. micro-siting/avoidance) or specific and appropriate mitigation via preservation by record (archaeological investigations). At the request of the Examining Authority, examples of where such measures have been successfully implemented on other schemes have been submitted as Action 3b of the ISH1, provided in Appendix B of the Applicant's Written Summaries of Oral Submissions for Issue Specific Hearing 1 [REP1-046] (paragraphs 1.2 to 1.9). As such the Applicant is of the opinion that as appropriate evaluation will be carried out following the granting of the DCO, to adequately identify surviving archaeological remains across the DCO Site which may be affected by the construction works, appropriate mitigation measures to ensure the remains are either protected or appropriately recorded can be defined at the post-consent stage including via detailed design.
14.49 – 14.50	APP-189	Framework CEMP Mitigation	7.7 Framework CEMP (Rev 1) [APP-189] states that '<i>Where exclusion zones or non - intrusive methods are required, the detailed CEMP(s) will include a strategy which will detail appropriate good practice measures during construction (such as use of appropriate equipment or limiting avoiding heavy plant movements during inclement weather on sensitive areas to avoid damage to below ground remains etc.) and ways of monitoring of this.</i>' (3.3 Cultural Heritage, Table 2: Cultural Heritage, CH-C1). This approach is unacceptable to the Council. It is Lincolnshire County Councils view that no works whatsoever should be undertaken in known archaeologically sensitive areas, whether they are 'exclusion zones' or areas using non-intrusive mitigation measures. Archaeology is known to survive here less than 30cm from the ground surface as seen in the evaluation trenching. Machine tracking alone will destroy archaeological deposits where	As part of the DCO submission, there is the commitment to ensure that archaeological remains to be preserved in-situ as part of the mitigation are protected from impacts, as secured within the Framework CEMP [REP1-031], ref. measure CH-C1. The Applicant is of the opinion that appropriate measures will be defined within the detailed CEMP, reflecting the understanding of the archaeological resource (informed by the ongoing and further trial trenching), specific construction methods and detailed design. There needs to be an understanding that where non-intrusive methods are proposed, some machinery movement will be required to facilitate construction, but this can be done using appropriate equipment in the right conditions (and not heavy machinery on saturated ground). The details will depend on the detailed design and the mitigation measures proposed, and those can be agreed in the detailed CEMP, which is to be approved by the relevant planning authority. The Applicant would



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			there is insufficient depth of soil to protect the remains from compaction and wheel ruts. Please see paragraph above in response to 6.5 Environmental Commitments Register (Rev 1), [APP-183].	also like to highlight the opportunities the Proposed Development brings to define appropriate measures to protect such remains (with no protection currently in place from regular ploughing and movement of farm machinery which result in impacts such as wheel ruts or plough scars).
14.51 – 14.52	APP-191	Framework DEMP Mitigation	Regarding 7.9 Framework DEMP (Rev 1) [APP-191], we do not agree with the statement that 'The decommissioning phase is not expected to result in any impact beyond the already-disturbed footprint of the Proposed Development. Therefore, it is not anticipated that decommissioning activities will have a direct physical impact upon buried archaeological remains.' (3.3: Cultural Heritage, Table 2, CH - D1, p13). There is no information on how hundreds of thousands of piles will be dealt with to restore land to its previous agricultural use. There are also references in the Framework DEMP to: 'measures to avoid animals being injured or killed within decommissioning working areas' which states that excavations should not remain open overnight and if so that 'ramps will be provided to allow animals a means of escape.' (Table 3: Ecology and Nature Conservation, ECO -D1 part b, p14) and that 'Measures may include use and maintenance of temporary lagoons, tanks, bunds' and that 'Where practical, any earthworks will be undertaken during the drier months of the year' (3.5 Water Environment, Table 4, WAT-D2, p21).	With regard to the decommissioning impacts, Chapter 7 Cultural Heritage of the ES [APP-032] acknowledges a degree of uncertainty regarding potential harm upon the archaeological remains during the decommissioning phase of the Proposed Development largely due to unknown techniques/methodology for such works which would be applied decades from now. As such, the ES Chapter (paragraph 7.7.49) highlights that appropriate methodology as presented in Framework DEMP [REP1-035], will be updated as required in line with relevant guidance at the time. If any measures from the Framework DEMP will be required, and those would result in impacts upon archaeological resource in areas that were not previously subject to construction impacts, specific measures to ensure archaeological protection and recording can be agreed within the detailed DEMP. Whilst at this stage any potential impacts are anticipated to be immaterial/negligible, if it becomes apparent that decommissioning works could affect archaeology, appropriate mitigation measures can be agreed with the relevant planning authority at the time (both through appropriate design, safeguarding measures specified in detailed DEMP or archaeological mitigation through recording prior to impacts being incurred).
14.53	APP-191	Framework DEMP Mitigation	7.9 Framework DEMP [APP-191] does however include Environmental and Ecological Clerks of Works in section 2.2.1 Key roles and responsibilities. An Archaeological Clerk of Works will also be required as well as an agreed Archaeological Management Plan, which will remain in place for the lifetime of the scheme until the end of the scheme's decommissioning phase to ensure that impacts on archaeological and unevaluated areas are dealt with in a reasonable and enforceable way with appropriate archaeological mitigation where required.	The Framework DEMP has been updated (to be submitted to the Examination at the next available deadline), to include the following at CH-D1: "<i>The decommissioning phase is not expected to result in any impact beyond the already-disturbed footprint of the Proposed Development. Therefore, it is not anticipated that decommissioning activities will have a direct physical impact upon buried archaeological remains. However, if such impacts are identified when methods for the removal of all infrastructure are confirmed, appropriate measures will be agreed within the detailed DEMP. If deemed necessary, an Archaeological Clerk of Works and Archaeological Management Plan can be agreed.</i>" The detailed DEMP, which is required to be substantially in accordance with the Framework DEMP, is secured by Requirement 20 of Schedule 2 to the Draft DCO [REP1-007].
14.54 – 14.56	APP-129 APP-130 APP-132	Air Photo and LiDAR, Geophysical Survey, and Interim Trial Trenching Report Findings	The air photo and LiDAR report 'has identified tentative evidence for an Iron Age and/or Roman settlement on the east bank of the River Brant, extensive medieval or post medieval agricultural landscapes, and a small number of (WWII) military buildings, structures and other features.' (6.3 ES Appendix 7-F Air Photo and LiDAR Mapping and Interpretation, [APP-129]). The geophysical survey report results show a 'Potentially Bronze Age through to Post Med agricultural landscape with IA/Roman and Med settlements and activity.' (6.3 ES Appendix 7-G Detailed Gradiometer Survey Report, [APP-130]). The interim trenching report states that 'Based on preliminary dating evidence, the majority of the activity appears to date to the later prehistoric and Roman periods, with some possible evidence for medieval, post-medieval and modern activity across the Principal Site.' (Section 4.1, 6.3 ES	The Applicant acknowledges these comments on the recorded and potential archaeological remains and trial trenching (LIR Ref. 14.54-56). The Final Trial Trenching Report (which supersedes the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]) will be submitted to the Examination at a future Examination deadline and appropriate evaluation will be carried out following the granting of the DCO, to adequately identify surviving archaeological remains across the DCO Site which may be affected by the construction works and define appropriate mitigation measures to ensure the remains are either protected or appropriately recorded



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			Appendix 7-I Trial Trenching Report (Interim), [APP-132]). While the trenches are proving the geophysical survey results they are also ground-truthing further activity with the discovery of features not identified through geophysical survey. (Section 4.2, as above). The interim trenching report also recorded that 'relatively thin topsoil cover was observed in many of the fields. (Section 4.1, as above).	
14.57	N/A	Conclusions	In summary, archaeology has been identified across the Order Limits and trenching has demonstrated that archaeology survives at less than 30cm from the ground surface. This scheme is on a landscape scale: at 1,368ha there will undoubtedly be currently unknown surviving archaeology. Virtually any groundworks or plant movement would damage or destroy any surviving archaeology here which has not been adequately evaluated or identified for mitigation measures appropriate to its significance.	Please refer to response for LIR Ref. 14.26
14.58	N/A	Conclusions	Post-consent trenching leaves a high degree of risk pushed into the post-consent phase with the potential for archaeological works to impact the work programme and budget. It is essential therefore that archaeological work, including field evaluation as well as mitigation phases, can be dealt with by future commitments through the documentation, including approved WSIs and the production of an agreed Archaeological Management Plan with an Archaeological Clerk of Works for the lifetime of the scheme. In view of the range of concerns noted above, the effects of the proposed development on archaeological interests are considered to be negative.	With regard to potential risks regarding the post-consent trenching, there are numerous examples that demonstrate the potential archaeological resource can be managed through trenching carried out post-consent, which then leads to either mitigation measures by design (i.e. micro-siting/avoidance) or specific and appropriate mitigation via preservation by record (archaeological investigations). At the request of the Examining Authority, examples of where such measures have been successfully implemented on other schemes have been submitted as Action 3b of the ISH1, provided in Appendix B of the Applicant's Written Summaries of Oral Submissions for Issue Specific Hearing 1 [REP1-046] (paragraphs 1.2 to 1.9). As such the Applicant is of the opinion that, as appropriate evaluation will be carried out following the granting of the DCO to adequately identify surviving archaeological remains across the DCO Site which may be affected by the construction works, appropriate mitigation measures to ensure the remains are either protected or appropriately recorded can be defined at the post-consent stage including via detailed design and in the detailed CEMP.
14.59	N/A	Conclusions	We will continue to work with the Applicant's archaeological consultant as more detail is provided regarding site-specific developmental impacts, to ensure that reasonable and appropriate evaluation and mitigation are undertaken to adequately deal with the impacts on surviving archaeological remains across the Order Limits.	The Applicant is liaising with and would like to acknowledge the support and involvement from the consultees (both at LCC and HE) in the preparation of the Framework WSI, with their comments appreciated. The approach to further investigation of those additional areas is presented within the Framework WSI [AS-001]. The Framework WSI is currently being finalised following completion of the Final Trial Trenching Report and consultation with LCC and HE, and will be submitted to the Examination at a future Examination deadline. Further liaison with LCC as the relevant Local Planning Authority (LPA) to develop the next stage of site-specific WSIs to guide the detailed design process and post-consent activities, and prior to the carrying out of any archaeological works, will be carried out. As such, it is considered that there are appropriate measures in place to ensure there will be no significant effects
15. Soils and Agricultural Land				
15.1 – 15.10	N/A	Legislation and Policy	(Text not copied from LCC LIR)	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to agricultural land at ES Appendix 12-A: Socio-Economics and Land Use Policy and Legislation [APP-160 and appraised in Section 6 of the Planning Statement [AS-098]. National and local planning policy relevant to socio-economics is also considered in Appendix B National



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15.11	N/A	Impacts on BMV Land	The potential impacts of the Fosse Green proposal on BMV, and potential cumulative effects arising with other projects (both NSIP and Town and Country Planning applications (TCPA)) that are emerging/known about in Lincolnshire are of significant concern to the council. The Council will seek to protect high quality agricultural land in Lincolnshire (ALC grades 1, 2 and 3a) from development in accordance with its Energy Infrastructure Position Statement adopted 5 December 2023. This statement acknowledges that Lincolnshire has a high proportion of best and most versatile land, which is the basis for its prosperous agricultural industry. The Council will object to proposals on Grades 1, 2 and 3a agricultural land.	Policy Accordance Tables and Appendix C Local Policy Accordance Tables of the Planning Statement [AS-098]. With regards to the loss of agricultural land, this has been carefully considered through the site selection process (as set out in Appendix A: Site Selection Report of the Planning Statement [AS-098]) and also through the sensitive design of the Proposed Development in order to minimise the impact on BMV land and agricultural operations. Appendix A: Site Selection Report of the Planning Statement [AS-098] demonstrates how the Applicant assessed the site against other potential alternative sites to ensure it was the most suitable, taking into account operational requirements, national and local planning policy and planning and environmental constraints, including the consideration of the loss of BMV agricultural land. The Design Approach Document [APP-186] explains the design vision and principles that were developed at an early stage to provide a framework for design evolution. Design Principle 2 as detailed in Section 3.9 of the Design Approach Document [APP-186], relates to being sensitive to existing agricultural land and reducing development on BMV land. As a result, a significant area of arable land within the Order Limits is retained by the design of the Proposed Development; the DCO commits to 181 ha (447.2 acres) of retained arable land in the Framework LEMP [REP1-039]. This retained arable land comprises a significant proportion, approximately 116 ha (286.6 acres), of BMV agricultural land. As set out in Chapter 12: Socio-Economics and Land Use of the ES [AS-016], the permanent loss of BMV land as a result of the Proposed Development relates to the permanent loss of 1.5ha (3.7 acres) of Grade 3a to ecological enhancements, which is noted as likely to be beneficial to the soil resource, although it is acknowledged that the magnitude of impact relates to the withdrawal of land from agricultural production, and therefore is established as a minor adverse effect. It is also important to note that the loss of agricultural production on the land as a result of the Proposed Development would not be permanent - the Applicant is applying for a 60-year operational period for the Proposed Development, whereby under Requirement 20 of the Draft Development Consent Order [REP1-007], decommissioning works must commence no later than 60 years following the date of final commissioning. At the end of its operating life the land will be available for its current use, although the landowners would choose how the land is to be used and managed. The Order limits does not include any Grade 1 or 2 Best and Most Versatile (BMV) agricultural land. The Applicant maintains that the area of Subgrade 3a land within the Proposed Development makes a very small contribution to the overall percentage of BMV land affected by solar development in Lincolnshire. When viewed cumulatively, the Applicant identifies that the cumulative effect on agricultural land remains not significant when considered at the County level.
15.12	N/A	Impacts on BMV Land	Lincolnshire has the largest combinable crop output of any UK county, with about 12% of England's arable crop area. The county's combination of climate, soil type and topography make the county ideal for a variety of crops, with 437,591 ha of land given over to agriculture and horticulture, and producing by value circa 10% of England's cereals, 2 5% of vegetables and	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



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			14% of industrial crops (sugar beet, oil seed rape and protein crops). This has led to the area having the UK's leading concentration of fresh produce processors, traders and technology suppliers. This high level of production is vital to the county's economy, which in 2023 amounted to a total crop output of over £1,564 million and a total livestock output of £555 million.	
15.13	N/A	Impacts on Food Security and Local Jobs	To preserve fresh produce and minimise supply chain distance, highly productive food hubs have built up in the south of the county. The importance of this sector for the local economy is reflected in the number of jobs it generates, with an agricultural workforce of approximately 12,000. If this food supply chain is included alongside food retail and catering in the county, the number of employees exceeds 100,000.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
15.14	N/A	General Comments	Landscape Consultants have been commissioned, on behalf of both the Council and NKDC, to assist in the consideration and review of the agricultural land and soils aspects of the Fosse Green proposal. A full copy of the report prepared by Landscape is attached to this report at Appendix ii. Landscape has also reviewed the DCO application documentation. The following summary and conclusions refer to and incorporate their comments and should be read in conjunction with the full report.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
15.15	APP-161 AS-016	ALC Baseline and ES Reporting	The detailed baseline ALC survey [APP-161] was undertaken in line with approved guidelines and methodology across 1,071 ha (NB. but see note at 15.18) of mainly arable farmland. The results from the ALC survey are reported within a combined ES Chapter (Ch.12 [AS-016]) which deals with 'Socio Economics and Land Use'. Whilst the Council acknowledges there is some overlap between land use and socio-economics, given the location of the development and the significant policy basis around BMV agricultural land, a separate ES chapter on this particular topic would have been preferred.	The Applicant acknowledges LCC's preference for a separate Land Use ES Chapter but notes that for other NSIP applications the alternative position has been required whereby the effects on agricultural land holdings are presented alongside effects on agricultural land and soil resources, as is the case in the Fosse Green Energy application.
15.16	APP-161 AS-016 AS-100	Methodology & Assessment – General Comments	The land surveyed is referred to in the application as the 'Principal Site'. The section of 'Cable Corridor' route (351 ha) lying outside of the Principal Site, was not ALC surveyed in detail, but is proposed to be surveyed post-consent, to be secured via the Framework CEMP (reference 12.4.16 of Chapter 12: Socio-Economics and Land Use, Rev 2 [AS-016]). The land would be restored to the same grade through the measures and controls contained in the Framework Soil Management Plan (FSMP) [AS-100], secured in the Framework CEMP. On the provisional 1:250,000 ALC Map, the land within the cable corridor route is mapped as principally Grade 3, with inclusion of areas of Grade 2 east of the A607 (there being no subdivision of Grade 3 with the provisional map).	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
15.17	APP-161 AS-016	Methodology & Assessment – General Comments	Following the detailed intrusive soil survey, four separate soil types were identified. The land has been mapped as predominantly ALC Grade 3b, non-BMV (moderate quality agricultural land) with some BMV (ALC Grade 3a) present in places across the site. No areas of Grade 1 or 2 were identified during the survey. Of the land surveyed, a total of 40 ha (3.74%) was recorded as non-agricultural. Of the remaining agricultural land a total of 241 ha (22.5%) was mapped as 3a (BMV) and 790 ha (73.76%) was mapped as 3b (non-BMV).	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



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15.18	APP-161 AS-016	Discrepancy in ALC Figures within ES	However, it is pertinent to highlight a discrepancy in the ALC information presented in the application documents. The figures referred to in paragraph above are taken from the ALC survey report [APP-161], based on a survey area of 1,071ha, whereby the total 3a land was reported as 241ha (Table 6, pp 14). Looking at Chapter 12 of the ES [AS-016] at paragraph 12.5.12, there is cross-reference to the ALC survey report and a statement that it covered a slightly larger area than the DCO Site boundary, based on an earlier iteration of the Site. However, this does not explain the discrepancy in the figures for Grade 3a and 3b land, presented at Table 12-15 (pp 12 -037) , where , on a smaller 'survey footprint' (equal to 1,018.7ha) , 3a land is recorded as 282.9ha (41.9ha more than the ALC survey report) and 3b land is recorded as 702.4ha (80.76ha less than the ALC survey). Clarity from the applicant to explain this discrepancy in the reporting of BMV/non-BMV land between documents is needed.	The Applicant acknowledges that there is a discrepancy in the area of BMV land reported within Appendix 12-B: Agricultural Land Classification Report [APP-161] and Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. As detailed within the Appendix 12-B: Agricultural Land Classification Report [APP-161] disclaimer found on page 3, 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. As the Council points out, the Principal Site is 1,070ha, not the 1,018.7ha stated in Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. The discrepancy is with land not available for survey east of the Onsite Substation (illustrated on Figure 12-5 [AS-068]), which was added to the Cable Corridor after the ALC survey. The area that was inaccessible / not surveyed within the Principal Site was 70ha rather than the 18.4ha noted in Chapter 12. This does not affect the other numbers in Chapter 12 or therefore the conclusions of the assessment. 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 (699 acres)) is correct, and as such this does not affect the findings and conclusions of the Report or the Environmental Statement chapters that rely on it.
15.19	AS-016 APP-029	Design Evolution and Embedded Mitigation for BMV Land	Chapter 12 of the ES (Socio-Economics and Land Use), Rev 2 [AS-016] states that various mitigation measures have been incorporated into the Proposed Development design, which include positioning above ground infrastructure to avoid BMV land as far as practicable. There is reference in the text at 12.6.2 to Chapter 4 (Alternatives and Design Evolution) [APP-029]. However, whilst Chapter 4 does make reference to agricultural land classification / BMV as one of the considerations that influenced the site design and layout (as 'embedded mitigation' at section 12.6.4), it is unclear from the documentation how this was approached iteratively, using the results from the ALC survey, in order to address the established national and local policy position of seeking to use poorer quality land in preference to higher quality land and avoiding the use of BMV land where possible.	AGR-1, Paragraphs 6.3.154 to 6.3.156 of the Planning Statement [AS-098] explain how BMV land was considered in the context of site selection, and thereafter how Design Principle 2 '<i>The Proposed Development will be sensitive to the existing agricultural land quality in Lincolnshire, reducing the amount of development (and in particular permanent land take) on Best and Most Versatile quality land where possible</i>' set out in the Design Approach Document [APP-186] was applied. Paragraph 6.3.156 of the Planning Statement [AS-098] makes reference to an early design decision to bury the cable from the Principal Site to the proposed National Grid substation near Navenby underground in order to reduce visual impact and to minimise the land take of Best and Most Versatile quality land.



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15.20	AS-016 APP-161	Clarification on Methodology Used for Defining Permanent Loss of Agricultural and BMV Land	The application refers to areas of agricultural land that will be 'permanently' lost due to the proposed development, which the applicant describes as being limited to areas of planting and habitat creation (thereby excluding any other parts of the development covered by infrastructure, which will be removed and the land reinstated upon decommissioning, thus constituting 'temporary' use, albeit for 60 years). The permanent loss is stated to be 4.6ha, of which 1.5ha is BMV (subgrade 3a) land. Clarity from the applicant as to how these figures for 'permanent loss' were arrived at would be helpful, as it is not immediately clear from the application documents what they are based on. Furthermore, in contrast with how other NSIP solar projects have approached the matter of built infrastructure and BMV, it is not clear whether excluding areas of built infrastructure (access roads, compounds, BESS, substations) from the calculation of land permanently lost represents a consistent and proportionate approach to this element of development when set against similar solar developments within the county.	With regards to how the assessment undertaken has considered 'sealing over' (permanent as opposed to temporary loss) of BMV land, such as where it is considered that habitat creation and ecological enhancements on BMV land comprise 'permanent loss' of BMV land, is discussed in Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. Paragraph 12.7.36 of this chapter discusses that the assessment assumes (on a worst-case basis) that the only permanent reduction in agricultural land will be for habitat creation that would not need to be removed to facilitate the decommissioning of the Proposed Development. However, it is noted (as stated within the Framework DEMP [REP1-035] (ref. paragraph 2.3.5) that following decommissioning the landowners would choose how the land (including areas of habitat and biodiversity mitigation and enhancement) are to be used and managed. The change in land use with regards to areas of planting and habitat creation introduced as part of the Proposed Development is likely to be beneficial to the soil resource but the low magnitude withdrawal of land from agricultural production is interpreted as a minor adverse effect, which is not significant, within Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. The Applicant is not aware of other solar NSIPs including areas of built infrastructure (access roads, compounds, BESS, substations) within the calculation of land permanently lost, except where the Applicant is not proposing to decommission these works. There are other schemes where the applicant has left flexibility for leaving new tracks in place in case the landowners would like these retained, or where the applicant does not own the onsite substation and therefore needs to leave this in place following decommissioning. The Applicant is not seeking flexibility to leave any infrastructure in place after completion of the Proposed Development decommissioning stage, and therefore the approach taken in the ES is considered to be robust.
15.21 – 15.23	AS-016	Inconsistency in Application of IEMA Guidance to BMV Land Significance	According to the Institute of Environmental Management & Assessment (IEMA) Guide 'A New Perspective on Land and Soil in Environmental Impact Assessment' (February 2022), BMV land is to be considered a receptor of 'Very High' (Grades 1 and 2) or 'High' (Grade 3a) sensitivity. Further, 'the permanent loss, or reduction in quality, of more than 20ha of agricultural land due to development is of very high magnitude'. The application refers to the IEMA guide in determining impact magnitude and receptor sensitivity in relation to loss of agricultural land to indicate significance of effects. Based on the applicant's interpretation of the IEMA criteria, Chapter 12 paragraph 12.7.44 states that the 'low magnitude withdrawal of land from agricultural production may be interpreted as a minor adverse effect, which is not significant'. However, it is not clear how this statement was arrived at when considering the 'Receptor Sensitivity' and 'Magnitude' tables within the IEMA guidance (Table 2 and Table 3, respectively). Grade 3a ('Biomass production') land falls within the 'High' category of sensitivity. On the basis of applying the term 'temporary' (to a 60-year development), reversible loss of soil -related features, the magnitude of impact on soil resources and function is deemed 'Minor' (Table 3). Combining these in the Significance matrix (Table 5) gives a 'Slight or Moderate' result. Table 6 (Significance Categories and Typical Description) states that effects in the 'Moderate' significant category can be	The Applicant acknowledges that the terminology used in the assessment presented in the ES chapter differs to the terminology set out in IEMA's 'A New Perspective on Land and Soil in Environmental Impact Assessment'6. However, the IEMA Guidelines (page 51) notes: "Furthermore, when using the above matrices within an ES, the terminology of the tables may need to be adapted to align with a wider EIA reporting terminology framework used within a specific ES." The Applicant sought to adapt the significance criteria to better align with the structure presented in Chapter 5: EIA Methodology [APP-030]. Nevertheless, applying the IEMA guidance stringently, as requested by NE, it is not considered to change the ES conclusions. There are three elements to the Proposed Development: land affected temporarily during construction and reinstated; land used in operation and then returned to farming after decommissioning, and land that is permanently lost from farming. The latter is considered most critical. There is 4.6ha of land that is classed as permanently lost, due to the proposed landscaping that the Applicant does not intend to remove during decommissioning. Of this 1.5ha is Grade 3a, BMV. The area of loss is less than



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			considered material in the decision-making process. Under the applicant's own 'Impact Assessment and Significance' table (Table 12 -14 of Chapter 12 [AS-016]), this combination of low (or Minor) magnitude and High sensitivity results in 'Moderate' impacts, which are classed as 'Significant' (reference paragraph 12.4.49). This matter was also raised by Natural England in their Relevant Representation [RR-202]. In considering the above comments, the removal of 241ha (or 282.9ha – see comment at para 15.1 8) of grade 3a BMV land for a significantly extended period of time (60 years) from productive agricultural use warrants serious consideration in the overall assessment of impacts, particularly when viewed in cumulative terms with other solar developments across Lincolnshire. The conclusion at paragraph 12.10.17 of Chapter 12 [AS-016] that the cumulative effect on agricultural land associated with the proposed development remains 'not significant' when considered at County level is questioned, especially in the context of the Council's queries over the derivation of 'significance' under the IEMA guidance for the site -related impacts as set out above. Furthermore, although the ALC gradings are not disputed, the difference between subgrades 3a and 3b agricultural land can often be quite small and there is a degree of subjectivity about the difference, thus further underlining the potential adverse impacts associated with loss of productive agricultural land generally arising from this development proposal and cumulatively when assessed alongside other solar developments across the region.	5ha and therefore minor magnitude of impact, for either a High (on BMV land) or Medium (on non-BMV land) sensitivity; this results in a Slight effect on the non-BMV land, and Slight or Moderate on the BMV land. Given the area of BMV lost is over 3 times less than the 5ha threshold, it is appropriate to conclude a Slight effect, which in the ES would correspond with a minor adverse effect that is not significant. Furthermore, this land is not truly lost from farming forever; the landowners/farmers can remove the landscaping/planting in the future if they choose (and part of this is the community orchard, which technically is a form of agricultural use). For the land affected temporarily during construction and reinstated, the impact would be a few weeks – or months at worst – affecting one growing season. The land will be reinstated to its current condition and will be available for farming immediately after restoration. This is considered to be no discernible loss or reduction of soil functions or soil volumes that restrict the current farming activity; a Negligible magnitude of change using the IEMA criteria. This corresponds with a Slight effect, which in the ES would correspond with a minor adverse effect that is not significant. Finally, the land under the solar panels constitutes a mix of Grade 3a (High sensitivity) and 3b (Medium sensitivity) land. The soil is still present (it is not displaced) and following implementation of good soil handling and construction methods the soil should maintain the same ALC or recover to this status. It would also still be available for sheep grazing under panels which itself is still a form of agricultural land use, although not arable. There is no discernible loss or reduction of soil functions or soil volumes that restrict the current farming activity. It is acknowledged that a farmer would not attempt to grow wheat or many other crops due to the obstacle that the solar infrastructure presents, however the soil would allow this if the panels were removed. Rather than attribute a Moderate, significant adverse effect to the change of land use followed by a moderate, significant beneficial effect when the panels are removed and facilitate arable farming again, it is considered appropriate to assign a Negligible magnitude of change to this impact, which results in a Slight effect. This corresponds with a minor adverse effect using the ES terminology, that is not significant. As such, it is considered that the conclusions within Chapter 12: Socio-Economics and Land Use of the ES [AS-016] remain unchanged, and the effects with regards to the permanent loss of the 1.5ha of BMV as a result of ecological enhancements associated with the Proposed Development, and the long term, reversible change of use of 282.9ha of BMV (relating to the Solar PV Array elements of the Proposed Development) is considered a 'minor' adverse effect. It is therefore not considered necessary to update the ES to change the criteria for sensitivity in this instance and it would have no bearing on the outcome of the assessment.
15.24	AS-016	Cumulative Effects	The applicant's assessment of cumulative impacts on agricultural land [AS-016] considers other NSIP projects. At paragraph 12.10.15, they estimate that solar NSIPs in Lincolnshire, including the proposal at Fosse Green, account	As highlighted by LCC in their LIR, the Applicant estimates that the solar NSIPs in Lincolnshire, together with the Proposed Development, account for approximately 1.4% of the BMV land in the County. This estimate was based on



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			for approximately 1.4% of the BMV land in the County. Based on its own ongoing assessment, this figure is reasonably consistent with the calculations undertaken by the Council. Based on a recently undertaken review using publicly available figures, the amount of land occupied by solar NSIP and TCPA development in Lincolnshire is currently circa 3.23% of all cropped and uncropped land (385,930 ha). Within that total, the amount of BMV land covered by NSIP and TCPA solar against the total quantum of BMV land in Lincolnshire provides a figure of 1.25%. However, the BMV figure for Lincolnshire is based on an overwash GIS layer which also includes the areas covered by other landscape element, such as settlements and woodlands, and therefore a proportion of this BMV land is not available for agriculture. On that basis, the percentages will be higher.	Defra's Agricultural Facts: East Midlands Region and information provided within previous or existing NSIP projects in Lincolnshire. The Applicant welcomes LCC's review of the cumulative agricultural land baseline and acknowledges that LCC's independently derived figures show broad alignment with the Applicant's own assessment, as reported in Chapter 12: Socio-Economics and Land Use of the ES (AS-016). The Applicant notes that LCC's latest analysis identifies that: - Approximately 3.23% of all cropped and uncropped land in Lincolnshire (total c. 385,930 ha) is currently occupied by solar NSIP and TCPA developments combined. - Of this area, around 1.25% of the total BMV land resource in the County is occupied by solar development. The Applicant notes LCC's comment that the County-wide BMV land dataset is derived from an overwash GIS layer that includes land not available for agricultural use, such as settlements, woodland, and other non-agricultural land cover types. As a result, it is noted that the denominator used in the cumulative calculations is higher than the actual area of BMV land realistically available for agricultural production. LCC correctly observes that, when restricted to land genuinely in agricultural use, LCC's estimated proportion of BMV land affected by solar development would increase. Despite this, the Applicant considers that, while there remains some uncertainty around specific proportions, due to data availability and the inherent limitations of the study, it is nevertheless indicative that solar NSIP development represents only a small proportion of the BMV land within the County. In acknowledging the information provided by LCC in the LIR, the Applicant would highlight: - The overall scale of cumulative land loss remains low in relative terms, even when applying LCC's baseline information, given the extensive agricultural land resource in Lincolnshire and the comparatively modest footprint of solar NSIP and TCPA schemes at a County scale. - The cumulative solar development is temporary and reversible, and land is expected to be returned to agricultural use upon decommissioning, with only relatively small areas (e.g., woodland planting for habitat creation) anticipated to be retained. Furthermore, no significant effects on agricultural land were identified for any of the solar NSIPs considered within Section 12.10 (Cumulative Assessment) of Chapter 12 of the ES (AS-016). - The Applicant's methodology remains consistent with established EIA practice, utilising the best available national datasets and applying a precautionary approach in assuming that all identified BMV represents agriculturally available land unless more detailed data indicates otherwise. - LCC's figures, while based on an alternative denominator, do not materially alter the conclusion that the Proposed Development does not give rise to a significant cumulative adverse effect on agricultural land quality at the County level. - The Applicant maintains that the Proposed Development makes a very small contribution to the overall percentage of BMV land affected by solar development in Lincolnshire. When viewed cumulatively, the Applicant



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				maintains that the cumulative effect on agricultural land remains not significant when considered at the County level. The findings presented in AS-016 therefore remain robust, proportionate, and supported by LCC's own analysis. The Applicant remains committed to continued engagement with LCC to ensure clarity regarding dataset use and to support a shared understanding of baseline conditions and cumulative effects.
15.25	AS-016	Food Security Concerns	The 2024 UK Food Security Report identifies that <i>'Water and land, important agricultural inputs, are under increasing human and geopolitical competition and are being used at an unsustainable rate. The food system's essential natural resources continue to be depleted without being recovered for future use.'</i> By reducing the amount of BMV land available by incrementally removing land for large infrastructure projects, additional pressure is placed on the remaining land to keep agricultural production supply stable, or alternatively more food will have to be imported with the sustainability implications of food miles and associated carbon emissions.	The Applicant notes the headline findings of the 2024 UK Food Security Index overall assessment, which tracks Indicator 5: Agricultural land use as 'broadly stable' and Indicator 4: Agricultural total factor productivity as presenting 'some reduction in risks'. The use of nine indicators ensures that food security is not reduced to a single metric but takes a holistic view and the UK Food Security Index 2024 shows 'a broadly stable' picture.
15.26	AS-016	Food Security Concerns	Furthermore, the whole area is productive farmland, which would be removed from mainly arable farming for 60 years, replaced with, at best, a lower intensity grass-based system. The loss of arable production is considered locally significant and in view of other projects in the wider District and County, potentially cumulatively significant. For context, the total cropped and uncropped arable land in Lincolnshire is 385,930ha according to figures published by DEFRA, the total land proposed to be covered by solar farms, NSIP (order limits) and TCPA applications, is approximately 13,620ha (note – this is significantly higher than the figure of 4,828.5ha stated in Table 12-29 [AS-016], which is limited to BMV land associated with solar schemes). On the assumption that the majority of land proposed for solar farms is arable land (of which solar would cover circa 3.53% of the cropped and uncropped arable total) and based on the total crop output figure of £1,564 million for 2023/24, the potential loss of crop output could be in the region of over £50 million.	The Applicant notes the potential discrepancy between the area presented in Table 12.29 of Chapter 12: Socio-Economics and Land Use [AS-016] and the total area of NSIP order limits and TCPA sites. However, the area of development affecting land and soil resources is anticipated to represent a smaller area than the full extent of sites. The loss of arable land is noted, however 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 of food production. Furthermore, verbal evidence from the landowners in 2024 indicates c 50% of the land within the Principal Site is currently used for the cultivation of non-(human)food crops (i.e. biofuels and animal food). Of this, the majority (approximately 81%) is grown for use as fuels for carbon-intensive energy sources, rather than for direct human or animal consumption (i.e. about 40% of the Principal Site). With c 40% of the Principal Site not used for any form of food production currently, and theoretically - best case - 48% of the Principal Site being available for arable production during operation, there is the potential for the Principal Site to produce more human food during operation than it does now – albeit this depends on whether the landowner/farmer chooses to do this. The comparative economic consideration of agricultural crop versus energy generation did not form part of the environmental impact assessment; this is because the ES does not need to report on effects unless there are likely significant effects. The landowners are willing participants in the Proposed Development and comfortable that there will not be a reduction in revenue relative to the revenue currently received from the sale of crops. There will not be any net change in direct employment onsite, whilst the Applicant considers the indirect jobs and spending will be of a similar scale to what it is currently.



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15.27	N/A	Further Details on Grazing Proposals	The application documents state the PV panel arrangement is designed to provide a minimum of 0.8m ground clearance to facilitate sheep grazing under the panels, where practicable. However, the likelihood of this form of grazing occurring is dependent upon farm economics but also on the availability of graziers in the area. It would be helpful for the applicant to provide some firm evidence that this is a plausible proposal going forward.	The Applicant notes the desire for grazing within the development. The applicant is unable to offer contractual commitments at this stage of the Proposed Development. However, to minimise the impacts of the Proposed Development on BMV land Chapter 12: Socio-Economics and Land Use of the ES [AS-016] (ref. paragraph 12.6.4) sets out embedded mitigation measures including the use of panels at a height which could support sheep grazing throughout the operational phase of the Proposed Development.
15.28	N/A	Role of Drainage in Assessing Land Classification	Land drainage is a key factor in assessing both land classification and the impact on land restoration. This is particularly important along any cable or grid connection route, where trenches are dug, or even where soils are stripped even temporarily, where there is the possibility that important below-ground land drainage infrastructure could be adversely impacted, having a significant effect on agricultural operations.	If any existing field drainage systems found on the Principal Site are damaged during construction and will also result in a negative impact offsite, they will be repaired as far as reasonably practicable to their existing operational capacity to ensure flood risk is not increased. Remediation and maintenance of encountered land drains during construction are secured within the Framework Construction Environment Management Plan [REP1-031].
15.29	AS-100	Framework Soil Management Plan	A Framework SMP has been provided by the applicant, stated to minimise the effects of the development on soils and land quality. The SMP identifies soil types across the site and any sensitivities to being worked in wet weather. The SMP will provide guidance on the handling of soils and the trafficking across soils for all part of the construction and operational works and guidance to cover the decommissioning phase. Soil structure can be significantly damaged during the construction phase, particularly where there is a high degree of trafficking by vehicles across land involved in the erection of panels and associated infrastructure. If soils are wet, the damage to soil structure can be significant, which may also impact land drainage. The SMP therefore needs to address these issues to prevent soil structural damage or any adverse interference with existing land drainage systems.	The Applicant acknowledges this section of the LIR prepared by LCC. The restoration of land would be subject to good practice approaches contained within the Framework Soil Management Plan [REP1-037], with the intention for restoration to the baseline classification. The Framework SMP [REP1-037] will be developed into a detailed SMP, substantially in accordance with the Framework Plan, secured under Requirement 15 (soil management plan) of the Draft DCO [REP1-007]). Conditions for working in rain and for handling wet soils will be included following published industry standard good practice mitigation measures to reduce impacts on soil which will ensure that the ALC grade will be unaltered through operation and decommissioning of the Proposed Development.
15.30	AS-100	Framework Soil Management Plan	Notwithstanding the Council's concerns with regards to the loss of BMV, the reference to having site-specific SMPs for each phase of the development, overseen by a suitably qualified and experienced soil scientist or practitioner supervising the works, is welcomed.	The Applicant acknowledges this section of the LIR prepared by LCC. Roles and responsibilities for soil management and monitoring will be identified within the Detailed Soil Management Plan secured via Requirement 15 of Schedule 2 to the Draft DCO [REP1-007].
15.31	N/A	Soil Health Benefits	Whilst there is some evidence that organic matter can build up in soils that are uncropped / used for biodiversity at a faster rate than arable farmland, which may benefit the land, this is not generally a factor in the assessment of ALC. If enhanced soil health is to be given weight in the planning process there needs to be some indication of longevity and/or permanence of the benefits beyond the life of the project, otherwise the soil health benefits can only be considered temporary, attracting little weight in the planning balance.	The Applicant notes the distinction between ALC and impacts upon agricultural land grading and the impacts upon soil resources. The applicant notes the likelihood of improvement of soil structure and organic matter content over the life of the Proposed Development but does not ascribe a significant beneficial effect. The Applicant acknowledges that the benefit may reduce after decommissioning, subject to land use choices which will not be determined by the Applicant. However, diminution beyond the current baseline is not anticipated.
15.32		Conclusions	In summary, should the development go ahead, there would be a significant loss of BMV land, with consequential negative impacts on economic and other benefits. In light of other solar projects either consented or awaiting decision/submission in the wider District and County, there are likely to be significant cumulative adverse effects arising. The Council considers that the impact of the development on BMV is contrary to national policies NPS EN-1 and EN-3 and Local Plan policies S67 of the CLLP.	The Applicant does not agree that BMV land would be lost. The long-term, temporary nature of the proposed development is reversible. After decommissioning the land would be restored to its original grade, with the option to resume agriculture. As set out in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] (ref. paragraph 12.7.44), the only areas of agricultural land considered to be permanently lost due to the Proposed Development are areas of planting and habitat creation introduced as part of the Proposed Development given that land within the Cable Corridor (outside of the Principal Site) will be returned to previous land use upon completion of the construction phase, and all infrastructure within the Principal Site will be removed upon decommissioning in



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				line with the mitigation secured via the Framework DEMP [REP1-035] and Framework SMP [REP1-037], as secured via Requirements 20 and 15 of Schedule 2 of the Draft DCO [REP1-007] respectively. The extent of the areas considered as permanently lost are based upon the current landscaping designs presented in the Landscape Mitigation Plan, which forms Appendix A of the Framework LEMP [REP1-039], whereby planting and habitat creation amount to a total use of 4.6ha of agricultural land, of which 1.5ha is BMV land (Subgrade 3a). This is noted as likely to be beneficial to the soil resource, although it is acknowledged that the magnitude of impact relates to the withdrawal of land from agricultural production, and therefore is established as a minor adverse effect in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] (ref. paragraph 12.7.44). The cumulative assessment in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] identifies that the Proposed Development along with the cumulative schemes would use only 1.4% of the BMV land in Lincolnshire. The Applicant has since calculated that when also taking into account non-BMV land, the consented and proposed solar NSIPs would use 2.9% of the farmland in the County. This is not considered to be significant.
15.33		Conclusions	On this basis, the Council concludes that the proposal would have a negative impact on soils and agricultural land.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
16. Socio-economics				
16.1	N/A	Legislation and Policy	Key Policies: • CLLP Policy S48: Walking and Cycling Infrastructure • CLLP Policy S54: Health and Wellbeing • CLLP Policy S59: Green and Blue Infrastructure Network	The Applicant notes the policy context provided in this section of the LIR. The Applicant has identified and described the legislation, policy and supporting guidance considered most relevant to socio-economics in ES Appendix 12-A Socio-Economics and Land Use Policy and Legislation [APP-160] and appraised in Section 6 of the Planning Statement [AS-098]. National and local planning policy relevant to socio-economics is also considered in Appendix B National Policy Accordance Tables and Appendix C Local Policy Accordance Tables of the Planning Statement [AS-098].
16.2	N/A	Legislation and Policy	NPS EN-1 section 5.12 deals with the socio -economic effects of major energy infrastructure and requires applications to include an assessment of relevant impacts including: The creation of jobs and training opportunities. The provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities; Effects on tourism. The impact of a changing influx of workers during the different construction, operation, and decommissioning phases of the energy infrastructure. Cumulative effects.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



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16.3	N/A	Legislation and Policy	NPS EN-1 makes reference to a list of potential impacts to consider which mirror those set out above, with an additional reference to the contribution to low carbon industries. It also refers to the need for the SoS to require the approval of an employment and skills plan.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
16.4	AS-016	General Comments	ES Chapter 12 – Socioeconomics and Land-Use [AS-016] provides an assessment of the likely significant effects of the proposed development on socio-economics throughout the scheme's lifetime.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
16.5 – 16.6	N/A	Employment and Skills	As the scheme progresses and should it be successful in its DCO application, efforts to maximise local employment should be taken. The Council recommends ongoing dialogue with local skills providers, both public and voluntary sector providers. These may include: Lincoln College, The Abbey Access Centre, and LCC Employment and Skills team. These organisations will be able to support with insight into the current and potential labour market, and identify where gaps in skill provision may require attention. The Applicant should consider an approach that prepares the local labour market for the forthcoming opportunities. This could include: • Local provider engagement at an early opportunity. • Sector development support, to allow local supply chain to prepare existing workforce, and build and encourage opportunities to grow the workforce. • Bespoke activity that encourages our evidenced 'hard to reach' and opportunity potential workforce (over 50's, retired military etc) to access new skills and jobs. Raising aspirations within the local communities: Evidence shows that low aspirations in the communities is a key blocker to accessing employment. Such an intense, high -profile project can help raise aspirations in local communities by supporting local incentives and schemes. This will support the project by unblocking barriers to local people accessing employment. This will need to be funded activity by the developer.	The Applicant notes the Council's recommendations regarding preparing the local labour market for the forthcoming opportunities associated with the Proposed Development. The Applicant is committed to ensuring that the project delivers meaningful and lasting benefits to the local community by fostering skills development, supporting the local supply chain, and encouraging participation from underrepresented groups in the workforce. The Framework Employment, Skills, and Supply Chain Plan (ESSCP) [APP-197], submitted as part of the DCO Application, outlines the Applicant's commitment to delivering positive outcomes in terms of employment. This includes seeking to maximise opportunities for investing in local skills, supply chains, and businesses that can support the construction and operation of the Proposed Development, as well as other solar projects in the region. With specific regard to maximising local employment and skills provision, the Framework ESSCP [APP-197] identifies two potential activity themes, 'Theme 1 – Development of Skills' and 'Theme 2 – Access to Employment'. Reflecting this, the Applicant in delivering the ESSCP will be happy to engage with the providers identified by the Council here early in the preparation of it to account both for local labour market dynamics to maximise employment and to plan to meet gaps in skills provision accordingly. Doing this will enable a strong approach to the bespoke activity outlined by the Council in respect of 'hard to reach' groups, the opportunity potential workforce and within the wider local community in respect of raising aspirations to be formulated for taking forward during construction of the Proposed Development. With specific regard to supporting sector development, the Framework ESSCP [APP-197] identifies the following potential activity theme, 'Theme 3 – Supporting the Supply Chain, at Section 3.3. This outlines the business networking and support that would be delivered through the ESSCP which will prepare businesses and their workforce for the opportunities to deliver the Proposed Development and in-turn support them to grow from these opportunities.
16.7	APP-197	Framework, Employment, Skills and Supply Chain plan	The application documents include a Framework, Employment, Skills and Supply Chain plan [APP-197]. The Council welcomes the inclusion of this framework plan and is supportive of the proposed activities, development of skills, access to employment and supporting the supply chain, detailed with section 3 of APP-197.	The Applicant acknowledges the Council's supportive comments regarding the Framework ESSCP [APP-197] .
16.8	APP-197	Framework, Employment, Skills and Supply Chain plan	The Council welcomes the inclusion of a DCO requirement to secure the Framework Skills, Supply Chain and Employment Plan (FSSCEP). In addition, the Council would recommend that an annual funding contribution of	Despite the conclusion in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] , that there are no adverse socio-economic effects as a result of the Proposed Development that require mitigation to be provided, including in



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			£50,000 is provided for the lifetime of the development to assist the implementation of the FSSCEP and support the initiatives identified. In Lincolnshire a similar contribution has been provided by way of a s106 agreement in relation to the Heckington Fen solar farm and has been agreed, in principle, as part of the Springwell solar farm examination.	respect of employment, skills and the supply chain, as noted by the Council, the Applicant has committed to providing an Employment, Skills and Supply Chain (ESSC) Plan. The Applicant has, through Requirement 19 of Schedule 2 to the Draft DCO [REP1-007], committed to proving an ESSC Plan, which, by virtue of the same Requirement, is to be substantially in accordance with the Framework ESSC Plan [APP-197] submitted as part of the DCO Application. Throughout the development of the Framework ESSC Plan [APP-197] the Applicant has engaged with both the Council and North Kesteven District Council (NKDC). The Applicant is committed to continuing this engagement and the final ESSC Plan will be subject to approval by NKDC in consultation with the Council by virtue of sub-paragraph (1) of Requirement 19 of Schedule 2 to the Draft DCO [REP1-007]. The ESSC Plan must, under sub-paragraph (4) of the same Requirement, be implemented as approved. Through the development and implementation of the ESSC Plan, the Applicant's overarching aim is to make provision for the Proposed Development to create opportunities for the improvement and employment of local skills and engage in the ethical procurement of the supply chain. An example of the provisions which will be considered in the development of the full ESSC Plan are: • A programme to promote apprenticeships during the construction phase; • Interventions to support the training of employees and works on the Proposed Development; • Engagement with Local Authorities and Job Centre Plus; • Community and volunteer sector groups which specialise in local recruitment; • Awareness raising events to provide businesses with information on supply chain opportunities and the key capacity and capability requirements they would need to meet; and • Establishing relationships with the relevant Chambers of Commerce and Federation for Small Businesses. Details of the Applicant's delivery and monitoring proposals are set out in the Framework ESSC Plan [APP-197]. As concluded in Chapter 12: Socio-economics and Land Use of the ES [AS-016], there are no adverse socio-economic effects as a result of the Proposed Development that require mitigation to be provided. This includes in respect of employment, skills and the supply chain. Therefore, this is considered an enhancement measure. In addition to the above, in order for a planning obligation to constitute a reason for the granting of consent, it must meet the conditions of Regulation 122 of the Community Infrastructure Levy Regulations 2010 in that it is (a) necessary to make the development acceptable in planning terms, (b) directly related to the development, and (c) fairly and reasonably related in scale and kind to the



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				development. These conditions are duplicated in Government's Guidance on 'Use of planning obligations and process for changing obligations' (the Guidance). The Applicant has not been provided with evidence demonstrating that the proposed contribution is necessary to make the Proposed Development acceptable in planning terms. As mentioned above, Chapter 12 of the ES concludes that there are no adverse socio-economic effects that require mitigation to be provided. Similarly, no policy requirement has been identified that would necessitate the contribution in order for development consent to be granted. In the absence of a clear and evidenced impact attributable to the Proposed Development, the Applicant does not consider the scale of the requested figure to be proportionate. No methodology or calculation has been provided to demonstrate that the amount sought fairly reflects the extent of the impact arising from the Proposed Development, which the Applicant has demonstrated have not arisen. Therefore, the Applicant's view is that the request for a planning obligation does not meet the tests of Regulation 122 of the CIL Regulations 2010. On this basis, and as the delivery and implementation of the detailed ESSC Plan is secured via Requirement 19 of Schedule 2 to the Draft DCO [REP1-007], the Applicant does not consider that the s106 contribution sought is justified. Whilst the Applicant notes that the Council has agreed contributions on other schemes, when it comes to determining whether a contribution is required and lawful, in accordance with the Government's Guidance 'Use of planning obligations and process for changing obligations' (the Guidance), each scheme must be considered on its own merits and specifically any adverse impacts identified which would make a contribution "necessary to make the development acceptable in planning terms" (condition (a) of Regulation 122 of the CIL Regulations 2010). The Applicant is therefore not proposing a contribution towards training as part of the DCO Application and nor is it required to do so. It is proposing a comprehensive Framework ESSCP [APP-197] to maximise the beneficial effects reported in the assessment which will arise from employment generation (including supply chain opportunities, and skills development), and Gross Value Added (GVA) generation during the construction and decommissioning phases of the Proposed Development. The Applicant is also proposing a community benefit fund, the intention of which is that this will be delivered in cooperation with local community foundations and North Kesteven District Council to benefit causes chosen by the local community. The community benefit fund delivered alongside the Proposed Development will provide a sum of £400 per MW of export capacity per year. The Applicant is exploring how this could best be managed. The Applicant believes those communities living closest to the Proposed Development are best placed to



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16.9	AS-016	Temporary Workforce	330 peak workers are expected to require accommodation near to the proposed development during construction. While the impact on tourist accommodation is considered, there appears to be no consideration of impacts from the 'influx of workers' as referenced within NPS EN-1 paragraph 5.13.4. Thus, the applicant ignores change to 'local population dynamics', 'demand for services and facilities in the settlements nearest to the construction work', and 'social cohesion'. Although there appears to be no consideration of travel arrangements and need for accommodation in decommissioning, there is expected to be the same number of jobs (table 12-23 and 12-28) as in construction so there is similar potential for an influx of workers and related impacts.	determine what a community benefit would be, and should be able to benefit from funding towards improvements to existing community facilities, such as village halls and sports facilities, provision of electrical vehicle charging points, subsidised solar PV panels for community use and lower cost energy, grants for broadband and wider improvements, educational visits and wider education/apprenticeship opportunities. Chapter 12: Socio-economics and Land Use, Section 12.7 of the ES [AS-016] includes an assessment of potential effects on tourist/visitor accommodation, which the Applicant considers to be the principal potential impact arising from an influx of workers during construction. The other considerations highlighted by LCC are not expected to result in significant adverse effects during construction or decommissioning. The reasons for this for each in-turn are as follows. - Local population dynamics: the construction period is expected to take 24 months or to be phased over 30 months, with decommissioning being completed over a shorter period of 12 to 24 months. Given the short durations of these periods, no workers are expected to move permanently to the local area such as to have any potential to exert influence on local population dynamics. - Demand for services and facilities in the settlements nearest to the construction work: the assessment of impact on tourist accommodation has considered all accommodation within a 60-minute drive time study area from the Order Limits. Accommodation in the immediately surrounding area is typically small in size, reflecting its countryside nature. Whilst worker accommodation and travel arrangements will be the choice of the construction/decommissioning contractor, it is expected that for cost-efficiency, and to minimise trips and impacts on the road network, larger hotels/accommodation would be used which are typically found closer to the larger centres of population such as Lincoln, Newark-on-Trent and Grantham, with Nottingham and Leicester also being within this travel distance which host accommodation at scale. The number of workers staying within smaller local settlements would be minimised or avoided through this. When on-site, workers would not be able to access primary healthcare facilities in the vicinity of the Proposed Development as they would not be registered, with any emergency treatment where needed being provided at the nearest hospital with an Accident and Emergency unit, Lincoln County Hospital. Therefore, no significant effects on demand for services and facilities in the settlements nearest to the construction work would be expected to arise. - Social cohesion: taking together the overall short-term durations of the construction and decommissioning periods (as noted in the first bullet above), the likely locations of worker accommodation being within larger centres of population (as noted in the second bullet above) and the minimal impact on demand for services and facilities expected arising from this, there would be no significant effects on social cohesion from the Proposed Development.
16.10	AS-016	Temporary Workforce – Cumulative Effects	When looking at cumulative effects, 25 schemes have been scoped in, however 12.10.8 states that 'The scale of the construction employment generated cannot be readily quantified as this information is for most schemes not publicly available.' From experience, information on indicative number of construction jobs is normally included in NSIP applications. The	The Applicant acknowledges the Council's request for an indicative estimate of cumulative construction job numbers. However, the Applicant maintains that the statement in Chapter 12: Socio-economics and Land Use of the ES [AS-016]



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			Council would ask the applicant revisit this statement and provide an indicative figure. Due to the large number of cumulative schemes proposed, it would be useful if the cumulative impacts are comprehensively considered, and, if necessary, supported by accommodation strategies.	remains accurate and appropriate to providing a proportionate assessment at planning stage. For a number of the 25 cumulative schemes considered, construction employment data is not publicly available, and as such, cannot be reliably or robustly quantified. This reflects the standard position for such assessments across NSIPs where information on workforce requirements is not consistently disclosed at the pre-application or early examination stages. While the Council notes that indicative construction job figures are "normally included" in NSIP applications, this is not routinely the case for third-party cumulative schemes, where data availability varies significantly depending on project status, ownership, and the level of detail published. Available information indicates that many of the cumulative schemes with potential impacts on employment: • are at an early stage in their development lifecycle; • have limited or no detailed workforce assumptions in the public domain or do not provide quantifiable job estimates beyond broad narrative descriptions; • have socio-economics and land use scoped out, indicating worker requirements too small to generate significant pressure; or • indicate construction periods (in cases where these are identified) either outside the Proposed Development's peak construction period or entire construction period altogether. To avoid presenting speculative, unsubstantiated, or misleading figures, the Applicant did not consider it appropriate to estimate construction employment values where source data is absent or where assumptions would be required to a degree that undermines the robustness of the assessment. A proportionate assessment has been reported which identifies no significant effects.
16.11	AS-016	Underassessment of Wider Socio-Economic and Community Impacts	Chapter 12 [AS -016] focuses on local amenities, hospitality and accommodation itself and appears to ignore the potential negative socio-economic effects that could arise including: • Demographic changes and potentially community cohesion, which could be significant depending on workforce age, gender and location of temporary accommodation; • Impact on local housing markets including availability and affordability, particularly if the workforce is located within nearby smaller settlements; • Social services and infrastructure, most importantly healthcare and potentially education depending on age, gender and location of temporary accommodation; • Public health and safety, depending on age, gender and location of temporary accommodation, with potential for anti-social behaviour.	Chapter 12: Socio-economics and Land Use, Section 12.7 of the ES [AS-016] considers the potential effects on tourist/visitor accommodation to be the principal potential impact arising from an influx of workers during construction. The other potential socio-economic effects highlighted are not expected to result in significant adverse effects during construction or decommissioning. The reasons for this for each in-turn are as follows. • Demographic changes and community cohesion: Taking together the overall short-term durations of the construction and decommissioning periods, the likely locations of worker accommodation being within larger centres of population and the minimal impact on demand for services and facilities expected arising from this, there would be no significant effects on social cohesion from the Proposed Development. • Local housing markets/Social services and infrastructure: The non-local element of workforce is not likely to result in a substantial net additional demand for housing. Tenures of employment are generally very short for the construction sector. Most non-local workers would be expected to reside in short-term, tourist sector accommodation. Whilst worker accommodation and travel arrangements will be the choice of the construction/decommissioning contractor, it is expected that for cost-efficiency, and to minimise trips and impacts on the road network, larger hotels/accommodation would be used which are typically found closer to the larger centres of population such as Lincoln, Newark-on-Trent and Grantham. The number of workers staying



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16.12 – 16.15	AS-016	Visitor Economy and Economic Impact	Lincolnshire County Council's Energy Infrastructure Position Statement asserts that Lincolnshire's landscape and open skies are recognised as significant economic drivers, supporting the visitor economy and the role of the RAF in the County —these must be protected for future generations to enjoy and use. The Council raises concern surrounding the visual degradation of the countryside and the consequent impact on the visitor economy which is worth £2.9bn to Lincolnshire. Visitors come to Lincolnshire for its rurality and unspoilt countryside, our landscape, visitor economy attractions and places of interest. Villages to the east of the application site are situated on the ridge of Jurassic limestone on the Lincoln Cliff Edge overlooking the application site. Within these villages there are visitor attractions such as Mrs Smith's Cottage in Navenby. These attractions are continually frequented by school parties, residents, foreign visitors, UK visitors, aviation heritage, historians, cyclists and others. There is also the Knight Templar circular route which encompasses the Temple Bruer Knight Templar Preceptory Tower in Temple Brewer, RAF Wellingore historical site, the roman settlement remains on Ermine Street Navenby and bustling villages consisting of thriving businesses: traditional bakers, tearooms, cafes, florist, public houses, schools, doctors, community venues and others. These villages warmly welcome visitors and enhance their stay. Walkers will still seek to use the PRoW network and do so via the Viking Way (along the Cliff) to explore these beautiful villages. The development of a solar project close to these village and residents' houses will potentially adversely impact on the visitor economy offer and the economic returns of the vibrant high streets. Overall, the proposals are an industrialisation of the countryside and will potentially negatively affect the visitor offer and economic vibrancy and change the visual impact/beauty of these villages.	locally would be minimised through this. Workers may return to their permanent homes between working periods (e.g. at weekends) and therefore would be unlikely to contribute to demand for services (due to them having access to on-site welfare and occupational health provision, and being unlikely to change their GP registration, prescribing or ongoing health service activity to their temporary location). When on-site, workers would not be able to access primary healthcare facilities in the vicinity of the Proposed Development as they would not be registered, with any emergency treatment where needed being provided at the nearest hospital with an Accident and Emergency unit, Lincoln County Hospital. Therefore, no significant effects on service provision such as local primary healthcare would be expected to arise. Public health and safety: taking together the overall short-term durations of the construction and decommissioning periods, the likely locations of worker accommodation being within larger centres of population and the minimal impact on demand for services and facilities expected arising from this, the likelihood of anti-social behaviour would be low and there would be no significant effects on public health and safety/social cohesion from the Proposed Development. Chapter 12 Socio-economics and Land use of the ES [AS-016] includes an assessment of potential effects on tourism/recreation arising from the Proposed Development (ref. Section 12.7) comprising consideration of impacts on local accommodation facilities, recreational receptors and visitor attractions, such as Mrs Smith's Cottage in Navenby. Section 12.5 identifies the size of the visitor economy and recognises that the villages of Coleby, Bassingham, Navenby and Aubourn contain visitor and recreational attractions, and that there is also a network of Public Rights of Way (PRoWs) in the surrounding area which may be used by visitors. With due consideration given to other assessment findings set out in Chapter 10: Landscape and Visual Amenity [AS-117], Chapter 11: Noise and Vibration [APP-036], Chapter 13: Traffic and Transport [APP-038] and Chapter 14: Other Environmental Topics (Section 14.2: Air Quality) [APP-039] as appropriate, the assessment in Section 12.7 concludes that overall the impact of the Proposed Development on tourism/recreation receptors is not significant during the construction/ decommissioning and operational phases. While the Proposed Development comprises infrastructure for solar energy generation and associated development (such as BESS), the land is not permanently changed to industrial use in land use planning terms, and it should be noted that the Proposed Development also includes a significant amount of retained arable land. The design of the Proposed Development has sought to minimise impacts upon agricultural land, as explained in the Design Approach Document [APP-186] which sets out the design vision and principles that were developed at an early stage to provide a framework for design evolution – Design Principle 2 as detailed in Section 3.9 of the Design Approach Document [APP-186], relates to being sensitive to existing agricultural land. This has been achieved through the retention of a significant quantum of arable land within the Order Limits (the DCO commits to 181 ha (447.2 acres) of retained arable land in the Framework LEMP [REP1-039]). This retained arable land (which comprises a significant proportion, approximately 116 ha, of BMV agricultural land) within the Order Limits disperses the areas of solar PV array and affords ecological and economic benefits associated with nesting birds habitat and retained jobs.



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				The LIR suggests that the change in landscape character and landscape visual effects will potentially reduce visitor numbers to the location. However, no evidence is submitted to establish that this would be the case. In respect of views from/for these receptors specifically, a Framework LEMP [REP1-039] has been prepared to accompany the DCO Application to provide visual mitigation. Section 12.7 of Chapter 12 Socio-economics and Land use of the ES [AS-016] also includes an assessment of potential effects on businesses arising from the Proposed Development. Taking into account the assessment findings presented in the ES Chapters set out above this assessment concludes that there would be no significant effect on local businesses during the construction/ decommissioning and operational phases.
16.16	AS-016	Visitor Attractions and Recreational Facilities	Paragraph 12.5.41 of AS-016 states that there are no recreational facilities or visitor attractions within the DCO site, however, table 12.21 shows Tunman Wood Nature Reserve as being 0m from the DCO. The Council would expect this site to be considered further.	The Applicant wishes to clarify that the comment from the Local Impact Report <i>"Paragraph 12.5.41 of AS-016 states that there are no recreational facilities or visitor attractions within the DCO site"</i> represents only part of a full sentence and could therefore be interpreted without full context. The complete sentence states that <i>"There are no visitor attractions or recreational facilities within the DCO Site Boundary which would need to be demolished, or which would be displaced in whole or in part by the Proposed Development."</i> (Paragraph 12.5.41 of Chapter 12 Socio-economics and Land use of the ES [AS-016]). Tunman Wood functions as a publicly accessible nature reserve suitable for quiet walking and wildlife enjoyment, but it is not a dedicated recreational space in the sense of being purposely developed or equipped for recreation. Visitors typically use an informal circular walking route, and the woodland's diverse flora, ancient woodland character, and rich wildlife contribute to its amenity value within the wider local green infrastructure network. As set out within Chapter 12 Socio-economics and Land use of the ES [AS-016] no visitor attraction, recreational facility or area is identified to have significant residual effects in either Chapter 10: Landscape and Visual Amenity [AS-117], Chapter 11: Noise and Vibration [APP-036], Chapter 13: Traffic and Transport [APP-038] and Chapter 14: Other Environmental Topics (Section 14.2: Air Quality) [APP-039]. With respect to Tunman Wood specifically, no significant residual effects have been identified within Chapter 12 Socio-economics and Land use of the ES [AS-016].
16.17	AS-016	Visitor Attractions and Recreational Facilities	The Council does not consider the list of attractions, recreational facilities and community facilities provided to be comprehensive. Witham St Hughes Primary school should be included, and consideration should be given to including the Market Lounge. Also, in Swinderby, the Plough Pub and the Village Hall should be included.	The council has identified several community facilities located within the "Socio Economic and Land Use Study Area 2km" [AS-066] that are not considered within the assets listed within Table 12-22 of Chapter 12 Socio-economics and Land use of the ES [AS-016]. These are: - Witham St Hughs Primary school and the Market Lounge are located in Witham St Hughs, approximately 600m from the Proposed Development. - Swinderby Village Hall and The Plough Pub are located in Swinderby, approximately 1.8km from the Proposed Development. Given the distance from the Proposed Development, all of which are located over 500m from the Proposed Development, and taking into account the residual effects assessment results of the air quality, noise and vibration, traffic and transport and visual assessments, none of the four receptors defined above



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16.18	AS-016	Visitor Attractions and Recreational Facilities	At paragraph 12.7.61 of AS-016 there is no mention of the small caravan/holiday park developments in the area. While these may not be within the DCO site, some are very close and are likely to be impacted, with the potential for a reduction in bookings.	would experience a significant effect on their amenity during the construction, operation or decommissioning phases. The Council identified several small caravan and holiday parks within 2 km of the Proposed Development that were not listed in Table 12-21 of ES Chapter 12 [AS-016]. A subsequent desk-based review has confirmed three sites: Cathedral View Holiday Park (bordering the Order Limits and approx. 60 m from Solar PV and BESS areas), Oakhill Leisure (approx. 1 km), and Heath House Caravan Park (approx. 1.5 km). Based on their distance from the Order Limits and the residual effects identified in the air quality, noise and vibration, traffic and transport, and landscape and visual assessments, Oakhill Leisure and Heath House Caravan Park would not experience significant adverse effects during any phase of the Proposed Development. Cathedral View Holiday Park, being closer, was assessed as a sensitive receptor in ES Chapter 11: Noise and Vibration [APP-036], which identified no significant residual noise or vibration effects. Chapter 10: Landscape and Visual Amenity [AS-117] found minor adverse (not significant) residual visual effects during construction and negligible (not significant) effects during operation, with views filtered by existing vegetation and new planting. The Traffic and Transport assessment similarly found no significant effects relating to severance, pedestrian delay, amenity, fear and intimidation, driver delay, or road safety. Overall, the Applicant concludes that on the basis of these conclusions none of the identified caravan or holiday parks would experience significant socio-economic or amenity effects as a result of the Proposed Development. Regarding the Council's point on potential booking reductions, the Applicant considers that, given the absence of significant adverse noise, visual, traffic or air quality effects on any of the identified holiday parks, the evidence does not indicate a material reduction in visitor amenity that would reasonably lead to reduced bookings. The assessments demonstrate that any temporary construction-related change (particularly at Cathedral View) would be at most minor, and short-term, while operational effects would be negligible. On this basis, no significant socio-economic impact on visitor booking levels is anticipated.
16.19	AS-016	Economic Impact on Agricultural Production	The economic impact on agricultural production is not considered in ES Chapter 12 [AS-016], with the only agricultural impact assessed being the impact on employment. As noted in this LIR, Section 15, the cumulative loss of agricultural land has the potential loss of crop output could be in the region of £50million and the associated impact on agricultural suppliers and the downstream food supply chain. Further detail is provided in Section 15 above.	The Applicant recognises that there are concerns relating to the potential for the Proposed Development to impact upon agricultural production. An assessment of economic impacts arising from the Proposed Development is presented in Chapter 12: Socio-Economics and Land Use [AS-016], consistent with the approach set out in the Homes and Communities Agency (HCA), (now known as Homes England) guidance 'Additionality Guide, A Standard Approach to Assessing the Additional Impacts of Projects, 4th Edition' (Ref.X). The economic impact assessment undertaken uses typical appraisal methods and is appropriate to, and best practice in, the assessment of economic impacts at planning stage where it is not possible to identify factors such as financial values in relation to commodities due to the construction start date being some years in the future. Accordingly, loss of crop production has been taken into account in assessing the impact on agricultural employment that would be associated with this activity. As noted in paragraph 12.7.52 of this chapter, it has been confirmed by all landowners that there is not expected to be any job losses



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				as a result of the removal of agricultural land, as it is expected that when the rent revenues from the land used for the Proposed Development start, there will be additional offsite jobs created on their farms as landowners diversify their land further with the underlying financial stability of the rental income.
16.20	AS-016	Cumulative Effects	There is a list of planning applications that intersect the DCO site boundary provided at paragraph 12.5.43 of AS-016. The Applicant's assertion (paragraph 12.10.18) that effects on residential properties, businesses, and community facilities are 'not significant' lacks any specific reference or data. This information may be covered in other chapters of the ES that address traffic, noise, and visual impact; however, it does not appear to be referenced in this chapter, and certainly not in this paragraph. The assertion also relies heavily on the assumption that cumulative schemes will 'minimise such impacts wherever possible'. The applicant admits there is 'limited information' on cumulative impacts but still concludes they are 'likely to remain not significant' – this is inconsistent, and the uncertainty should be acknowledged.	The Applicant acknowledges that the text at paragraph 12.10.18 of Chapter 12 Socio-economics and Land use of the ES [AS-016] refers to there being limited information and the conclusion of the paragraph refers to a review of information at ES stage. It is evident therefore that this has been included in error albeit the conclusion that there would be no significant effects arising during construction/decommissioning on residential properties, businesses, and community facilities is justified for the following reasons. There would be no permanent land-take and thus no direct effects on these receptors arising from the Proposed Development such that there could be no direct cumulative effect arising in this regard. In respect of indirect effects, there would be no effect on the amenity of these receptors arising from the Proposed Development such that similarly there could be no indirect cumulative effects.
16.21	AS-016 APP-040	Cumulative Effects	The cumulative impact (or potential of) on accommodation demand if any other NSIP construction is taking place at the same time does not appear to have been considered at section 12.7 of AS-016 or in Chapter 15 (Cumulative Effects). Looking at the figures provided regarding bed spaces, should there be any overlap of construction phases, there is likely to be a shortage of bedspaces.	The cumulative impact on Temporary Worker Accommodation is addressed in paragraph 12.10.10 of Chapter 12: Socio-economics and Land Use of the ES [AS-016]. This assessment concluded that the Proposed Development would generate no effect, including no negligible or minor effect, on the hotel, bed and breakfast, and inns accommodation sector. On this basis, cumulative effects on Temporary Worker Accommodation were not considered further within the ES. The Applicant acknowledges the Council's request for an indicative estimate of cumulative construction job numbers which is related to this request for a cumulative assessment of Temporary Workers. However, as noted in response to point 16.10 above this information cannot be reliably or robustly quantified and the Applicant has completed a proportionate assessment that has concluded that there would not be significant effects.
16.22	AS-016 APP-040	Cumulative Effects	There are currently over 25 NSIPs within the Lincolnshire County Council's administrative boundary either under consideration or recently consented. This is in addition to numerous TCPA applications in Lincolnshire for major energy infrastructure projects. The effects of this potentially significant industrialisation and its local environmental, landscape, historic, and community impacts, must be carefully assessed. The impact on the county's perception by visitors and tourists as well as residents and businesses is material to the Government's decision and must be considered.	The landscape and visual cumulative assessment (see Section 10.10 of Chapter 10: Landscape and Visual Amenity of the ES [AS-117]) considers the potential cumulative impact of ten developments within the 2km Zone of Influence, as well as four solar DCO schemes (Springwell Solar Farm, Great North Road Solar, One Earth Solar Farm, and Leoda Solar Farm) due to their similar scale and typology to the Proposed Development. During operation (Year 15) the cumulative assessment concluded there would be no notable difference between the landscape and visual effects of the Proposed Development, and the cumulative landscape and visual effects of the Proposed Development and the assessed cumulative schemes. The potential for significant cumulative landscape and visual effects of other NSIP scale solar schemes within Lincolnshire in combination with the Proposed Development has also been considered within the Joint Interrelationship Reports prepared for the respective examinations of such schemes, including Springwell Solar Farm [EN10149], which considered the Proposed Development with Leoda Solar Farm, and concluded no cumulative effects with the schemes addressed in the Tillbridge Solar Project [EN010142], West Burton Solar Project [EN010132], Gate Burton Energy Park [EN010131], and Cottam Solar Project [EN010133].



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16.23	N/A	Conclusions	On balance therefore, the Council considers the impacts associated with matters on socio-economic impact to be negative.	inter-relations report. These reports found that, given the notable distances and lack of intervisibility between these schemes and the Proposed Development, there was no potential for significant cumulative effects. The Council's view set out in the LIR that the socio-economic impacts are "on balance negative" is not supported by the evidence presented in the socio-economic assessment, nor by the nature of the impacts identified. It should be noted that this view differs to the NKDC Local Impact Report, which states that "Given the commitment to improving skills, employment and the local supply chain and provision of a new permissive path but potential adverse cumulative impacts on the tourism economy and visitor accommodation, the Council considers the overall socio-economic impacts of the development to be neutral." (see LIR ref 23.19) The assessment clearly demonstrates that the socio-economic effects of the Proposed Development comprise a mix of potential positive and potential negative impacts, with no significant adverse effects identified. Temporary construction employment, supply-chain spending, and opportunities for local contracting represent positive socio-economic contributions, while potential negative effects have been assessed as not significant.
17. Public Health				
17.1	N/A	Legislation and Policy	Regulation 5(2)(a) of The Infrastructure Planning (EIA) Regulations (2017) states that the EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on population and human health. Schedule 4 of the EIA Regulations sets out information for inclusion in ES, with paragraph 5 requiring a description of the likely significant effects on the environment resulting from inter alia ... (d) risks to human health, cultural heritage or the environment (for example due to accidents or disasters).	Assessments relating to human health are included within the Environmental Statement. More discussion on this is provided in Response 17.6.
17.2	N/A	Legislation and Policy	In section 4 (Assessment Principles) of NPS EN-1, in consideration of weighing impacts and benefits, paragraph 4.1.7 states that where the Secretary of State considers that there would still be residual adverse effects after the implementation of mitigation measures, they should be weighed against the benefits of the proposed development. For projects which qualify as CNP infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. This approach is repeated at paragraph 4.2.15, in describing the approach to be taken for non-Habitat Regulations Assessment (HRA) residual impacts of CNP infrastructure.	In the Planning Statement [AS-098], the Applicant has demonstrated that the Proposed Development is in accordance with the Energy NPSs, the mitigation hierarchy has been applied and compliance with other legal and regulatory requirements has also been demonstrated. Therefore, it can be concluded the CNP presumption applies to the Proposed Development and accordingly should be taken into account in decision making.
17.3	N/A	Legislation and Policy	Paragraph 4.2.16 goes on to state that ' <i>As a result, the SoS will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPS's or any other planning policy, which requires a clear outweighing of harm, exceptionality, or very special circumstances.</i>	Section 7 of the Planning Statement [AS-098] sets out the planning balance for the Proposed Development.



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17.4	N/A	Legislation and Policy	Paragraph 4.4.1 of NPS EN-1 states that ' <i>Energy infrastructure has the potential to impact on the health and well-being ("health") of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people's health</i> '.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
17.5	N/A	Legislation and Policy	Local Policies: CLLP Policy S54: Health and Wellbeing.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment. National and local planning policy relevant to the Proposed Development is also considered in Appendix B National Policy Accordance Tables and Appendix C Local Policy Accordance Tables of the Planning Statement [AS-098] .
17.6	N/A	Legislation and Policy	Policy S54 states that the potential for achieving positive mental and physical health outcomes will be taken into account when considering all development proposals. Where any potential adverse impacts are identified, the applicant will be expected to demonstrate how these will be addressed and mitigated. Enhancement of physical and mental health and wellbeing is to be achieved through a number of routes, one of which is to ensure quality green infrastructure provides adequate access to nature for its benefits in overcoming health inequalities. The provision of a Health Impact Assessment (HIA) for development of 5 ha or above is required to demonstrate how the conclusions of the HIA have been taken into account in the design of the scheme.	Health impacts have been considered in relevant assessments of the Proposed Development and suitable mitigation measures have been incorporated where appropriate to minimise significant adverse effects.
17.6 – 17.7	N/A	Scoping Out of Human Health Assessment	The information on public health and wellbeing contained in the application has been reviewed by the Council's Public Health Programme (PHP). Notwithstanding that Human Health was scoped out of the ES, the PHP consider it regrettable that there is no human health chapter, health impact assessment or specific section in the ES, which makes assessing the impact of the development on the population difficult. Indeed, the Non-Technical Summary [APP-180] barely mentions health or wellbeing. Based on the extremely limited information around the health and wellbeing impacts on the local population during the operational phase of the development in the application, mental health in particular, and given large number of relevant representations (available to view on the PINS website) to the scheme, it is considered that the development could have an overall negative impact on population health from a public health perspective. This is mainly due to the scale of the development and the detrimental impact on landscape and character so close to several built-up areas. The Principal Site covers a large area (1,070ha) with fields of Solar PV arrays distributed over the site plus a 10 km cable corridor route to the proposed substation at Navenby. Some Solar PV arrays and surrounding fencing seem unnecessarily close to the built-up areas of Bassingham, Thorpe on the Hill, and Witham St Hughs and will have a significant impact on the landscape and visuals, and so potentially long-term mental health. Public Health would like the ExA to require the Developer to produce a mental health impact assessment for the potential impacts to be properly considered.	Assessments relating to human health are included within the Environmental Statement. In line with the approach set out in the Scoping Opinion (Appendix 1-B: EIA Scoping Opinion of the ES [APP-199]), Chapter 5: EIA Methodology of the ES [APP-030] explains (ref. paragraph 5.1.11) that potential likely significant effects to human health are considered within the relevant ES technical chapters. This notes the following ES chapters: • Chapter 9: Water Environment [REP1-021]; • Chapter 10: Landscape and Visual Amenity [AS-117]; • Chapter 11: Noise and Vibration [APP-036]; • Chapter 13: Traffic and Transport [APP-038]; and • Chapter 14: Other Environmental Topics, Section 14.2: Air Quality [APP-039]. In line with the methodology set out in Chapter 5: EIA Methodology of the ES [APP-030] (ref. paragraph 5.9.12) and within the impact assessment methodology for each of the technical chapters as relevant, consideration is inherently given to human health receptors where relevant within each of the technical assessments. For example, noise and vibration, air quality and EMF assessments consider the potential for direct effects upon human receptors, and each of these have specific health limits/thresholds set for the protection of sensitive members of the population. Regarding mental health, the Proposed Development has been iteratively and holistically designed to minimise its potential impacts on health and wellbeing. This has been achieved through undertaking a comprehensive and robust Environmental Impact Assessment and consultation process to identify and implement beneficial design opportunities, such as the implementation of 9.5km



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				of permissive paths within the Proposed Development design that are proposed to be made available for recreational purposes, thereby delivering a tangible health and wellbeing benefit. The Framework LEMP [REP1-039] (a detailed version of which is to be developed, substantially in accordance with the framework plan, as secured by Requirement 8 of the Draft DCO [REP1-007]) explains that the permissive path network will be implemented during operation of the Proposed Development providing routes across the Principal Site and enhancing the recreational value of the Order Limits. Measures set out in the Framework CEMP [REP1-031], Framework OEMP [REP1-033], Framework DEMP [REP1-035] and Framework LEMP [REP1-039] will reduce or avoid mental health related impacts. These include measures such as new planting to screen views and by removing solar PV from Field 46 to avoid a significant visual effect from any residential dwellings during the operational lifetime of the Proposed Development. The provision of a detailed CEMP, a detailed OEMP, a detailed DEMP and a detailed LEMP, to be substantially in accordance with the respective frameworks, is secured under Requirement 12, Requirement 13, Requirement 20 and Requirement 8 respectively of Schedule 2 to the Draft DCO [REP1-007]. Furthermore, Requirement 5 of Schedule 2 to the Draft DCO [REP1-007] secures the establishment of a Community Liaison Group (CLG) prior to commencement of the Proposed Development. It should be noted that the Applicant has already established this CLG with the initial meeting having taken place in April 2025. The CLG will continue throughout the construction of the Proposed Development, and by virtue of Requirement 5 of Schedule 2 to the Draft DCO [REP1-007], will continue until the date of final commissioning of the Proposed Development, which will be the start of the operational phase. The CLG provides an opportunity for the local community to engage with the Applicant, learn about the detailed design process post-consent, express concerns, and be kept up to date. It is expected that the group will play an important role in helping to reduce and minimise stress and contribute to wellbeing. In addition, should the Proposed Development be granted consent, the Applicant will provide a community benefit fund providing a sum of £400 per MW per year of export capacity. This community benefit fund would be able to be utilised for local projects and causes, as determined by the local community. The Applicant believes those communities living closest to the Proposed Development should benefit from it – with these communities being best placed to determine what a 'community benefit' should be. The Applicant is currently investigating how a community benefit fund could be managed and delivered independently. Whilst the community benefit fund does not form part of the DCO Application, and therefore does not comprise a benefit in the context of the planning balance, it does comprise a benefit of the Proposed Development for the wider community. In the light of the fact that PINS has already determined that a standalone section on health impacts was not required within the ES, in the light of the assessment that is included within the ES and which does not identify any likely significant impact of the proposed development on human health and in the absence of the



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17.8	APP-175	Exclusion of BESS from EMF Assessment	In addition, the UK Health Security Agency (UKHSA) wrote to NKDC in October 2025 to raise safety concerns over a separate BESS proposed in this area. This was reported in the media and has the potential to increase anxiety. Residents might also perceive there to be health risks from the cumulative effects of extremely low frequency Electromagnetic Fields (EMFs) (as referenced in the UKHSA letter) from this development, other similar developments, and the associated electricity generation and transmission infrastructure. We note the assessment of Electromagnetic Fields (EMFs) [APP-175] and conclusion that there would be no significant impact, with levels below those recommended by the International Commission on the Non-Ionizing Radiation Protection (ICNIRP). The assessment does not appear to have included battery storage, however; the extent to which these emit ionizing EMFs is not known.	Council itself failing to identify any likely significant impact of the proposed development upon mental health, the Council's request for a mental health impact assessment is not considered to be proportionate or justified. Regarding EMF risk, Section 14.8 of Chapter 14: Other Environmental Topics of the ES [APP-039] provides an assessment of the potential impacts associated with EMF. Solar panel arrays emit EMF in the same extremely low frequency ranges as electrical appliances and wiring found in most houses and buildings. The Proposed Development would be fully compliant with relevant Government policy and all the EMFs produced would be below the relevant exposure limits and therefore no significant effects are anticipated as a result of the Proposed Development. Underground cables eliminate the electric field altogether as it is screened out by the sheath around the cable, but they still produce magnetic fields. The National Grid document 'Undergrounding high voltage electricity transmission lines (2015)' states that for a 400kV cable buried at 0.9 m depth, the typical magnetic field is 24 microteslas when on top of the cable and 3 microteslas at 5m from the centreline, with the maximum level known by National Grid being 96 microteslas on top of the cable at 0.9 m depth, and 13 microteslas at 5m. Taking into account this guidance and the UK limits set for safety of members of the public, the maximum reported electromagnetic field for high voltage cables buried at 0.9m depth would comply with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) limits and were therefore scoped out of the assessment. The Department of Energy and Climate Change's (DECC) guidance 'Power Lines: Demonstrating Compliance with EMF public exposure guidelines. A voluntary Code of Practice (2012)' states that underground cables at voltages up to and including 132kV are considered not capable of exceeding the ICNIRP exposure guidelines for electromagnetic fields and that compliance with exposure guidelines for such equipment can be assumed unless evidence is brought to the contrary in specific cases. However, there is potential for exceedances of 132kV where infrastructure overlaps. The Interconnecting Cables between Solar PV areas are not considered in the assessment as they would have a very low voltage of less than 1kV and therefore would not significantly contribute to any increase in EMFs should they overlap with other infrastructure. The potential impact of EMFs generated by the centralised BESS will not be significant as it will be located over 200m from the nearest residential receptor (note, the illustrative design of the Proposed Development places the centralised BESS approximately 300m from the nearest residential receptor, therefore considerably further than this minimum commitment). Due to the distance, it is considered that EMF field strength will fall below the ICNIRP reference level at all residential receptors. The positioning of ancillary infrastructure, such as for the locations of inverters, transformers and other sources of EMF, have also been considered to ensure that these are at safe distances. In relation to a distributed BESS, there is ample scope to deliver a design which can ensure that the potential impact of EMFs will similarly not be significant.



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				The Applicant has committed to ensure a minimum buffer of 150m from the distributed BESS units to residential receptors, and 200m from the centralised BESS units to residential receptors, as set out within the Framework BSMP (ref. paragraph 2.3.5) [REP1-041]. The Framework BSMP [REP1-041] is to be developed into a detailed BSMP, substantially in accordance with the Framework BSMP, as secured under Requirement 7 of Schedule 2 to the Draft DCO [REP1-007]. As a result, there is no reasonable basis to conclude that if the DCO Application is granted, the proposed BESS would be likely to give rise to any likely significant effects associated with EMFs. Appendix 14-F: Electromagnetic Fields Assessment of the ES [APP-175] provides further detail on the potential for EMF effects as a result of the Proposed Development.
17.9	APP-040	Potential Health Impacts	Other potential health impacts from battery storage, such as fire risk, must also be considered and mitigated with control, containment, and extinguishing provision to the satisfaction of Lincolnshire Fire and Rescue. Cumulative impacts (ES Chapter 15, [APP-040]) do not appear to have covered EMFs from other electricity generation, transmission, or storage infrastructure in the area, including where the cable feeds into the substation at Navenby.	Regarding fire risk, the Applicant's Framework BSMP [REP1-041] has been drafted to comprehensively address all key BESS safety requirements through failure prevention, monitoring / control systems, and hazard mitigation systems / protocols. With regards to the potential for cumulative EMF impacts, it is expected that the potential EMF associated with other relevant developments included within the cumulative developments shortlist (as discussed in Chapter 15: Cumulative Effects and Interactions of the ES [APP-040]) would have no significant effect on receptors given they would be required to adhere to the same relevant Government policy as set out above to ensure all EMF is below the relevant exposure limits. Furthermore, the nearest residential receptor to the proposed National Grid substation near Navenby is located approximately 600m to the west. Given this distance, it is anticipated that any cumulative EMF from the substation, along with 400kV cabling from projects connecting to it, would be suitably attenuated. Therefore, no cumulative effects are expected due to EMFs.
17.10	N/A	Community Benefit Initiatives	However, if the DCO is granted and the development goes ahead on any scale, the community gain resulting from the development to mitigate against negative impacts must be increased. Improvements to the PRow network and proposed permissive paths are welcome. However, further mitigation should also be considered, such as developing community gardens and orchards, public open space generally, play provision, improvements to local community assets, and a community fund administered locally. Fuel-poor residents (low-income households living in low energy efficiency homes) should ideally benefit directly from renewable electricity production on their doorstep through either energy related improvements to their home (e.g., air source heat pump heating and hot water and solar photovoltaics on roofs) or electricity cost subsidies.	The Applicant recognises the need for local people to benefit from the proposals. This has been thoroughly considered throughout the evolution of the design of the Proposed Development, with input from the local community shaping the final design of the Proposed Development. For example, the proposed permissive path network has evolved following feedback at the statutory consultation stage, as explained in Chapter 4 Alternatives and Design Evolution of the ES [APP-029] to maximise community benefits, providing more effective linkages across the site. Once the Proposed Development is operational there will be approximately 9.5 km of new permissive paths created, linking together existing walking routes and creating enhanced connections to surrounding villages, as well as the provision of a 1.8ha (4.4 acres) new community orchard with open access within the landscaping designs, offering a direct benefit for the local community. The Framework LEMP [REP1-039], a detailed version of which is to be developed, substantially in accordance with the Framework, as secured by Requirement 8 of Schedule 2 to the Draft DCO [REP1-007], sets out the permissive path network which will be implemented during operation of the Proposed Development providing routes across the Principal Site and enhancing the recreational value of the Order Limits.



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				Furthermore, should the Proposed Development be consented, the Applicant will provide a community fund providing a sum of £400 per MW of export capacity per year. Whilst this does not form part of the DCO Application and does not comprise a benefit in the context of the planning balance, it does comprise a benefit of the Proposed Development to the wider community. This community fund would be able to be utilised for local projects and causes, to be determined by the local community. The Applicant believes those communities living closest to the Proposed Development should benefit from it – with these communities being best placed to recommend what a 'community benefit' should be. The Applicant is currently investigating how a community benefit fund could be managed and delivered independently. One way of doing this is by appointing a community foundation which would independently manage the fund, using their local knowledge to identify funding opportunities and help maximise benefits for local communities. A community benefit fund would only operate if the Proposed Development received development consent. To maximise the economic benefits to the local community a Framework Employment, Skills and Supply Chain (ESSC) Plan [APP-197] identifies potential opportunities for activities relating to skills, supply chain and employment which the Applicant could take forward post-consent. The Framework ESSC Plan [APP-197] also outlines the Applicant's intentions to engage with local schools, local further education providers, local higher education providers. The Applicant recognises that the Proposed Development can assist academic research by linking with local Universities and provide local schools with learning opportunities. Furthermore, the Framework ESSC Plan [APP-197] provides a structure for delivering ways under which local community members can put forward their ideas and the project can then maximise local benefits. The provision of a detailed ESSC Plan, to be substantially in accordance with the Framework is secured by Requirement 19 of Schedule 2 to the Draft DCO [REP1-007]. By virtue of the same Requirement, the detailed ESSC Plan is to be submitted to North Kesteven District Council for approval in consultation with LCC, and must be implemented as approved. Other wider benefits are detailed in Section 5.3 of the Planning Statement [AS-098], including energy security, decarbonisation, ecological enhancements, employment generation and economic benefits.
18. Minerals and Waste				
18.1 – 18.6	N/A	Legislation and Policy	(Text not copied from LCC LIR)	The Applicant acknowledges this section of the LIR prepared by LCC, a Minerals Safeguarding Assessment has been undertaken by the Applicant in ES Appendix 12-C Minerals Safeguarding Assessment [AS-091] . Relevant minerals planning policy discussed in Section 4 of this document.
18.7	N/A	Legislation and Policy	In the same vein, LMWLP Policy 8 (Safeguarding Waste Management Sites) seeks to safeguard existing and allocated waste management facilities from redevelopment to a non-waste use and/or the encroachment of incompatible development unless alternative provision in the vicinity can be made in accordance with the Development Plan or it can be demonstrated that there is no longer a need for a waste facility at that location.	As outlined in paragraph 14.5.41 of Chapter 14 Other Environmental Topics of the ES [APP-39] there are no existing and allocated waste management facilities within the Order Limits of the Proposed Development.



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18.8	APP-162 (now AS-091)	Minerals Baseline	The Applicant has provided a Minerals Safeguarding Assessment at Appendix 12-C of the ES [APP-162], which highlights that the proposed site intersects with parts of the MSAs identified in the Lincolnshire Minerals and Waste Local Plan (LMWLP) for sand and gravel (particularly along the western fringes of the development between Norton Disney and Swinderby, and within the central section of the proposed DCO Order limits north-east of Bassingham) and for limestone (coinciding with the eastern part of the cable corridor). A number of specific existing and allocated sites lie in close proximity to the boundary of the proposed DCO, namely Swinderby Quarry to the west, Whisby Quarry to the north and Norton Bottoms Quarry to the south-west. Harmston Heath Quarry lies approximately 2 km to the north of the cable corridor route. No existing or allocated sites lie within the site boundary.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
18.9	APP-162 (now AS-091)	Site Selection and Alternatives	In justifying the approach to sterilisation within the MSAs, the Applicant relies on the development being of a temporary, albeit long term, reversible nature, enabling the land to be returned to its original use at the end of the development. When assessed against the criteria in LMWLP Policy M11 (Safeguarding of Mineral Resources) referenced above, the applicant expands on this at paragraph 5.4.5 of the Mineral Safeguarding Assessment [APP-162] explaining that under Policy M11 criteria (i) the prior extraction would be impractical and incompatible with the urgent need to establish the development, which is deemed critical national priority. Based on the site selection process, the applicant considers that the development cannot be reasonably sited elsewhere. The Council's concerns over the site selection process have been articulated in section 7 of this LIR, which calls into question compliance with this specific part of the MSA policy.	Section 5.4 of Appendix 12-C Minerals Safeguarding Assessment of the ES [AS-091] sets out how the Proposed Development complies with Policy M11 of the Lincolnshire Minerals and Waste Local Plan. In relation to site selection, the presence of mineral safeguarding areas has been taken into account as appropriate in Appendix A: Site Selection Report of the Planning Statement [AS-098]. For example, it was noted that Site 3 (Hawdin's Wood) was located in a minerals safeguarding area, and that in the case of RAF Swinderby (which formed part of Site 3), that parts of the site are allocated for mineral purposes. It is acknowledged that minerals safeguarding areas could have been taken into account in the assessment of sites 6, 7, 8 and 9, however all these sites to some extent are located within a minerals safeguarding areas, therefore the presence of the minerals safeguarding areas would not have identified a preference for one site over another. Appendix A: Site Selection Report of the Planning Statement [AS-098] demonstrates how the Applicant has sought to identify a suitable site that is as least environmentally constrained as possible. Additionally, the Applicant sought to reduce the need for the use of Compulsory Acquisition powers, meaning that the availability of landowners willing to lease land for the purposes of the Proposed Development was an important consideration. Taking account of the suitability of the location for solar infrastructure, the availability of a network connection, appraisal of planning and environmental constraints and willing landowners, the Site was selected to be taken forward for the Proposed Development. Following site selection, and through the process of design evolution, the Applicant has sought to minimise impacts wherever possible. It should also be noted that Section 4.7 of Chapter 4 Alternatives and Design Evolution of the ES [APP-029] sets out that mineral safeguarding areas were taken into account in the consideration of alternative cable corridors.
18.10	APP-162 (now AS-091)	Adequacy of Baseline Information	Additionally, there is reference to borehole information that indicates that the presence of economically viable deposits of sand and gravel within the site boundary is considered negligible to limited, but this statement is based on only a select number of boreholes at relatively low density. Combined with natural geological variability, the Council questions whether sufficient evidence exists to arrive at this conclusion, especially bearing in mind that in certain instances there are economically viable deposits being worked in	Nearby borehole SK86SE60 does not identify any sand and gravel which is consistent with its location being outside of areas of sand and gravel deposits as indicated by the geological mapping. However, borehole SK86SE28 does indicate a sand and gravel deposit of 6.75m as it is located within an area of Balderton Sand and Gravel. It should be noted that a large proportion of the site is not underlain by deposits of sand and gravel. Where sand and gravel was identified, with the exception of SK86SE28, the thickness was generally limited.



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			close proximity to the site boundary, e.g. Swinderby Quarry, and nearby borehole SK86SE60 which indicates a deposit of 6.75m, falling within the suggested range 6.5m-9.0m for viable depths quoted in paragraph 3.4.2 of the MSA [APP-162].	Therefore, it was considered that due to the limited extent of underlying sand and gravel deposits across the site and limited thickness of sand and gravels where it was identified, the presence of economically viable deposits of sand and gravel within the site boundary was negligible to limited.
18.11 / 18.12	APP-162 (now AS-091) AS-098	Conflict Between Long-Term 'Temporary' Use and Mineral Safeguarding Policy	Reference is also made to the 'temporary' nature of the development and that the land can be restored to its original use at the end of the development. The applicant refers to the level of permitted reserves within the county stating that evidence from the Local Aggregates Assessment (LAA) shows that there are sufficient reserves to last beyond the current plan period in the LMWLP period (2031). However, the Council remains concerned that the proposed 60-year lifespan of the development (to 2091, assuming a 2031 start – see paragraph 4.2.1 of Planning Statement [AS-098]) goes well beyond the timeline covered by the LMWLP (2031), or its successor (since the Plan is being reviewed), with a new plan period extending to 2041. It is therefore difficult for the Council (or indeed the Applicant) to confirm whether any of the mineral resources that sit within the confines of the current MSA areas might be required to come forward well in advance of the site being decommissioned, thereby potentially presenting a conflict with the premise of mineral safeguarding policy in Lincolnshire. Should the development proceed, the scope of promotion of new sites to enable the County to fulfil its function as a Mineral Planning Authority in ensuring there is a sufficient landbank of mineral reserves (minimum 7 years for sand and gravel) will be curtailed.	Whilst the lifespan of the Proposed Development exceeds the timeline of the updated Lincolnshire Minerals and Waste Local Plan, which will have a plan period up to 2041, the Applicant notes that LCC is unable to confirm whether any mineral resources in the Mineral Safeguarding Area will be required before the Proposed Development would be decommissioned. As set out in the Appendix 12-C: Minerals Safeguarding Assessment of the ES [AS-091], given the reversible nature of the Proposed Development, there will be no permanent sterilisation of the mineral resource, and the ability of future generations to extract the resource over the long term will not be compromised. Furthermore, given the large landbank of sand and gravel and limestone in Lincolnshire, the Proposed Development will not inhibit extraction within the timescale that the mineral is likely to be needed and will ultimately have a negligible impact on sterilising the mineral resource. In addition, there are a number of locations where the thickness of the mineral is negligible or limited meaning extraction would not be economical. It is acknowledged that the Cable Corridor may seem extensive at approximately 351 ha. However, this is to retain flexibility, and once constructed, the cable itself will comprise a smaller fraction of this. Therefore, the land take for the Cable Corridor is small, and thus the area of potential sterilisation would be negligible.
18.13	APP-162 (now AS-091)	Decommissioning of Cables	The applicant's assessment also suggests that the connection cables have the option of either being removed or remaining in situ at the end of the development (paragraph 5.4.5(b)). If they were to remain in situ, then this may inhibit future extraction. Provision should be made through the decommissioning programme to secure the removal of cables to enable the former use to be reinstated without hindrance.	As noted by the Council, section 2.3 of the Framework DEMP [REP1-035] provides flexibility as to the method of cable decommissioning. Cables and cable ducting could either be left in situ or removed by opening the ground at regular intervals and pulling the cable through to the extraction point, avoiding the need to open up the entire length of the Cable Corridor. The mode of cable decommissioning for the Cable Corridor and interconnecting cables will be dependent upon government policy, the preferences of LCC and best practice at the time of the decommissioning phase of the Proposed Development. Should the LCC wish for the connection cables to be removed, this would be discussed and agreed at the appropriate time prior to decommissioning. The provision of a detailed DEMP, which is to be substantially in accordance with the Framework DEMP [REP1-035], is secured by Requirement 20 of Schedule 2 to the Draft DCO [REP1-007]. By virtue of the same Requirement, the detailed DEMP must be submitted to North Kesteven District Council for approval in consultation with LCC, National Highways and the Environment Agency, and must be implemented as approved.
18.14	N/A	Conclusions	In consideration of the policies concerning minerals and waste safeguarding and uncertainty over how the development could impact the availability of future sites from within the Mineral Safeguarding Area contributing to the county's function in maintaining a minimum landbank of permitted reserves, the Council considers that the overall impact of the development will be negative.	The Applicant acknowledges LCC's position, but would reiterate the conclusions in section 8 of Appendix 12-C: Minerals Safeguarding Assessment of the ES [AS-091] that the Proposed Development is a long term, reversible development, which will have an operational lifetime of 60 years. Upon decommissioning of the Proposed Development, the land will be returned to the landowners and available for its current use. Given the reversible nature of the Proposed Development, there will be no permanent sterilisation of the mineral resource, and the ability of



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18.15	N/A	Legislation and Policy	NPS EN-1 states at paragraph 5.15.4 that ' <i>All large infrastructure projects are likely to generate hazardous and non-hazardous waste. The EA's Environmental Permitting regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permitting requirements</i> '.	future generations to extract the resource over the long term will not be compromised. Furthermore, given the large landbank of sand and gravel and limestone in Lincolnshire, the Proposed Development will not inhibit extraction within the timescale that the mineral is likely to be needed and will ultimately have a negligible impact on sterilising the mineral resource. There are a number of locations where the thickness of the mineral is negligible or limited where extraction would not be economical. The land take for the Cable Corridor is small, and thus the area of potential sterilisation would be negligible. The non-permanent and reversible nature of a solar NSIP with 60 year consent has been acknowledged in the Secretary of State's decision letters on other solar NSIPs, such as Tillbridge Solar Farm, Mallard Pass Solar Project, West Burton and Gate Burton Energy Parks, which have all been granted development consent.
18.16	N/A	Legislation and Policy	Paragraphs 5.15.14 and 5.15.15 of NPS EN-1 outline that during decision making consideration should be given to the extent the Applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development. Waste should be properly managed, both on-site and off-site and the SoS should be satisfied that the waste can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area, and steps should be taken to minimise the volume of waste arisings.	Waste management is considered in Chapter 14 Other Environmental Topics of the ES [APP-039]. A Site Waste Management Plan (SWMP) will be produced by the contractor prior to construction. Further details of materials and waste management have been provided in the Framework CEMP [REP1-031], the Framework OEMP [REP1-033], and the Framework DEMP [REP1-035]; which have been submitted as part of the DCO Application. Typical operational waste from a solar farm (e.g., end-of-life PV panels/batteries) are managed under existing waste management law by licensed waste carriers and off-site licensed facilities, rather than by an EA Environmental Permit for the site itself. The Waste Electrical and Electronic Equipment (WEEE) Regulations 2013 (as amended) and The Waste Batteries and Accumulators Regulations 2009 (as amended) place obligations on the "producer" (such as the manufacturers, importers or brand owners) who place solar PV panels and batteries on the market to finance the costs of collection, treatment, recovery and environmentally sound disposal; and the landfill tax strongly incentivise reuse, recycling and recovery. As noted in the Framework OEMP [REP1-033] (ref. paragraph 1.1.12), any licences, permits or approvals that are required (for example, if an EA Environmental Permit is deemed to be required regarding operational waste) will be listed in the detailed OEMP(s). All management of waste will be in accordance with the relevant regulations (as outlined in Appendix 14-A: Other Environmental Topics Legislation and Policy of the ES [APP-168]) and waste will be transported by licensed waste hauliers to waste management sites which hold the necessary regulatory authorisation and/or permits for those wastes consigned to them.



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				them. Furthermore, as set out in the Framework OEMP [REP1-033] (ref. MW-O1), all waste management (inclusive of damaged solar panels) will be in accordance with the relevant regulations in force at the time.
18.17	N/A	Legislation and Policy	Local Policies: • CLLP Policy S53: Design and Amenity • LMWLP Policy W1: Future requirements for waste facilities	CLLP Policy S53: Design and Amenity: Waste management is considered in Chapter 14 Other Environmental Topics [APP-039]. A Site Waste Management Plan (SWMP) will be produced by the contractor prior to construction. Further details of materials and waste management have been provided in a Framework CEMP, [REP1-031] OEMP [REP1-033] and DEMP [REP1-035]; which was submitted as part of the DCO Application. LMWLP Policy W1: Future requirements for waste facilities: No response required, this is a policy related to the activities of Lincolnshire County Council rather than the applicant.
18.18	N/A	Legislation and Policy	Part 9 of CLLP Policy S53 requires schemes to minimise the need for resources both in construction and operation of buildings and be easily adaptable to avoid unnecessary waste production. One of the 15 overarching objectives of the CLLP as set out in paragraph 1.5.2, under the heading of 'Waste' is 'To minimise the amount of waste generated across all sectors and increase the reuse, recycling and recovery rates of waste materials'.	Waste management is considered in Chapter 14 Other Environmental Topics [APP-039]. A Site Waste Management Plan (SWMP) will be produced by the contractor prior to construction. Further details of materials and waste management have been provided in a Framework CEMP [REP1-031], OEMP [REP1-033], and DEMP [REP1-035]; which was submitted as part of the DCO Application. As set out in the Framework CEMP [REP1-031] (ref. MW-C1) the Proposed Development will aim to prioritise waste prevention, followed by preparing for reuse, recycling and recovery and lastly disposal to landfill as per the waste hierarchy.
18.19	N/A	Legislation and Policy	Policy W1 of the LMWLP states that the County will, through the Site Locations document, identify locations for a range of new or extended waste management facilities within Lincolnshire to meet predicted capacity gaps.	As outlined in paragraph 14.5.41 of Chapter 14 Other Environmental Topics [APP-39] there are no existing or allocated waste management facilities within the Order Limits, and therefore no potential for the Proposed Development to impact the potential for LCC to meet predicated waste management facility capacity gaps.
18.20	N/A	General Comments	The Council have reviewed the application in terms of waste matters and, whilst waste was scoped out of the ES as a separate chapter, the applicant has referenced the topic in various documents.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
18.21	N/A	General Comments	Overall, the Council welcomes the various references to waste matters including the waste hierarchy and proximity principle. The waste impacts have been assessed on the assumption of landfilling. Whilst this is in line with standard methodology, the applicant should make every effort to follow the waste hierarchy for all waste streams.	The Proposed Development will prioritise waste prevention, followed by preparing for reuse, recycling and recovery and lastly disposal to landfill as per the waste hierarchy. The implementation of the waste hierarchy is referred to within the Framework CEMP [REP1-031], the Framework OEMP [REP1-033] and the Framework DEMP [REP1-035]. The provision of a detailed CEMP, a detailed OEMP and a detailed DEMP, which are to be substantially in accordance with the respective frameworks, is secured under Requirement 12, Requirement 13 and Requirement 20 of Schedule 2 to the Draft DCO [REP1-007] respectively. LCC is a named consultee under these Requirements and therefore will be consulted by NKDC in the approval of these detailed management plans.



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18.22	N/A	Waste Forecasts	We note that forecasts for waste arisings are either incomplete or absent from the current suite of documents. These will need to be provided for each phase of the project, including details of quantity and proposed fate for each waste type, and should be accompanied by a clear statement of the assumptions used in each calculation.	Waste arisings for construction, operation and decommissioning are outlined in Chapter 14 Other Environmental Topics of the ES [APP-039] and as outlined in paragraph 14.5.73 of this chapter, <i>"anticipated waste streams and quantities are based on Proposed Development-specific information provided by the design team and the application documents for other similar NSIP solar developments extrapolated down for wood, plastic and paper and cardboard"</i>. Construction: Table 14-24 Estimated Construction Waste of Chapter 14 Other Environmental Topics of the ES [APP-039] sets out the waste arisings (in tonnes or m³) for the construction phase of the Proposed Development including: general waste from site offices and welfare facilities, waste from the maintenance of construction vehicles, hazardous waste (e.g. chemicals, batteries, solvents, oils, oily rags, aerosols etc.), wood (e.g. pallets and cable drums), plastic (e.g. packaging and protective foam layers), paper and cardboard (e.g. packaging) and construction material wastage. For each of these waste types the waste management route is identified as being recycling or recovery. The exact waste management route will be confirmed by the contractor in a Site Waste Management Plan (SWMP) produced by the contractor prior to construction. Operation (day to day): As outlined in 14.5.80 – 14.5.83 of Chapter 14 Other Environmental Topics of the ES [APP-039] during operation, waste generation activity within the solar PV sites would be restricted principally to vegetation management, equipment maintenance and servicing, replacement of any components (i.e. that fail or reach the end of their lifespan), periodic fence inspections, and monitoring activity to ensure the continued effective operation and maintenance of the Proposed Development. All management of waste will be in accordance with the relevant regulations and waste will be transported by licensed waste hauliers to waste management sites which hold the necessary regulatory authorisation and/or permits for those wastes consigned to them. Overall the assessment concludes that during operation, waste generation is expected to be negligible." Operation (component replacement): Paragraph 14.5.84 of Chapter 14 Other Environmental Topics of the ES [APP-039] provides waste arisings associated with component replacement. Ad hoc replacement of solar PV panels based on a failure rate of 0.05%, equates to 316 solar PV panels per year (39 m³) and a minimal quantity of associated wooden pallets, plastic and cardboard packaging waste. It is also expected all the solar PV panels will be replaced once during the Proposed Development's operational life. The solar PV panels are anticipated to be replaced over a maximum 12-to-24-month period, this would equate to 77,190 m³ of solar PV panel waste and associated wooden pallets and packaging waste. Wooden pallets and packaging waste would be less than construction outlined in Table 14-24 Estimated Construction Waste of Chapter 14 Other Environmental Topics of the ES [APP-039]. It is expected that the batteries within the BESS could be replaced up to five times (i.e. every 10 years) during the Proposed Development's operational life; this would equate to 7,613 m³ of BESS waste at each replacement.



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				Proposed Development components, such as the PV mounting structures, cabling, the substation, and the BESS area buildings, are not anticipated to be replaced during the Proposed Development's operational life. No intrusive ground works are anticipated to replace solar PV panels or the BESS. Decommissioning: Table 14-25 Estimated Decommissioning Waste of Chapter 14 Other Environmental Topics of the ES [APP-039] sets out the waste arisings (in tonnes or m³) for the decommissioning phase of the Proposed Development. For all waste types the waste management route is recycling or recovery. The exact waste management route will be confirmed by the decommissioning contractor.
18.23	APP-039	Local Waste Capacity	In respect of LMWLP Policy W1, the Council is required to make provision for sites to meet future predicted capacity gaps for waste arisings. Currently there are no waste facilities locally to process discarded solar infrastructure as it is replaced during the lifetime of the development and at decommissioning stage. We remain concerned over lack of capacity to process this waste stream, particularly the quantity of PV panels arising cumulatively alongside other similar projects proposed nearby. This applies not only at decommissioning but also for PV panels which fail, or are routinely replaced, during construction and operation phases. Specific comments related to each phase of the development are provided below:	The Applicant is mindful that local facilities for recycling solar waste do not exist at present, however there are solar panels recycling companies in the UK which have the ability to recycle solar panels in small quantities. During the construction and day to day operation small numbers of waste solar panels will require disposal, e.g. based on a failure rate of 0.05%, 316 solar PV panels per year (39 m³). Chapter 14 Other Environmental Topics of the ES [APP-39] paragraph 14.5.85 states that <i>"recycling routes are generally available for decommissioning materials at present, and it is likely that there will be even greater opportunities for recycling in the future, not least because the market will have expanded to meet demand as solar PV installations increase."</i> As outlined in The Examining Authority's Recommendation Report for the East Yorkshire Solar Farm, dated 17 February 2025 paragraph 3.13.50. <i>"While the capacity of facilities to deal with the decommissioned solar PV panels is still evolving, I see no reason to disagree with the Applicant's view that the system will respond to demand over time. There is nothing to suggest that the type or number of panels involved in the application scheme would lead to particular difficulties in this regard."</i> Therefore, the Applicant considers it reasonable to assume that solar panel recycling will expand to meet demand as solar PV installation increase.
18.24	APP-039 APP-189	Construction Forecasts and Site Waste Management Plan	Construction Phase - The forecasts (ES Chapter 14 [APP-039], Table 14-24) for waste arisings have failed to take account of PV panels and other WEEE damaged during this phase. - Framework CEMP [APP-189] – As per paragraph 2.8.2, we await the production of a Site Waste Management Plan (SWMP) for our review, including waste arisings estimates. The SWMP, including arisings estimates, will need to be updated and followed for each phase of the project.	Construction phase solar panel waste is anticipated to be similar to day to day operation e.g. based on a failure rate of 0.05%, 316 solar PV panels per year (39 m³). The addition of this quantity of waste to the construction waste assessment has no material change in the outcome of the assessment. The magnitude of impact would remain negligible, and the effect is slight, which is considered to be not significant.
18.25	APP-039 APP-190	Operational Forecasts and Framework OEMP	Operational Phase - We note the references in the ES Chapter 14 [APP-039] to "component replacement waste" (paragraph 14.5.84) but have concerns in terms of: - PV panel failures – the 0.05% per year failure rate seems low, compared to other solar farm estimates which the Council have	PV panel failures – The failure rate of 0.05% is based on a 2017 study by the National Renewable Energy Laboratory (NREL) which found a median annual failure rate of 5 per 10,000 panels for solar photovoltaic (PV) systems installed between 2000 and 2015. This is equivalent to an annual failure rate of 0.05%. The study analysed data from over 4,500 globally deployed panels and 50,000 installed systems. With the improvement of panel reliability this is considered a



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			received, which suggest an annual failure rate of around 0.5%. The figure presented therefore needs to be justified. ii. Equipment replacement programme – the applicant anticipates one full replacement programme of PV panels, but this may be insufficient given the proposed 60-year project lifespan, when we are aware that similar projects with a 40-year lifespan are also suggesting they will undertake a single replacement. We ask that the applicant clarifies their assumptions on the operational lifespan of panels, and do likewise in terms of other equipment such as BESS batteries. • Framework OEMP [APP-190] – we are concerned that this fails to provide forecasts for waste arisings or a commitment to do so in an updated version of the SWMP.	worst-case failure rate. Applying a failure rate of 0.5% and assessing the associated additional waste in the operational waste assessment would result in no material change in the outcome of the operational assessment. The magnitude of impact would remain negligible, and the effect is slight, which is considered to be not significant. Equipment replacement programme – As outlined in Table 3-11 Indicative Design Life of the Key Equipment of the Proposed Development of Chapter 3 The Proposed Development of the ES [REP1-015] solar panels have an indicative design life of 25-40 years, and batteries have an indicative design life of 10-15 years. If solar panels are replaced again during the operational period, this would equate to the same quantities as outlined in 14.5.84 (b) of Chapter 14 Other Environmental Topics [APP-39] (i.e. 77,190 m³). As such, the magnitude of impact of negligible and the effect of slight, which is considered not significant, established within the ES chapter would still be applicable given this replacement would occur within a different year to the first replacement and the assessment is based on a comparison with annual landfill capacity. Chapter 14 Other Environmental Topics of the ES [APP-039] is based on the following assumptions as detailed in Paragraph 14.5.84. • Ad hoc replacement of solar PV panels is based on a failure rate of 0.05% • All the solar PV panels will be replaced once during the Proposed Development's operational life. • Batteries within the BESS could be replaced up to five times (i.e. every 10 years) • Proposed Development components, such as the PV mounting structures, cabling, the substation, and the BESS area buildings, are not anticipated to be replaced during the Proposed Development's operational life. • No intrusive ground works are anticipated to replace solar PV panels or the BESS. As outlined in paragraph 2.3.3 of the Framework OEMP [REP1-033] the Applicant has committed to providing an annual maintenance schedule to the relevant planning authorities setting out planned maintenance on an annual basis. Within this maintenance schedule, the Applicant will inform the relevant planning authority when a component is no longer operational and requires final decommissioning. Framework OEMP – forecasts for waste arising for day to day operation are provided in paragraph 14.5.83 of Chapter 14 Other Environmental Topics of the ES [APP-039]. Paragraph 14.5.84 provides waste arisings associated with component replacement. Management of waste as per the waste hierarchy and in accordance with the relevant regulations is detailed in the Framework OEMP [REP1-033]. The provision of a detailed OEMP, which is to be substantially in accordance with the Framework OEMP [REP1-033], is secured under Requirement 13 of Schedule 2 to the Draft DCO [REP1-007].



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18.26	APP-039 APP-191	Framework DEMP	Decommissioning Phase Framework DEMP [APP-191] – We are concerned that this fails to provide forecasts for waste arisings or a commitment to do so in an updated version of the SWMP.	A separate SWMP for operation is not proposed since waste management will be covered in the annual planned maintenance schedule secured in the Framework OEMP [REP1-033]. Requirement 13 of the Draft DCO [REP1-007] already requires the production of a detailed OEMP. This would be substantially in accordance with the FOEMP [REP1-033] and would need to be approved by NKDC in consultation with LCC before operation commences. The councils can therefore ensure through this Requirement that the detailed OEMP includes that the types, quantities and final destination of waste generated during the decommissioning phase would be identified, measured and recorded by the Principal Contractor and that the Applicant collaborates with other developers in the local area. Forecasts for waste arising for decommissioning are provided in Table 14-25 Estimated Decommissioning Waste of Chapter 14 Other Environmental Topics of the ES [APP-039]. As outlined in paragraph 2.4.3 of the Framework DEMP [REP1-035] “more details on the decommissioning phasing will be provided within the DEMP(s), prior to decommissioning commencing.” It is not considered necessary to add any further commitments into the FDEMP. Requirement 20 of the Draft DCO [REP1-007] already requires the production of a DEMP prior to decommissioning. This which would be substantially in accordance with the FDEMP [REP1-035] and would need to be approved by NKDC in consultation with LCC before decommissioning can commence. The councils can therefore ensure through this Requirement that the DEMP includes that the types, quantities and final destination of waste generated during the decommissioning phase would be identified, measured and recorded by the Principal Contractor and that the Applicant collaborates with other developers in the local area. A separate SWMP for decommissioning is not proposed since waste management will be covered in the DEMP. As outlined in Table 11: Materials and Waste of the Framework DEMP [REP1-035] “the types, quantities and final destination of waste generated during the decommissioning phase would be identified, measured and recorded through the DEMP.”
18.27	APP-16	Draft DCO Waste Provisions	In terms of the draft DCO [APP-16], we welcome the commitments to provide and consult Lincolnshire County Council on a CEMP (Req.12), OEMP (Req.13) and DEMP (Req.20). However, we note that there is no reference in these Requirements to providing waste arisings forecasts, either directly or via a SWMP. As a bare minimum, there should be a commitment to provide an SWMP and to update it for each phase of the project.	Monitoring requirements are set out in Table 11: Materials and Waste “The types, quantities and final destination of waste generated during the construction phase would be identified, measured and recorded through the SWMP to be produced by the Principal Contractor in accordance with a Requirement of the DCO.” As outlined in the Framework CEMP [REP1-031] (ref. MW-C1) “a Site Waste Management Plan (SWMP) will be prepared by the Principal Contractor, which will provide a waste estimate and specify key responsibilities, reporting and auditing requirements and waste recovery targets. The SWMP will be finalised with specific measures to be implemented prior to the start of construction.” The provision of a detailed CEMP, which is to be substantially in accordance with the framework CEMP, is secured under Requirement 12 of Schedule 2 to the Draft DCO [REP1-007] respectively. LCC is a named consultee under this



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				Requirement and therefore will be consulted by NKDC in the approval of this detailed management plans.
18.28	APP-039	Future Availability of Recycling Facilities	For all phases of the development the applicant is placing considerable reliance on the market response to demand for recycling facilities. Even if it could be assumed that the market would respond to the demand for recycling facilities, it is uncertain where the capacity would be provided. Where possible, local waste facilities should be used but, given that they may not be available locally, transport needs to be taken into account in assessing the emissions arising from waste handling.	The Applicant is mindful that local facilities for recycling solar waste do not exist at present, however there are solar panels recycling companies in the UK which have the ability to recycle solar panels in small quantities. Chapter 14 Other Environmental Topics of the ES [APP-039] paragraph 14.5.85 states that "recycling routes are generally available for decommissioning materials at present, and it is likely that there will be even greater opportunities for recycling in the future, not least because the market will have expanded to meet demand as solar PV installations increase." As outlined in The Examining Authority's Recommendation Report for the East Yorkshire Solar Farm dated 17 February 2025 paragraph 3.13.50. "While the capacity of facilities to deal with the decommissioned solar PV panels is still evolving, I see no reason to disagree with the Applicant's view that the system will respond to demand over time. There is nothing to suggest that the type or number of panels involved in the application scheme would lead to particular difficulties in this regard." Therefore, the Applicant considers it reasonable to assume that the solar panel recycling market will expand in accordance with increasing demand as solar PV installation increases. The Applicant has included consideration of emissions arising from the transport and handling of waste in Chapter 6 Climate Change of the ES [REP1-017], at paragraph 6.4.30 and paragraphs 6.4.46 to 6.4.50. A worst-case assumption of 100 kilometres for the transport of waste has been applied in case local waste facilities are not available.
18.29	N/A	Statutory Waste Planning Duties and	The Council, in its role as Waste Planning Authority, has a statutory duty to prepare a Waste Local Plan that ensures sustainable waste management within its jurisdiction. The Council must assess the existing and future generation of waste arisings over the plan period, and produce a comprehensive, long-term plan to identify sufficient opportunities to meet the identified waste management needs of the area, aiming to drive waste management up the waste hierarchy.	The Applicant has provided forecasted waste arisings in Chapter 14 Other Environmental Topics of the ES [APP-039]. Further details on estimated waste arisings have been provided in response to LIR Ref. 18.22 above. It is not considered necessary to add any further commitments into the FDEMP. Requirement 20 of the Draft DCO [REP1-007] already requires the production of a DEMP prior to decommissioning. This which would be substantially in accordance with the FDEMP [REP1-035] and would need to be approved by NKDC in consultation with LCC before decommissioning can commence. The councils can therefore ensure through this Requirement that the DEMP includes that the types, quantities and final destination of waste generated during the decommissioning phase would be identified, measured and recorded by the Principal Contractor and that the Applicant collaborates with other developers in the local area
18.30	N/A	Statutory Waste Planning Duties and	This involves setting strategic policies, engaging with stakeholders and the public, identifying sites and facilities where a need is identified, and aligning with national planning policy. The plan must also safeguard existing waste facilities, promote waste reduction and recycling, and support the transition to	The Applicant notes LCC's commitments as Waste Planning Authority. Further details on estimated waste arisings have been provided in response to LIR Ref. 18.22 above.



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			a circular economy. This process relies heavily on having a complete set of data on the likely waste streams, which we currently do not have for potential future solar waste. Whilst it may be possible for sites to be identified in the plan, it would then still fall to the market to deliver the facilities.	It is not considered necessary to add any further commitments into the FDEMP. Requirement 20 of the Draft DCO [REP1-007] already requires the production of a DEMP prior to decommissioning. This which would be substantially in accordance with the FDEMP [REP1-035] and would need to be approved by NKDC in consultation with LCC before decommissioning can commence. The councils can therefore ensure through this Requirement that the DEMP includes that the types, quantities and final destination of waste generated during the decommissioning phase would be identified, measured and recorded by the Principal Contractor and that the Applicant collaborates with other developers in the local area
18.31	N/A	Conclusions	Notwithstanding the need to assess the quantity of PV panels which may need to be recycled, as described above, the applicant's documentation throughout should reflect an intention to seek to minimise waste and reuse/repair as far as possible in accordance with the Waste Hierarchy.	As outlined in paragraph 14.5.55 in Chapter 14 Other Environmental Topics of the ES [APP-039] <i>"The Proposed Development will aim to prioritise waste prevention, followed by preparing for reuse, recycling and recovery and lastly disposal to landfill as per the waste hierarchy."</i> This demonstrates that the Applicant's intention is to seek to minimise waste and carry out all elements of the Proposed Development in accordance with the waste hierarchy to the extent it is able to do so.
18.32	N/A	Conclusions	On the basis of the above commentary, and until such time as the applicant can provide further information regarding waste arisings, connected with clarification on expected failure rates and reference to cumulative impacts, the Council consider that the development would have a negative impact in terms of waste. The Council would be happy to engage further with the Applicant regarding these matters, including through the SoCG.	Please see responses in LIR Ref.18.30 (forecasted waste arisings) and 18.25 (failure rates). A cumulative assessment is provided in Chapter 14 Other Environmental Topics of the ES [APP-039] paragraphs 14.5.105-14.5.121. As noted at paragraph 14.5.120, the cumulative assessment establishes that under a realistic worst case scenario, cumulative impacts would not be significant. It is noted that Waste and Materials are under discussion as part of the SoCG between the Applicant and LCC. The SoCG will be submitted at the midpoint of Examination in line with the Examining Authority's request in its Procedural Decision dated 22 August 2025 [PD-005].
19. Cumulative Effects				
19.1 – 19.4	N/A	Legislation and Policy	(Text not copied from LCC LIR)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment. National and local planning policy is considered in Appendix B National Policy Accordance Tables and Appendix C Local Policy Accordance Tables of the Planning Statement [AS-098].
19.5	APP-030 APP-040	Methodology and Assessment – General Comments	The Applicant's assessment of cumulative effects is set out within Chapter 15 of the ES [APP-030]. It addresses the potential for cumulative effects, occurring when there is potential for a number of developments that are either reasonably foreseeable or recently consented but not yet forming part of the baseline environment to lead to significant cumulative environmental effects on a shared receptor, and effect interactions, wherein a single receptor is affected by more than one impact associated with the proposed development.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
19.6	APP-030	Methodology and Assessment – General Comments	Methodology for interaction and accumulation and cumulative effects with other development is set out with ES Chapter 5 [APP-030] EIA Methodology. In considering inter-project cumulative effects, the ES considered both a long-	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



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	APP-115 (now AS-077) APP-116 (now AS-78)		list and a short-list of projects. ES figure 15-2, Long List of Cumulative Developments [APP-115] and ES Figure 15-3, Short List of Cumulative Development [APP-116].	
19.7	APP-116 (now AS-78)	Shortlisted Schemes	The short list of cumulative developments identified within figure 15-3 [APP-116] includes very few NSIP scale proposals (Great North Road Solar Park, Springwell Solar Farm, Leoda Solar Farm and One Earth Solar). The Council considers it would be beneficial to include an inter-relationship report within the application documentation which considers all solar and other NSIP developments within Lincolnshire to highlight the full impact of the influx of NSIP developments within Lincolnshire. An example of this was produced for the Springwell solar project examination which has specific relevance here because of commonality of connection point.	The potential for significant cumulative effects of other NSIP scale solar schemes has also been considered within Joint Interrelationship Reports prepared for the respective examinations of such NSIPs, including Springwell Solar Farm [EN10149], which considered the Proposed Development with Leoda Solar Farm, and concluded no cumulative effects with the schemes addressed in the Tillbridge Solar Project [EN010142], West Burton Solar Project [EN010132], Gate Burton Energy Park [EN010131], and Cottam Solar Project [EN010133] inter-relations report. These reports found that, given the notable distances and lack of intervisibility between these NSIPs and the Proposed Development, there was no potential for significant cumulative effects.
19.8	APP-040	NSIP Schemes in Lincolnshire	The nature and scale of current and emerging proposals relating to large scale solar developments and other NSIP scale developments in Lincolnshire is significant. At the time of writing this report 6 NSIP scale solar schemes have been granted a DCO in Lincolnshire and a further 7 schemes (including Fosse Green) are either progressing through examination or are at pre application stage. In addition, the County is host to a further 10 NSIP proposals including five Great Grid Upgrade proposals and a new Lincolnshire reservoir and other new NSIP proposals are currently emerging and these figures are expected to increase during 2026. The cumulative effects of the Fosse Green Energy Park, in combination with other major infrastructure developments identified, could be considerable. These impacts, in particular impacts on landscape character and visual amenity, ecology, heritage, waste management (from construction, operational and decommissioning activities), socio-economic factors, and the permanent loss of BMV agricultural land have been considered in greater detail within the relevant topic-specific chapters above.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
19.9	AS-079	NSIP Schemes in Lincolnshire	The Cumulative Development NSIP Map provided in ES Figure 15-4 Solar Nationally Significant Infrastructure Projects in Relation to the Proposed Development does not provide a true depiction of the extent and location of NSIPs, the scale and number of linear transmission schemes such as Eastern Green Links 3 and 4, and Grimsby to Walpole National Grid Schemes are not included. All non-solar NSIP s have been omitted from this map as have Meridian Solar Project and Kilinside Solar Project, as its cable route is located within the Councils administrative boundaries.	It is noted that the purpose of Figure 15-4 Solar Nationally Significant Infrastructure Projects in Relation to the Proposed Development of the ES [AS-079] is to illustrate the Proposed Development in the context of solar NSIPs within Lincolnshire. This does not include the linear transmission schemes noted in this comment given this purpose. Furthermore, it is noted that these linear transmission schemes and the Meridian Solar Project and Kilinside Solar Project did not form part of the Long and Short List of cumulative developments, which was prepared and consulted upon with North Kesteven District Council and Lincolnshire County Council. The process for defining the Long and Short Lists is outlined in Paragraphs 15.5.8 to 15.5.18 of Chapter 15: Cumulative Effects and Interactions of the ES [APP-040]. The Long List is presented in Appendix 15-A: Long List of Cumulative Developments [APP-177] and the Short List of cumulative developments is presented in Table 15. 8 of Chapter 15: Cumulative Effects and Interactions of the ES [APP-040]. Locations of the cumulative developments are shown on Figure 15-2: Long List of Cumulative Developments [AS-077] and Figure 15-3: Short List of Cumulative Developments [AS-078]. Both authorities reviewed the lists and provided feedback which was incorporated



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19.10	APP-040 AS-117	Cumulative Landscape Impacts	With regard to cumulative landscape and visual effects with other renewable energy and infrastructure projects across the county present a further concern. Whilst the immediate cumulative schemes within the ES are relatively modest, the scale of other NSIP's and large-scale energy projects proposed in the wider area raises the potential for extensive alteration of the regional landscape character. The combined effect of these developments could be a marked and enduring change, both directly through a change in land use and introduction of solar as a key element, and also in the perception and experience of the landscape, particularly for visual receptors travelling through the landscape and experiencing sequential effects. This is a clear and marked change to landscape character.	into the assessment. Consultation on the Long and Short Lists of cumulative developments with North Kesteven District Council and Lincolnshire County Council was undertaken in February 2025. The cut-off date for inclusion of developments on the Long and Short Lists presented in the ES was 09 May 2025. An exception to this was made for any proposed developments that were requested for inclusion within the ES by the local authorities. As such, the cumulative schemes considered within the ES aligns with the lists previously agreed with both NKDC and LCC. A detailed cumulative effects assessment has been provided in Chapter 15: Cumulative Effects and Interactions of the ES [APP-040]. The cumulative effects assessment followed a staged approach and considered relevant developments and land allocations within a 10km radius from the Proposed Development, including NSIPs. A wider county level study area was used for the cumulative effects assessment in relation to BMV Agricultural Land which considers other Solar NSIPs within the County of Lincolnshire. The cumulative effects assessment (Section 15.5 of Chapter 15: Cumulative Effects and Interactions [APP-040]) has adequately assessed impacts of the Proposed Development together with the identified cumulative schemes during the construction, operational and decommissioning phases of the Proposed Development (noting effects during decommissioning were assumed to be no worse than effects during construction). The temporal overlap of cumulative schemes with the Proposed Development, including the overlap of construction phases was an important consideration during the assessment of cumulative effects. Therefore, the potential for cumulative effects resulting from construction disruption has been appropriately assessed in the ES. As summarised in Chapter 15: Cumulative Effects and Interactions of the ES [APP-040] (ref. paragraph 15.5.24), significant adverse cumulative effects are only identified on landscape and visual amenity receptors, however the significance of effect attributed to the Proposed Development alone is not increased when considering these other developments alongside the Proposed Development, as reported in Chapter 10: Landscape and Visual Amenity of the ES [AS-117]. The following significant cumulative effects were established during construction, where the magnitude of effect is higher than that of the Proposed Development in isolation. During construction: • Major Adverse (significant) landscape cumulative effects upon the North Kesteven District landscape sub-area Witham and Brant Vales due to the noticeable increase in extent over which changes to the landscape character would be perceived during construction. Additionally, changes are anticipated to the visual amenity of users of the Viking Way (PRoW Cole/2/1 and BooG/2/2) as a result of the Proposed Development together with ID95 Application Reference: PL/0087/23, North Hykeham Relief Road, resulting in a Major adverse effect which is significant. • Moderate Adverse (significant) landscape cumulative effects on the North Kesteven landscape sub-area Limestone Heath due to the noticeable increase in extent over which changes to the landscape character would be perceived during



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				construction as a result of the Proposed Development together with ID63 Application Reference: EN010149, Springwell Energy Farm and ID103 Application Reference: EN0110016, Leoda Solar Farm, resulting in a Moderate adverse effect which is significant. By Year 15 of operation it is considered there would be no notable difference between the landscape and visual effects of the Proposed Development in isolation, and the cumulative landscape and visual effects of the Proposed Development in combination with other relevant cumulative schemes. The potential for significant cumulative landscape and visual effects of other NSIP scale solar schemes at greater distances from the Proposed Development has also been considered within the Joint Interrelationship Reports prepared for the respective examinations of such schemes, including Springwell Solar Farm [EN10149], which considered the Proposed Development with Leoda Solar Farm, and concluded no cumulative effects with the schemes addressed in the Tillbridge Solar Project [EN010142], West Burton Solar Project [EN010132], Gate Burton Energy Park [EN010131], and Cottam Solar Project [EN010133] inter-relations report. These reports found that, given the notable distances and lack of intervisibility between these schemes and the Proposed Development, there was no potential for significant cumulative effects at operation. The Proposed Development has been subject to an iterative design process to minimise impacts on local communities. Embedded mitigation measures include new planting, enhanced management of existing vegetation, and the introduction of offsets to reduce visibility of infrastructure from nearby settlements such as Norton Disney. These measures are designed to reduce the visual dominance of the Proposed Development and limit its contribution to cumulative landscape and visual effects, and are secured by the Framework LEMP [REP1-039]. The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007].
19.11	APP-040	Cumulative Waste Impacts	As the Waste Planning Authority, the Council is also concerned about the impact from waste arising from solar developments and the lack of existing waste capacity. The waste arisings from these proposals combined, during the construction and operational phases as well as at decommissioning is potentially significant. It must also be highlighted that there is no Waste chapter in the ES having been scoped out.	As outlined in Table 14-22: Outline Scope of Materials and Waste Assessment in Chapter 14: Other Environmental Topics of the ES [APP-039] <i>"waste arising from extraction, processing and manufacture of construction components and products are scoped out of the assessment. This assumes that these products and materials are being developed in a manufacturing environment with their own waste management plans, facilities, and supply chain, which are potentially in different regions of the UK or the world and therefore outside of the geographical scope of this study. Such matters cannot be accurately predicted and assessed as they relate to procurement decisions that cannot be assured."</i> It should be noted that waste generation during manufacturing was also referenced in the Appendix 1-A EIA Scoping Report of the ES [APP-118] (ref. paragraph 15.6.3) with regards to explaining why significant waste impacts are not expected, whereby Appendix 1-B EIA Scoping Opinion of the ES [APP-119] did not set out the requirement for an assessment of waste arising from extraction, processing and manufacture of components. As outlined in the IEMA guidance on Materials and Waste in Environmental Impact Assessment (March 2020) used for materials and waste assessments <i>"the indirect impacts of off-site waste management facilities and material production facilities are generally assumed to be assessed</i>



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				(and where necessary mitigated) under the planning and permitting regime for those sites and thus do not normally require assessment as part of an EIA for a development that uses such facilities for material supply or waste management.” At present, solar PV panel waste generation is low, meaning that there is a limited demand for facilities that recycle this infrastructure and there is therefore associated limited available capacity. It is a new, emerging market but the Applicant is aware of 5 UK facilities that currently recycle solar panels. These facilities report 95-99% recovery rates following recent investment, which is an improvement on what the market has achieved in recent years. For example, Solar Recycling Solutions (SRS) states on its website that its London based recycling plant currently achieves a 99% material recovery rate. It is expected that the facilities which reuse, recycle, or recover end of-life solar PV panels will continue to expand (and new companies emerge) as the quantities of this waste stream increase. The landfill tax strongly incentivises reuse, recycling and recovery, but critically the Waste Electrical and Electronic Equipment (WEEE) Regulations 2013 (as amended) and the Waste Batteries and Accumulators Regulations 2009 place obligations on those who place solar PV panels and batteries on the market to finance the costs of collection, treatment, recovery and environmentally sound disposal, whilst also requiring a minimum 90% recovery rate. As noted above, it is expected that the current market will expand to allow this recovery rate to improve.
19.12	APP-040	Cumulative Waste Impacts	Based on currently available data, the Council estimates that, should all solar NSIPs and Town and Country Planning Act (TCPA) schemes in Lincolnshire be consented, the cumulative number of solar panels potentially requiring recycling or disposal at the point of decommissioning could be in the region of 15 million units. While the Council acknowledges that decommissioning is a long-term consideration, we are increasingly concerned about the ongoing annual failure rates of solar panels across these schemes. Even a modest failure rate of 0.2% would result in approximately circa 31,000 panels requiring replacement each year. It is important to note that some schemes are reporting higher annual failure rates, which could significantly increase this figure.	As outlined in Chapter 14: Other Environmental Topics [APP-039] Section 14.5 Materials and Waste of the ES, paragraph 14.5.91 <i>“It is assumed that specialist regional or national facilities would be in place at the time of component replacement and decommissioning [of the Proposed Development], and these would be developed in response to demand generated by the UK-wide solar PV panel industry and waste components would be reused, recycled, or recovered and not disposed of to landfill.”</i> As outlined in Chapter 14 Other Environmental Topics of the ES [APP-039] Section 14.5 Materials and Waste, paragraph 14.5.88: <i>“The UK company SolRecycle reports a recovery rate of 95% for solar PV Panels”</i>. As outlined in paragraph 14.5.91: <i>“It is assumed that specialist regional or national facilities would be in place at the time of component replacement and decommissioning, and these would be developed in response to demand generated by the UK-wide solar PV panel industry and waste components would be reused, recycled, or recovered and not disposed of to landfill.”</i> At present, solar PV panel waste generation is low, therefore there is a limited demand for facilities that recycle this infrastructure and there is therefore associated limited available capacity. It is a new, emerging market but the Applicant is aware of 5 UK facilities that currently recycle solar panels. These facilities report 95-99% recovery rates following recent investment, which is an improvement on what the market was achieving in the last few years. For example, Solar Recycling Solutions (SRS) states on its website that its London based recycling plant achieves a 99% material recovery rate currently. It is



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				expected that the facilities which reuse, recycle, or recover end-of-life solar PV panels will continue to expand (and new companies emerge) as the quantities of this waste stream increase. The landfill tax strongly incentivises reuse, recycling and recovery, but critically the Waste Electrical and Electronic Equipment (WEEE) Regulations 2013 and the Waste Batteries and Accumulators (Amendment) Regulations 2009 place obligations on those who place solar PV panels and batteries on the market to finance the costs of collection, treatment, recovery and environmentally sound disposal, whilst also requiring a minimum 90% recovery rate. As noted above, it is expected that the current market would expand to improve this.
19.13	APP-040 APP-039	Cumulative Waste Impacts	The Council notes the comment within table 15-6, Zol extents for assessment of cumulative effects which states 'A Zol for materials and waste is not set in the cumulative assessment since a detailed cumulative assessment is not conducted for all materials and waste' [APP-040]. Paragraph 14.5.116 [APP-039] states that the cumulative assessment focuses on decommissioning waste, the Council suggests consideration should also be given to cumulative annual failure rates and the associated waste arisings. Table 14-26 identifies the solar PV developments to be decommissioned within a 5-year window of Fosse Green, as above consideration should also be given to annual failure rates of all solar developments which are operational simultaneously.	As outlined in paragraph 14.5.55 of Chapter 14 Other Environmental Topics of the ES [APP-039] <i>"The Proposed Development will aim to prioritise waste prevention, followed by preparing for reuse, recycling and recovery and lastly disposal to landfill as per the waste hierarchy."</i> Forecasts for waste arisings are outlined in Chapter 14 Other Environmental Topics of the ES [APP-039] as follows: • Construction – refer to Table 14-24 Estimated Construction Waste, the specific waste management route would be confirmed by the construction contractor however the wastes listed are recyclable or recoverable; • Operation – refer to paragraph 14.5.84 Component Replacement Waste; and • Decommissioning – refer to Table 14-25 Estimated Decommissioning Waste, the specific waste management route would be confirmed by the decommissioning contractor however the wastes listed are recyclable or recoverable. Assuming a 2-year construction period and a failure rate of 0.05% as outlined in the operational Component Replacement Waste section (paragraph 14.5.84) of Chapter 14 Other Environmental Topics of the ES [APP-039] failed panels during the construction phase of the Proposed Development would result in 78 m3 of waste. The failure rate of 0.05% is based on a 2017 study by the National Renewable Energy Laboratory (NREL)¹¹ which found a median annual failure rate of 5 per 10,000 panels for solar photovoltaic (PV) systems installed between 2000 and 2015. This is equivalent to an annual failure rate of 0.05%. The study analysed data from over 4,500 globally deployed panels and 50,000 installed systems. With the improvement of panel reliability this is considered a worst-case failure rate. A cumulative assessment is provided in Chapter 14 Other Environmental Topics of the ES [APP-039] paragraphs 14.5.105-14.5.121. As noted at paragraph 14.5.120, the cumulative assessment establishes that under a realistic worst case scenario, cumulative impacts would not be significant.



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19.14	APP-040 APP-039	Cumulative Waste Impacts	In light of the Council's concerns regarding the provision of recycling facilities in the shorter term given the potential annual cumulative impact of panel failures from solar farms across Lincolnshire, the Council welcomes the ExA's proposed schedule of changes for the Springwell DCO which included a requirement to limit the number of solar panels replaced over the lifetime of the authorised development to 5%, with the percentage figure provided annually to the relevant planning authority. The Council would recommend a similar requirement is included in the DCO for Fosse Green.	Please see response below at LIR Ref. 22.1.
19.15	APP-040	NSIP Schemes in Lincolnshire	Altogether, Lincolnshire is a host authority to 23 NSIPs which are at various stages in the application process and more are anticipated to commence early engagement in 2026. The Council is concerned about the effects of this potentially significant industrialisation on its local landscape, public access, agriculture, historic and natural environment, and community. The impact on the perception of the county by visitors and tourists as well as residents and businesses is also material to the local economy. The Council is concerned that the socio-economic impacts of this development in combination with other NSIPs have not been meaningfully or fully considered.	The Applicant acknowledges that there are other developments coming forward in the surrounding area. These are discussed in Section 3.4 of the Planning Statement [AS-098] and Chapter 15: Cumulative Effects and Interactions of the ES [APP-040] considers the potential for Cumulative Effects and Effect Interactions as a result of the Proposed Development. As summarised in Chapter 16: Summary of Environmental Effects [APP-041] , significant adverse cumulative effects relate only to landscape and visual cumulative impacts during the construction phase of the Proposed Development. By Year 15 of operation, there would be no notable difference between the landscape and visual effects of the Proposed Development in isolation, and the cumulative landscape and visual effects of the Proposed Development in combination with other relevant schemes.
19.16	APP-040	Cumulative Agricultural Land Impacts	The Council is particularly concerned about the cumulative impact of large scale solar development, on agricultural land. The cumulative loss of all agricultural land for arable production when combined with other projects across the District and County, is considered to be potentially cumulatively significant in terms of food production and security and the residual socio-economic impact of this loss. A recent report, UK Food Security – Outlook to 205012 , published by the think-tank Science for Sustainable Agriculture echoes these concerns and warns that up to 23% of the country's farmland could be lost to competing land-use demands by mid-century, including from solar energy and dramatically reducing the nation's ability to feed itself.	As set out in Chapter 12: Socio-Economics and Land Use of the ES [AS-016], the permanent loss of BMV land as a result of the Proposed Development relates to the permanent loss of 1.5ha (3.7 acres) of Grade 3a to ecological enhancements, which is noted as likely to be beneficial to the soil resource, although it is acknowledged that the magnitude of impact relates to the withdrawal of land from agricultural production, and therefore is established as a minor adverse effect. It is also important to note that the loss of agricultural production on the land as a result of the Proposed Development would not be permanent. The Applicant is applying for a 60-year operational period for the Proposed Development. Under Requirement 20 of Schedule 2 to the Draft DCO [REP1-007], decommissioning works must commence no later than 60 years following the date of final commissioning. At the end of the operational life of the Proposed Development, the land will be returned to the landowners and available for its current use, although the landowners would choose how the land is to be used and managed. However, a change in land use would require planning permission. Furthermore, it is estimated that the solar NSIPs in Lincolnshire, together with the Proposed Development, account for approximately 1.4% of the BMV land in the County of Lincolnshire. Whilst there is a degree of uncertainty around this proportion (based upon available data and associated limitations of study) it is indicative that the solar NSIPs represent a small proportion of BMV land in the County. All of these developments will be reversible and the land is projected to be returned to agriculture on decommissioning, except for relatively small areas used for habitat creation, such as woodland planting, which is anticipated to be retained, and no significant effects on agricultural land were identified for any of



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				the solar NSIPs identified in Section 12.10 Cumulative Assessment of Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. The Applicant recognises that there are concerns relating to the potential for the Proposed Development to impact upon food production. It is important to place the scale and nature of land use into context. As considered in Chapter 12: Socio-Economics and Land Use [AS-016], the total land area required for the Proposed Development represents approximately 0.09% of the total farmland within the East Midlands, and therefore constitutes a very small proportion of the regional agricultural resource. Furthermore, research undertaken by the Applicant in 2024 indicates approximately 50% of the land within the proposed Principal Site is currently used for the cultivation of non-food crops. Of this, the majority (approximately 81%) is grown for use as fuels for carbon-intensive energy sources, rather than for direct human or animal consumption. As such, while the land is agricultural in character, its current use does not solely support food production. The Proposed Development would therefore result in a limited and proportionate change in land use, set against the wider regional context and the Proposed Development's contribution to cleaner energy generation.
19.17	APP-040	Overlapping Construction Periods	The Council would also highlight that cumulative amenity impacts could occur on local communities from consecutive construction periods, not only those that overlap. The Council would draw specific attention to the North Hykeham Relief Road for which planning permission exists. Its connection to the A46 is in close proximity to the proposed Order Limits. North Hykeham Relief Road construction period followed by the construction of the proposed energy park would cause disruption to some local communities for many consecutive years between 2027 to 2033.	The cumulative effects assessment (Section 15.5 of Chapter 15: Cumulative Effects and Interactions [APP-040]) has adequately assessed impacts of the Proposed Development together with the identified cumulative schemes, including the North Hykeham Relief Road scheme (ref. cumulative scheme ID 95), during the construction, operational and decommissioning phases (noting effects during decommissioning were assumed to be no worse than effects during construction). The temporal overlap of cumulative schemes with the Proposed Development, including the overlap of construction phases was an important consideration during the assessment of cumulative effects. Therefore, the potential for cumulative effects resulting from construction disruption has been appropriately assessed in the ES.
19.18	N/A	Conclusions	The potential for significant inter-projects effects to arise from this development in combination with other developments is of particular concern and as such the Council's position on cumulative impacts in the overall balance is negative. The Council will make further comments on the potential cumulative impact of the development with other NSIP proposals as further information on the other projects comes forward.	As summarised in Chapter 15: Cumulative Effects and Interactions of the ES [APP-040] (ref. paragraph 15.5.24), significant adverse cumulative effects are only identified on landscape and visual amenity receptors, however the significance of effect attributed to the Proposed Development alone is not increased when considering these other developments alongside the Proposed Development, as reported in Chapter 10: Landscape and Visual Amenity of the ES [AS-117] .
20. Fire Safety				
20.1	N/A	Legislation and Policy	Regulation 5(4) of the EIA Regulations requires that significant effects be identified, described and assessed arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to the development in question. A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters must be included in ES (Schedule 4 (8)).	Chapter 14 Other Environmental Topics of the ES [APP-039] (ref. Section 14.6 Major Accidents and Disasters) considers the potential effects of the Proposed Development associated with fire risk; Chapter 9 Water Environment of the ES [REP1-021] considers the potential effects of the Proposed Development in relation to pollution of the water environment; Chapter 11 Noise and Vibration of the ES [APP-036] considers the potential effects of the Proposed Development in relation to noise; and Chapter 12 Socio Economics and Land Use of the ES [AS-016] considers the potential effects of the Proposed Development in relation to the use of the land (i.e. removal from agricultural use). The assessment presented within each relevant ES chapter clearly sets out the relevant consultation undertaken, including with relevant statutory bodies, with regards to



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				the respective technical topic; a clear description of the impact assessment methodology (including the receptors considered in the assessment); the baseline conditions (including the findings of survey work undertaken); mitigation embedded into the design of the Proposed Development and mitigation measures secured by the relevant management plans (such as the Framework CEMP [REP1-031]); an assessment of the potential likely significant effects associated with the construction, operation (including maintenance) and decommissioning of the Proposed Development; and a cumulative assessment of the Proposed Development in combination with relevant cumulative schemes.
20.2	N/A	Legislation and Policy	EN-1, EN-2 and EN-5 are silent regarding consideration of major accidents and disasters and other safety issues which may arise specifically from solar PV development and associated energy storage systems as well as electricity networks infrastructure.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
20.3	N/A	Legislation and Policy	The Planning Practice Guidance section on 'Renewable and low carbon energy' provides specific guidance regarding potential risks arising from BESS's, including engagement with the relevant local fire and rescue service so that its views can be taken into account regarding potential mitigations which would be put into place in the event of an incident.	The Applicant has engaged with LFRS throughout the pre-application phase and in developing the Framework BSMP [REP1-041], including regarding potential mitigation measures secured by the Framework BSMP [REP1-041] in the unlikely occurrence of a fire, whereby close consultation will continue with LFRS throughout the planning process.
20.4	N/A	Legislation and Policy	Local policies: • CLLP Policy S53: Design and Amenity • CLLP Policy S54: Health and Wellbeing	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
20.5	N/A	Legislation and Policy	Part (7) of CLLP policy S53 'Design and Amenity' requires development to avoid adverse impacts associated with noise and vibration taking into account surrounding uses nor result in adverse impacts upon air quality from odour, fumes, smoke, dust and other sources.	Adverse impacts associated with noise in relation to construction activity are assessed in Chapter 11: Noise and Vibration of the ES [APP-036]. With the embedded and additional mitigation measures, identified in Section 11.6 and 11.8 respectively and secured through the Framework CEMP [REP1-031], significant adverse effects from construction noise are not expected. With regards to the operational phase of the Proposed Development, as secured in the Framework OEMP [REP1-033] (ref. NV-01), the final operational noise levels from the Proposed Development will be no higher than those predicted in Chapter 11: Noise and Vibration of the ES [APP-036] at sensitive receptors. Modelling will be undertaken post-consent, during detailed design phase, (as secured by measure NV-01 of the Framework OEMP [REP1-033]) to confirm the noise levels at sensitive receptors will not exceed these thresholds. The provision of a detailed CEMP and OEMP, which are to be substantially in accordance with the respective frameworks, is secured under Requirement 12 and Requirement 13 of Schedule 2 to the Draft DCO [REP1-007] respectively. Furthermore, Requirement 16 of Schedule 2 to the Draft DCO [REP1-007] secures compliance with the operational noise levels set out in Table 11-21 of Chapter 11: Noise and Vibration of the ES [APP-036]. With regards to air quality and dust, potential impacts during construction are assessed in Chapter 14 Other Environmental Topics of the ES [APP-039], Section 14.2: Air Quality. With the embedded mitigation measures identified within Section 14.2: Air Quality (paragraph 14.2.50 onwards) of Chapter 14: Other Environmental Topics of the ES [APP-039] and additional measures (such as the development and implementation of a Dust Management Plan) which are secured through the Framework CEMP [REP1-031] (ref. AQ-C1), Framework



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				OEMP [REP1-033] (ref. AQ-O1) and Framework DEMP [REP1-035], (ref. AQ-D1), no significant adverse effects in terms of air quality are expected. The provision of a detailed CEMP, OEMP and DEMP, which are to be substantially in accordance with the respective frameworks, is secured under Requirement 12, Requirement 13 and Requirement 20 of Schedule 2 to the Draft DCO [REP1-007] respectively. The Statutory Nuisance Statement [APP-188] concludes (ref. paragraphs 5.1.2 and 5.1.3) that it is not expected that the construction, operation (and maintenance), and decommissioning of the Proposed Development would cause a statutory nuisance in relation to general site condition, air emissions, artificial light, and noise and vibration.
20.6	N/A	Legislation and Policy	Policy S54 seeks to ensure that where any potential adverse health impacts are identified the developer will be expected to demonstrate how these will be addressed and mitigated.	Assessments relating to health are included within the Environmental Statement. In line with the approach set out in the Scoping Opinion (Appendix 1-B: EIA Scoping Opinion of the ES [APP-199]), Chapter 5: EIA Methodology of the ES [APP-030] explains (ref. paragraph 5.1.11) that potential likely significant effects to human health are considered within the relevant ES technical chapters. This notes the following ES chapters: • Chapter 9: Water Environment [REP1-021]; • Chapter 10: Landscape and Visual Amenity [AS-117]; • Chapter 11: Noise and Vibration [APP-036]; • Chapter 13: Traffic and Transport [APP-038]; and • Chapter 14: Other Environmental Topics, Section 14.2: Air Quality [APP-039]. In line with the methodology set out in Chapter 5: EIA Methodology of the ES [APP-030] (ref. paragraph 5.9.12) and within the impact assessment methodology for each of the technical chapters as relevant, consideration is inherently given to human health receptors where relevant within each of the technical assessments. For example, noise and vibration, air quality and EMF assessments consider the potential for direct effects upon human receptors, and each of these have specific health limits/thresholds set for the protection of sensitive members of the population. Where significant adverse effects upon receptors have been identified within the ES, mitigation has been secured (for example within the various management plans) to reduce or remove significant adverse effects where possible. Chapter 16: Summary of Environmental Effects of the ES [APP-041] provides a summary of the residual likely significant effects anticipated to arise as a result of the Proposed Development. For example, as set out at LIR Ref. 20.5 above, the Framework OEMP [REP1-035] places controls on the maximum final operational noise levels from the Proposed Development at relevant sensitive receptor locations to ensure that the relevant noise thresholds are not exceeded, as such mitigating the potential for significant adverse effects at these receptors.
20.7	APP-039	Major Accident and Disaster Assessment	There is the potential for negative effects to arise as a result of fire safety risk from this development. The potential impacts from major accidents and disasters are considered in Chapter 14 (Other Environmental Topics) of the	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



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			ES [APP-039]. Table 14-29 (Major Accidents or Disasters Shortlisted for Further Consideration) of Chapter 14 includes reference to fire, with potential receptors identified include local residents, habitats and species. In the comments against this entry, the applicant states that the BESS will include cooling systems designed to regulate temperatures to within safe conditions to minimise the risk of fire. In addition, the layout of the proposed development has been designed in consultation with the local fire and rescue service and is compliant with the National Fire Chiefs Council (NFCC) guidance. The location of the centralised and distributed BESS areas (depending on which option is chosen) will be located to minimise impacts on offsite receptors and there will be separation distances between components to minimise the chances of a thermal runaway incident and/or fire spread.	
20.8	APP-198	Framework Battery Safety Management Plan	A Framework Battery Safety Management Plan (FBSMP) [APP-198] has also been prepared and submitted as part of the application, which covers the safety measures designed for the BESS and provides assessment against relevant fire safety guidelines. The BSMP describes the two BESS options still being considered by the applicant, either the centralised single BESS compound option or a de - centralised system, involving approximately 328 BESS enclosures distributed throughout the Principal Site. The applicant considers that with the embedded mitigation, significant effects on the risk of fire would be unlikely from the proposed development. The provision of a detailed BSMP is to be secured via a requirement in the DCO, and this commitment is welcomed by the Council.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
20.9	N/A	Legislation and Policy	In recognition of the emerging technology of BESS and the challenges this poses to Fire and Rescue Services, the National Fire Chiefs Council circulated a letter to all Chief Fire Officers on the 22 August 2023 drawing attention to the review of Renewable and Low Carbon Energy Planning Policy Guidance that was updated in August 2023 by the Department of Levelling Up, Housing and Communities to include reference to BESS.	The Applicant notes that the 2023 Renewable and Low Carbon Energy Guidance is noted in paragraph 1.6.3 (item v) of the Framework BSMP [REP1-041], noting that the Applicant has developed the BESS in accordance with all relevant legislation and good practice, taking into account the recommendations of the good practice documentation used in the UK for similar sites, including this Guidance. The BESS layout has been developed in consultation with Lincolnshire Fire and Rescue (LFR) and has taken account of relevant, up-to-date guidance from NFCC. The Framework BSMP [REP1-041] sets out how the BESS will be designed in accordance with the UK and internationally recognised good practice guidance available at the time of detailed design (ref. paragraph 1.2.8) in order to ensure that the design will follow appropriate, up-to-date guidance. The Framework BSMP [REP1-041] is to be developed into a detailed BSMP, substantially in accordance with the Framework BSMP, as secured under Requirement 7 of Schedule 2 to the Draft DCO [REP1-007]. It should be noted that LFR is a named consultee on this Requirement, and as such LFR will have the opportunity to review the detailed BSMP prior to its approval.
20.10	N/A	Legislation and Policy	This planning policy guidance encourages planning authorities to consult with their local Fire and Rescue Service as part of formal planning consultations and directs developers to the UK National Fire Chiefs Council guidance on BESS schemes. From discussion with Lincolnshire Fire Service (LFR) who have developed standing advice for BESS based on national guidance, a program of monitoring and risk assessment has been identified as necessary once the BESS has been established to ensure it complies with the Battery Management Safety Plan and Emergency Response Plan. During the first year of operation this will involve 21 days of work for the Fire Service and then two days in each subsequent year for the lifetime of the development.	The Applicant has engaged with LFR throughout the pre-application phase and in developing the Framework BSMP [REP1-041], whereby close consultation will continue with LFR throughout the detailed design process post-consent. The provision of a detailed BSMP, which is to be substantially in accordance with the Framework BSMP, is secured under Requirement 7 of Schedule 2 to the Draft DCO [REP1-007]. It should be noted that LFR is a named consultee on this Requirement, and as such, will have the opportunity to review the detailed BSMP prior to its approval.



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20.11	N/A	Fire Safety Monitoring Programme	The need for this monitoring and assessment will enable early engagement to ensure the required standards are being complied with; to ensure the BESS is constructed to the correct standards with support from the Fire Service; early development of emergency response plans; familiarisations of the BESS for local fire crews and overview by the Fire Service; development of on-going maintenance and updating risk information; and assurance for local residents and communities that the BESS are being independently inspected and monitored to reduce the risk of a fire. To enable the Fire and Rescue Service to undertake the necessary monitoring and engagement, the Council's Relevant Representation indicated that a financial contribution would be required via a Protective Provision within the DCO to make sure it has sufficient resources in place to facilitate this work.	In its relevant representation [RR-157] , the Council indicated that the Applicant should agree protective provisions with Lincolnshire Fire and Rescue (LFR). The Applicant therefore reviewed the DCOs for previous solar NSIPs granted development consent in the LRF area, to ascertain the form of protective provisions that had been agreed. Noting that these remained consistent across all relevant DCOs granted across 2024 and 2025, the Applicant sought to replicate these standard form protective provisions, making amendments only to reflect the specifics of the Proposed Development. These protective provisions require reasonable endeavours to be used to facilitate a site familiarisation exercise by LFR, for the BESS, before the date of final commissioning of the same. This will provide assurance to LFR that all aspects of the BESS have been implemented in accordance with the battery safety management plan. Furthermore, reasonable endeavours must be used to facilitate an annual review of the BESS by LFR, for every year of its operational life. In connection with this, the protective provisions require the Applicant to provide annual financial contributions to LFR for the operational lifetime of the BESS.
20.12	APP-016	Fire Safety Provisions within Draft DCO	The Council have received draft wording from the applicant for 'A Protective Provision for Lincolnshire Fire and Rescue' to be included in the draft DCO [APP-007], which would facilitate site inspections, annual reviews and payment of costs to LFR for monitoring of the BESS facility, consistent with other NSIP Solar schemes in Lincolnshire which have been granted consent. The Council has reviewed the draft wording and considers it acceptable in principle. The Council would expect that this wording is included within the next version of the draft DCO.	As noted by the Council, the Applicant provided the draft protective provisions described above to Lincolnshire Fire and Rescue and subsequently received confirmation that these were acceptable. Therefore, protective provisions for the protection of Lincolnshire Fire and Rescue were included at Schedule 14 of the version of the Draft DCO [REP1-007] submitted by the Applicant at Deadline 1 (20 January 2026).
20.13	APP-198	Framework Battery Safety Management Plan	With specific reference to the FBSMP, Lincolnshire Fire and Rescue have provided the following comments: • The current FBSMP at this stage contains generic information, e.g. BESS enclosures, battery technology to be employed, etc. LFR will need to be sighted on specific details as they become available, e.g. spacing distances, safety measures based on battery technology and compliance with specific standards. • Similarly, the Installation Standards are generic at this point – further details will be required as they become available. • Further details will be required on the suppression systems to be installed at design phases within the BESS containers. • Details on site access and accessibility around the site is generic currently, and will require submission of further details as they become available • The FBSMP is a good framework that mentions all required areas in line with current national standards, e.g. NFCC Guidance/NFPA 855 etc., but as with the above points we encourage ongoing engagement as the design phase progresses and maintain the right to highlight areas that are not compliant with national guidance.	As stated during ISH2 and noted within the Applicant's Written Summaries of Oral Submissions for the same [REP1-044] , at this time the Framework BSMP [REP1-041] contains generic information as the detailed design process has not yet been undertaken. The Applicant acknowledges that the Framework BSMP [REP1-041] is a key document produced as part of the DCO Application that addresses the safety measures proposed for the BESS, which has been developed in close coordination with LFR. The Applicant is committed to ongoing engagement with LFR and is committed to ensuring that the BESS installation is of the highest standard at the prevailing time. The detailed BSMP will be developed in accordance with Requirement 7 of Schedule 2 of the Draft DCO [REP1-007] , which requires that the chosen BESS work (i.e. Work No. 2 or Work No. 3) must not commence until a BSMP has been submitted to the relevant planning authority and approved, in consultation with the Environment Agency and LFR. By virtue of the same Requirement, the detailed BSMP must be substantially in accordance with the Framework BSMP [REP1-041] , and must be implemented as approved.
20.14	N/A	Conclusions	In summary, the Lincolnshire Fire and Rescue Service remains committed to ongoing engagement throughout the examination process and wishes to have its views considered as specific elements of the fire strategy emerge. Subject	As demonstrated by the inclusion of protective provisions for the protection of Lincolnshire Fire and Rescue in the updated Draft DCO [REP1-007] submitted to the Examination by the Applicant at Deadline 1 (20 January 2026), and



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			to Requirement 7 (Battery Safety Management) and a firm commitment from the applicant that a Protective Provision, to ensure the Fire Service has sufficient resources to conduct regular inspections of the BESS, will be forthcoming and secured in any DCO that may be granted, the development's impact on fire safety and pollution is currently assessed as neutral. This view is made without prejudice to any further information that may be forthcoming as the Examination progresses and is subject to all mitigation measures being properly implemented and maintained throughout the project's duration should consent be granted.	Lincolnshire Fire and Rescue being a named consultee for Requirement 7 (Battery Safety Management) of Schedule 2 to the DCO, the Applicant remains committed to ongoing engagement with Lincolnshire Fire and Rescue Services throughout the Examination and beyond.
21. Other topics				
21.1	APP-016	Funding Statement Clarification on Decommissioning and Extended Period of Outage	Under CLLP Policy S14 (Renewable Energy), there is reference to proposals requiring the submission of an End of Life Removal Scheme to address decommissioning. Paragraph 2.10.46 of NPS EN-3 also requires the Secretary of State to ensure that the applicant has put forward outline plans for decommissioning. The Council is concerned that the applicant's Funding Statement does not evidence how decommissioning would be funded or for dealing with long-term shutdowns. To address this, the Council recommends adding a Requirement to the draft DCO that would ensure funding is in place for decommissioning, both after a long outage and at the end of the project's life. The Council would draw the ExA's attention to two other NSIP projects where this has been considered: • Helios Renewable Energy Project – The DCO14 made 3 December 2025 includes provision (Requirement 5(3)) to require the developer to notify the Local Planning Authority that the undertaker has put in place the requisite decommissioning security no later than year 15 of operation . • Oaklands Farm Solar Park – page 8, paragraph 4.22 of the SOS's decision letter15 states that 'the Applicant stated a fund was not necessary since Requirement 22 of the dDCO secured decommissioning of the site, was legally enforceable, and was consistent with recent precedent. The Applicant considered its funding statement as part of the application demonstrated it had sufficient funds to construct, operate and decommission the Proposed Development.' This reinforces the Council's argument that if it is not demonstrated that decommissioning funding is suitably covered within the Funding Statement, then it would be in public interest to ensure that it is covered in the draft DCO by way of an additional Requirement.	As noted by the Council, Policy S14 of the CLLP requires the submission of an End of Life Removal Scheme within one year of the facility becoming non-operational. According to this Policy, such a scheme should demonstrate how any biodiversity net gain that has arisen on the site will be protected or enhanced further, and how the materials to be removed would, as far as practicable, be re-used or recycled. The Framework Decommissioning Environmental Management Plan (DEMP) [REP1-035] sets out the Applicant's intentions for decommissioning of the Proposed Development. It is acknowledged that there is a limit to the extent of detail contained within the Framework DEMP, however, it is important to recognise that the operational lifetime of the Proposed Development is 60 years. This means that decommissioning works are not intended to be carried out within the next 65 years. The Applicant therefore must retain an element of flexibility in the Framework DEMP [REP1-035] in order to account for industry changes. The Framework DEMP [REP1-035] is exactly that, a framework, and will be developed into a detailed DEMP at the relevant time in accordance with best industry practice at that time. The provision of this detailed DEMP, to be substantially in accordance with the Framework DEMP, is secured via Requirement 20 of Schedule 2 to the Draft DCO [REP1-007]. The Funding Statement [AS-014] submitted with the application sets out the financial position of the Applicant, and the proposed funding structure for the Proposed Development. This has been updated at Deadline 2 to respond to GC.1.15 of the Examining Authority's first written questions and requests for information (ExQ1) [PD-011]. The updates to the Funding Statement [AS-014] provide clarity that the cost estimate for the Proposed Development includes decommissioning costs. The Applicant considers that this is not strictly required because the Funding Statement [AS-014] is intended to demonstrate how an order which contains the authorisation of compulsory acquisition (as the Draft DCO [REP1-007] does) is to be funded, in compliance with Regulation 5(2)(h) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations). The Applicant is applying for a 60-year operational period for the Proposed Development. This is secured under Requirement 20 of Schedule 2 to the Draft DCO [REP1-007] which provides that decommissioning works must commence no later than 60 years following the date of final commissioning. As noted above, a Framework DEMP has been provided, and the provision of a detailed DEMP is also secured via Requirement 20 of Schedule 2 to the Draft DCO [REP1-007]. At



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				the end of the operational lifetime of the Proposed Development, it will be decommissioned in line with the controls of which will be set out in the detailed DEMP as, under Requirement 20 of Schedule 2 to the Draft DCO [REP1-007], the DEMP (as approved by NKDC as the relevant planning authority in consultation with LCC, National Highways and the Environment Agency) must be implemented in relation to the works required to decommission the Proposed Development. This includes provisions for the land to be reinstated to its original quality before being returned to the landowners who would choose how the land is to be used and managed. As noted, this is secured by a DCO Requirement, and it should be noted that 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. Furthermore, there is no requirement for funding for decommissioning (including for the restoration of land) to be secured under the Planning Act 2008 and nor is the Applicant aware of any guidance requiring this in the National Policy Statements or otherwise. Given the aforementioned provisions for control of decommissioning, the Applicant considers that any further requirement would be a duplication of existing controls and could potentially create confusion. The Applicant considers the legally binding obligation to carry out decommissioning works, including the funding of the same, to be sufficient commitment. It should be noted that the Secretary of State's decision for the Oaklands Farm Solar Park Order 2025 confirms that there is no requirement to secure a decommissioning fund where sufficient information has been provided elsewhere to demonstrate how decommissioning would be secured. The Applicant considers that sufficient information has been provided. This is consistent with paragraph 4.1.16 of NPS EN-1 which stipulates that the Secretary of State should only impose requirements in relation to a DCO that are, amongst other things, necessary.
21.2	N/A	General Comments	The Council may wish to make further representations as appropriate during the examination and at issue specific hearings relating to matters that are not contained within this LIR. Therefore, the comments contained above are provided without prejudice to the future views that may be expressed by the Council in its capacity as an Interested Party in the examination process.	The Applicant acknowledges that LCC may wish to make further comments during the Examination process.
22. Draft Development Consent Order (DCO)				
22.1	APP-016	General Comments	In addition to the comments provided under the relevant topic chapters above, in respect of the draft DCO [APP-007], at this stage the Council wishes to raise the following additional points:	
N/A	APP-016	Part 1: Interpretation and Schedule 2 Requirements	Part 1: Interpretation and Schedule 2 Requirements LCC Comments: 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 life time of the development.	The definition of "maintain" has been included to ensure that the activities authorised under Article 5 (Power to maintain authorised development) of the Draft DCO [REP1-007] are clearly defined and directly reflect the nature and context of the Proposed Development. The Applicant acknowledges that the drafting retains an element of flexibility. However, it considers that this is necessary to keep pace with changing standards, controls and advances in technology both between the granting of the DCO and the commissioning of the Proposed Development, as well as throughout its operational lifetime.



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			In line with comments made in section 18 of this report a requirement to limit the replacement of panels to the percentages stated in the application documents and an annual reporting requirement would be welcomed. The Relevant Planning Authority to be Lincolnshire County Council, as the waste planning authority. Suggested wording: LCC suggest wording similar to that proposed by the EXA in its proposed changes to the draft Development Consent Order (dDCO) for the Springwell Solar DCO application. The number of solar PV panels replaced over the lifetime of the authorised development shall not exceed XX%. Details of the number of solar PV panels replaced, including an overall percentage figure that includes all previous years, shall be submitted to the relevant planning authority on a yearly basis.	With regard to the breadth of the definition, it is intended that the definition of "maintain" be read alongside the Framework Operational Environmental Management Plan (OEMP) [REP1-033], particularly paragraphs 2.3.1 to 2.3.6 which set out how an annual maintenance schedule will be agreed. Examples of anticipated maintenance activities are set out in paragraph 4.2.2.f.ii of the Explanatory Memorandum to the Draft DCO [REP1-009]. Article 5 of the Draft DCO [REP1-007] provides the power to maintain the authorised development and it should be noted that sub-paragraph (3) of this article 5 states that Article 5 "does not authorise the carrying out of 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". It is not considered necessary to introduce a Requirement to limit the replacement of panels during operation as this would not affect the conclusions of the Environmental Statement (ES). It is the number of road trips during operation that matters and has the potential to introduce new significant environmental effects beyond those assessed in the ES, if not properly managed. It is for this reason that the Applicant has added two commitments into the DCO Application. Firstly, the Framework Operational Environmental Management Plan (OEMP) [REP1-033] stipulates that "every 12 months from the data of final commissioning the Applicant will submit a planned maintenance schedule for the year ahead to the relevant planning authorities (excluding unforeseen emergencies, breakages and malfunctions that require maintenance throughout the year)". This would detail the extent of planned repowering for the next 12 months, providing the councils with foresight of the planned number of panels that would be replaced in the following 12 months. Secondly, the assessment of traffic and transport effects presented in Chapter 13 Traffic and Transport [APP-038] has been based on: "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. It is not anticipated that any AILs will be required. This is much lower than the vehicle trips generated during the peak construction phase, representing approximately 40% of the HGV activity and approximately 10% of car/LGV movements generated during the peak construction of the Proposed Development." This was assessed as being Negligible significance. The Applicant is required to deliver the Proposed Development in accordance with the significance of effects presented in the ES. Article 5 (Power to maintain the authorised development) of the Draft DCO [RE1-007] expressly states, at sub-paragraph (3) that "this article does not authorise the carrying out of 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".



LIR Ref.	Document Ref.	Theme	Comments from Lincolnshire County Council Local Impact Report [REP1-053]	Applicant's Response to Lincolnshire County Council Local Impact Report [REP1-053]
N/A	APP-016	Part 3 (Streets): Articles 8 and 10	Part 3 (Streets): Articles 8 and 10 LCC Comments: As currently written these Articles would give the developer the right to undertake works with no further approvals from the Council. At this stage, the technical details have not been submitted or approved. The Council require highway access works to be delivered via the Section 184 process (or equivalent agreement) which would also for consideration of detailed design and allow for the provision of a bond which, if the developer was unable to complete the works, the Council would be able to make the Highway safe. Suggested wording: As referred to in section 11 above, the Council will expect the need for such further approvals to be included in the DCO application and it has been suggested this could be through the Framework CTMP and the final CTMP to be approved by the Council under requirement 14 of the draft DCO. Wording to this effect should be included in Framework CTMP as suggested in section 11 above.	The provisions of Article 8 (Street Works) and Article 10 (Power to alter layout, etc. of streets) of the Draft DCO [REP1-007] give the undertaker the powers which would be granted to a statutory undertaker. Article 10(2) of the Draft DCO [REP1-007] provides a general power to allow the undertaker to alter the layout of any street with the prior consent of the street authority. Unlike Article 10(1), which applies to specific streets set out in Schedule 5 (alteration of streets) to the Draft DCO [REP1-007], this power applies to any street within the Order Limits. The broad extent of this provision is justified because it is necessary to enable the undertaker to exercise its powers and undertake works in an efficient and expeditious manner and respond to unforeseen circumstances. It is also necessary to give full effect to the power to carry out the authorised development as provided for under section 120(5) of the Planning Act 2008. A limit on the generality of this power is afforded by Article 10(4) which provides that the general power provided for under Article 10(2) may not be exercised without the prior consent of the street authority. Additionally, under Article 10(3), the Applicant must restore any street temporarily altered under the Order to the reasonable satisfaction of the street authority. The generality of Article 10 has precedent in the Drax Power (Generating Stations) Order 2019, the Great Yarmouth Third River Crossing Development Consent Order 2020 and the Mallard Pass Solar Farm Order 2024.
N/A	APP-016	Part 3 (Streets): Article 12 Temporary Prohibition or Restriction of Use of Streets and Public Rights of Way	Part 3 (Streets): Article 12 Temporary Prohibition or Restriction of Use of Streets and Public Rights of Way LCC Comments: Section 12(1) Contains general powers to alter or temporarily close any street or PRow. This power is considered too broad and should be subject to additional limitations. It should only apply to rights of way included in the PRow Management Plan and be exercised in accordance with the details set out in that plan, which must be agreed with LCC's PRow and Access Team. Suggested wording: LCC would welcome further discussions with the applicant regarding the wording of this article and the PRow Management Plan.	As noted by the Council, Article 12 (Temporary prohibition or restriction of the use of streets and public rights of way) of the Draft DCO [REP1-007] permits the undertaker to temporarily close, prohibit, restrict or authorise the use of, alter or divert any street or public right of way (PRow) for the purposes of the authorised development or in connection with it. This is required as the undertaker will need to temporarily divert certain streets or public rights of way to enable the construction of the authorised development, as shown on the Streets, Rights of Way and Access Plans [REP1-004]. Without prejudice to the generality of this provision, Schedule 6 to the Draft DCO [REP1-007] sets out specific public rights of way which are to be subject to these provisions and the extent to which the provisions are to be applied. The undertaker must consult the street authority in relation to these public rights of way, but does not need to obtain consent, as this is provided by the inclusion of the public right of way in Schedule 6. With regard to the broadness of the power, in respect of any public right of way not specified in a Schedule to the Draft DCO [REP1-007], the undertaker must obtain the consent of the street authority. The Applicant has produced a Framework Public Rights of Way Management Plan (PRowWMP) [APP-195] which sets out the details of how the powers to alter or temporarily close a PRow are to be exercised. Under Requirement 18 of Schedule 2 to the Draft DCO [REP1-007], a detailed PRowWMP must be produced, and this must be substantially in accordance with the Framework



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N/A	APP-016	Part 6 (Miscellaneous and General): Article 39 Felling or lopping trees or removal of hedgerows	Part 6 (Miscellaneous and General): Article 39 Felling or lopping trees or removal of hedgerows LCC Comments: This article provides a blanket approval to remove hedgerows and trees without the need to notify the relevant authority or provide replacement planting. This provision risks undermining the principles and calculation of BNG provision within the site and could result in the loss of valuable trees. Suggested wording: The Council recommends that this article is amended to include better safeguards to protected trees. The Council would propose the inclusion of an annual maintenance schedule. Which would be submitted, detailing any tree removals and whether replacements are planned. This aligns with the approach taken for the Springwell and Tillbridge solar schemes, where a replacement schedule was incorporated within the oOEMP.	PRoWMP. Therefore, the Applicant considers that the Article should not be subject to further limitations. Article 39 (Felling or lopping of trees and removal of hedgerows) of the Draft DCO [REP1-007] is based on a model provision included in numerous made DCOs providing that the undertaker may fell or lop or cut back the roots of any tree or shrub within or overhanging land within the Order Limits, or near any part of the authorised development to prevent it obstructing or interfering with the construction, maintenance or operation of the authorised development, constituting a danger or obstructing or interfering with the passage of construction vehicles. This Article also allows the undertaker to remove those hedgerows specified in Schedule 11 (hedgerows to be removed), which also sets out the specific purchase of each removal. In addition to this, the Article provides for a generic power for any hedgerows within the Order Limits to be removed where required for the purposes of the authorised development. This allows for there to be flexibility in the construction. However, the Article does provide that the undertaker may not fell or lop a tree or remove hedgerows within the extent of the publicly maintainable highways, without the prior consent of the highway authority. Compensation is provided for is loss or damage is caused. The provision is required for safety reasons, and as detailed, its applicability is appropriately limited.
N/A	APP-016 APP-155	Part 6 (Miscellaneous and general): Article 40 Trees subject to tree preservation orders	Part 6 (Miscellaneous and general): Article 40 Trees subject to tree preservation orders LCC Comments: This article provides a blanket approval to remove trees subject to a TPO made after a specific date (to be defined) without the need to notify the relevant authority or provide replacement planting. The Council recommends that this article is amended to include better safeguards to protected trees. Suggested wording: The Arboricultural Impact Assessment Report [APP-155] identifies six TPOs within/adjacent to the development boundary. The report also identifies quite a few Grade A trees / groups either within or near the boundary that may over the course lifetime of the site come to be worthy of TPO consideration. The Council therefore consider it would be appropriate for the article to be amended to require consultation with the relevant planning authority prior to the removal of any trees that may become subject to a TPO in the future. There should also be an expectation of replacement of any TPO tree removed, and an obligation that the relevant planning authority Tree Officer should be informed where any tree subject to a TPO is pruned/ felled, to allow records to be updated.	Whilst the Council is correct in that Article 40 (Trees subject to tree preservation orders) of the Draft DCO [REP1-007] provides that the undertaker may fell or lop any tree within or overhanging land within the Order Limits subject to a tree preservation order (TPO), this is only applicable where the undertaker reasonably believes it to be necessary to do so to prevent the tree from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development or from constituting a danger to persons using the authorised development. It is important to note that prior to any works being undertaken under this article, the relevant planning authority, must be consulted (Article 40(2)(c)). With regards to replacement planting, sub-paragraph (2)(b) of Article 40 provides that, whilst the duty contained in section 206(1) of the Town and Country Planning Act 1990 (TCPA 1990) (replacement of trees) does not apply, where possible the undertaker is to seek to replace any trees which are removed. The disapplication of the duty to replace trees under s106 TCPA 1990 has precedent in numerous made DCOs, including but not limited to the Tillbridge Solar Order 2025, the Heckington Fen Solar Park Order 2025, the West Burton Solar Project Order 2025, the Sunnica Energy Farm Order 2024 and the Gate Burton Energy Park Order 2024. However, it should be noted that these precedents completely disapply the duty to replace trees, without requiring replacement trees to be provided where possible. As such, the drafting at Article 40 provides additional protection than those precedents cited above.



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			The ExA is referred to the wording of article 40 for The A38 Derby Junctions DCO 2023 which provides for consultation with the relevant planning authority and seeks to ensure replacement of felled TPO trees. Suggested wording for article 40(2): (2) In carrying out any activity authorised by paragraph (1)— (a) the undertaker must do no unnecessary damage to any tree or shrub and must pay compensation to any person for any loss or damage arising from such activity; (b) the duty contained in section 206(1)(a) (replacement of trees) of the 1990 Act is not to apply although where possible the undertaker is to seek to replace any trees which are removed; and (c) the undertaker must consult the relevant planning authority prior to that activity taking place In addition, the Council would propose the inclusion of an annual maintenance schedule. Which would be submitted, detailing any tree removals and whether replacements are planned. This aligns with the approach taken for the Springwell and Tillbridge solar schemes, where a replacement schedule was incorporated within the oOEMP.	The suggested drafting for Article 40(2) is identical to that already incorporated in the Draft DCO [REP1-007] for the Proposed Development. It should be noted that the Applicant has amended the wording of Article 40 to insert the relevant date at sub-paragraph (1). Therefore, Article 40(1) of the Draft DCO [REP1-007] is now as follows: <i>“(1) The undertaker may fell or lop any tree within or overhanging land within the Order limits subject to a tree preservation order which was made after 30 June 2025 if the undertaker reasonably believes it to be necessary to do so to prevent the tree or shrub--”</i> An updated Draft DCO [REP1-007] reflecting this amendment has been submitted at Deadline 2. Section 2.3 of the Framework OEMP [REP1-033] already commits to <i>“Every 12 months from the date of final commissioning and before undertaking the maintenance for the year ahead, the Applicant will submit a planned maintenance schedule for the year ahead to the relevant planning authorities, excluding unforeseen emergencies that require maintenance throughout the year. Unforeseen emergencies that require maintenance throughout the year are considered to include maintenance activities that are needed to be undertaken urgently for health, safety or environmental reasons in response to an event or circumstance which happens unexpectedly. As part of the maintenance schedule, the Applicant will also inform the relevant planning authority when a component is no longer operational and requires final decommissioning”</i>. It goes on to say <i>“The annual planned maintenance schedule must include the following details as a minimum: a. The extent and nature of the scheduled maintenance; b. Details of any trees that require removal and if they are proposed to be replaced; c. Details of transport requirements; d. The proposed timing of such maintenance; and e. 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 materially worse than those reported in the ES.”</i> The Applicant therefore considers that this request is already met through this commitment in the Framework OEMP. A OEMP will be prepared substantially in accordance with the Framework OEMP, as required by Requirement 13 of the Draft DCO [REP1-007]. Requirement 13 also states that the OEMP must be submitted to and approved by the relevant planning authority such approval to be in consultation with Lincolnshire County Council (as the local highway authority and waste planning authority), National Highways and the Environment Agency. The Council therefore has adequate opportunity to check the commitment in the OEMP will deliver its expectations on the annual maintenance schedule.
N/A	APP-016	Part 6 (Miscellaneous and General): Article 46 Procedure in relation to certain approvals etc	Part 6 (Miscellaneous and General): Article 46 Procedure in relation to certain approvals etc	Article 46 of the Draft DCO [REP1-007] provides procedures in relation to consents and approvals required pursuant to the DCO, other than the Requirements set out in Schedule 2. Under this provision, applications for consent submitted by the undertaker will be deemed to be granted if notice is not



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			LCC Comments: The proposed eight week timeframe for the determination of any consent or, agreement or approvals is considered to be too short. 10 weeks, which would consistent with the timeframe for discharge of requirements, would be considered more appropriate.	given of their refusal by the consenting authority within eight weeks of the submission of the application, unless a longer period has been agreed in writing between the parties. The Applicant must, under sub-paragraph (5) of this article, provide a statement of the timeframe for consideration by the consenting authority which details the consequences of failure to meet that timeframe. Whilst the Applicant notes the Council's point about the timescale, this article has precedent in the Mallard Pass Solar Farm Order 2024 and is considered appropriate and justified in order to ensure that the authorised development can proceed in a reasonable timescale, and so that there is a consistent approach to consents that must be sought by the undertaker pursuant to the DCO. Although it is acknowledged that there is automatic approval if there is non-determination within the set timeframe, extending this set timeframe beyond eight weeks could result in unnecessary delays and impact the efficient delivery of the Proposed Development and is therefore not appropriate. The timescales currently provided are appropriate given the nature of the Proposed Development as a Nationally Significant Infrastructure Project which is meeting an identified, urgent national need for renewable energy.
N/A	APP-016	Schedule 2 (Requirements): Requirement 20	Schedule 2 (Requirements): Requirement 20 LCC Comments: LCC suggest 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 above.	The Framework OEMP has been updated (to be submitted to the Examination at the next available deadline) to note: “<i>The Applicant must provide notice to the relevant planning authority once any part of the authorised development stops generating electricity for a continuous period of 12 months for non-maintenance reasons ("Period of Extended Outage"). When giving such notice the Applicant must provide details of the steps it is taking to rectify the issue along with an expected timeframe for when generation is predicted to re-commence operation. The Applicant agrees to keep the relevant planning authorities updated following the Period of Extended Outage until the re-commencement of operation. The above does not apply if it was a force majeure event*, the outage occurred as a result of National Grid undertaking any activities to the transmission network, the relevant planning authority agree otherwise (acting reasonably), including where the relevant planning authority agree otherwise following decommissioning commencing pursuant to an approved decommissioning environmental management plan</i> <i>*Footnote: A 'force majeure event' means an event or circumstance which is beyond the reasonable control of the Applicant which will include but is not limited to an act of God, war, civil disturbance, statutory prohibition, disruption to or issues with supply chains, Government intervention, order or act of Government or local/public authority, acts of terrorism, fire, lightning, flood, adverse weather conditions, prevention of access to any site as a consequence of any local, regional or national restriction on movement in consequence of a health emergency, or otherwise to prevent the spread of any communicable disease, explosion, accident, theft, vandalism or national strike action.</i> The detailed OEMP, which is required to be substantially in accordance with the Framework OEMP, is secured by Requirement 13 of Schedule 2 to the Draft DCO [REP1-007]. The Applicant has addressed the request for a requirement for funding for decommissioning in its response to point 21.1 above.



LIR Ref.	Document Ref.	Theme	Comments from Lincolnshire County Council Local Impact Report [REP1-053]	Applicant's Response to Lincolnshire County Council Local Impact Report [REP1-053]
N/A	APP-016	New Requirement Grid Connection	New Requirement: Grid Connection LCC Comments: For reason set out in section 8 of this report the Council would wish to see a requirement restricting commencement of the development until such time that the Navenby Substation has been granted Planning consent. Suggested wording: The Council suggest wording similar to that proposed by the ExA as a proposed amendment to the DCO for the Springwell Solar application as follows: No part of the authorised development, including any permitted preliminary works, shall commence until planning permission has been granted for the National Grid Navenby Substation.	The Applicant has set out, at section 8 above, the reasons as to why the insertion of such a requirement is not considered necessary or justified.
N/A	APP-016	Schedule 2 Part 2 23. Fees	Schedule 2 Part 2 23. Fees LCC Comments: The Council is of the view that the proposed fee structure would not adequately cover the Council's reasonable costs in fulfilling its obligations. It recommends adopting the fee structure used in several recent Lincolnshire NSIPs, which incorporates an increase aligned with the national planning fee rise introduced in April 2025. The most current example of such a structure can be found in the draft Development Consent Order (DCO) for the Springwell Solar Farm, referenced as REP5-004 (Schedule 16). LCC would also wish to see the fee payable for requirements 7, 10, 14, and 15 to be included under (2)(a), where the fee for the first application would be at the higher rate. Suggested wording: 5. – (1) Where an application is made to the relevant planning authority for a discharge, a fee is to apply and must be paid to the relevant planning authority for each application. (2) The fee payable for each application under subparagraph (1) is as follows— (a) a fee of £2,578 for the first application for the discharge of each of the requirements 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 20; (b) a fee of £588 for each subsequent application for the discharge of each of the requirements listed in paragraph (a) and any application under requirement 4 in respect of the requirements listed in paragraph	The Applicant acknowledges the Council's comments regarding fee structure, however, would note that a decision is yet to be made on the DCO Application for Springwell. Therefore, until such time as a decision is made, and development consent is granted, there is no precedent for the inclusion of the increased fee structure. Additionally, the Applicant notes that the fee structure in the Draft DCO [REP1-007] is consistent with made DCOs in the Lincolnshire County Council area including the Cottam Solar Project Order 2024, Heckington Fen Solar Park Order 2025 and the Tillbridge Solar Order 2025. The scale of the Proposed Development is also a relevant consideration, particularly comparative to other solar NSIPs in Lincolnshire, and as such, the Applicant considers the fees set out in Schedule 15 to the Draft DCO [REP1-007] to be appropriate and proportionate.



LIR Ref.	Document Ref.	Theme	Comments from Lincolnshire County Council Local Impact Report [REP1-053]	Applicant's Response to Lincolnshire County Council Local Impact Report [REP1-053]
			(a); and (c) a fee of £298 for any application for the discharge of – (i) any other requirements not listed in paragraph (a); (ii) any application under requirement 4 in respect of requirements not listed in paragraph (a); and (iii) any approval required by a document referred to by any requirement or a document approved pursuant to any requirement. (3) Any fee paid under this Schedule must be refunded to the undertaker within four weeks of— (a) the application being rejected as invalidly made; or (b) the relevant planning authority failing to determine the application within the decision period as determined under paragraph 2(1) and (as relevant) unless— (i) within that period the undertaker agrees, in writing, that the fee is to be retained by the relevant planning authority and credited in respect of a future application; or (ii) a longer period for determining the application has been agreed pursuant to paragraph 2(1) or of this Schedule (as relevant).	
N/A	APP-016	Fire and Rescue Protective Provisions	Schedule XX LCC Comments: There is currently no agreed Protective Provision for The Protection of Lincolnshire Fire and Rescue included within the DCO, as referred to in Section 20 above. Suggested wording: The Council have received draft wording for the proposed protective provision from the applicant, which is similar in wording to that referenced below. The Council have reviewed this wording, which, in principle would be acceptable to the Council, the Council would expect to see this proposed wording to be included in the next version of the Draft DCO. Heckington Fen approved DCO Schedule 13 Part 9, para 104 to 107 includes appropriate wording.	As noted above, the Applicant provided the draft protective provisions described above to Lincolnshire Fire and Rescue and subsequently received confirmation that these were acceptable. Therefore, protective provisions for the protection of Lincolnshire Fire and Rescue were included at Schedule 14 of the version of the Draft DCO [REP1-007] submitted by the Applicant at Deadline 1 (20 January 2026).



LIR Ref.	Document Ref.	Theme	Comments from Lincolnshire County Council Local Impact Report [REP1-053]	Applicant's Response to Lincolnshire County Council Local Impact Report [REP1-053]
			FOR THE PROTECTION OF LINCOLNSHIRE FIRE AND RESCUE Interpretation 104.— (1) For the protection of Lincolnshire Fire and Rescue as referred to in this Part of this Schedule the following provisions have effect, unless otherwise agreed in writing between the undertaker and Lincolnshire Fire and Rescue. (2) In this Part of this Schedule— “Index Linked” means an increase in the sums payable on an annual basis or pro rata per diem in accordance with the most recent published figure for the Consumer Price Index, or during any period when no such index exists the index which replaces it or is the nearest equivalent to it; and “Lincolnshire Fire and Rescue” means Lincolnshire County Council in its capacity as a fire and rescue authority pursuant to section 1(2)(a) of the Fire and Rescue Services Act 2004. Site visits 105.— (1) The undertaker must, prior to the date of final commissioning of Work No. 2, use reasonable endeavours to facilitate a site familiarisation exercise in connection with Work No. 2 of the authorised development for Lincolnshire Fire and Rescue for the purposes of providing the necessary assurance to Lincolnshire Fire and Rescue that all the required systems and measures are in place in accordance with the battery safety management plan. (2) Following the first anniversary of the date of final commissioning of Work No. 2 of the authorised development, the undertaker must use reasonable endeavours to facilitate an annual review of Work No. 2 by Lincolnshire Fire and Rescue at the reasonable request of Lincolnshire Fire and Rescue, up until the year in which the undertaker commences decommissioning of Work No. 2. Costs 106.— (1) Pursuant to the provisions set out at paragraph 105, the undertaker must pay to Lincolnshire Fire and Rescue— (a) £16,665 in the first year of operation of the authorised development for, or in connection with Lincolnshire Fire and Rescue’s attendance at the site familiarisation exercise facilitated by the undertaker pursuant to paragraph 105(1), such sum to be paid within 30 days following the date of the site familiarisation exercise; and	



LIR Ref.	Document Ref.	Theme	Comments from Lincolnshire County Council Local Impact Report [REP1-053]	Applicant's Response to Lincolnshire County Council Local Impact Report [REP1-053]
			(b) £1,530 in each subsequent year of operation of the authorised development until the date of decommissioning of Work No. 2, such sums to be paid within 30 days of the date of the annual review for that year, if in that year an annual review has taken place pursuant to paragraph 105(2). (2) The costs payable under this sub-paragraph (1)(b) are to be Index Linked. Arbitration 107. Any difference or dispute arising between the undertaker and Lincolnshire Fire and Rescue under this Part of this Schedule must be determined by arbitration in accordance with article 38 (arbitration).	

Appendix A Applicant's Response to NKDC LIR Appendices

A.1 Introduction

- A.1.1 The purpose of this report is to provide Fosse Green Energy Limited's ('the Applicant') response to the NKDC LIR Appendices [REP1-056] received at Deadline 1 of the Examination, submitted by NKDC in relation to Fosse Green Energy (the Proposed Development).
- A.1.2 Table A-1, below set out comments made by NKDC in their Appendices submitted with the LIR report and the Applicant's responses to them. Where the Applicant acknowledges a section of the LIR and has no further comment, the Applicant has not copied the text from the LIR into the tables below.
- A.1.3 The NKDC LIR Appendices [REP1-056] are as follows:
- a. **Appendix A – AAH Landscape and Visual Impact (LVIA) – AAH November 2025;**
 - b. **Appendix B – Biodiversity report - Lincolnshire County Council November 2025;**
 - c. **Appendix C – Archaeology - LCC's Historic Environment (Infrastructure) Officer;**
 - d. **Appendix D – Review of Fosse Green Solar Project ES Chapter Soils and Agriculture - Landscape October 2025;**
 - e. **Appendix E – Details of Stepping Out Walks;**
 - f. **Appendix F – Planning History; and**
 - g. **Appendix G – Development Plan Policies.**
- A.1.4 Appendices A and D in the NKDC LIR [REP1-056] are the same as appendices i and ii contained within Appendix B and therefore have not been repeated within this document.
- A.1.5 Appendices E, F and G in the NKDC LIR [REP1-056] are for information only and therefore have not been included within Table A-1. These documents can be found within the NKDC LIR [REP1-056].
- A.1.6 Therefore, Table A-1 below covers Applicant Responses to Appendix B and C of the NKDC LIR [REP1-056].
- A.1.7 Where applicable, paragraph or page numbers are provided to assist cross referencing to the NKDC LIR [REP1-056].



Table A-1: Applicant's Responses to NKDC LIR Appendices [REP1-056]

LIR Ref.	Theme	Comments from NKDC LIR Appendices [REP1-056]	Applicant's Response to NKDC LIR Appendices [REP1-056]
Appendix B – Biodiversity Report, Lincolnshire County Council, November 2025			
Lincolnshire County Council ecology and biodiversity comments for the Fosse Green Energy Local Impact Report			
N/A	General Comments	The Council has reviewed the submitted information concerning the assessment of potential ecological effects of the proposed development. APP-033 (6.1 Environmental Statement Chapter 8: Ecology and Nature Conservation) and associated appendices set out the biodiversity and ecological elements of the Applicant's Environmental Statement. The Council considers that information included in (APP-033) and its appendices provides a reasonable summary of ecological interest features and likely significant effects, mitigation, and residual effects of the proposed development.	The Applicant acknowledges this section of the Local Impact Report (LIR) prepared by NKDC and has no further comment.
Statutory Designated Sites			
N/A	Statutory Designated Sites	There are no internationally important sites designated for biodiversity within 10km of the proposal and two nationally important sites designated for biodiversity within 5km of the Order limits. The location of these sites is shown in AS-042.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
Non-Statutory Designated Sites			
N/A	Non-Statutory Designated Sites	There are 29 non-statutory sites designated for biodiversity importance either within or within 2km of the Order limits. The locations of these non-statutory sites are set out in AS-043. Sections of two Local Wildlife Sites (LWS) fall within the proposed DCO boundary and will therefore potentially be directly affected by the proposals. These are The River Witham, Aubourn to Beckingham LWS and Navenby, Green Man Road Verges LWS. Table 8-13 of APP-033 sets out proposed mitigation for potential impacts which includes using trenchless methods to cross the River Witham and soil storage and habitat restoration using locally sourced seed for the impacted length of road verge. These mitigation proposals are considered acceptable and are secured in the Framework CEMP (APP-189). Appropriate mitigation measures are also proposed for LWS which lie adjacent to the proposed DCO boundary. When proposed mitigation measures are taken into account, no significant effects on LWS sites are predicted.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
Habitats Regulations			
		A Habitats Regulations Assessment report (APP-181) has been prepared which assesses potential pathways for Likely Significant Effects on European sites. There are no European sites present within 10km of the DCO Site boundary, and no European sites are designated for birds (within 20km) or bats (within 30km). The Wash SPA/Ramsar and the Wash and North Norfolk Coast SAC are hydrologically connected to the Proposed Development via the River Witham, however they are approximately 70km downstream of the Proposed Development. APP-181 concludes that at this distance there are no potential impact pathways. APP-181 therefore concludes that there will be no significant effects on any European site.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.



LIR Ref.	Theme	Comments from NKDC LIR Appendices [REP1-056]	Applicant's Response to NKDC LIR Appendices [REP1-056]
		The Council agrees with the Applicant's conclusion that a Habitats Regulations Assessment is not required however, The Planning Inspectorate will need to satisfy itself that sufficient information has been submitted by the Applicant to enable this conclusion to be reached.	
Existing biodiversity value			
N/A	General Comments	A range of both desk-based studies and field surveys has been undertaken to establish the suite of habitats present within the DCO site boundary. These are described in APP-033 and associated appendices. A suite of habitat types of up to national importance were identified. The Council is of the opinion that the level of survey effort, survey methods and desk-study research undertaken to identify important habitats and establish the baseline biodiversity value is appropriate. APP-033 identifies a range of ecological impacts across all phases of the development. These potential impacts include both permanent and temporary or damage to habitats, species mortality and disturbance and the potential for causing the introduction or spread of invasive non-native species (INNS). If unmitigated these impacts have the potential to result in significant impacts on various elements of the site's ecological interest. The Applicant has prepared a Framework Construction Environmental Management Plan (CEMP) (APP-189), a Framework Operational Environmental Management Plan (OEMP) (APP-190), a Framework Landscape and Ecological Management Plan (LEMP) (AS-101) and a Framework Decommissioning Environmental Management Plan (DEMP) (APP-191). A Commitments Register (APP-183) has been prepared which provides a helpful summary of the how mitigation identified for the Project including embedded and additional mitigation measures are secured. Overall, the Council agrees with the Applicant's approach and considers that the proposed impact avoidance and mitigation measures for construction, operational and decommissioning phases of the development are appropriate and will need to be secured in the DCO. The Council has the following specific comments to make in relation to impacts on the suite of habitats present on the site.	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
N/A	Ancient Woodland and Veteran and Ancient trees	The applicant's Arboricultural Assessment (APP-155) states that there are no areas of ancient woodland identified within the proposed DCO boundary however Tunman and Housham Woods are immediately adjacent to the DCO boundary, and these are identified on as Ancient Replanted Woodlands on Priority Habitat Mapping on the MAGIC website. APP-155 identifies 126 trees considered likely to be veteran and two trees considered likely to be ancient. No veteran or ancient trees are proposed to be removed to facilitate the development, and appropriate buffers will be implemented to ensure their protection. Clarification is required however in relation to how trees have been classified as veteran or ancient as this will have an impact on the site's baseline biodiversity value as calculated by the Statutory Biodiversity Metric.	Details of surveyed ancient and veteran trees are included in Table 7 of the Arboricultural Impact Assessment [APP-155] which lists tree reference numbers, veteran status and species. Full survey data for each surveyed tree is included in the Tree Survey Schedule in Annex B. As stated in section 5.3.1 ancient trees are identified as those which are beyond maturity and are aged in comparison with other trees of the same species. Veteran trees are of at least mature dimensions for their species and feature extensive dead or decayed wood habitat. Veteran and ancient trees are clearly shown on the Tree Constraints Plan (Annex A) and Tree Protection Plan (Annex C) and are marked with a star symbol. Data for all ancient or veteran trees has been reviewed by a VETCert accredited consultant to inform the determination of status.



LIR Ref.	Theme	Comments from NKDC LIR Appendices [REP1-056]	Applicant's Response to NKDC LIR Appendices [REP1-056]
		The Council considers that measures aimed at the protection of ancient woodlands and veteran or ancient trees set out in the Framework CEMP (APP-189) are appropriate.	
N/A	Arable field margins and scarce arable flora	The Council notes that Field AF29 has been assessed as being of national importance for scarce arable flora and fields AF17 and AF72 are assessed as being of County Importance for scarce arable flora. Prior to construction, seed from these fields will be harvested and seeded in cultivated field margins within retained arable fields close to these fields. In addition to this following the cessation of arable farming these fields will be subject to the provision of disturbed field margin strips to ensure that suitable conditions remain for these species. The Council considers that this proposed mitigation is appropriate and is effectively secured within the Framework LEMP (AS-101) at 4.1.18 and 5.3.88.	The Applicant acknowledges that LCC consider the proposed mitigation for arable flora appropriate and effectively secured.
Protected and priority species			
N/A	General Comments	A suite of both desk-based studies and field surveys has been undertaken to identify protected and priority species likely to occur within the DCO Site Boundary. These are described in (APP-043) and associated appendices. The Council has reviewed the application in accordance with Natural England's standing advice for protected species. Having considered (APP-043) The Council considers that the survey methods used, and the survey effort deployed were appropriate. Without mitigation, the proposed development has the potential to result in negative effects on the populations of a number of species / species groups. Where protected species will be affected by the proposed development, a licence from Natural England will be sought and mitigation will be secured as part of the licensing process. The Council agrees with this approach. The Council has the following specific comments to make in relation to impacts on protected and priority species:	The Applicant acknowledges this section of the LIR prepared by NKDC and has no further comment.
N/A	Terrestrial invertebrates	The Council notes that the presence of two notable butterfly species has been detected in the study area. Habitat mitigation and enhancement proposals should take account of the species presence and any opportunities to bolster their populations. An example of this could be ensuring that any elm present in the site are retained as far as possible and included in any plating which will benefit White-letter hairstreak.	Measures for butterfly species, other invertebrates and wider biodiversity are described in the Framework LEMP [REP1-039], with over 16km of additional native hedgerows to be planted as part of the Proposed Development. To benefit the notable White-letter hairstreak butterfly, the proposed hedgerow mix includes Elm (Ulmus 'Wingham'), which is a fast-growing, highly resistant hybrid elm cultivar specifically developed to replace the English Elm (Ulmus procera) lost to Dutch Elm Disease. It possesses strong, demonstrated resistance to the fungus, making it a reliable choice for conservation and landscaping. The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007].
N/A	Breeding birds	Breeding bird surveys described in APP-179 have detected an assemblage of breeding birds of County importance. The presence of three Scheule 1 breeding birds has also been detected. The proposed development will result in the loss of considerable areas of arable habitats which are of value to ground nesting species such as lapwing and skylark. Both species are recorded within the proposed DCO area. Without mitigation the development has the potential to have significant negative effects on populations	The Applicant acknowledges that LCC consider the proposed mitigation for breeding birds appropriate and effectively secured.



LIR Ref.	Theme	Comments from NKDC LIR Appendices [REP1-056]	Applicant's Response to NKDC LIR Appendices [REP1-056]
		of ground nesting farmland birds. This is particularly the case give the number of other developments within Lincolnshire that potentially have the same impacts. At 8.12.19 to 8.12.26 of APP-033 and in Figure 8-5: Bird Mitigation Land Allocation (AS-046), the Applicant has set out proposed measures designed to reduce the effect of the proposed development on ground nesting farmland birds. Measures include the provision of areas of undeveloped grassland and retained arable within the development area. Within these areas, skylark plots will be established which will be managed to provide the species' favoured nesting conditions. The Council welcomes this approach, and the proposed measures are secured in the Framework LEMP (AS-101). Subject to the above and measures relating avoiding vegetation clearance during the nesting season and undertaking pre-commencement ecological surveys set out in the CEMP (APP-189), The Council agrees that the proposed mitigation measures are appropriate and should ensure that significantly negative effects on breeding birds are avoided.	
N/A	Bats	Surveys described in AS-088 have identified the presence of at least 10 species of bats. This includes the nationally rare barbastelle and serotine which is rare in Lincolnshire. The Council notes the Applicant's intention to avoid impacts to roosts or potential roost features and to undertake additional pre-construction surveys to update data on bats. A recent study (Tinsley <i>et al.</i>, 2023) has shown a decrease in levels of bat activity associated with the presence of solar developments, though reasons for this are not yet clearly understood. The Council recommends that monitoring of post-construction bat activity is undertaken to compare activity levels prior to construction and to assess mitigation efficacy in order to increase understanding of the impacts of solar developments on local bat populations.	A programme of post-construction ecological monitoring is provided for in the Framework LEMP [REP1-039], whereby paragraph 7.1.9 sets out that post-construction monitoring for bats (bat box roosting and activity survey), will be undertaken in the respective seasons, in years 1, 3, 5, 10 and 15 post-construction and thereafter every ten years from years 20 to 60. These surveys are likely to involve similar methods to those used to determine the ecological baseline of the Proposed Development and will be overseen by an Ecological Advisory Group or similar. This will be agreed with LCC and NKDC as part of the final LEMP submitted post-consent. As noted at paragraph 5.3.76 of the Framework LEMP [REP1-039], a minimum of 30 bat boxes are proposed as part of the Proposed Development, with boxes to be inspected by an appropriately licensed bat surveyor for evidence of uptake, as per the post-construction monitoring programme noted above, and any evidence of roosting bats recorded to assist with ongoing management of the woodland on site (ref. paragraph 5.3.80).
N/A	Riparian Mammals	AS-089 sets out the results of riparian mammal surveys. Populations of both otter and water vole have been detected with the proposed DCO boundary. The Council consider that mitigation measures set out in Table 3 of the Framework CEMP (APP-189) are appropriate in relation to both species. The Council advises that the Greater Lincolnshire Partnership's 'Operation Water Vole' project may offer opportunities to deliver additional water vole mitigation.	The Applicant acknowledges that LCC consider the proposed mitigation for Otter and Water Vole appropriate and effectively secured. The Applicant will engage with LCC and NKDC in relation to the detailed CEMP (in line with Requirement 12 of the Draft DCO [REP1-007]), which can include additional opportunities to contribute to the Greater Lincolnshire Partnership's 'Operation Water Vole' project as relevant. However, the Applicant re-iterates that the mitigation provided for in the Framework CEMP [REP1-031] is adequate to ensure no significant effects on either species from the Proposed Development.
Biodiversity Net Gain (BNG)			
N/A	BNG	The delivery of at least 10% BNG is not currently mandatory for NSIPs however it is considered best practice. Given the scale and nature of the proposed development The Council will expect the project to deliver significantly more than 10% Biodiversity Net Gain (BNG). The Applicant has set out their approach to BNG in APP-194. Based on current calculations the Proposed Development is predicted to result in a net gain of 30.64% for area habitat units, 50.62% for hedgerow units, and 11.83% for watercourse units. The Council welcomes this level of BNG delivery. Details of establishment and management required to achieve the predicted levels of BNG will need to be provided prior to construction.	Please note, whilst the BNG Report [APP-194] shows what the Proposed Development could likely deliver with regards to BNG, the Applicant has made a commitment 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 (SBM) (Version 1.0.4) for the Proposed Development, as secured by Requirement 8 of Schedule 2 to the Draft DCO [REP1-007]. With regards to details of establishment and management, the Framework LEMP [REP1-039] includes detail on the relevant management/monitoring regimes to deliver BNG targets and monitor landscaping



LIR Ref.	Theme	Comments from NKDC LIR Appendices [REP1-056]	Applicant's Response to NKDC LIR Appendices [REP1-056]
			and ecological enhancements, which will be implemented as part of the detailed LEMP. The following is secured within the Framework LEMP [REP1-039] (ref. paragraph 7.1.7) which will be carried through into the detailed LEMP: <i>"A post-construction monitoring programme will be formalised, agreed and included within the detailed LEMP. Walkover surveys of the DCO Site will be undertaken between April and June in years 2, 4, 6, 10 and then every 5 years post-construction until year 60. This monitoring will also be used for the purposes of BNG Condition Assessments that requires a 30-year management plan."</i>
N/A	BNG	In addition to comments made in The Council's Relevant Representation, there are further areas of the Applicant's BNG assessment that require additional information or clarification. - At APP-194, 2.33, the Applicant states "Where habitat condition data was not recorded on-site, for example due to access restrictions, habitat conditions were assumed to be 'good' as a precautionary, 'worst-case' measure." This does not appear to be the case in all instances of assumed condition e.g. Metric sheet A1 rows 28, 31, 34 etc. The Applicant should review the metric and clarify the position in relation to assumed habitat condition where field surveys were not undertaken. Where condition has been assumed the Applicant should adhere to the precautionary principle by assuming the highest possible condition where uncertainty exists. - Confirmation is required that the habitat baseline reflects habitat condition prior to any degradation since January 2020 (or August 2023 for extant permissions). - In the Applicant's Biodiversity Metric, for on-site area habitats, the total area of lost habitat was found to be 680.27 ha, and the total area of created habitat was found to be 680.29 ha. These areas should be equal. - Clarification is required on the implications of using either fixed or tracker panels. If habitat loss or shading implications are higher for one system type than the other, a precautionary approach using the most impactful scenario should be adopted. - The Council also encourages the Applicant to work with other developers and stakeholders in the area to identify opportunities to deliver BNG strategically. The Council welcomes further engagement with the Applicant in relation to BNG. The Council also encourages the Applicant to work with other developers and stakeholders in the area to identify opportunities to deliver BNG strategically. The Council welcomes further engagement with the Applicant in relation to BNG.	The Applicant is continuing to engage with LCC and NKDC regarding the specific comments on the BNG assessment. Once resolved an updated Biodiversity Net Gain report will be submitted into the Examination. Resolution of these matters will be recorded in the Statements of Common Ground with NKDC and LCC to be submitted at Deadline 3A of the Examination, in line with the Examining Authority's Rule 8 Letter dated 14 January 2026 [PD-010].
Cumulative Effects			
N/A	Cumulative Effects	There are a number of development proposals of varying scales in the vicinity of this proposal. These range from small scale housing developments to NSIP scale energy developments. Details of the approach to the assessment of cumulative	The Applicant acknowledges that LCC are in agreement with the Applicant's conclusions in relation to cumulative effects on ecology.



LIR Ref.	Theme	Comments from NKDC LIR Appendices [REP1-056]	Applicant's Response to NKDC LIR Appendices [REP1-056]
		effects and a list of projects considered are presented in APP-040 and section 8.15 of APP-033. Cumulative effects on sensitive ecological receptors are considered for sensitive ecological receptors including Navenby Green Man Road Verges LWS, rivers and ditches, ground nesting birds and bats. The Council notes however that Table 8-19 of APP-033 includes an empty row relating to impacts on Veteran and Ancient Trees. The assessment concludes that given mitigation proposed for this development and likely standard / good practice mitigation proposed for other nearby developments there will be no significant adverse effects on these receptors arising from cumulative impacts. Assuming that proposed mitigation for this proposal is adequately secured in the DCO, The Council agrees with the applicant's conclusions in relation to cumulative effects on ecology.	
Ecological Steering Group			
N/A	Ecological Steering Group	The Council suggests that consideration is given to the establishment of an Ecological Steering Group or similar for the Proposed Development. This group should consist of key ecological stakeholders (both statutory and non-statutory). The remit of the group would be to receive updates on project progress and to advise on issues encountered during construction as well as to refine delivery of required mitigation and enhancement measures. Meetings should be held at an appropriate frequency to ensure good communication between both the developer and stakeholders. Establishing such a group is also likely to yield benefits by assisting with the identification of opportunities for strategic working with other solar NSIP developers in the vicinity. This is particularly the case in relation to the delivery of BNG where strategic delivery could result in significant benefits for species groups such as ground nesting birds.	The Framework LEMP [REP1-039], secured by the DCO, includes the following commitment (ref. paragraph 7.1.9): <i>"Post-construction monitoring for flora, birds (breeding and non-breeding), riparian mammals, badgers and bats (bat box roosting and activity survey), will be undertaken in the respective seasons, in years 1, 3, 5, 10 and 15 post construction and thereafter every ten years from years 20 to 60. These surveys are likely to involve similar methods to those used to determine the ecological baseline of the Proposed Development and will be overseen by an Ecological Advisory Group or similar"</i>. The Ecological Advisory Group (or similar) is considered by the Applicant to be the same as and fulfil the role of the suggested Ecological Steering Group noted in this comment, overseeing the monitoring and mitigation of impacts as relevant. The monitoring reports for surveys during operation will be sent to the host authorities and the Lincolnshire Wildlife Trust for their information, along with a summary of any changes to management set out in the approved detailed LEMP. The role of the Ecological Advisory Group (or similar) will be set out in the detailed LEMP, whereby the relevant consultees would be given an opportunity to review the detailed LEMP before it is formally approved to discharge the Requirement. It should be noted that it is envisaged that the other NSIPs within the District would be required to also have an Ecological Steering Group/Ecological Advisory Group (or similar), who would also send monitoring reports as relevant to the host authorities and the Lincolnshire Wildlife Trust for their information. Therefore, the host authorities will have oversight of the mitigation proposed across all relevant schemes within the District, to allow for coordinated mitigation suggestions as part of their approval of the detailed LEMP(s). Production of a detailed LEMP, which is to be developed substantially in accordance with the Framework plan, will be secured under Requirement 8 of the Draft DCO [REP1-007].
Overall impact of the development on ecology and biodiversity			
N/A	General Comments	The Applicant's Environmental Statement identifies a series of potential impacts on ecology arising from the development. These range from minor adverse impacts to significant adverse impacts depending on the species, habitat or site concerned. Measures to address these impacts are proposed and should be secured in the DCO. If the mitigation measures are secured and delivered as proposed The Council considers that the development would have a minor, temporary, negative impact on ecology during the construction phase.	As set out in Chapter 8 Ecology and Nature Conservation of the ES [REP1-019], with the application of the identified mitigation measures (which are secured via the various management plans submitted with the DCO Application), no significant adverse effects are concluded during the construction of the Proposed Development. Further to this Chapter 8 Ecology and Nature Conservation of the ES [REP1-019] also concludes that with the wide ranging enhancements provided for in the Framework LEMP [REP1-039], beneficial effects will occur for a range of habitats and species. The Applicant has committed to delivering 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 based on



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		The Applicant has also signalled an intention to deliver BNG. Levels currently being predicted are subject to confirmation of final scheme designs, however, if these levels are delivered, The Council considers that overall, the development could have a positive impact on ecology and biodiversity. Commitments to deliver a minimum of 10% BNG should be secured with a specific requirement in the DCO if BNG is to be given positive weight in the planning balance.	Statutory Biodiversity Metric Version 1.0.4. This commitment is secured through Requirement 8(2) of the Draft DCO [REP1-007].
Appendix C – Archaeology, LCC's Historic Environment (Infrastructure) Officer			
N/A	General Comments	Having reviewed the submitted documents, the Council continues to have concerns regarding the level of archaeological assessment undertaken to inform the Applicant's DCO application, particularly given the lack of site-specific impacts for a range of developmental impacts which will have extensive ground impacts including drainage, engineering works, the amount and layout of cabling and landscaping as well as the potential for impacts in ecological mitigation areas such as soil inversion.	The Applicant considers the assessment work completed as part of the ES (Chapter 7 Cultural Heritage of the ES [APP-032], and relevant Appendices, especially Appendix 7-D: Detailed Heritage Asset Setting Assessment [APP-127], Appendix 7-F: Air Photo and LiDAR Mapping and Interpretation [APP-129], Appendix 7-G: Detailed Gradiometer Survey Report [APP-130], Appendix 7-I: Trial Trenching Report (Interim) [APP-132]) is proportionate and fully compliant with the policies of NPS EN-1 and NPS EN-3, the NPPF and the EIA Regulations, and provides an appropriate response to the EIA Scoping Opinion [APP-119]. Of particular note (within all of the relevant policies) is the need to understand the specific nature of the potential impacts of the Proposed Development (acknowledged in policy to be 'limited'); to undertake a 'proportionate' assessment of these effects; and to develop mitigation proposals to manage any residual effects. The work completed to date inform the design of the Proposed Development, and Chapter 7 Cultural Heritage of the ES [APP-032], specifically Section 7.6 Embedded Mitigation Measures, details key measures that have been incorporated into the design of the Proposed Development, based on the archaeological surveys completed, including early definition of areas of particular archaeological value to ensure those areas are excluded from the Proposed Development. As such the Applicant considers that the design of Proposed Development has been informed by the archaeological work. However, at the request of the Examining Authority, a summary of embedded measures (informed by the assessment work completed to inform the ES) has been submitted within Appendix B of the Written Summaries of Oral Submissions Issue Specific Hearing 1 [REP1-046]. The Applicant acknowledges that a small amount of the DCO Site area was unavailable for the geophysical survey, however the vast majority of that area fall within areas of retained agricultural land or where ecological mitigation areas are proposed (the impacts of which have not yet been subject to detailed design but which are anticipated to be minimal at most). Following the granting of the DCO, additional trenching will be carried out where required to inform the detailed design and ensure appropriate mitigation measures are put in place. This phase of work will be secured within the Framework WSI [AS-001] (which is currently being finalised and will be submitted to the Examination at the next available deadline). It should be noted however that any such evaluation will be proportionate to impacts of the Proposed Development (which do vary greatly across the DCO Site, from no impacts at all, to localised but extensive impact). The results of the completed phase of trenching, which are considered to be sufficient to inform the decision making process, will be submitted as the Final Trial Trenching Report to the Examination at the next available Examination deadline (with the results superseding the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]). For the avoidance of doubt, the geophysical survey was only one of a number of surveys and assessments that have contributed to the understanding of the archaeological resource across the DCO Site which, together with the Final Trial Trenching Report, provide sufficient information to inform the decision making process with regard to archaeology. With regard to the trial trenching, the scope was designed to be proportionate. The current programme of trenching targeted areas of known remains and also tested areas where previous surveys did not
N/A	General Comments	The Planning Inspectorate stated that <i>'The ES should contain information on how the results of the desk based and field-based assessments and surveys have informed the ongoing design development and supported the design of an appropriate mitigation strategy.'</i> (6.3 ES Appendix 1-B EIA Scoping Opinion, APP-119, section 3.1 Cultural Heritage) We acknowledge the applicant's assessment work to date, including a desk-based assessment (DBA) and geophysical survey (magnetometry). Some targeted evaluation trenching is currently ongoing. The agreed trenching WSI is for the first phase of trenching (6.3 ES Appendix 7-H Written Scheme of Investigation for an Archaeological Evaluation, APP-131, Section 1.1) There is currently then a limited data set from trenching results for identifying the presence, depth, date, character, location, state of preservation and significance of archaeology which currently survives across the redline boundary. The current programme of trenching does not include trenches to test areas where these previous techniques have not been successful in identifying archaeological remains. Some areas have not been subject to geophysical survey and while we appreciate there will be access issues there must at some point be access so that the scheme can be built. These unsurveyed areas will need higher levels of evaluation to compensate for the lack of information or else be subject to stronger archaeological mitigation as the potential has not been determined. Any areas of unknown potential will need adequate levels of evaluation in advance of any works including plant movement which may damage or destroy currently surviving but unknown archaeology, otherwise mitigation measures will be required to allow the archaeology to be planned, investigated and recorded before the groundworks can commence. It is therefore much preferred that sufficient trenching is undertaken across the full Order Limits to provide the essential baseline evidence to design a reasonable and fit for purpose mitigation strategy.	



LIR
Ref.

Theme

Comments from NKDC LIR Appendices [REP1-056]

Applicant's Response to NKDC LIR Appendices [REP1-056]

Some habitat creation requires ground preparation which would damage or destroy surviving archaeology particularly in land previously in agricultural use where surviving archaeology may be close to the current ground surface. These areas therefore need to be included in the evaluation work and the results can be used to inform the design process effectively.

Other significant groundwork impacts from developmental activities will need to inform what further evaluation may be required in order to provide sufficient baseline evidence for a reasonable fit for purpose agreed mitigation strategy to effectively deal with the impact on currently surviving archaeology.

Examples of such major impacts are available in a number of the submitted documents. 7.10 Framework Soil Management Plan (Rev 1) APP-192 for example lists the potential uses for soil including 'General use within cut/fill proposals' (section 6.2.3) as well as use 'within the creation of wetlands or SuDS features' (section 6.4.1). There's also the preliminary works in advance of soil replacement: 'The receiving surface (in-situ layer of soil) must be de-compacted first prior to placement and spreading. In some instances this receiving layer may require deep ripping.' (section 6.8.2)

We note with great interest that this document also states that there will be 'Topographic survey – determine site levels, changes in elevation, earmark cut and fill locations.' (section 7.2.2) This type of information is critically useful for understanding the site-specific developmental impacts across the scheme, we recommend such technical information be shared as soon as available in order to inform the archaeological evaluation and mitigation process.

Table 7-2: Statutory Consultation Responses (Cultural Heritage) pp7-31 to 7-56 in 6.1 ES Chapter 7 Cultural Heritage (APP-32) lists the concerns expressed by Lincolnshire County Council and while some of these issues have been noted we remain concerned. The Council maintains that the applicant's submission for buried heritage and the proposed developmental impacts upon it lacks consistency and necessary detail in some areas.

Now to concerns regarding specific issues in this scheme's submission documents.

identify such remains. This has allowed to confirm at the interim report stage an overall good correlation between the anomalies identified in the geophysical survey [APP-130] and during the trial trenching [APP-132]. The ES Appendix 7-H Written Scheme of Investigation (WSI) for an Archaeological Evaluation [APP-131] was subject to consultation with the archaeological advisor at LCC and was approved on 7 May 2025, prior to the evaluation commencing. For the avoidance of doubt, the Final Trial Trenching Report, which supersedes the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132] (and is to be submitted to the Examination at the next available Examination deadline), will enable a detailed consideration of the relevant results as part of the decision making process. However, it can be confirmed that the overall results of the trial trenching conform to the summary presented in the interim report, and the results do not materially alter the conclusions presented within the Chapter 7: Cultural Heritage of the ES [APP-032] regarding the likely impacts of the Proposed Development and the suitability of the mitigation measures on the archaeological resource.

For the avoidance of doubt, the Applicant is committed to ensuring that archaeological remains are taken into account during the detailed design process and where activities such as those mentioned in the NKDC Appendix C are identified as unavoidable, appropriate mitigation measures can be defined in response to specific impacts. Such work would be secured under Requirement 11 of the Draft DCO [REP1-007]. DCO requirements are legally binding, the breach of which is an offence, and are enforceable by the LPA.

The Final Trial Trenching Report will enable a detailed consideration of the relevant data as part of the decision making process. The results of the Final Trial Trenching Report, and any additional required trenching, will inform the detailed design, which will be carried out following granting of the DCO, as detailed within the Framework WSI [AS-001]. This will include the Cable Corridor and other areas of potential impacts (such as where below ground impacts in areas of habitat creation or soil management are required). These areas were not subject to trial trenching at this stage, as detailed design is yet to be developed. As part of an iterative approach to the detailed design process, the locations for construction activities associated with the Cable Corridor (or other areas devoid of solar panels) will be fed into the design for a programme of further trial trenching work, which will in turn inform the design process and appropriate mitigation measures. The Applicant is committed to ensuring that archaeological constraints feed into the detailed design, with appropriate mitigation to be agreed.

As noted above, the Framework WSI [AS-001], which will be finalised following further consultations with LCC and HE (to be submitted to the Examination at a future Examination deadline), will inform the decision making process. As such, the Applicant is of the opinion that due regard has been given to the importance of understanding the significance of archaeological remains and the potential impact of the Proposed Development, and measures to ensure appropriate and proportionate mitigation is included have been built into the process. The Applicant will be liaising with the relevant Local Planning Authority (LPA) to develop the next stage of site-specific WSIs to guide detailed design and post-consent activities, and prior to the carrying out of any archaeological works.

It is considered that due regard has been given to the importance of understanding the significance of archaeological remains through a staged process, and the potential impact of the Proposed Development is understood. Crucially, measures to ensure appropriate and proportionate mitigation is included have been built into the process.

N/A Works Plans

2.2 Works Plans APP-008 states that Works no 9 includes 'landscaping, biodiversity and ancillary works.' We are seeing proposed amendments to draft

This point was discussed between the Applicant and NKDC prior to the submission of the DCO Application. It is acknowledged that, for the majority of the Requirements in Schedule 2 of the **Draft**



LIR Ref.	Theme	Comments from NKDC LIR Appendices [REP1-056]	Applicant's Response to NKDC LIR Appendices [REP1-056]
		Development Consent Order (DCO) wording from Applicants on other Lincolnshire solar NSIPs for these works they wish to undertake in advance of the main work programme to be specifically excluded from the Archaeological Requirements. We would strongly oppose any proposed DCO wording which excludes any such works.	DCO [REP1-007], the only works which are excluded from the pre-commencement requirements are the 'permitted preliminary works' as these are specifically excluded from the definition of 'commence' under Article 2(1) of the Draft DCO [REP1-007] and are themselves defined in Article 2(1). However, as a result of the aforementioned discussions with NKDC, the Applicant amended Requirement 11 at Schedule 2 of the Draft DCO [REP1-007] to make clear, at sub-paragraph (3) of that Requirement that: <i>"for the purposes of sub-paragraph (1), "commence" includes any permitted preliminary works."</i> The inclusion of this wording means that the provisions in Requirement 11 must be complied with before even the 'permitted preliminary works' can be commenced, unlike the other Requirements in Schedule 2. This therefore means that there is no provision within the Draft DCO that would exclude the type of works referred to by the Council from the need to comply with the archaeological mitigation provided under Requirement 11 of Schedule 2 to the Draft DCO [REP1-007]. Furthermore, the inclusion of the more restricted drafting at sub-paragraph (3) of requirement 11 demonstrates that the Applicant has no intention to seek to exclude such works from compliance with the archaeological mitigation provisions of the Requirement.
N/A	Chapter 9 Water Environment	6.1 ES Chapter 9 Water Environment APP-034 lists a variety of developmental impacts during decommissioning as well as construction phases for this scheme: <i>'Construction activities such as earthworks, excavation, site preparation, levelling, and grading operations result in the disturbance of soils'</i> (section 9.7.4) and also <i>'Potential impacts from the decommissioning of the Principal Site are similar in nature to those during construction, as some ground works would be required to remove infrastructure installed.'</i> (section 9.7.140) This would of course destroy any currently surviving archaeology in the areas of these works. This is contrary to statements elsewhere in the submission documents that there will be no decommissioning impacts or even construction impacts to archaeology. Rather stunningly 6.1 ES Chapter 16 Summary of Environmental Effects, APP-041 states there will be <i>'No significant residual effects on Cultural Heritage are predicted during the construction of the Proposed Development.'</i> (Table 16-1: Summary of significant effects during the construction phase of the Proposed Development, and again in Table 16.2 of the operation phase) This single line is inadequate and incorrect. This proposed development may be for a long-term temporary scheme but any developmental impacts across the Order Limits on currently surviving archaeology will be permanent impacts on the non-renewable archaeological resource.	Chapter 7 Cultural Heritage of the ES [APP-032] discusses potential development impacts on archaeology including during construction and decommissioning phases. Firstly, it should be noted that physical impacts from construction upon archaeological remains would not be reversed (i.e. construction groundworks for BESS would result in truncation of archaeological remains – with appropriate prior mitigation and recording – and as such removal of such infrastructure would not affect any archaeology as it would have already been recorded and removed). However, this Chapter also highlights a degree of uncertainty regarding potential harm upon the archaeological remains during decommissioning phase largely due to unknown techniques/methodology for such works which would be used decades from now. As such, the ES Chapter (paragraph 7.7.49) highlights that appropriate methodology, as presented in the Framework DEMP [REP1-035], will be updated as required. As such, if the updated/detailed DEMP at the time of the decommissioning works indicates that any potential work could affect archaeology, appropriate mitigation measures can be agreed with the relevant LPA at the time in order to ensure that the effects remain as established in Chapter 7 Cultural Heritage of the ES [APP-032]. With regard to the assessment of the residual effects, the Applicant notes the assessment methodology, as presented in the Chapter 7 Cultural Heritage of the ES [APP-032] and the discussion of impacts. Throughout the discussion, permanent impacts upon archaeological remains are acknowledged, where applicable. The consideration of the residual effects takes into account not only the level (and duration – in this case, permanence) of the impact, but also the values of the assets affected and the mitigation proposed. The Applicant is of the opinion that this assessment has been completed and suitable mitigation can be delivered, and the delivery of the mitigation, to be agreed with the relevant Local Planning Authority (LPA), will ensure the residual effect will be neutral (with different mitigation options available including no-impact solutions, or benefits of a programme of archaeological investigation and recording, delivering benefits which would offset the loss of remains. The Framework Surface Water Drainage Strategy [REP1-025] sets out locations of proposed swales and their function. There are no swales proposed within areas identified for archaeological importance, with critical infrastructure (such as BESS) located away from any identified risk of archaeological



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N/A	Appendix 9-D Framework Surface Water Drainage Strategy	6.3 ES Appendix 9-D Framework Surface Water Drainage Strategy APP-147 makes reference to lined swales, <i>'infiltration swales lining the boundaries of these seven fields'</i> (section 4.1.10), edge swales which <i>'will be sized and located accordingly to capture as much excess overland surface water runoff that can be reasonably accommodated'</i> (section 4.1.12) and <i>'a new open green ditch.'</i> (section 4.1.13) There will be over 6 hectares of <i>'the proposed impermeable areas'</i> (Section 4.2.2), swales will be approximately 0.6m deep (section 4.4.8) and for the seven fields which will need edge swales there are spaces <i>'suitable for up to 300m, 6m wide and 0.6m deep.'</i> (section 4.5.5) Archaeology survives across this scheme at less than half that depth. These and all the other substantial ground impacts from proposed development works will need reasonable evaluation and where necessary appropriate mitigation measures to effectively deal with impacts on surviving archaeology.	remains. Swales are initially sized at a maximum depth of 0.6m; however, the majority of swales provide betterment, i.e. those in solar PV areas and can be reviewed should archaeological remains be located. The Applicant has acknowledged the range of potential impacts upon the archaeological remains throughout the submission documents, including Chapter 7 Cultural Heritage of the ES [APP-032] The impact assessment has been undertaken on the basis of a reasonable worst case scenario in terms of archaeological impacts. As such, the worst-case parameters considered within the assessment are likely to exacerbate the impacts that would arise as a result of the detailed design, whereby the impacts in reality will likely be less than those reported. Appendix 9-D Framework SWDS [REP1-025] specifically explains that those swales 'are to be designed' (paragraph 4.1.10). The Applicant is committed to ensure that archaeological remains are taken into account during the detailed design process. The results of the Final Trial Trenching Report, and any additional required trenching, will inform the detailed design, which will be carried out following granting of the DCO, as detailed within the Framework WSI [AS-001]. This will include areas of potential impacts (including areas of below ground impacts from work such as establishment of swales or drainage). These areas were not subject to trial trenching at this stage, as detailed design is yet to be developed. As part of an iterative approach to the detailed design process, the locations for construction activities will be fed into the design for a programme of further trial trenching work, which will in turn inform the design process and appropriate mitigation measures. The Applicant is committed to ensuring that archaeological constraints feed into the detailed design process, with appropriate mitigation to be agreed, ensuring that the residual effects do not exceed those reported within Chapter 7 Cultural Heritage of the ES [APP-032].
N/A	Non-Technical Summary (NTS)	6.4 Environmental Statement Non-Technical Summary (Rev 1) APP-180 states that <i>'The significance of the potential effects on known and potential buried archaeological remains (including late prehistoric/Roman remains, medieval remains and agricultural features) before additional mitigation ranged from neutral to moderate adverse. However, following the implementation of the embedded and additional mitigation measures, it is considered that in the worst-case scenario, the residual effect on buried archaeological remains would be a neutral (not significant).</i> (section 6.3.10) We do not agree. Trenching evaluation is ongoing and the full report on the findings has yet to be produced. Some mitigation options have been listed but there is no site-specific fit for purpose mitigation strategy. Having undertaken site monitoring visits during the trenching fieldwork certainly there are areas of significant surviving archaeology within the Order Limits of this scheme. The potential effects cannot be said to be <i>'neutral to moderate'</i> when <i>'potential buried archaeological remains'</i> have yet to be located, identified or characterised. This is a reductive assumption, and until there is sufficient baseline evidence for an informed understanding of the significance of surviving archaeology within the Order Limits we recommend that potential effects be 'high' until proven otherwise. The worst-case scenario would not be <i>'neutral'</i> as stated above, rather it would be that currently unknown significant archaeology is destroyed by development works without recording. This is contrary to national policy and guidance including the Central Lincolnshire Local Plan which states that <i>'Development affecting archaeological remains, whether known or potential, designated or undesignated,</i>	The Applicant is of the view that the process for the assessment of the archaeological resource, design and mitigation ensures that the residual effects would be neutral and not significant. The Applicant is of the view that this assessment has been completed and suitable mitigation can be delivered, and the delivery of the mitigation, to be agreed with the relevant Local Planning Authority (LPA), will ensure the residual effect will be neutral (with different mitigation options available including no-impact solutions, or benefits of a programme of archaeological investigation and recording, delivering benefits which would offset the loss of remains). The Applicant appreciates archaeological remains are located within the DCO Site, for which appropriate mitigation measures are, or will be, agreed, and wholly disagrees with the statement that archaeological remains would be destroyed without recording. It should be noted that, as per Requirement 12 of the Draft DCO [REP1-007], the CEMP must be substantially in accordance with the Framework CEMP [REP1-031] and construction of the authorised development must be carried out in accordance with the approved CEMP. The Framework CEMP [REP1-031] (ref. CH-C1) notes: <i>"Where impacts to below ground archaeological remains as a result of the Proposed Development cannot be avoided, an appropriate programme of archaeological investigation and recording will be undertaken, with the objective of advancing the understanding of the significance of archaeological remains within the DCO Site that may be disturbed or either wholly or partially lost. The fieldwork will be undertaken prior to the commencement of construction works but may also include monitoring and recording works during construction. The detailed CEMP(s) will reflect mitigation required during construction which will be set out in the WSI and include measures such as ensuring monitoring is in place where required."</i> DCO requirements are legally binding and enforceable by the LPA, as such the various management plans secured under the DCO requirements must be complied with; failure to comply with the provisions of the various management plans (and other measures) secured under the DCO requirements would be a breach of the terms of a DCO, which is a criminal offence. As such, the destruction of archaeological remains without recording would be a criminal offence. The results of the



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		<i>should take every practical and reasonable step to protect and, where possible, enhance their significance.'</i> (Policy S57 The Historic Environment, p126)	Final Trial Trenching Report, and any additional required trenching, will inform the detailed design, which will be carried out following granting of the DCO, as detailed within the Framework WSI [AS-001]. As part of an iterative approach to the detailed design process, the locations for construction activities will be fed into the design for a programme of further trial trenching work, which will in turn inform the design process and appropriate mitigation measures. This staged approach to further investigation of those additional areas is presented within the Framework WSI [AS-001], which will be finalised following completion of the Final Trial Trenching Report (which supersedes the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]) and submitted to the Examination at a future Examination deadline to inform the decision making process. The Applicant will be liaising with relevant Local Planning Authority (LPA) to develop the next stage of site-specific WSIs to guide the detailed design process and post-consent activities, and prior to the carrying out of any archaeological works. As such, it is considered that there are appropriate measures in place to ensure there will be no significant effects.
N/A	NTS	Section 6.3.10 of the Non-Technical Summary goes on to state that: <i>'Additional mitigation comprising a programme of archaeological investigation and recording would deliver benefits which would offset the loss of remains and allow for this already non-significant adverse effect to be further reduced or potentially avoided completely.'</i> The ability to record archaeology which is destroyed by development is not a 'benefit' it is simply preservation by record rather than preservation in situ of archaeological remains. NPPF states that <i>'the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.'</i> (para 218) National policy and guidance and professional standards have a presumption in favour of preservation in situ. The Central Lincolnshire Local Plan for example states that <i>'Wherever possible and appropriate, mitigation strategies should ensure the preservation of archaeological remains in-situ.'</i> (p125)	With regard to benefits and mitigation, Chapter 7 Cultural Heritage of the ES [APP-032] and the Framework WSI [AS-001] highlight the option to preserve remains in situ where possible (and required, depending on the value of the assets), with measures to ensure such remains are protected from additional construction impacts to be described within the detailed CEMP, as secured within the Framework CEMP [REP1-031], ref. measure CH-C1. As such, whilst the potential for impacts from the Proposed Development cannot be entirely removed, preservation in-situ forms part of the approach to archaeological mitigation. Where archaeology will be affected, the Chapter 7 Cultural Heritage of the ES [APP-032] clarifies that the loss of evidential value of archaeological remains (truncation of the physical remains) would be offset by the enhanced historical value (advancement of our understanding of the remains) as well as the public benefits the dissemination of the results would deliver. It makes it clear therefore that it is not only the preservation by record (mitigation measures which will be agreed with the Local Authority), but public benefits stemming from this that are being taken into account in the overall balance regarding the effects. In R (Hayes) v City of York Council [2017] EWHC 1374 (Admin), commonly referred to as the Cliffords Tower judgment, the officers' report to the Committee had identified that mitigation measures, including the archaeological recording of finds, would deliver significant public benefit. Accordingly, the committee was invited to take into account the recording of "evidence of our past" as part of the public benefit to be weighed against an impact of "less than substantial harm" to the significance of a heritage asset. The High Court found that approach to be consistent with the meaning of the concluding words of NPPF 141 (now 218) and rejected the Claimants' assertion that it was unlawful to take into account and give weight to the ability to record evidence of the past. Indeed, it follows that LLC's approach misreads NPPF 218 and fails to apply the correct legal approach to it. The correct approach is that it is open to a decision maker to give weight to the ability to record archaeology, albeit that weight should not be the decisive factor in the balance to be struck.
N/A	NTS	Sections 6.3.14 and 6.3.15 of the Non-Technical Summary state there will be no impacts to below ground archaeological remains during the operational and maintenance phases of the development nor during decommissioning activities. This does not agree with a number of the submission documents which list specific impacts for every phase of this scheme, examples of which are included in this response.	The Applicant would like to clarify that Chapter 7 Cultural Heritage of the ES [APP-032] acknowledges impacts during operation/maintenance and decommissioning phases of the development are unlikely (considering replacement infrastructure would be within areas where impacts had been incurred during construction), however the detailed OEMP and DEMP will specify appropriate measures (i.e. Framework OEMP [REP1-033], ref. CH-O2, which states <i>'If potential for archaeological impacts is identified, appropriate mitigation measures would be agreed with the relevant local authority'</i> .
N/A	Commitments Register	6.5 Environmental Commitments Register (Rev 1), APP-183, Cultural Heritage makes reference to <i>'low level piling and avoidance of archaeology from key areas of impact within Solar PV Areas (such as Solar stations or access tracks)'</i> and	The Applicant considers that the potential for preservation in situ represents a suitable mitigation measure for sensitive archaeological remains where identified (as those remains would not incur any impacts) – the piling was one of the options (not the only option provided). The iterative process of



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		<i>'small exclusion zones (around remains of particular significance) or no-dig solutions such as ballast footings (to be discussed with the archaeological advisor) to avoid piling completely, or areas where cabling is excluded (to reduce any impacts to the low level piling only).'</i>' (pp9-10) These measures are insufficient. The use of low level piling will make similar detrimental impacts to standard piling in archaeology that's 30 to 50cm from the current ground surface, for example on burials and structured deposition in discrete features. Any proposed mitigation measure must be informed by an understanding of the state of preservation and the nature of the surviving archaeology. On another Lincolnshire solar NSIP unexpected Saxon burials were found 20cm from the ground surface in a very delicate state of preservation. Use of any of these proposed measures would destroy them without identification or recording. In the event of preservation in situ mitigation, the full extent of the archaeological areas must be determined and each area must be fenced off and subject to a programme of monitoring throughout the construction and the decommissioning phases. There will be no ground disturbance whatsoever which may disturb or affect the archaeological remains, including plant movement or storage. The proposal for 'no-dig solutions' requires a full understanding of the depth, extent, importance and significance of archaeology. Any proposal in archaeologically sensitive areas will require a firm evidence base proving that any proposed work including decommissioning will have no impact upon the archaeology including not only direct destructive impact through groundworks, compaction or reduction in the depth of soil necessary for protecting the archaeology but also through environmental changes which would be detrimental to the surviving archaeology.	archaeological evaluation and detailed design would ensure that such remains are identified and appropriate measures put in place (see the Framework WSI [AS-001] which will be finalised following completion of the Final Trial Trenching Report (which supersedes the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]) and submitted to the Examination at a future Examination deadline to inform the decision making process), and subsequent site specific WSIs to be agreed with the relevant local authority). Low level piling (which is called low not because of the depth, but because of the limited footprint and low frequency) is an appropriate measure for other less sensitive remains as the impacts are limited to small discrete areas, with the vast majority of the feature unaffected, preserving those other areas in situ for future investigation if required). As part of the Proposed Development, there is the commitment to ensure that archaeological remains to be preserved in-situ as part of the mitigation are protected from impacts, as secured within the Framework CEMP [REP1-031], ref. measure CH-C1. Details of appropriate measures will be informed by the understanding of the archaeological resource informed by the ongoing and further trial trenching, and defined within the detailed CEMP, as secured within the Framework CEMP [REP1-031], ref. measure CH-C1, to ensure those reflect the development design, specific construction methods and archaeological remains. Measures such as fencing off of areas, use or appropriate equipment and monitoring, and any other specific measures which respond to the context of the site, are commonly applied and can be specified within the detailed CEMP.
N/A	Framework CEMP	7.7 Framework Construction Environmental Management Plan (Rev 1) APP-189 states that <i>'Where exclusion zones or non-intrusive methods are required, the detailed CEMP(s) will include a strategy which will detail appropriate good practice measures during construction (such as use of appropriate equipment or limiting avoiding heavy plant movements during inclement weather on sensitive areas to avoid damage to below ground remains etc.) and ways of monitoring of this.'</i> (3.3 Cultural Heritage, Table 2: Cultural Heritage, CH-C1) This is absolutely unacceptable. No works whatsoever will be undertaken in known archaeologically sensitive areas whether they are 'exclusion zones' or areas using non-intrusive mitigation measures. Archaeology is known to survive here less than 30cm from the ground surface as seen in the evaluation trenching. Machine tracking alone will destroy archaeological deposits where there is insufficient depth of soil to protect the remains from compaction and wheel ruts. Please see paragraph above in response to 6.5 Environmental Commitments Register (Rev 1), APP-183.	As part of the Proposed Development, there is a commitment to ensure that archaeological remains to be preserved in-situ as part of the mitigation are protected from impacts, as secured within the Framework CEMP [REP1-031], ref. measure CH-C1. The understanding of the archaeological resource (informed by the completed and further trial trenching) will feed into detailed design and specific construction methods, and thus allow for appropriate measures to be specified within the detailed CEMP, with further archaeological mitigation agreed as per the Framework WSI [AS-001] (to be updated/finalised). Where non-intrusive methods are proposed, some machinery movement will be required to facilitate construction, but this can be done using appropriate equipment in the right conditions (and not heavy machinery on saturated ground). The details will depend on the detailed design and the mitigation measures proposed, and those can be agreed in the detailed CEMP. The Applicant would also like to highlight the opportunities the Proposed Development brings to define appropriate measures to protect such remains (with no protection currently in place from regular ploughing and movement of farm machinery which result in impacts such as wheel ruts or plough scars.
N/A	Framework DEMP	Regarding 7.9 Framework Decommissioning Environmental Management Plan (Rev 1) APP-191, we do not agree with the statement that <i>'The decommissioning phase is not expected to result in any impact beyond the already-disturbed footprint of the Proposed Development. Therefore, it is not anticipated that</i>	Chapter 7 Cultural Heritage of the ES [APP-032] acknowledges a degree of uncertainty regarding potential harm upon the archaeological remains during the decommissioning phase of the Proposed Development largely due to unknown techniques/methodology for such works which would be applied decades from now. As such, the ES Chapter (paragraph 7.7.49) highlights that appropriate



LIR Ref.	Theme	Comments from NKDC LIR Appendices [REP1-056]	Applicant's Response to NKDC LIR Appendices [REP1-056]
		<i>decommissioning activities will have a direct physical impact upon buried archaeological remains.</i>' (3.3: Cultural Heritage, Table 2, CH-D1, p13) There is no information on how hundreds of thousands of piles will be dealt with to restore land to its previous agricultural use. There are also references in the Framework DEMP to: <i>'measures to avoid animals being injured or killed within decommissioning working areas'</i> which states that excavations should not remain open overnight and if so that <i>'ramps will be provided to allow animals a means of escape.'</i> (Table 3: Ecology and Nature Conservation, ECO-D1 part b, p14) and that <i>'Measures may include use and maintenance of temporary lagoons, tanks, bunds'</i> and that <i>'Where practical, any earthworks will be undertaken during the drier months of the year'</i> (3.5 Water Environment, Table 4, WAT-D2, p21)	methodology as presented in the Framework DEMP [REP1-035], will be updated as required in line with relevant guidance at the time. If any measures such as those quoted from the Framework DEMP will be required, and those would result in impacts upon archaeological resource in areas that were not previously subject to construction impacts, specific measures to ensure archaeological protection and recording can be agreed within detailed DEMP. Whilst at this stage any potential impacts are anticipated to be immaterial/negligible, if it becomes apparent that decommissioning works could affect archaeology, appropriate mitigation measures can be agreed with the relevant planning authority at the time (both through appropriate design, safeguarding measures specified in detailed DEMP or archaeological mitigation through recording prior to impacts being incurred).
N/A	Framework DEMP	7.9 Framework Decommissioning Environmental Management Plan (Rev 1) APP-191 does however include Environmental and Ecological Clerks of Works in section 2.2.1 <i>Key roles and responsibilities</i>. An Archaeological Clerk of Works will also be required as well as an agreed Archaeological Management Plan which will remain in place for the lifetime of the scheme until the end of the scheme's decommissioning phase to ensure that impacts on archaeological and unevaluated areas are dealt with in a reasonable and enforceable way with appropriate archaeological mitigation where required.	The Applicant considers that if it becomes apparent that decommissioning works could affect archaeology, appropriate mitigation measures can be agreed with the relevant planning authority at the time (both through appropriate design, safeguarding measures specified in detailed DEMP or archaeological mitigation through recording prior to impacts being incurred). If deemed necessary, an Archaeological Clerk of Works and Archaeological Management Plan can be agreed as part of the decision-making process, with details submitted following the DCO being granted.
N/A	Archaeology	The air photo and LiDAR report <i>'has identified tentative evidence for an Iron Age and/or Roman settlement on the east bank of the River Brant, extensive medieval or post medieval agricultural landscapes, and a small number of (WWII) military buildings, structures and other features.'</i> (6.3 ES Appendix 7-F Air Photo and LiDAR Mapping and Interpretation, APP-129) The geophysical survey report results show a <i>'Potentially Bronze Age through to Post Med agricultural landscape with IA/Roman and Med settlements and activity.'</i> (6.3 ES Appendix 7-G Detailed Gradiometer Survey Report, APP-130)	The Applicant acknowledges this comment and has no further comment.
N/A	Archaeology	The interim trenching report states that <i>'Based on preliminary dating evidence, the majority of the activity appears to date to the later prehistoric and Roman periods, with some possible evidence for medieval, post-medieval and modern activity across the Principal Site.'</i> (Section 4.1, 6.3 ES Appendix 7-I Trial Trenching Report (Interim), APP-132) And while the trenches are proving the geophysical survey results they are also ground-truthing further activity with the discovery of features not identified through geophysical survey. (Section 4.2, as above) The interim trenching report also recorded that <i>'relatively thin topsoil cover was observed in many of the fields.'</i> (Section 4.1, as above) Archaeology has been identified across the Order Limits and trenching has demonstrated that archaeology survives at less than 30cm from the ground surface. This scheme is on a landscape scale: at 1368 hectares there will undoubtedly be currently unknown surviving archaeology. Virtually any groundworks or plant movement would damage or destroy any surviving archaeology here which has not been adequately evaluated or identified for mitigation measures appropriate to its significance.	The Applicant acknowledges the comments on the recorded and potential archaeological remains and trial trenching. The Final Trial Trenching Report (which supersedes the results of Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]) will be submitted to the Examination at the next available Examination deadline and appropriate evaluation and mitigation will be carried out following the granting of the DCO, to adequately identify surviving archaeological remains across the DCO Site which may be affected by the construction works and define appropriate mitigation measures to ensure the remains are either protected or appropriately recorded. As mentioned above, there is the commitment to ensure that archaeological remains to be preserved in-situ as part of the mitigation are protected from impacts, as secured within the Framework CEMP [REP1-031], ref. measure CH-C1. Appropriate measures will be defined within the detailed CEMP, reflecting the understanding of the archaeological resource (informed by the ongoing and further trial trenching), specific construction methods/impacts and detailed design. There needs to be an understanding that where non-intrusive methods are proposed, some machinery movement will be required to facilitate construction, but this can be done using appropriate equipment in the right conditions (and not heavy machinery on saturated ground). The details will depend on the detailed design and the mitigation measures proposed, and those can be agreed in the detailed CEMP. The Applicant would also like to highlight the opportunities the Proposed Development brings to define



LIR Ref.	Theme	Comments from NKDC LIR Appendices [REP1-056]	Applicant's Response to NKDC LIR Appendices [REP1-056]
		Post-consent trenching leaves a high degree of risk pushed into the post-consent phase with the potential for archaeological works to impact the work programme and budget. It is essential therefore that archaeological work including field evaluation as well as mitigation phases can be dealt with by future commitments through the documentation including approved WSIs and the production of an agreed Archaeological Management Plan with an Archaeological Clerk of Works for the lifetime of the scheme. We will continue to work with the Applicant's archaeological consultant as more detail is provided regarding site-specific developmental impacts to ensure that reasonable and appropriate evaluation and mitigation are undertaken to adequately deal with the impacts on surviving archaeological remains across the Order Limits.	appropriate measures to protect such remains (with no protection currently in place from regular ploughing and movement of farm machinery which result in impacts such as wheel ruts or plough scars). With regard to potential risks regarding the post-consent trenching, there are numerous examples that demonstrate the potential archaeological resource can be managed through trenching carried out post-consent, which then leads to inform either mitigation measures by design (i.e. micro-siting/avoidance) or specific and appropriate mitigation via preservation by record (archaeological investigations). At the request of the Examining Authority, examples of where such measures have been successfully implemented on other schemes have been submitted within Appendix B of the Written Summaries of Oral Submissions Issue Specific Hearing 1 [REP1-046]. As such the Applicant is of the opinion that as appropriate evaluation will be carried out following the granting of the DCO, to adequately identify surviving archaeological remains across the DCO Site which may be affected by the construction works, appropriate mitigation measures to ensure the remains are either protected or appropriately recorded, can be defined at the post-consent stage including via detailed design. The Framework WSI [AS-001] is currently being finalised, informed by the Final Trial Trenching Report and consultations, and will be submitted to the Examination at a future Examination deadline. The Applicant would like to acknowledge the support and involvement from the consultees (both at LCC and HE) in the preparation of the Framework WSI, with their comments appreciated. For the avoidance of doubt, the surveys and assessments completed to inform the ES Chapter 7 Cultural Heritage [APP-032] have contributed to the understanding of the archaeological resource across the DCO Site which, together with the Final Trial Trenching Report, provide sufficient information to inform the decision making process with regard to archaeology.

Appendix B Applicant's Response to LCC LIR Appendices

B.1 Introduction

- B.1.1 The purpose of this document is to provide Fosse Green Energy Limited's ('the Applicant') response to the LCC LIR Appendices [REP1-053] received at Deadline 1 of the Examination, submitted by LCC (LPAs) in relation to Fosse Green Energy (the Proposed Development).
- B.1.2 Table B-1 below set out comments made by LCC in their Appendices submitted with the LIR report and the Applicant's responses to them. Where the Applicant acknowledges a section of the LIR and has no further comment, the Applicant has not copied the text from the LIR into the tables below.
- B.1.3 The LCC LIR Appendices [REP1-053] are as follows:
- a. **Appendix i – AAH Landscape and Visual Impact (LVIA) – AAH November 2025;**
 - b. **Appendix ii – Review of Fosse Green Solar Project ES Chapter Soils and Agriculture - Landscape October 2025; and**
 - c. **Appendix iii – Local Plan policies and supporting text referred to in LIR (for PINS submission only).**
- B.1.4 Appendix iii of the LCC LIR Appendices [REP1-053] is for information only and therefore has not been included within the Table B-1. These documents as well as supporting documentation for Appendices i and ii can be found within the LCC LIR [REP1-053].
- B.1.5 Where applicable, paragraph or page numbers are provided to assist cross referencing to the LCC LIR Appendices [REP1-053].



Table B-1: Applicant's Responses to LCC LIR Appendices [REP1-053]

LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
Appendix i: AAH Landscape and Visual Review of the Development Consent Order (DCO) Application for Fosse Green Energy			
1. Introduction			
		(Text not copied from original document)	The Applicant acknowledges this section of the Local Impact Report (LIR) prepared by Lincolnshire County Council (LCC) and has no further comment.
2. Presentation of the LVIA			
2.1	LVIA Chapter	The LVIA and associated figures, appendices and documents provide a thorough analysis of landscape and visual effects of the Development, and the level of information and detail is appropriate for the scale and type of development. The assessment is detailed and laid out in a logical manner, the process of assessment is thorough and well explained. It has been carried out to best practice and guidance, primarily the <i>Guidelines for Landscape and Visual Impact Assessment (GLVIA3)</i> by the Landscape Institute, by a Chartered Landscape Architect. However, we have identified issues with some areas of the LVIA, predominantly disagreements of some of the findings, that we have provided narrative on below, and the DCO Examination provides an opportunity to explore these in more detail.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
2.2	LVIA Chapter	The LVIA clearly draws a distinction between landscape effects and visual effects, with the main chapter focussing on likely 'Significant' effects. Paragraph 10.4.33 of the LVIA clarifies that " <i>Major and moderate residual effects (both beneficial and adverse) are considered to be likely significant in EIA terms. Residual effects found to be minor or negligible are considered to be not significant in EIA terms.</i> ". This is acceptable, and provides a clear and transparent threshold to identifying Significant landscape and visual effects.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
2.3	LVIA Chapter	Paragraph 1.3.1 of Appendix 10-B clarifies professional judgement of competent experts is applied to assessments throughout the LVIA, including the assessment of significance of effect by combining sensitivity of receptor and magnitude of impact (change). This is promoted within GLVIA3, however it is important that the application of this judgement be explained and transparent throughout.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
2.4	LVIA Chapter	The ES presents an assessment of a 'worst case' scenario of the Development, based on design parameters presented in ES Chapter 3: The Proposed Development. Section 5.2 goes on to describe the project parameters that the LVIA have assessed, and clarifies in para. 3.2.5 that to " <i>ensure a robust assessment of the likely significant environmental effects, the Environmental Impact Assessment (EIA) has been undertaken adopting the principles of the 'Rochdale Envelope',</i> ". The LVIA goes on to clarify in paragraph 10.4.34 that the LVIA " <i>represents a realistic worst case based on the Rochdale Envelope Approach, as set out in Chapter 3: The Proposed Development</i> ".	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
2.5	LVIA Chapter	Vegetation removal is described within the LVIA at paragraphs 3.4.47 to 3.4.50 and clearly identified on Figure 3.17. Protection of retained vegetation and trees is set out in Appendix 10-H: Arboricultural Impact Assessment. Paragraph 3.4.50 clarifies that "No veteran or ancient trees or ancient woodland are to be removed." and "No trees subject to Tree Preservation Order (TPO) or within a Conservation Area (CA) are to be removed". However, if proposed mitigation areas and existing retained vegetation proposals are changed in later, detailed design stages, the findings of the LVIA are likely to also change. Landscape mitigation, and vegetation retention and protection, needs to be clarified in the associated LEMP and secured through the DCO as the assessment relies heavily upon it to reduce the residual landscape and visual effects of the Development.	The Applicant considers that the extent of vegetation removal shown on Figure 3-17: Maximum Vegetation Removal Plan [AS-029] is a worst-case scenario to deliver the Proposed Development and does not anticipate this significantly changing at a later stage and therefore the LVIA findings will remain valid. Nonetheless, Requirement 8 of the draft Development Consent Order [REP1-007] notes that "<i>No part of the authorised development may commence, and no part of the permitted preliminary works for that part comprising vegetation removal, may start until a landscape and ecological management plan has been submitted to and approved by the relevant planning authority.</i>" This provides the ExA the assurance that refinements to the extent of vegetation removal will be subject to consultation with the host authorities at the detailed design stage.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
2.6	LVIA Chapter	The LVIA assesses landscape and visual effects at the main phases: construction; operation and decommissioning, with the operation phase considered with and without landscape mitigation (year 1 effects and year 15 effects). The main phases of the project are detailed within Chapter 3. The LVIA considers the scheme in isolation, and Section 10.10 of the LVIA considers the scheme cumulatively.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
2.7	LVIA Appendices	The Appendices produced as part of the LVIA provide very detailed and clear supporting information relating to the assessment. The appendices are clearly laid out and easy to follow and locate pertinent detailed information relating to the main chapter. The appendices are listed within section 10.1.6 of the LVIA, and are referenced throughout the report to support the findings and provide additional information. LVIA Figures	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
2.8	LVIA Figures	The Figures produced as part of the LVIA are appropriate in the level of detail provided and clarity of information presented. The figures are clearly listed within section 10.1.5 of the LVIA, and are referenced throughout the report to support and illustrate the findings.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3. LVIA Methodology			
3.1	LVIA Methodology	The LVIA Methodology is presented in section 10.4 of the LVIA and Appendix 10 -B: Landscape and Visual Impact Assessment Methodology. Reference is made in section 1.1.4 of Appendix 10-B to best practice and industry guidance, including GVLIA3 and reference to Notes and Clarifications on aspects of GLVIA 3, LI TGN-2024-01, Landscape Institute. It demonstrates compliance with GVLIA3 by assessing both landscape effects and visual effects as interrelated but separate components.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3.2	LVIA Methodology	The process and stages of assessment are clearly presented, including a baseline assessment, the detailing and review of the design, assessment of sensitivity (by assessing value and susceptibility), an assessment of magnitude of impact (in relation to size, scale, geographical extent, duration and reversibility) of the Development on the baseline conditions, and a determination of the significance of effects at all phases of the scheme (described in paragraph 1.1.3 of Appendix 10-B as: Peak construction activity in winter, Year 1 of operation, Year 15 of the operation, assuming the proposed planting has established (winter and summer as applicable) and decommissioning).	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3.3	LVIA Methodology	The study area selection and establishment are explained in detail within paragraphs 10.4.4 and 10.4.5 of the LVIA. The Study area is illustrated in Figure 10-1. The radius of the study area of 2km from the Order Limits has been defined for the LVIA, which is a reduced area to that initially used. The process and rational of reducing the initial 5km Area of Search to 2km is laid out in paragraph 10.4.5, summarising in paragraph 10.4.7 that it is judged that <i>"a 2km radius of the DCO Site Boundary was a proportionate and representative geographic area to identify the likely significant landscape and visual effects."</i> Paragraph 10.4.8 goes on to clarify that <i>"Beyond the 2km distance there would not be significant adverse landscape and visual effects due to the intervening distance and vegetation patterns"</i> .	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3.4	LVIA Methodology	We have not identified anything on Site that would contradict the statement that there would not be Significant effects beyond 2km, and typically distance reduces the likelihood of this occurring. However, at the construction phase (and potentially operation with maintenance and replacement operations) traffic movement to and from the Site may have effects beyond 2km.	The Applicant acknowledges that there may be landscape and visual impacts beyond 2km but judges that these are very unlikely to give rise to significant effects and so in the interests of proportionality have been scoped out of detailed assessment. ES Chapter 10: Landscape and Visual Amenity [AS-117] assesses several receptors, agreed with LCC and NKDC. Figure 10-7 [AS-059] illustrates these viewpoints along with a 2km buffer around the Order limits. Viewpoints 1, 2, 3, 6, 10, 12, 16, 24, 26, and 31 are views of the Proposed Development from beyond the Order limits, although ranging from 100m – 1km from the solar PV. Appendix 10-F [AS-120] presents the predicted effects by receptor and shows minor adverse or negligible effects on visual amenity once planting has established during operation. It is therefore not expected that there would be significant effects further from this that require the study area to be expanded.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
3.5	LVIA Methodology	The baseline conditions (Section 10.5 of the LVIA) have been determined following a mix of desk and field studies alongside consultation with appropriate consultees. Desk research has included the prevailing policy framework and fieldwork carried out by Chartered landscape architects (as identified in Table 1: Technical Leads of Appendix 1-C: Statement of Competence).	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3.6	LVIA Methodology	The methodology in Appendix 10-B is clear, with paragraphs 1.2.12 to 1.2.30 covering landscape effects and paragraphs 1.2.31 to 1.2.51 covering visual effects. Section 1.3 of Appendix 10-B clarifies how the level or significance of landscape and visual effects are determined by combining judgements regarding the sensitivity of the receptor and the magnitude of the effect arising from the Development.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3.7	LVIA Methodology	Tables within the methodology provide criteria for assessment of value, and susceptibility, and subsequently how these have been combined to provide a judgement on sensitivity. These tables provide clear indicative criteria of the assessment of landscape and visual value, susceptibility, sensitivity and magnitude of effects. The utilisation of professional judgement is promoted within the methodology, should an effect be different to that presented within the tables.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3.8	LVIA Methodology	The assessment methodology has been carried through into the main assessment and used consistently.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3.9	LVIA Methodology	The assumptions made on plant growth rates in Paragraph 10.4.39 bullets d. and e. are generally acceptable for a fifteen-year period: fifteen years being the period that residual effects have been assessed in the LVIA. We would query as to whether the plant growth rates allow for issues during the establishment period, and allow for any plant replacements to be carried out along with planting establishing should there be plant failures or lack of acceptable growth. These plant growth rates are dependent upon the successful implementation of a robust and well considered LEMP, which is covered in further sections of this review.	The Applicant considers that a plant growth rate of 33cm per year is a fairly conservative assumption based on the professional judgement of the assessor and drawing on publicly available research. In reality, this varies between species, the conditions in which they are planted, and their stage of maturity. For example, species like oak (<i>Quercus robur</i>) tend to put on 20-60cm growth in spring before slowing down whereas species like lime (<i>Tilia cordata</i>) tend to have a more sustained growth pattern and can extend between 60-120cm in a year. The Framework LEMP [REP1-039] contains maintenance measures during the establishment for each habitat type which includes checking and recording failed or defective planting on an annual basis. Also, as stated at paragraph 7.1.11 of the Framework LEMP, results from this monitoring will feed into the on-going management which may include changes to maintenance and/or planting species to ensure habitats are growing as intended. For further clarity, the Framework LEMP has been updated and will be submitted to the Examination at the next available deadline to include clarifications on the length of time covered by the management plan, as well as the provisions for replacement planting, as follows: <i>"All existing and proposed habitats will be managed and maintained for the operational duration of the Proposed Development. In the unlikely event of external factors causing significant losses to the mitigation planting during the lifetime of the Proposed Development, such that the purpose of screening the development is no longer achieved as a result of gaps in the planting, replacement planting will be undertaken to infill gaps that may arise. This approach will ensure commitments are fulfilled in</i>



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
3.10	LVIA Methodology	We also have concerns regarding hedgerows being maintained at 3m, as outlined in paragraph 10.4.39, bullet e. of the LVIA, as these tall hedgerows are likely to appear out of character with the generally low hedgerows evident in the wider character area (refer paragraph 10.5.75 regarding LCT4a: Unwooded Vales, which describes the area as having " <i>low, well maintained hedgerows</i> "). Effects of mitigation planting is discussed further in section 5.0 of this review.	<i>respect of providing screening of the scheme and enhancing biodiversity"</i> The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework LEMP, secured under Requirement 8 of the Draft DCO [REP1-007]. As such, these provisions for regular monitoring and replacement planting commits the Applicant to provide like-for-like replacement of plant failures during the establishment period to ensure that commitments are fulfilled in respect of providing screening of the Proposed Development. The Applicant has had regard to the provision of hedgerows and their management as a means of sensitively integrating the Proposed Development into its landscape setting in its commitment to good design and definition of project design principles in the Design Approach Document [APP-186]. As such, the Applicant is not proposing to manage all hedgerows at 3m across the whole Order Limits. The Framework LEMP [REP1-039] notes (ref. paragraph 5.3.13) that where screening is not the primary purpose of a proposed hedgerow, for example where the embedded setback is considered sufficient to reduce the level of effect such that it is not significant in EIA terms, the hedgerows will be maintained at 3m or lower to maintain open views of the countryside. Notwithstanding the above, it is acknowledged that there will be instances where the introduction of hedgerows will result in the loss of openness in some views and this has been considered within the assessment contained at Chapter 10: Landscape and Visual Amenity of the ES [AS-117]. For example, on recreational users of PRoW TOTH/7/2, TOTH/21/1, TOTH/6/2 and TOTH/6/3 which traverse the Principal Site, it is noted that at operation the view will change from long distance and open to short distance and channelled by new vegetation and therefore a Major adverse effect is reported at Year 1 and at Year 15 (winter). The specific management of the vegetation within the Order Limits will be detailed within the detailed LEMP which will be prepared prior to the commencement of the authorised development as secured by Requirement 8 of the Draft DCO [REP1-007]. As per Requirement 8, the detailed LEMP must be submitted to and approved by the relevant planning authority, following consultation with LCC, Natural England and the Environment Agency.
3.11	LVIA Methodology	Given the stated operational time of 60 years, there is a concern regarding any assumptions of reversibility and duration. Having reviewed the sections relating to this from GLVIA3 and other related guidance, it is clear that this project is long term. Given that 60 years is comparable to at least two generations, there is some considerable strength to the consideration that this would amount to a <u>permanent project</u> , as opposed to a temporary one, especially considering the	It should be noted that the non-permanent and reversible nature of a solar NSIP with 60 year consent has been acknowledged in the Secretary of State's decisions on a number of solar NSIPs, such as Tillbridge Solar Farm, Mallard Pass Solar Project, West Burton and



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		average lifespan of building design is circa 50 years. If deemed a permanent Development, which it is our position, this needs to be clarified by the applicant and as to whether the assessment of effects takes this into account.	Gate Burton Energy Parks, which have all been granted consent. For example, the Secretary of State confirmed that the 60- year consent lifespan is considered 'temporary and reversible for the majority of the land' (paragraph 4.167 of the Gate Burton decision). NPS EN-3 also supports this position at paragraph 2.10.66 which states that: "<i>time limited consent, where granted, is described as temporary because there is a finite period for which it exists, after which the project would cease to have consent and therefore must seek to extend the period of consent or be decommissioned and removed.</i>" The lifespan of 60 years has been identified as being a suitable period during which the Proposed Development can provide energy to the national grid. The Applicant acknowledges that the residual effects would be long term but disagrees that the Proposed Development should be classed as a permanent project. Under Requirement 20 at Schedule 2 of the Draft DCO [REP1-007] decommissioning works must commence no later than 60 years following the date of final commissioning. At the end of the operational period the land would be available for its current use. Any material change of use would require planning permission. As such, following decommissioning and removal of all above ground infrastructure from within the Principal Site the associated adverse landscape and visual effects would cease.
3.12	LVIA Methodology	We would also recommend that the applicant consider fully that in this 60-year timescale, the panels, inverters, batteries and other associated elements will be replaced. It is stated in the ES within paragraph 3.5.1 of Chapter 5 that this would likely include periodic replacement of components, and design life of key equipment is provided in Table 3-11. Given the pace of technology, it should be considered if it is likely that the panels could be replaced on numerous occasions. At this stage we would need additional information regarding the phases of replacements in order to consider whether there is one single construction stage, or a series of staged re -construction stages, and activity and deliveries, potentially of large-scale equipment, be for the life of the scheme.	The Applicant's approach to replacing various solar infrastructure components is secured by the Framework OEMP [REP1-033]. The Framework OEMP explains that it is not anticipated that wholesale maintenance or replacement would be required but rather it would be programmed in stages to maintain the electrical export to the National Grid (ref. paragraph 2.3.1). Chapter 10: Landscape and Visual Amenity of the ES [AS-117] has therefore considered short, temporary periods of maintenance during the operational phase assessment in line with these commitments in reaching its judgements on likely operational effects of the Proposed Development.
3.13	ZTV Methodology	The process of modelling Zones of Theoretical Visibility (ZTVs) and subsequent presentation on Figures 10-6 and 10 -7 is summarised in paras. 1.2.31 to 1.2.35 of Appendix 10-B. The methodology, execution and presentation on Figures 10-6 and 10 -7 is acceptable, with elements modelled to their maximum parameters and provides a useful tool to understand potential visibility across the Study Area.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3.14	Visualisation Methodology	The process of delivering visualisations is presented within paras.1.2.39 to 1.2.43 of Appendix 10-B. This states that they were prepared in accordance with the Landscape Institute TGN 06/19 Visual Representation of Development Proposals. Paragraph 1.2.43 of Appendix 10-B clarifies that photomontages have been presented to demonstrate a 'worst case' scenario, which we assume is to the maximum allowed parameter heights, provided within Chapter 3: The Proposed Development, as this would provide a 'worst case' visualisation.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.

4. Appraisal of Landscape Baseline and Effects



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
4.1	Landscape Baseline	The Landscape Baseline is considered in section 10.5 of the LVIA, with Figure 10-1 illustrating the Scheme Location, DCO Site Boundary and 2km Study Area. The Principle Site and Cable Corridor covers approximately 1,368 ha of predominantly agricultural land.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4.2	Landscape Baseline	The baseline follows the LVIA methodology and begins by identifying baseline landscape characteristics, as well as relevant designations, of the study area and the Site. This is summarised in the LVIA chapter and further detail is provided in Appendix 10-C Landscape Baseline. Paragraphs 10.5.3 to 10.5.15 provide a narrative on the existing landscape baseline of the Site, with paragraphs 10.5.16 to 10.5.54 covering the Study Area. Designations located within the Site and Study area are covered in paragraphs 10.5.55 to 10.5.63.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4.3	Landscape Baseline	The LVIA acknowledges the low lying and relatively flat, agricultural and open character of the Site and Study area.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4.4	Published Landscape Character Assessments	Published landscape character assessments are considered from paragraphs 10.5.68 to 10.5.89 and illustrated in Figure 10-4a National Landscape Character Areas, Figure 10-4b East Midlands Regional Landscape Character Areas, and Figure 10-4c North Kesteven Landscape Character Areas), with further detail provided in in Appendix 10-C Landscape Baseline. The published character assessments identify that this is a <i>"low lying area and where tree cover is limited"</i> , and also identifies views from within the Study area to the Cliff AGLV, and from within the AGLV are important, stating: <i>"Views both towards the cliff and in particular, views out over the vale from the cliff, are of considerable scale. The views from the cliff present possibly the most important vistas within the district. When travelling from the plateau in the west, the treescape and gently convex ridge obscures the view of the lower vale until emerging from the trees and beyond the crest itself. The view then opens up dramatically to reveal the expanse of the low vale."</i>	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4.5	Published Landscape Character Assessments	We have assumed the author acknowledges that the Site and Study Area reflect the boundaries and characteristics of the published character assessments, however a clear statement on this would clarify.	The Applicant acknowledges that the Site and Study Area contain landscape elements and features that are also characteristic of landscape character areas identified in the published character assessment albeit to varying extents. The landscape baseline of the Site and Study Area is detailed at ES Appendix 10-C: Landscape Character Baseline [APP-150].
4.6	Published Landscape Character Assessments	As these published character areas are predominantly at a large scale, and as aligned with guidance within GLVIA3, more detailed, or fine grain, assessments have been carried out by the author as part of the LVIA. Subsequently, a Local Landscape Character Areas have been identified, and subsequently assessed. This is summarised within sections 10.5.87 to 10.5.89 of the LVIA. This process resulted in sixteen Local Landscape Character Areas at varying scales that were identified as landscape receptors to assess the effects of the Development. These are illustrated on Figure 10-5 Local Landscape Character Areas.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4.7	Future Baseline and Cumulative Effects	The Future baseline from construction to decommissioning in the year 2093 is covered in paragraph 10.5.102. The Development of solar farm projects in the area is not acknowledged to be a factor in the future baseline, with the author judging that the existing baseline would remain as it is presently. We disagree with this position as this is a landscape undergoing extensive change to land-use, predominantly changing from agriculture to one containing large scale solar Development. The LVIA identifies in its short list of cumulative developments four NSIP scale solar developments within the local area (Springwell, Leoda, Great North Road and One Earth) as well as multiple T CPA scale energy projects, as shown on Figure 15-3. Subsequently, we have concerns regarding effects on the regional landscape character and pressures from renewables development at an unprecedented scale. Navenby Substation is currently in the planning process with an application due, likely, in the next year, and if approved would provide connection for three NSIP solar projects, and has the potential to open this area up to additional pressures from connecting to the grid. The mass and scale of these identified and potential projects combined has the potential to lead to adverse effects on landscape character over an extensive area across these published character areas. The landscape character of the local, and likely regional area, will be completely altered over the operational period through an extensive area of land use change, and introduction of energy infrastructure in an area that is currently predominantly agricultural. This would also be an issue	As set out in Chapter 10: Landscape and Visual Amenity of the ES [AS-117] , the Applicant's approach to describing the future baseline focuses on committed developments under construction at the time of writing, together with the national policy direction and published landscape management guidance (ref. paragraph 10.4.14). As there were no notable schemes currently under construction within the LVIA Study Area at the time of writing, the Applicant concluded that, in the absence of the Proposed Development, the landscape and visual baseline would likely evolve in line with landscape management guidance i.e. largely reflecting the existing landscape character and composition of views.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		when experienced sequentially for visual receptors travelling through the landscape and experiencing multiple schemes across potentially several kilometres, albeit with gaps between some of the projects. However repeated views and presence of large scale solar would combine over time to create a greater perception of change.	Whilst it is acknowledged that there are a number of other renewable and energy infrastructure projects proposed in the region, these projects have been considered within the cumulative impact assessment, rather than as part of the future baseline, given the outcome of the planning process was unknown at the time of writing of the LVIA and therefore their construction was considered less certain. This is in accordance with GLVIA3, which seeks to avoid overly speculative assumptions about the outcome of these individual applications. As noted in paragraph 4.1.4 of the Framework FLEMP [REP1-039], the overall goal of the landscape strategy is to integrate the Proposed Development into its surrounding landscape and to avoid or minimise adverse landscape and visual effects as much as possible – this is inclusive of consideration of cumulative schemes.
4.8	Future Baseline and Cumulative Effects	To calibrate this change to the landscape, these schemes combined, if built, would clearly require the update of any published landscape character assessment, including at a national level (NCA's), so as to include large scale solar as a defining land use characteristic as well as agriculture. This is a clear and marked change to landscape character, and several schemes have already been approved, with many in the planning system and if the new substation at Navenby is approved, we would assume several additional applications may be forthcoming.	Chapter 10: Landscape and Visual Amenity of the ES [AS-117] notes at paragraphs 10.10.8-10.10.38 that significant cumulative landscape and visual effects are only anticipated during the construction of the Proposed Development in addition to North Hykeham Relief Road, Springwell Energy Farm and Leoda Solar Farm. By operation once the landscape mitigation of each scheme has established, it is judged that there would be no significant cumulative landscape and visual effects including from other large scale solar farm developments such that the predominantly agricultural land use will remain a defining characteristic of the landscape character areas identified within the published character assessments.
4.9	Landscape Baseline	This baseline process, undertaken by the applicant, resulted in several landscape receptors for the assessment of effects on them by the Development. These are presented in Table 10-9 and include a variety of scales. Table 10-9 goes on to summarise the assessment of Landscape Value, Susceptibility and subsequently Sensitivity of all identified receptors. Further detail of the landscape baseline, and judgements of Landscape Value, Susceptibility and Sensitivity is contained within Appendix 10-C.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4.10	Landscape Assessment	The Landscape Assessment is detailed within section 10.7 of the LVIA, which refers to Appendix 10-E Landscape Assessment which includes a clear assessment of Value and Susceptibility, and subsequently the Sensitivity of the landscape receptors, which is aligned with the criteria provided within the methodology. The landscape assessment commences with construction effects at paragraph 10.7.2 and Table 10-11, with Year 1 of Operation Landscape Effects at paragraph 10.7.4 and Table 10-12, and Year 15 Operation Landscape Effects at paragraph 10.7.6 and Table 10-13.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4.11	Landscape Assessment	In line with the methodology, the assessment of the landscape effects considers the change to the identified landscape receptors at construction, operation (both years 1 and 15) and Page decommissioning. This includes Landscape Character Effects within the Order Limits, which would be direct, and are separated for the Principle Site and Cable Corridor, Landscape Effects within Published Landscape Character Areas, and effects on the identified Local Landscape Character areas, which would be both direct and indirect.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4.12	Landscape Assessment	The LVIA identifies Significant landscape effects at the phases of construction, operation (year 1), operation (year 15), and decommissioning phases. The following effects upon identified landscape receptors are identified in the LVIA: - At Construction the following receptors were assessed as having the following significant landscape effects: - Major adverse effects: Significant for:	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		▪ The Principle Site ▪ Cable Corridor ▪ LLCA 03: Tunman Hill ▪ LLCA 08: Thurlby Fenland – Moderate adverse: Significant for: ▪ Sub-area 2: Terrace Sandlands ▪ Sub-area 5: Witham & Brant ▪ Vales ▪ LLCA 13: Low Fields South ▪ LLCA 14: Low Fields North ▪ LLCA 15: Lincoln Cliff • At Operation (Year 1) the following receptors were assessed as having the following significant landscape effects: – Major adverse effects: Significant for: ▪ The Principle Site ▪ LLCA 03: Tunman Hill ▪ LLCA 08: Thurlby Fenland – Moderate adverse: Significant for: ▪ Sub-area 2: Terrace Sandlands ▪ Sub-area 5: Witham & Brant Vales • At Operation (Year 15) the following receptors were assessed as having the following significant landscape effects: – Moderate adverse effects: Significant for: ▪ Principle Site ▪ LLCA 03: Tunman Hill ▪ LLCA 08: Thurlby Fenland	
4.13	Landscape Assessment	These 'Significant' effects represent direct effects on the landscape of the entirety of the Site. At year 15, the Order Limits (entirety of the 1,368-hectare Site) has been assessed as having a Significant Residual effect even when mitigation planting has established. The local landscape character areas of LLCA 03: Tunman Hill and LLCA 08: Thurlby Fenland have also been judged by the author as having Significant Residual effects, even when mitigation planting has established.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4.14	Landscape Assessment	This accounts for a direct Significant effect on these landscape receptors. This equates to a considerable change to landscape character across an extensive area; introducing a mass of development with industrial characteristics in an open agricultural landscape, affecting the sense of openness, seasonal rhythm of farming practices and rural tranquillity currently experienced.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
4.15	Landscape Assessment	However, other landscape character areas that will also have direct effects at all phases have not been judged to have Significant residual effects. This appears inconsistent with the findings of effects to the Principle Site and LLCA 03: Tunman Hill and LLCA 08: Thurlby Fenland, and we would judge that all landscape character areas directly affected by the Development would have residual Significant effects – primarily through a change of land-use.	In response to the suggestion that all landscape character areas directly affected by the Proposed Development would have residual significant effects, the Applicant suggests that this fails to consider the extent to which the land within the Order Limits currently contributes to the wider character area and the extent to which it would change as a result of the Proposed Development at different stages.
4.16	Landscape Assessment	The regional LCT 4a: Unwooded Vales, which contains the site has been judged as having Minor Adverse effects at all phases. We are unclear as to why this landscape receptor would experience a reduction in effect over other directly affected landscape receptors. There will still be a direct large-scale change, albeit over a small to medium extent of the character area, however the scheme will replace the open agricultural fields, a key characteristic of this landscape,	In the case of LCT 4a: Unwooded Vales, this is assessed within Chapter 10: Landscape and Visual Amenity [AS-117] as having Negligible residual effects, because the scale and extent of the changes would affect a small geographic extent of a much larger



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		affecting openness and rural qualities that typify the area. We judge the effects on LCT 4a: Unwooded Vales would be Moderate and Significant at all phases.	regional LCT such that there would only be a subtle alteration to the landscape character.
4.17	Landscape Assessment	At Construction, Sub-area 6: Lincoln Cliff is judged in the LVIA as having Minor Adverse effects. We are unclear as to why this landscape receptor would experience a reduction in effect over other directly affected landscape receptors from the cable installation, such as LLCA 15: Lincoln Cliff which is judged to have Moderate Adverse and Significant effects. There will still be a direct change, and therefore we judge the effects on Sub-area 6: Lincoln Cliff would be as LLCA 15: Lincoln Cliff and Moderate and Significant at all phases.	In the case of Sub-area 6: Lincoln Cliff, this is assessed within Chapter 10: Landscape and Visual Amenity [AS-117] as Minor adverse during construction but then no effect at Year 1 and Year 15 because of the associated cabling works being buried and no physical infrastructure remaining above ground.
4.18	Landscape Assessment	At year 15 Sub-area 2: Terrace Sandlands and Sub-area 5: Witham and Brant Vales have been judged to reduce in effect from Moderate Adverse at operation Year 1, to Minor Adverse at operation year 15. We are unclear as to why these landscape receptors would experience a reduction in effect over other directly affected landscape receptors, such as LLCA 03: Tunman Hill and LLCA 08: Thurlby Fenland which are judged to have Moderate Adverse and Significant effects. There will still be a direct change, and therefore we judge the effects on Sub-area 2: Terrace Sandlands and Sub-area 5: Witham and Brant Vales would be as LLCA 03: Tunman Hill and LLCA 08: Thurlby Fenland and Moderate and Significant at operation year 15.	In the case of Sub-area 2: Terrace Sandlands and Sub-area 5: Witham and Brant Vales, these are assessed as Moderate adverse during construction and Year 1 but then reduce to Minor adverse at Year 15 due to the establishment and maturation of the proposed landscape mitigation providing an increased density of planting in both sub-areas, such that perceived changes would be limited to the Order Limits and its immediate setting. In the context of these sub-areas, this would amount to a small geographic extent and therefore only a subtle alteration to the landscape character. As such, the Applicant considers the conclusions of the landscape assessment to be appropriate.
4.19	Landscape Assessment	Reductions in effects at the operation phase for areas within the cable corridor are expected as all works will be below ground and it is proposed to return all areas to their previous condition. However, this is dependent upon the retention and protection of existing vegetation. Any removals have the potential to adversely effect the landscape character areas.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5. Appraisal of Visual Baseline and Effects			
5.1	Visual Baseline	The Visual Baseline is considered in section 10-5 of the LVIA, and paragraph 10.5.92 describes the process of identifying visual receptors through desk-based review, including analysis of ZTVs and field surveys	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5.2	Visual Baseline	Paragraph 10.5.96 provides a useful summary overview of the visual baseline, and paragraph 10.5.98 identifies the following visual receptors likely to experience views of the construction or operation of the Site: Residents; Recreational users on PROW, Promoted Walking Routes and Cycle Routes; People travelling on roads; and Commercial users.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5.3	Visual Baseline	Paragraph 10.5.99 goes on to identify focussing on visual receptors and using reference to the thirty-five representative viewpoints to support the narrative. Table 10-10 identifies visual receptors for the assessment of effects on them by the Development and identifies the associated representative viewpoint. Table 10-10 goes on to summarises an assessment of Visual Value, Susceptibility and subsequently Sensitivity of all identified receptors. Further detail of the visual baseline, and judgements of Visual Value, Susceptibility and Sensitivity is contained within Appendix 10-D Visual Baseline.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5.5	Visual Baseline	The thirty-five representative viewpoints are presented as baseline photographs within Figure 10-8 Viewpoint Photography. The baseline follows the LVIA methodology and considers the consultation undertaken at the pre - application stage.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5.6	Visualisations / Photomontages	Viewpoints representative of the visual receptors were identified through consultation. This baseline process resulted in the identification of eleven viewpoints to be developed as Type 3 (photomontages) visualisations and presented in Figure 10-10 Photomontages. A methodology for photography and visualisations is provided in Appendix 10-2: Landscape, which clarifies that the photomontages have been prepared to Landscape Institute's TGN 06/19. Visual Assessment	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5.7	Visual Assessment	The Visual Assessment is presented within section 10-7 of the LVIA and detailed within Appendix 10 -F Visual Assessment. The assessment of value and susceptibility, and subsequently the sensitivity of visual receptors is summarised within Table 10 -11 and detailed within Appendix 1 0-F, which is aligned with the criteria provided within the methodology.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
5.8	Visual Assessment	In line with the methodology, the assessment of the visual effects considers the change in view to the identified visual receptors at construction, operation (both years 1 and 15) and decommissioning.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5.9	Visual Assessment	The LVIA identifies Significant landscape effects at the phases of construction, operation (year 1), operation (year 15), and decommissioning phases. The following significant effects upon identified visual receptors are identified in the LVIA: - At Construction: - Major adverse effects: Significant for: - Residents of Church Farm and Low Barn - Recreational users of PRow west of Thorpe on the Hill (TOTH/7/2, TOTH/21/1, TOTH/6/2, TOTH/6/3) - Recreational users of Aubo/12/2 - Recreational users of Aubo/8/1 - Recreational users of TOTH/11/1 - Recreational users of TOTH/12/3 - Recreational users of TOTH/15/1 - Recreational users of Aubo/10/1 - Moderate adverse effects : Significant for: - Residents of Thorpe on the Hill - Residents of Scotland Farm - Residents of Housham Wood Farm - Residents of Eagle Barnsdale - Residents of Morton - Residents of High Walks Farm - Residents of Witham St. Hughes (east) - Residents of River Farm (north) - Residents of Tonge's Farm - Residents of Bassingham - Residents of Coleby - Residents of Boothby Graffoe - Residents of Thurlby - Residents of Malborough - Residents of North Field Farm - Residents of Grange Cottage - Recreational users of TOTH/6/1 and TOTH/6A/1 - Recreational users of TOTH/18/1 - Recreational users of Viking Way (PRow Cole/2/1 and BooG/2/2) - Recreational users of Bass/1/1, NoDi/1/2, NoDi/4/1, ThuN/5/1 - Recreational users of ThuN/2/1 - Recreational users of Bass/22/1, Bass/21/2, Bass/20/1 - Users of Clay Lane and Bassingham Road These are typically identified for receptors on the road and PRow network, along with numerous residents that are in close proximity to the Development with limited or absent screening allowing for clear views. These Moderate and Major Adverse effects are considered to be Significant and would result from the proposed construction activity seen at close range across a wide extent of a view.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		- At Operation (Year 1): - Major adverse effects: Significant for: - Recreational users of PRow west of Thorpe on the Hill (TOTH/7/2, TOTH/21/1, TOTH/6/2, TOTH/6/3) - Recreational users of Aubo/8/1 - Recreational users of TOTH/12/3 - Moderate adverse effects: Significant for: - Residents of Housham Wood Farm ▪ Residents of Church Farm and Low Barn - Residents of Grange Cottage - Recreational users of TOTH/6/1 and TOTH/6A/1 - Recreational users of Aubo/12/2 - Recreational users of Bass/1/1, NoDi/1/2, NoDi/4/1, ThuN/5/1 - Recreational users of ThuN/2/1 - Recreational users of TOTH/11/1 - Recreational users of TOTH/15/1 - Recreational users of Bass/22/1, Bass/21/2, Bass/20/1 - Recreational users of Aubo/10/1 - Users of Clay Lane and Bassingham Road These represent a reduction in receptors experiencing Significant effects, predominantly from the completion of the Cable Corridor works as the proposals are underground and subsequently not visible. Any mitigation planting is yet to establish and is subsequently providing limited or no screening or integration of the Development. - At Operation (Year 15): - Major adverse effects: Significant for: - Recreational users of PRow west of Thorpe on the Hill (TOTH/7/2, TOTH/21/1, TOTH/6/2, TOTH/6/3) – winter - Recreational users of Aubo/8/1 – winter and summer - Moderate adverse effects: Significant for: - Residents of Grange Cottage – winter - Recreational users of PRow west of Thorpe on the Hill (TOTH/7/2, TOTH/21/1, TOTH/6/2, TOTH/6/3) – summer - Recreational users of TOTH/11/1 – winter - Recreational users of TOTH/12/3 – winter These represent a further reduction in receptors experiencing Significant effects through the establishment of mitigation planting over 15 years from planting. The LVIA therefore identifies that several sensitive visual receptors will still experience Significant adverse effects over the remaining 45 years of the development.	
5.10	Visual Assessment	The Development has been identified in the LVIA as resulting in a Significant change to a variety of visual receptors during construction and in the early years of operation and maintenance, with Significant residual visual effects much reduced in number, which suggests a potential over reliance upon mitigation planting to screen the proposals without full attention to the potential impact of this screening on the landscape. These residual Significant effects have been identified as arising from sensitive users on the PRow network, along with residents that are in close proximity to the Development. The reduction in Significant visual effects relies upon the successful establishment of the mitigation planting scheme and a robust LEMP that is carried out for a suitable period of time.	The detailed assessment of visual effects is provided at ES Appendix 10-F Visual Assessment [AS-120] Those visual receptors that would experience residual significant effects (Year 15 of Operation) relate to the recreational users of PRow that pass through or adjacent to the Order Limits where substantial alterations to views are inevitable due to the close distance and large exposure to the Proposed Development.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
			Nonetheless, in the pursuit of securing good design, the design has evolved in line the Project's Design Principles which includes ' <i>The Proposed Development will be sensitively integrated into its landscape setting, to minimise adverse landscape and visual effects as far as possible</i> ', details of which are set out in the Design Approach Document [APP-186]. For example, this includes commitments such as siting larger infrastructure such as the Onsite Substation and centralised BESS Compound within areas of enclosed landscape, maintaining existing field patterns and landscape structure, and specifying stock proof fencing with wooden posts around the perimeter of the Principal Site.
5.11	Visual Assessment	Several PROW receptors are identified in the LVIA as likely to experience Significant residual visual effects. This is a concern, and indicates that the scale and extent of Development makes impossible to mitigate all visual effects on sensitive receptors. We also have concerns that the mitigation planting itself has the potential to cause adverse visual effects through blocking or foreshortening currently open views, appearing out of character or creating a perception of enclosure in an open landscape. Further detail is provided in the mitigation section below, but the mitigation planting must be well considered at any detail design stage, and not simply put in place to screen views of development.	To mitigate visual impacts on recreation users of PROW, the Applicant has embedded a minimum 10m offset from the centre line of PROW (ref. paragraph 6.1.1 of the Framework LEMP [REP1-039]). Where development is proposed on both sides of a PROW, sections of wider offsets reflecting local features, such as hedgerows, have been integrated to vary the visible extent of proposed infrastructure and the overall visual experience, where practicable. The Framework LEMP [REP1-039] is to be developed into a detailed LEMP, substantially in accordance with the Framework Plan, secured under Requirement 8 of the Draft DCO [REP1-007].
5.12	Visual Assessment	Several of the PROW judged to experience significant adverse effects also form parts of the Stepping Out Walks of Thorpe on the Hill, and Morton and Tunman Wood. The Stepping Out Walks are a series of routes on PROW promoted in NKDC, and subsequently have increased recreational value locally. The Bassingham and Villages Circular trail does not appear to be considered in the LVIA, however will pass alongside the southern order limits and close by a considerable section of solar arrays, and subsequently users will have close range and open views of the panels, and we would judge adverse visual effects from the development. The Stepping Out Walks are not identified or acknowledged in the applicants LVIA, however these routes are indirectly covered by the identification of PROW and subsequent visual effects on users of these.	The scope of visual receptors and representative viewpoints were reviewed and agreed by AAH Consultants on behalf of Lincolnshire County Council and North Kesteven District Council within Landscape Technical Memo 3 (November 2024). This included recreational users of PROW TOTH/6/1 and TOTH/6A/1, as well as recreational users of TOTH/7/2, TOTH/21/1, TOTH/6/2 and TOTH/6/3 which form part of the Stepping Out Network.
5.13	Visual Assessment	We also note the Proposed Permissive paths identified on the Layout Plans, however while these provide additional opportunities for alternative walking routes in the area, these appear in close proximity to panels and other above ground development and would query their actual value to users, as receptors traveling along these routes will have continued sequential views of a solar development. So, while clearly an improvement to the extent or length of footpath provision, the inclusion of these will not reduce the adverse visual effects experienced by users of existing PROW, and would not judge these to have any mitigating effect on the identified landscape and visual effects from the scheme.	The permissive paths are proposed as a means of enhancing public provision and connectivity with the existing network of PROW in accordance with Design Principle 10 of the Design Approach Document [APP-186], rather than as a means of mitigating the visual impacts.
6. Appraisal of Cumulative Landscape and Visual Effects and Residential Visual Amenity Assessment			
6.1	Cumulative Methodology	Cumulative landscape and visual effects are considered in Section 10.10 of the LVIA, which provides a brief but clear assessment of the cumulative landscape and visual effects associated with the scheme. Chapter 15 provides additional detail; however we have focussed on the information presented within the LVIA.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
6.2	Cumulative Methodology	The Cumulative Study Area for landscape and visual is identified in paragraph 10.10.1 which clarifies that a 2km zone of influence (Zol) from the order limits has been considered for cumulative Landscape and Visual matters and schemes considered as part of the cumulative assessment are listed out, which includes several energy schemes. In addition to these, four nearby solar DCO schemes (Springwell Energy Farm, Great North Road Solar, One Earth Solar Farm, and Leoda Solar Farm) are identified but fall outside the 2km Zol. However these schemes have been included within the	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		cumulative assessment, which we welcome and feel is an appropriate approach considering the scale and proximity of these developments.	
6.3	Cumulative Methodology	Paragraph 10.10.3 provides a clear approach to assessing cumulative landscape effects, with paragraph 10.10.4 detailing the approach to cumulative visual effects, clarifying these may be combined in the same view, or sequential where the viewer moves to another location to see different developments (typically along linear routes such as PROW and roads).	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
6.4	Cumulative Landscape and Visual Effects	In regards to the list of non-DCO schemes, the majority were identified as not having cumulative effects with Fosse Green. However, at the construction phase, in addition to ID 95. Application Reference: PL/0087/23. North Hykeham Relief Road the Fosse Green development is judged to have a significant adverse landscape effect on the North Kesteven District landscape sub-area Witham and Brant Vales and significant adverse visual effect on receptors using the Viking Way.	The Applicant acknowledges AAH's summary of the Cumulative Landscape and Visual Impacts. AAH's comments on the impact of the Proposed Development with the North Hykeham Relief Road reflect the significant cumulative landscape and visual effects identified within Chapter 10: Landscape and Visual Amenity of the ES [AS-117]
6.5	Cumulative Landscape and Visual Effects	In regards to the consideration of Fosse Green in addition to the four adjacent solar DCO schemes, we have concerns regarding landscape effects through extensive change to land use, changing from agricultural to energy infrastructure, and subsequently openness and tranquillity of the area, as well as sequential views for receptors traveling through this landscape. The LVIA identifies significant construction landscape effects on North Kesteven District landscape sub -area Limestone Heath for Fosse Green in addition to both the Springwell Solar and Leoda Solar. Beyond this, no other significant landscape and visual cumulative effects have been identified in the LVIA.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
6.6	Cumulative Landscape and Visual Effects	We have concerns regarding cumulative effects on the region from multiple solar projects both approved and also in the system, having the potential to be constructed across the Nottinghamshire and Lincolnshire regions. While this has been identified in our baseline review when considering the future baseline, it is important to re -iterate this point.	The approach to assessing cumulative landscape and visual effects is consistent with PINS Guidance on Cumulative Effects and follows a proportionate methodology as outlined in GLVIA3.
6.7	Cumulative Landscape and Visual Effects	The mass and scale of several NSIP scale DCO energy projects combined has the potential to lead to adverse effects on landscape character over an extensive area across these published character areas. The landscape character of the local, and potentially regional area, may be completely altered over the operational period through an extensive area of land use change, and introduction of energy infrastructure in an area that is predominantly agricultural. This would also be an issue when experienced sequentially for visual receptors travelling through the landscape and experiencing these schemes across potentially several kilometres, albeit with gaps of several KM between the schemes. However repeated views and presence of large scale solar would undoubtedly increase the susceptibility of receptors to changes in view.	The cumulative assessment contained in ES Chapter 10: Landscape and Visual Amenity [AS-117] primarily focusses on the cumulative schemes within the 2km Zone of Influence (Zoi), as this was judged to be the geographic area across which landscape and visual effects were most likely to occur, although the nearest NSIP scale solar schemes beyond 2km were also scoped in given their similar scale and typology to the Proposed Development. Furthermore, as set out in ES Chapter 15: Cumulative Effects and Interactions [APP-040], only residual effects classified as minor, moderate, or major in the individual technical topic assessments were considered in relation to potential Effect Interactions. Residual effects classified as negligible or no effect were excluded from the assessment of the Effect Interactions as, by virtue of their definition, they are considered to be imperceptible and are unlikely to lead to a significant in-combination effect. As set out in the detailed assessment of landscape effects provided at ES Appendix 10-E Landscape Assessment [APP-152], no regional landscape character areas were identified as likely to experience more than negligible residual effects and were therefore not considered further as part of the cumulative assessment.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
6.8	Residential Visual Amenity and Settlements	Residential Visual Amenity has been considered as part of the LVIA, with individual or groups of residential properties identified in the baseline and subsequently assessed. Table 10-1: Scoping Opinion Responses (LVIA) clarifies on page 10-15 that: <i>"The LVIA has assessed the impacts on the visual amenity of residents with reference to Landscape Institute's related Technical Guidance Note (TGN 2/19). However, the iterative design process has sought to embed mitigation such that the Residential Visual Amenity Threshold has not been met, i.e. no residential receptors were found to have major adverse effects at year 15, and therefore a specific Residential Visual Amenity Assessment has not been undertaken."</i>	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
6.9	Residential Visual Amenity and Settlements	Paragraphs 10.5.29 to 10.5.45 provide an overview of settlements (as well as land use) which describes residential properties in relation to the Site. Table 10-10 subsequently identifies Residential receptors which includes 29 individual properties, groups of properties or settlements. These have subsequently been assessed in detail within Appendix 10-F Visual Assessment, where at paragraph 1.2.2 Table 1 Visual Receptors and Representative Viewpoints lists the residential visual receptors within the Study Area and the viewpoint which represents them (as applicable). Tables 2 to 30 in Appendix 10-F provide a detail baseline and subsequent assessment of views from the residents.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
6.10	Residential Visual Amenity and Settlements	Residential Visual Amenity Assessment (RVAA) is a stage beyond Landscape and Visual Impact Assessment and focuses exclusively on private views and private visual amenity, whereas the LVIA process is typically associated with public views from public areas. The Landscape Institute's Technical Guidance Note 2/19: 'Residential Visual Amenity Assessment' provides further detail and that that the Residential Visual Amenity Threshold (RVAT) is reached when the change to visual amenity of residents in individual properties identified as "having the greatest magnitude of change". On this scheme, due to the scale and extents, as well as height of some elements such as Sub stations we would anticipate that some residents will experience Significant adverse visual effects from several properties, and it is unlikely that properties will reach the RVAT through the Development of Fosse Green.	The Applicant's approach to assessing Residential Visual Amenity is provided at Section 1.5 of Appendix 10-B: LVIA Methodology of the ES [APP-149]. This explains that the iterative design process has sought to embed mitigation such that the Residential Visual Amenity Threshold has not been met, i.e. no residential receptors were found to have major adverse effects at Year 15, and therefore a specific Residential Visual Amenity Assessment has not been undertaken (ref. paragraph 1.5.5).
6.11	Residential Visual Amenity and Settlements	The LVIA does identify multiple residents of properties that would experience significant adverse effects, which is a concern, however we agree with the findings of the LVIA in regards to it being unlikely that any would reach the RVAT.	The Applicant acknowledges that there will be some landscape and visual effects as a result of the Proposed Development. Two out of the 29 identified residential visual receptors are predicted within Chapter 10: Landscape and Visual Amenity of the ES [AS-117] to experience moderate adverse (significant) effects at Year 1, namely residents of Housham Wood Farm and residents of Church Farm and Low Barn. Following the implementation of mitigation, these are predicted to reduce to minor adverse (not significant), which means that none of the identified residential visual receptors are predicted to experience significant residual effects by Year 15 of operation of the Proposed Development. It should be noted that the Applicant has sought to further minimise the visual impact of the Proposed Development upon residential receptors in close proximity to the Proposed Development. As reported in Chapter 10: Landscape and Visual Impact Assessment of the ES [AS-117], the removal of solar PV in Field 46 adjoining Grange Cottage, and the amendment of proposed landscaping (as set out in the Landscape Mitigation Plan, which forms Appendix A of the Framework LEMP [REP1-039]) results in the assessment of visual effects at this property having reduced from moderate adverse (significant) effects in Years 1 and 15 (Winter) of operation, and minor adverse (not significant) in Summer Year 15, to minor adverse (not significant) at Year 1 Winter, and negligible adverse at Year 15 Winter and Summer.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
7. Mitigation and Design			
7.1	Evidence of Iterative Process	The scheme has been presented as evolving through an iterative process, with the landscape and visual findings feeding back into the design. This is clarified in paragraph 10.6.1 which states that: <i>“Good design has been a key consideration for the Proposed Development from the outset. The LVIA has informed the iterative design process which has been guided by design principles and in response to policy requirements.”</i> . It is noted that the layout appears to respond to issues and LVIA findings, and considerable areas have been set aside for habitat creation. However, a key criticism of the layout and site selection is the number and extent of PROW users that are significantly adversely affected by the scheme, which identifies insufficient offsets and development in too close proximity resulting in close range views from multiple PROW locations.	As paragraph 5.10.5 of EN -1 acknowledges, ‘<i>Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape.</i>’ When making a decision on the DCO Application, the Secretary of State will need to balance these impacts against the urgent need and critical national priority for the Proposed Development as set out in the energy NPSs.
7.2	Evidence of Iterative Process	Paragraph 10.6.1 lists the design principles most relevant to landscape and visual matters. These are noted and positive principles, however the successful implementation of these principles is varied, as indicated by the numerous significant landscape and visual effects that are identified in the LVIA.	The conclusions of Chapter 10: Landscape and Visual Amenity of the ES [AS-117] found that seven out of the 18 identified recreational visual receptors are predicted to experience significant residual effects and are limited to some but not all of those that pass through or adjacent to the Order Limits. A contributing factor to these significant residual effects is the sequential experience of the Proposed Development at various distances along these PROW, and not necessarily large-scale changes to the foreground of specific views where greater offsets could help to reduce the impacts.
7.3	Mitigation Measures	Landscape and Ecology proposed as part of the Scheme is covered by Work s No. 9, which is subsequently located according to the Works Plans (Figure 2. 2).	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
7.4	Mitigation Measures	Paragraphs 10.6.7 and 10.6.24 of the LVIA describes the mitigation measures of the scheme, including principles and embedded mitigation which aims to avoid, where practicable, adverse effects on the landscape and views.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
7.5	Mitigation Measures	The Framework Landscape and Ecological Management Plan (LEMP) provides information regarding the establishment and maintenance of the planting associated with the Development, as shown on Figure 15-1: Landscape Mitigation Plan within Appendix A of the LEMP.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
7.6	Mitigation Measures	The success of the landscape mitigation to meet the objectives laid out in the management plan, to integrate and screen proposals, promote conservation and protection of the environment, and encourage ecological and habitat diversity, is highly dependent upon the successful management and maintenance of the new planting, as well as the protection of exiting trees and hedgerows. The maintenance operations provide an initial overview of operations; however, we would expect the management plan to be developed further, well beyond the initial 5-year period, particularly if landscape and	The Framework LEMP [REP1-039] contains maintenance measures during the establishment for each habitat type which includes checking and recording failed or defective planting on an annual basis. Also, as stated at paragraph 7.1.11 of the Framework LEMP, results from this monitoring will feed into the on-going



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		visual effects are being assessed at 15 years. The long -term reduction in landscape and visual effects, presented in the LVIA, are based on the long -term success of the landscape mitigation, and therefore the management plan should cover at least this period, and should be in place and actively managed for the lifetime of the project. Similarly, any early planting (pre-construction) should be included in the maintenance plan as the reduction in effects described in the LVIA are also based on the assumption that this too will have established as planned.	management which may include changes to maintenance and/or planting species to ensure habitats are growing as intended. For further clarity regarding the LEMPs covering the entire operational period of the Proposed Development, the Framework LEMP has been updated and will be submitted to the Examination at the next available deadline to include clarifications on the length of time covered by the management plan, as well as the provisions for replacement planting, as follows: <i>"All existing and proposed habitats will be managed and maintained for the operational duration of the Proposed Development. In the unlikely event of external factors causing significant losses to the mitigation planting during the lifetime of the Proposed Development, such that the purpose of screening the development is no longer achieved as a result of gaps in the planting, replacement planting will be undertaken to infill gaps that may arise. This approach will ensure commitments are fulfilled in respect of providing screening of the scheme and enhancing biodiversity."</i>
7.7	Mitigation Measures	Monitoring of the proposals is a key aspect of the mitigation plan and is something which needs further development to ensure there is sufficient robustness to deal with the challenging climatic conditions when it comes to establishing new planting. The updating of the management plan every 5 years after the initial 15-year establishment period will go some way to ensuring that it is kept valid and can respond to issues and trends effectively, such as climate change. Plant replacements should also be considered, and also for a longer period than a "standard" 5 years, and cover for scenarios where there are large areas that have not established, or areas of significant die back beyond a 5 years period.	The Framework LEMP [REP1-039], secured by the Draft DCO [REP1-007], includes detail on the relevant management/monitoring regimes which will be implemented as part of the detailed LEMP. The following is secured within the Framework LEMP [REP1-039] (ref. paragraph 7.1.7) which will be carried through into the detailed LEMP: <i>"A post-construction monitoring programme will be formalised, agreed and included within the detailed LEMP. Walkover surveys of the DCO Site will be undertaken between April and June in years 2, 4, 6, 10 and then every 5 years post-construction until year 60."</i> Furthermore, the Framework LEMP [REP1-039] includes the following commitment (ref. paragraph 7.1.9): <i>"Post-construction monitoring for flora, birds (breeding and non-breeding), riparian mammals, badgers and bats (bat box roosting and activity survey), will be undertaken in the respective seasons, in years 1, 3, 5, 10 and 15 postconstruction and thereafter every ten years from years 20 to 60. These surveys are likely to involve similar methods to those used to determine the ecological baseline of the Proposed Development and will be overseen by an Ecological Advisory Group or similar."</i> The Ecological Advisory Group (or similar) will oversee the monitoring and mitigation of impacts as relevant, whereby the monitoring reports for surveys during operation will be sent to the host authorities and the Lincolnshire Wildlife Trust for their information, along with a summary of any changes to management set out in the approved detailed LEMP. The role of the Ecological Advisory Group (or similar) will be set out in the detailed LEMP, whereby the relevant consultees would be given an opportunity to review the detailed LEMP before it is formally approved to discharge the Requirement.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
7.8	Mitigation Measures	While the submission includes landscape proposals, as shown on Figure 15-1: Landscape Mitigation Plan, these are of a high level and it would be expected that if the project proceeds much more detailed plans would be submitted and subsequently agreed with the appropriate consultee/ authority prior to the commencement of any works, which would be secured as a Requirement of the DCO . This would include clear detail of the areas of landscape mitigation, location and types of planting (species), as well as number, density and specification. The mitigation illustrated on Figure 15 -1 within Appendix A of the LEMP, secured via Work s No. 9 on the Works Plans and DCO, has been utilised to assess the landscape and visual effects of the scheme, therefore we would expect any detailed landscape proposals to consist of the area and extent shown on these plans as a minimum.	The Applicant notes the recommendations on detailed mitigation planting design. The commitment to carefully site solar PV panels and associated infrastructure as well as additional planting is provided at paragraphs 4.1.8 - 4.13 of the Framework LEMP [REP1-039] . This includes measures on retaining a sense of openness whilst screening solar PV panels.
7.9	Mitigation Measures	We accept that planting can be an effective way to screen development proposals and add valuable landscape and ecological elements into the landscape, however this needs to be carried out in a way that is sensitive to the existing landscape character, or meet any aims of a published character assessment to improve or introduce new planting to an area. While residual visual effects have been assessed as reducing at 15 years through mitigation planting, this is completely dependent upon the successful establishment of the planting and it growing in a manner that is anticipated within the LVIA, and illustrated on the accompanying visualisations. This is always going to be a risk, and if the planting does not establish as anticipated, the residual effects will likely be higher than judged.	The Applicant has had regard to the provision of hedgerows and their management as a means of sensitively integrating the Proposed Development into its landscape setting in its commitment to good design and definition of project design principles in the Design Approach Document [APP-186] .
7.10	Mitigation Measures	This is an open landscape, and planting to simply screen could have detrimental impacts. The PROW and local roads in the study area enjoy an open aspect across most areas of the Study Area. Therefore, care needs to be taken to prevent the loss of this character through an overbearing set of mitigation proposals. It is noted that appropriate development offsets, and with careful design, will go some way to address the matter raised. Examples of where views have been foreshortened for receptors and open view s adversely affected, despite planting screening proposals, include the following visualisations that are contained within Figure 10 -10 Photomontages: VP11, VP22, VP32, VP33, VP34, and VP35	As such, the Applicant is not proposing to manage all hedgerows at consistent heights across the whole Order Limits. The Framework LEMP [REP1-039] notes (ref. paragraph 5.3.13) that where screening is not the primary purpose of a proposed hedgerow, for example where the embedded setback is considered sufficient to reduce the level of effect such that it is not significant in EIA terms, the hedgerows will be maintained at 3m or lower to maintain open views of the countryside. Notwithstanding the above, it is acknowledged that there will be instances where the introduction of hedgerows will result in the loss of openness in some views and this has been considered within the assessment contained at Chapter 10: Landscape and Visual Amenity of the ES [AS-117] . For example, on recreational users of PROW TOTH/7/2, TOTH/21/1, TOTH/6/2 and TOTH/6/3 which traverse the Principal Site, it is noted that at operation the view will change from long distance and open to short distance and channelled by new vegetation and therefore a Major adverse effect is reported at Year 1 and at Year 15 (winter). The specific management of the vegetation within the Order Limits will be detailed within the detailed LEMP which will be prepared prior to the commencement of the authorised development as secured by Requirement 8 of the Draft DCO [REP1-007] . As per Requirement 8, the detailed LEMP must be submitted to and approved by the relevant planning authority, following consultation with LCC, Natural England and the Environment Agency.
8.0 Conclusions and Recommendations			
8.1	Conclusions	The following section provides an overall summary and conclusion on the suitability of the Landscape and Visual elements of the DCO submission and whether they are sufficient to support an informed decision. This includes the adequacy of the LVIA, reviewed in accordance with the Landscape Institute Technical Guidance Note 1/20 (10 Jan 2020): Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs).	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
8.2	Conclusions	Finally, there are recommendations for further information that should be provided to assist in the examination of the DCO Application.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
8.3	Conclusions	The Landscape and Visual Impact Assessment (LVIA) submitted as part of the DCO Application is considered comprehensive, well -presented and generally undertaken in accordance with current best practice, notably GLVIA3 and LI TGN-2024-01. The LVIA is proportionate to the scale of the Development and has been prepared by competent experts. It clearly identifies the main potential effects arising from construction, operation (Years 1 and 15) and decommissioning phases.	The Applicant has responded to these summary points where these have been made in detail at the corresponding rows above.
8.4	Conclusions	By reason of its scale, the Development would lead to Significant adverse effects on landscape character and visual amenity at all main phases of the scheme (construction, operation year 1, operation year 15). The Development has the potential to transform the local landscape by altering its character on a large scale across an extensive area. This landscape change also has the potential to affect a wider landscape character, at a regional scale, by replacing large areas of agricultural or rural land with solar development, affecting the current openness, tranquillity and agricultural character that are identified as defining characteristics of the area. We also judge that this would likely be classed as a permanent project in regards to landscape and visual matters, spanning several generations.	The Applicant has responded to these summary points where these have been made in detail at the corresponding rows above.
8.5	Conclusions	Based on our review, it is clear from the LVIA findings that the Development is of a scale that would introduce extensive change to the existing agricultural landscape, permanently altering the character and experience of the Site and its immediate context. Significant adverse effects on both landscape character and visual receptors are identified at all stages of the Development, even following the establishment of mitigation (Year 15). The assessment recognises that the Development would transform the Principle Site and areas within the Local Landscape Character Areas (LLCA), including LLCA 03: Tunman Hill and LLCA 08: Thurlby Fenland, resulting in direct and long-term impacts.	The Applicant has responded to these summary points where these have been made in detail at the corresponding rows above.
8.6	Conclusions	While mitigation would partially reduce effects over time, the predicted benefits are dependent on successful implementation, establishment and ongoing long -term management of new planting. The reliance on planted mitigation in a predominantly open landscape may introduce its own adverse effects, including changes to the perceived openness and rural qualities, and potential enclosure where currently absent. The key areas of disagreement have been identified with elements of the LVIA, primarily regarding: • The extent and permanence of effects on directly affected landscape character areas, where reductions in significance are presented for certain subareas but would more appropriately remain Significant due to land-use change across the Order Limits; • The treatment of LCT 4a: Unwooded Vales, which is judged in the LVIA as experiencing only Minor adverse effects despite clear direct alteration of its defining characteristics (openness, agricultural land use); • The conclusion that some Local Landscape Character Areas would reduce to non - significant levels by Year 15, which is inconsistent with other directly affected areas; • The conceptual treatment of the Development's operational duration as temporary needs clarifying, whereas its 60-year lifespan is more akin to a permanent change in landscape terms.	The Applicant has responded to these summary points where these have been made in detail at the corresponding rows above.
8.7	Conclusions	The visual assessment identifies numerous receptors experiencing Significant adverse visual effects during construction and early operation, notably users of key PR OW networks and residents in proximity to the Development. Some residual significant effects would remain at Year 15 despite mitigation, indicating that full visual integration is not achievable due to the scheme's scale and proximity to these receptors.	The Applicant has responded to these summary points where these have been made in detail at the corresponding rows above.
8.8	Conclusions	The visual effects on recreational users is of particular concern. Several of the PROW identified as experiencing Significant adverse effects form part of promoted walking routes in the local area, including the Stepping Out Walks at Thorpe on the Hill, and Morton and Tunman Wood, which attract increased levels of use due to their recreational value. In addition, while not specifically identified in the LVIA, the Bassingham and Villages Circular Trail passes alongside the southern Order Limits and would be subject to clear, close-range views of the Development, resulting in adverse visual effects that are not explicitly recognised in the assessment. The proposed permissive paths, while providing additional route connectivity, are located in close proximity to the solar infrastructure and would offer continuous sequential views of	The Applicant has responded to these summary points where these have been made in detail at the corresponding rows above.



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		the scheme. As such, they would not serve to reduce or offset the adverse effects on users of existing PR OW and we would not be consider this as meaningful mitigation to visual effects.	
8.9	Conclusions	Cumulative effects are acknowledged within the LVIA; however, the scale and extent of existing and potential future energy developments across the district and region are likely to lead to a more transformative combined impact than suggested. We consider regional landscape character may be fundamentally altered, and sequential visual effects across multiple solar schemes may be underplayed.	The Applicant has responded to these summary points where these have been made in detail at the corresponding rows above.
8.10	Conclusions	Residential Visual Amenity has been addressed within the LVIA, and although no properties are assessed as exceeding the Residential Visual Amenity Threshold (RVAT), several are expected to experience Significant adverse effects, particularly in the early years of operation. This should be interrogated further during Examination, but we agree that the RVAT is unlikely to be met.	The Applicant has responded to these summary points where these have been made in detail at the corresponding rows above.
8.11	Conclusions	While the submission includes landscape proposals (as shown on Figure 15-1: Landscape Mitigation Plan within Appendix A of the LEMP, secured via Work No. 9. on the Works Plans and DCO, these are of a high level and it would be expected that if the project proceeds much more detailed plans would to be submitted and subsequently agreed with the appropriate authority prior to the commencement of any works and secured through Requirements of the DCO. This would include clear detail of the areas of landscape mitigation, location and types of planting (species), as well as number, density and specification. The mitigation illustrated on the Landscape Mitigation Plan has been utilised to assess the landscape and visual effects of the scheme; therefore, we would expect any detailed landscape proposals to consist of the area and extent shown on these plans as a minimum.	The Applicant has responded to these summary points where these have been made in detail at the corresponding rows above.
Appendix A: Technical Memorandums			
1-3		(Text not copied from original document)	The Applicant acknowledges this section of the Local Impact Report (LIR) prepared by Lincolnshire County Council (LCC) and has no further comment.
4		This Technical Memorandum (TM) includes initial comments, and a full review of the landscape and visual elements of the scheme is currently being carried out. This full review will be included within the individual Local Impact Report s (LIR) submitted by LCC and NKDC later in the examination process. This will include a full review of the submitted LVIA chapter and associated appendices and figures of the ES to <i>Technical Guidance Note (TGN) 1/20 Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs)</i>, 10th January 2020, by the Landscape Institute (LI). By reason of its mass and scale, we judge that the proposed development would lead to Significant Adverse effects upon the existing landscape and visual baseline, which is reflected within the submitted Landscape and Visual Impact Assessment (LVIA). The development has the potential to transform the local landscape by altering the character on a large scale. This landscape change also has potential to affect wider landscape character, at a regional or county scale, by replacing large areas of agricultural or rural land with solar development, affecting the current openness, tranquillity and agricultural character, that are defining characteristics of the area. We are particularly concerned about the landscape character effects through changes to the land use over an extensive area of agricultural land, as identified in Section 10.7 of the LVIA chapter. The LVIA chapter identifies a “<i>change in land use and character due to the solar panels and associated equipment introducing structures within an arable landscape</i>”. This should be considered in regards to affecting a vast area of land. Significant landscape effects are subsequently identified within the LVIA chapter with the identification of Significant adverse effects to the Principal Site (the area of the order limits covered by PV panels) and Published Landscape Character Areas, at Construction, Year 1 Operation and Year 15 Operation. Significant Residual landscape effects largely arise from character areas directly affected (where the development is located within these areas).	This Technical Memorandum was submitted with LCC's Relevant Representations [RR-157] of which the Applicant has responded to in the Applicant's Response to Relevant Representations (Revision 1) [REP1-047] .



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		The scale and extent of development would also lead to Significant Adverse effects on views from visual receptors, changing from views experienced within an agricultural or rural landscape to that of a landscape containing large scale solar development. The development has been identified in the LVIA chapter as resulting in a Significant change to a variety of visual receptors at Construction, Year 1 Operation and Year 15 Operation. Significant Residual visual effects largely arise from sensitive users in close proximity to the development where it is not possible to sufficiently screen views of the development. While we acknowledge new planting and habitat creation will add valuable assets across this area, this is through the introduction of a large -scale solar development in an agricultural landscape. The planting, if establishes as predicted, will also go some way in screening and integrating proposals in views. However, we do note that the reduction in Significant landscape and visual effects predominantly relies upon the successful establishment of the planting scheme. The cumulative landscape and visual effects of the proposed development are considered in Chapter 15 of the ES and Section 10.10 of the LVIA. While a 2km Zol has been utilised for schemes to be considered for cumulative landscape and visual effects, four large scale solar projects that are located beyond this distance have also been shortlisted to be considered against Fosse Green Energy for cumulative landscape end visual effects, as identified in paragraph 10.10.2: • ID 63. Application Reference: EN010149. Springwell Energy Farm. • ID 87. Application Reference: EN010162. Great North Road Solar • ID 88. Application Reference: EN010159. One Earth Solar Farm. • ID 103. Application Reference: EN0110016. Leoda Solar Farm Of the projects listed within paragraph 10.10.1 and 10.10.2 to be considered in the cumulative assessment, Significant cumulative landscape and visual effects judged to be limited to the scheme and: • ID 95. Application Reference: PL/0087/23. North Hykeham Relief Road: Significant landscape and visual effects are identified in the LVIA; • ID 63. Application Reference: EN010149. Springwell Energy Farm: Significant landscape and visual effects are identified in the LVIA; • ID 103. Application Reference: EN0110016. Leoda Solar Farm: Significant landscape and visual effects are identified in the LVIA. Due to the extent and proximity of additional NSIP scale solar schemes in the area, we would suggest the examination is utilised to explore the potential for Significant effects from these additional schemes, above those identified in the LVIA. These large-scale solar schemes occupy some of the same landscape character areas as Fosse Green Energy Solar. The mass and scale of these projects combined has the potential to lead to adverse effects on landscape character over an extensive area, across the region, which may be completely altered over the operational period, particularly when experienced sequentially for visual receptors travelling through the landscape and experiencing these schemes across potentially several kilometres, albeit with gaps between schemes. These schemes combined, if built, would clearly require the update of any published landscape character assessment, including the NCA's, so as to include large scale solar as a defining land use characteristic as well as agriculture. The Fosse Green Energy scheme would evidently deliver landscape and ecological improvements through mitigation areas and planting. However, this will be dependent upon the information set out in the Outline Landscape and Ecology Management Plan (shown on Figure 7.15-1 Landscape Mitigation plan within the OLEMP at Appendix A) which illustrates the mitigation, which should be further explored, and would need to be refined at the detailed design stages.	



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
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The DCO should include for approval of any subsequent detailed landscape and ecological mitigation scheme (planting works), as referenced in Schedule 2 of the DCO. This should clearly link to any landscape mitigation that is submitted as part of the scheme, and subsequently that which has been assessed as part of the LVIA. This should not just be a management plan, but a detailed landscape scheme clearly identifying plant species, numbers and specifications along with planting details. The DCO should also include for an appropriate period of landscape maintenance, currently referenced at article 3 0(8), that ties into a period of time identified in the Outline Landscape and Ecology Management Plan, and would expect an initial 15-year period of management and maintenance as a minimum, which would align with the assessed residual landscape and visual effects. This would subsequently be regularly reviewed and monitored at a reasonable period, such as every 3 to 5 years and implemented for the lifetime of the project. This should include for a reasonable plant replacement program, such as following a significant loss or failure to thrive, to ensure the planting scheme meets the aims and objectives laid out in the submission.

Proposed vegetation removal is identified within the Draft DCO and Appendix 10-H Arboricultural Impact Assessment. Clear vegetation removal processes should be put in place to ensure any vegetation loss is aligned with these plans and schedules and further removal or works is agreed with the relevant parties prior to any works being carried out. This should clearly relate to vegetation removal plans and AIA, and this must also include vegetation removal or works to facilitate wider highways and access works, such as for abnormal loads.

Appendix ii: Landscape LIR Assessment (Agriculture and Soils) Land at Fosse Green Energy Park

1. Summary Position

1	Summary Position	- A detailed base line ALC has been undertaken across 1,071 hectares of mainly arable farmland, following Natural England consultation, in detail at a standard density of 1 auger bore per hectare. - The ALC report has been prepared for the whole site. The grades of land are essentially a mixture of Grades 3a and 3b, with 77.5% being Grade 3b. 22.5% of the site is BMV quality, based on the detailed survey, BMV is mainly Grade 3a, extending to 241 hectares. - The promoters state they have avoided siting on the highest-grade land based on data provided by Natural England. - A Framework Soil Management Plan is provided and includes sections on construction, management and decommissioning. The decommissioning anticipates removal of equipment after 60 years and a Framework Decommissioning Environmental Management Plan is included. - The cable routes have not been ALC surveyed in detail, but the methodology was agreed with Natural England. The cable routes are likely to be similar quality to the overall site. - ES Chapter 12, Socio-Economics and Land Use envisages PV panel arrangement designed to provide a minimum 0.8m ground clearance to facilitate sheep grazing under the panels, where practicable. How likely this is may depend on the economics of farming in the future. - Removing intensive farming is considered to eliminate nitrates and phosphates, supporting soil health, biodiversity and improving water quality. However, there is limited detail as to how this will be maintained after the scheme ends. A Framework LEMP [EN010154/APP/7.15] has been prepared to accompany the DCO application which sets out the principles for how the land will be managed - There is some soil health assessment and assessment of loss of land for food production and the impact on any agricultural holdings affected is also addressed. Overall the impact is considered low in all cases. - The Fosse Green Site is intended to be developed in parts, over a 24-month period, with each part able to be commissioned separately and delivering electricity to the grid. - The temporary life of the project is indicated as 60 years, the 60 years being measured from the final commissioning date. - There are separate decommissioning plans that could come forwards for each "part". At this stage there is uncertainty regarding the types of panels, whether fixed or single axis tracker panels	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
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LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		The BESS site is unconfirmed as to whether it will be one site or several smaller units	
2. Introduction and Background			
2		(Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
3. Agricultural Land and Soils			
N/A	General Comments	There is a need to minimise the use of BMV agricultural land, which is classification Grades 1, 2, and 3a, however development is not prohibited from being located on BMV agricultural land. Under the ALC system, Subgrade 3a land would form BMV whereas Subgrade 3b would not. With regards to agricultural land and soils, mapping of soils has been prepared based on surveys of the Principal Site and presented in the Agricultural Land Classification Report. The land is predominantly Grade 3b (moderate quality agricultural land) with some BMV land present, limited to areas of Grade 3a (good quality agricultural land). No areas of Grade 1 or 2 have been identified. Overall Findings of ALC - Non-agricultural land 40ha - 3.74% - Total BMV agriculture land 241ha - 22.5% - Total Non-BMV agriculture land 790ha - 77.5% Environmental statement Chapter 12: Agricultural Land of the ES Report sets out findings with regard to Soils and Agriculture. <i>12.10.23 Effects on agricultural land would occur as long-term effects arising from the construction of the Proposed Development and hence have been reported for the construction phase. These were assessed as not significant. The solar NSIPs in Lincolnshire, considered cumulatively, will upon decommissioning be returned to agriculture with soil resources in a healthy condition. The cumulative effect of the Proposed Development is assessed to be not significant, neither in respect of the adverse withdrawal of land from agriculture nor the positive effect of improving soil health resulting from reduction in cultivation.</i> Land drainage is a key factor in assessing both land classification and the impact on land restoration particularly along any cable or grid connection route, where trenches are dug, or where soils are stripped even temporarily. At present there is no settled consensus as to whether a long -term temporary use of land should be considered as not significant and therefore the loss of any BMV over the 20 hectare threshold may still be significant.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
N/A	Agricultural Land Classifications	The ES report confirms that the site has been assessed for ALC and maps and details are provided. A detailed ALC survey has now been completed. Field survey was undertaken between 2023 and 2024. In total 1, 070 hectares (ha) of agricultural land has been surveyed. Other land outside the order limits was also surveyed, but is not shown. Table 6 of the ES sets out the amounts and proportions of agricultural land according to Grade. Overall, the non BMV land is Grade 3b, moderate quality.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.

LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant’s Response to LCC LIR Appendices [REP1-053]																																	
		Table 6: ALC Grades <table><tr><th>ALC Grade</th><th>Area (Ha)</th><th>Percentage</th></tr><tr><td>Grade 1</td><td>0.0</td><td>0.0%</td></tr><tr><td>Grade 2</td><td>0.0</td><td>0.0%</td></tr><tr><td>Subgrade 3a</td><td>241.0</td><td>22.50%</td></tr><tr><td>Subgrade 3b</td><td>790.0</td><td>73.76%</td></tr><tr><td>Grade 4</td><td>0.0</td><td>0.0%</td></tr><tr><td>Grade 5</td><td>0.0</td><td>0.0%</td></tr><tr><td>Non-Agricultural</td><td>40.0</td><td>3.74%</td></tr><tr><td>Total BMV</td><td>241.0</td><td>22.50%</td></tr><tr><td>Total Non-BMV</td><td>830.0</td><td>77.50%</td></tr><tr><td>Total Site Area</td><td>1071.0</td><td>100%</td></tr></table>	ALC Grade	Area (Ha)	Percentage	Grade 1	0.0	0.0%	Grade 2	0.0	0.0%	Subgrade 3a	241.0	22.50%	Subgrade 3b	790.0	73.76%	Grade 4	0.0	0.0%	Grade 5	0.0	0.0%	Non-Agricultural	40.0	3.74%	Total BMV	241.0	22.50%	Total Non-BMV	830.0	77.50%	Total Site Area	1071.0	100%	
ALC Grade	Area (Ha)	Percentage																																		
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Total Non-BMV	830.0	77.50%																																		
Total Site Area	1071.0	100%																																		
N/A	ALC Survey Methodology	The soil augering of the site has been undertaken in line with TIN 049 and the MAFF 1988 Guidelines, one auger point per hectare and with occasional soil pits particularly where soil types vary. Natural England agreed the methodology, and it is broadly in line with recommendations according to BSSS methodology (Appendix 2).	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.																																	
N/A	Soils	A Framework Soil Management Plan (SMP) has be provided, stated to minimise the effects on soils and land quality. The SMP identifies the soil types across the Site, and any sensitivities to being worked in wet weather. The SMP will provide guidance on the handling of soils, and the trafficking across soils, for all parts of the construction and operational works, and provide guidance for decommissioning. The survey identified Four Soil Types across the entire site. • Soil Type 1 – Loamy Medium Sand topsoil, Wetness Class I • Soil Type 2 – Sandy Clay Loam topsoil, Wetness Class III • Soil Type 3 – Heavy Silty Clay Loam topsoil, Wetness Class III • Soil Type 4 – Heavy Clay Loam topsoil, Wetness Class III The main limitations to ALC grade quality were Wetness Class for land classified as Grade 3b and Droughtiness and/or Wetness where it is 3a quality.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.																																	
N/A	Soil Management Plan	The Framework SMP has be submitted with the ES. The practices set out in the SMP will be embedded in the construction methodology, operation and decommissioning.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.																																	
N/A	Soil Structure	Soil structure can be significantly damaged during the construction phase of the process. There is a lot of trafficking of vehicles on the land to erect the panels and if this work is undertaken when soils are wet, there can be significant damage. Much of this damage can be remedied post construction but not all and it is possible that long term drainage issues occur on the site due to the construction. The SMP should address these issues.	The Applicant acknowledges this comment. A Framework Soil Management Plan [REP1-037] has been submitted as part of the DCO Application and acknowledges this issue in Paragraph 5.3.2. The Framework SMP goes on to say that “Details of the on site soil moisture assessment techniques shall be outlined in the [detailed] SMP”. It commits to “Stripping of topsoil must only occur in the right weather conditions, not in adverse weather conditions, such as sustained heavy rainfall (>10mm in 24 hours).” and similarly for subsoil says “Stripping of subsoil must only occur in the right weather conditions, not in adverse weather conditions”. For reinstatement it states: “All soil resources to be reinstated must be handled only when dry or slightly moist” A detailed SMP will be produced pre-construction and is secured by Requirement 15 of the Draft DCO [REP1`-007] , which states no part of the authorised development may commence until a soil management plan for that part has been submitted to and approved																																	



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
N/A	Cumulative ALC Impacts	There are a number of small(er) and largescale Solar PV schemes in both Nottinghamshire and Lincolnshire, with others planned or proposed. There are many known solar project NSIP schemes; specifically in relation to impacts on agricultural land. The situation is a moving picture as new proposals come forward from time to time. Most of these sites are proposed on farmland. The local area in particular is an agricultural area with substantial amounts of land within the Best and Most Versatile category. Given that the site contains some BMV, the impact may be significant.	by the relevant planning authority, in consultation with Lincolnshire County Council and Natural England, and that the soil management plan must be substantially in accordance with the framework soil management plan.
N/A	District and County ALC	For a project of this scale there is an impact, the project will tie up the land for up to many years. The area is large locally and if the quantities of BMV are as expected or similar then the impact will be reasonably large, and I would expect the impact to be significant at a District or County Level.	The Applicant acknowledges this comment. The cumulative impacts of the Proposed Development along with other large scale solar projects in the County is assessed in Section 7 of Chapter 12: Socio-Economics and Land Use of the ES [AS-016] and concludes there are no likely significant effects on soils. Paragraph 12.7.43 of Chapter 12 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. Research undertaken by the Applicant in 2024 indicates approximately 50% of the land within the proposed Principal Site is currently used for the cultivation of non-food crops. Of this, the majority (approximately 81%) is grown for use as fuels for carbon-intensive energy sources, rather than for direct human or animal consumption. As such, while the land is agricultural in character, its current use does not solely support food production. The Proposed Development would therefore result in a limited and proportionate change in land use, set against the wider regional context and the Proposed Development's contribution to cleaner energy generation. The Applicant advises that the County-wide proportion of Lincolnshire farmland identified for NSIP solar proposals, at various project stages, is approximately 2.9%.
4. Cable Route Corridor			
N/A	General Comments	The Cable Corridor partly overlaps with the Principal Site, whereby the Cable Corridor covers approximately 351ha in total, overlapping approximately 53ha of the Principal Site. It has not been ALC surveyed in detail outside of the main site. The cable route will be a temporary construction feature with soils reinstated, following cable burial. The soil management plan considers the cable route in order to minimise the impact on soil structure, land drainage and ultimately soil quality. Guidance is available in published documents. The route passes across and will be buried under mainly open countryside that is largely arable farmland. The soil survey of a defined Cable Corridor is proposed to be undertaken post-consent, secured in the Framework CEMP [EN010154/APP/7.7]. Two key groups of impacts have been identified for the purpose of defining receptor sensitivity and impact magnitude: - Land use and tenure: these are the potential impacts on human activity, including landowners, occupiers, local communities and other land users - Agriculture: these are potential impacts on the soil resource, the surrounding environment and the agricultural productivity of the land.	A soil survey of a defined cable route is proposed post-consent (along with restoration to pre-construction condition of the soil resource) and is secured by the Framework SMP [REP1-037] (which is to be developed into a detailed SMP, substantially in accordance with the Framework Plan, secured under Requirement 15 (soil management plan) of the Draft DCO [REP1-007]). Whether the corridor would be in BMV or non-BMV land, it would be restored after installation to the same grade through the measures and controls contained within the Framework SMP [REP1-037] and therefore does not affect the conclusions of the ES. The cable will require excavation of a trench approximately 2m by 2m (with at least 0.9m soil on the top of the cable, which is below the depth of agricultural cultivation), and the disruption to agricultural land would be temporary and reversible, with no permanent loss of farmland. Furthermore, sampling of the Cable Corridor at a sampling density of 1 sample per 100m at this stage may miss sampling the land that would be trenched/impacted, due to the small size of the trench relative to the corridor. This would be counter-productive for soil handling measures as the detailed SMP would be based on soil conditions that might not be applicable for the proposed trench. This is another reason why it is preferable to carry out the sampling



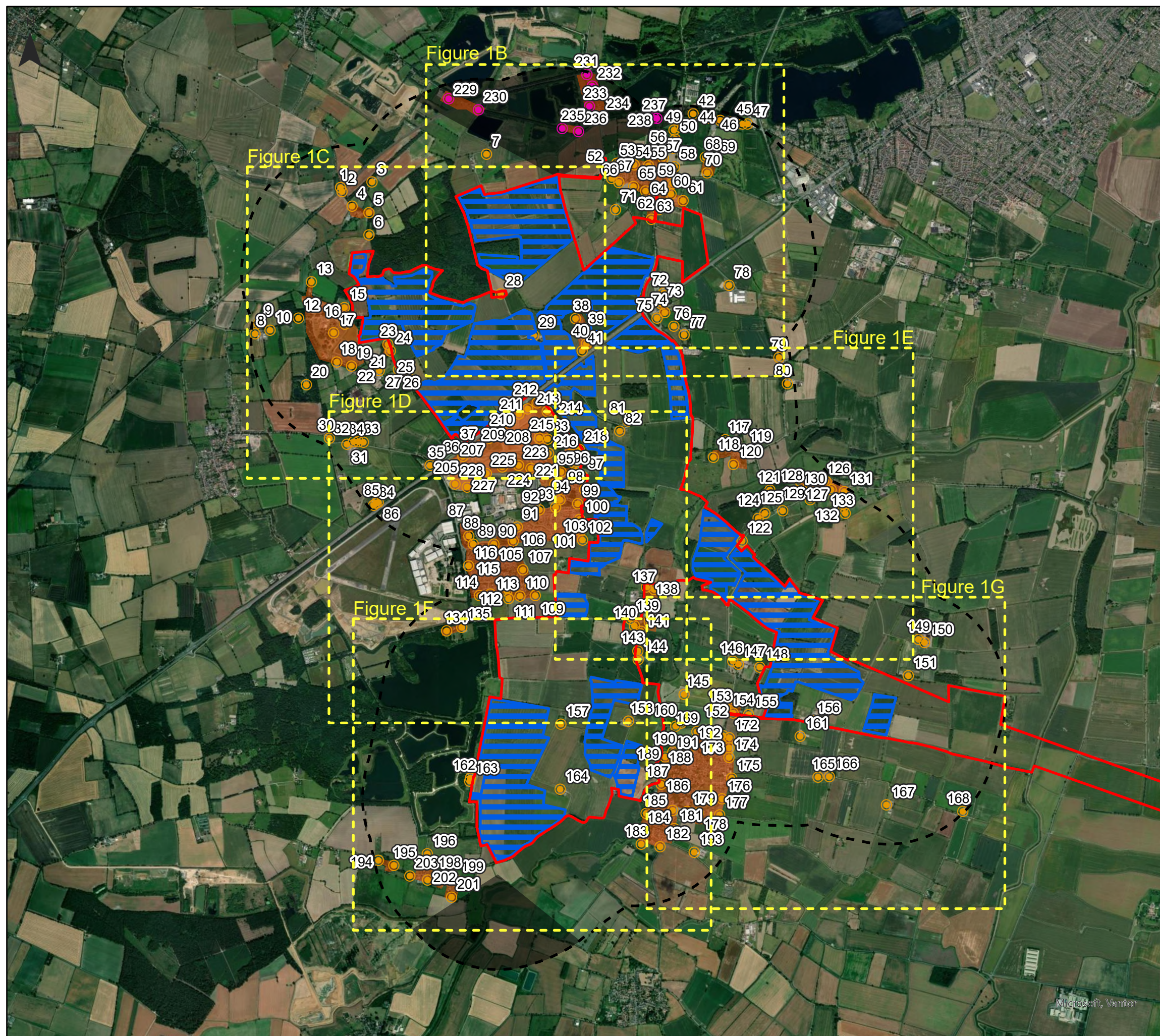
LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		Additional concerns include land drainage impact during construction and restoration of cable trenches. At other locations, the amount of dust created during construction and settling on crops can be an issue. This is more likely with sandy and silty soils.	post consent, once the trench and working area locations are known With regards to demonstrating that the land can be restored to its former agricultural use following decommissioning of the Proposed Development, the Framework SMP [REP1-037] sets out measures to be taken to ensure that the soil is protected and is able to revert back to its former condition. This includes the maintenance of soils (ref. section 6.9) and the implementation of a monitoring schedule to be undertaken and set out within the detailed SMP. Furthermore, the Framework SMP [REP1-037] (ref. paragraph 7.1.1) notes: <i>"Prior to construction, site and soil-specific measures will be set out in a SMP, based upon this FSMP as a minimum, and supplemented by additional survey data where required. The detailed SMP will set out in full the methods for reinstatement (as relevant) to ensure the soil resource is managed effectively according to its ALC, and BMV resource is retained (as relevant) across the DCO Site"</i>. The provision of a detailed SMP, which is to be substantially in accordance with the framework plan, is secured by Requirement 15 of the Draft DCO [REP1-007]. Decommissioning of the Proposed Development and restoration/reinstatement of the land back to its former condition after 60 years is required and secured via Requirement 20 in Schedule 2 of the Draft DCO [REP1-007]. The impacts of dust has been assessed in Chapter 14 Other Environmental Topics [APP-039], and although this does not specifically refer to impacts on crops, the mitigation measures presented to control dust in the Framework Construction Environmental Management Plan [REP1-031] are considered to be adequate to avoid soiling crops. Rainfall and irrigation of crops will also wash off any construction dust, should any settle on crops.
	Soil Health	If the land is used for biodiversity, it would not be available for agriculture. However, even if it is available for some form of cutting or grazing it is unlikely that the ALC grade will change significantly during the life of the project. There is some evidence that organic matter can build up in biodiversity areas at a faster rate than arable farmland and this may benefit the land, but it is not generally a factor in the assessment of ALC. If enhanced soil health is to be given weight in the planning process there needs to be some indication of the longevity and/or permanence of the benefits beyond the life of the project, otherwise the soil health benefits are only temporary and cannot be given much weight. At a local, site level, it can prove difficult to establish low fertility grassland on former arable land due to the higher levels of potassium and phosphate in soils	The Applicant notes the distinction between ALC and impacts upon agricultural land grading and the impacts upon soil resources. The applicant notes the likelihood of improvement of soil structure and organic matter content over the life of the Proposed Development – which is 60 years - but does not ascribe a significant beneficial effect in Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. The Applicant acknowledges that the benefit may reduce after decommissioning, subject to land use choices which will not be determined by the Applicant. However, diminution beyond the current baseline is not anticipated.
5. Summary of Effects			
N/A	General Comments	From the construction phase, short-term and long-term temporary use of agricultural land will occur. The only permanent reduction in agricultural land will be for habitat creation, where the soil resource will be maintained, outside of agriculture. The reports summarise the main effects on agricultural land and soil below:	The Applicant acknowledges this comment and does not have anything further to add to other than to reiterate that the areas assessed as permanent loss could be reinstated to farmland by



LIR Ref.	Theme	Comments from LCC LIR Appendices [REP1-053]	Applicant's Response to LCC LIR Appendices [REP1-053]
		12.7.44 Land permanently used is defined as the area of agricultural land disturbed during construction which is permanently taken out of agricultural use due to the Proposed Development. Given that the land within the Cable Corridor outside of the Principal Site will be returned to previous land use upon completion of construction, and all infrastructure within the Principal Site will be removed upon decommissioning, the only areas of agricultural land considered to be permanently lost due to the Proposed Development are areas of planting and habitat creation introduced as part of the Proposed Development. The extent of these areas amount to a total use of 4.6ha of agricultural land, of which 1.5ha is BMV land (Subgrade 3a). The change of land use is likely to be beneficial to the soil resource but the low magnitude withdrawal of land from agricultural production may be interpreted as a minor adverse effect, which is not significant. 12.7.82 An increase in soil organic matter content may occur during the lifetime of the Principal Site. The land will therefore be in the same or better condition than it currently is, as a result of the expected natural enhancement through being set aside for a long period of time. However, this is likely to be reversible and maintaining elevated soil organic matter will be dependent on good agricultural land management practices being adopted after decommissioning.	landowners / farmers after decommissioning, but are assessed as permanently lost due to the likelihood the Applicant will leave this 4.6ha of planting in place during decommissioning and upon handing back the Site to the landowners.
N/A	Effect on Agricultural Land	This is stated as a low magnitude impact and accordingly minor adverse, which is considered not significant. This is with reference to the loss of BMV to areas of hardstanding etc. Temporary, reversible losses of soil related features are considered low magnitude of impact changes in the IEMA Guide. Low magnitude impacts on resources of high or medium sensitivity equate to minor adverse significance. The overall impact is therefore considered as minor adverse for the 60-year duration of the operational lifespan of the Development and not significant. Whilst the project life is long term, it is considered as temporary and in that scenario, if all of these areas are capable of full restoration back to the current status, then the impact is ultimately low. The cumulative or wider impact compares the local area to the national and county wide BMV statistics. The argument is made that the impact is low at local and regional level.	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
N/A	Effects on Soils	The potential effects on soils is considered alongside the effects on agricultural land in the assessment. The disturbance to soils is generally viewed as temporary and limited, on the basis that the use is temporary albeit long term. The soils within the Order Limits are of medium (mostly) and low sensitivity.	The Applicant notes this comment and considers the Proposed Development to be long-term, reversible, but when applying the IEMA/ISEP guidance 'A New Perspective on Land and Soil in Environmental Impact Assessment', it is clearly not permanent and is therefore assessed as temporary in Chapter 12: Socio-Economics and Land Use of the ES [AS-016].

Appendix C Glint and Glare Residential Receptors Plans

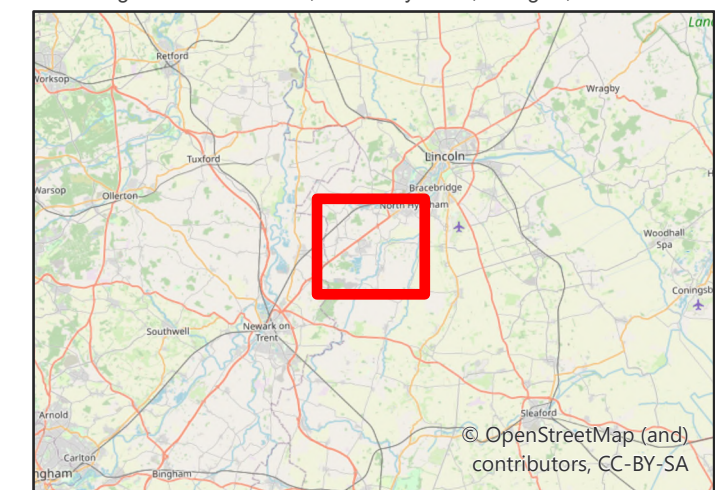
Fosse Green Solar Farm Residential Based Receptors Figure 1A



Key

- Development Boundary
- Panel Boundary
- 1km Study Area
- Glare Not Possible at Receptor
- Glare Possible at Receptor
- Residential Area
- Non-Reflection Zone

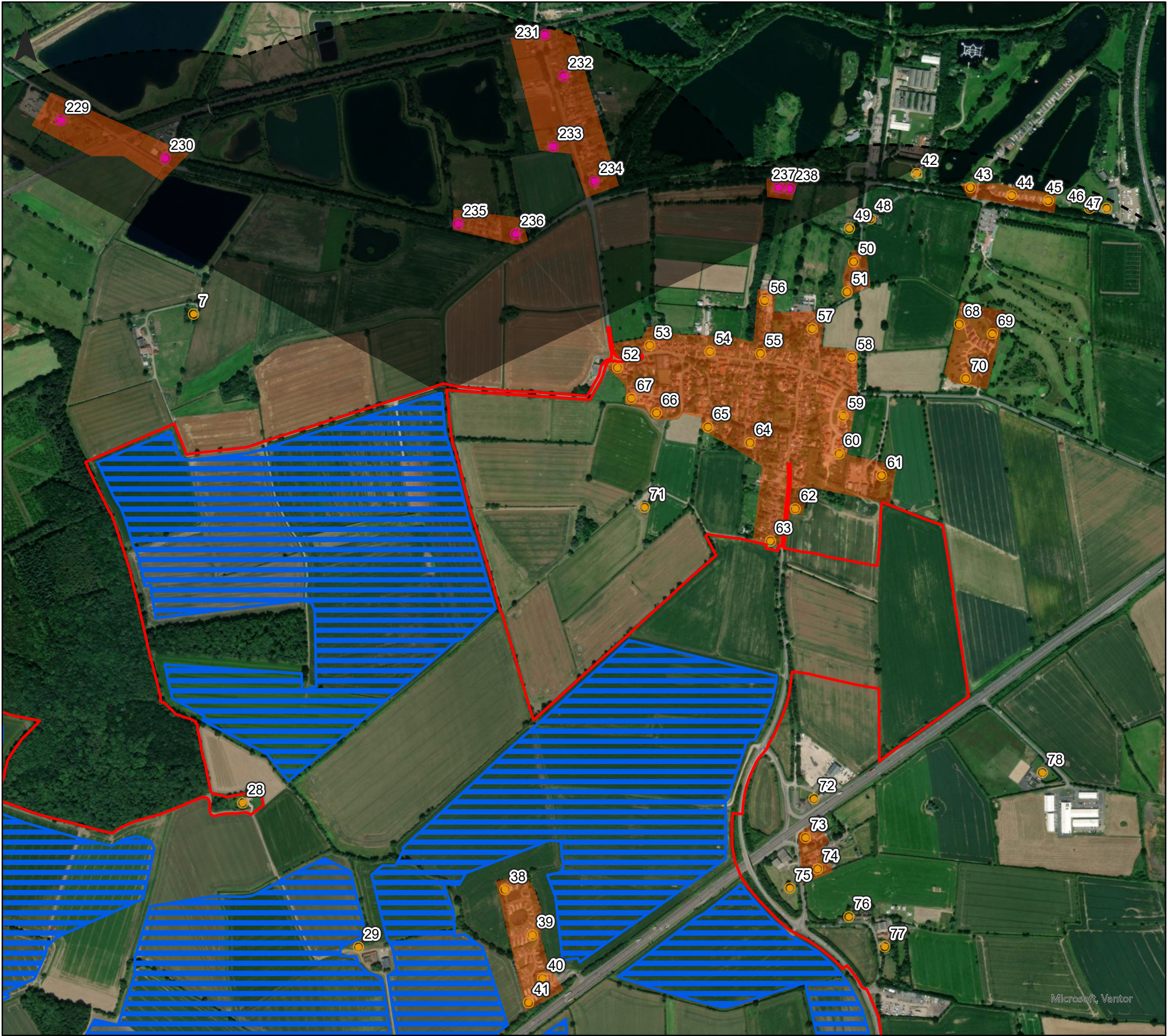
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Wright Business Centre, 1 Lonmay Road, Glasgow, G33 4EL



Date: 30/01/2026
Drawn By: Thomas Hughes
Scale (A3): 1:35,000
Drawing No: NEO01357/001I/E



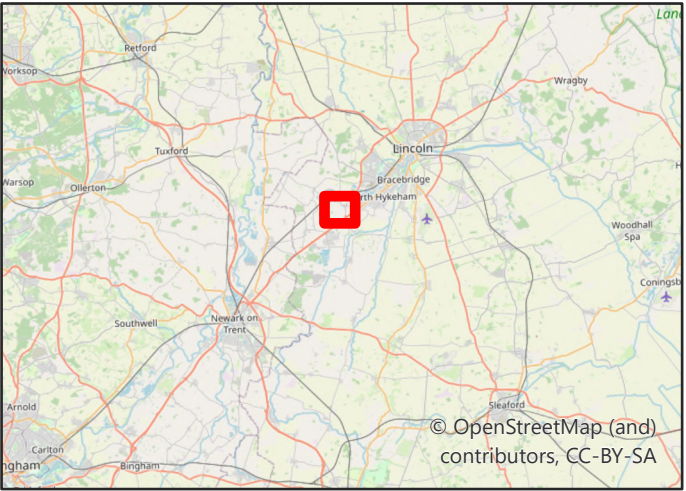
Fosse Green Solar Farm
Residential Based Receptors
Figure 1B



Key

- Development Boundary
- Panel Boundary
- 1km Study Area
- Glare Not Possible at Receptor
- Glare Possible at Receptor
- Residential Area
- Non-Reflection Zone

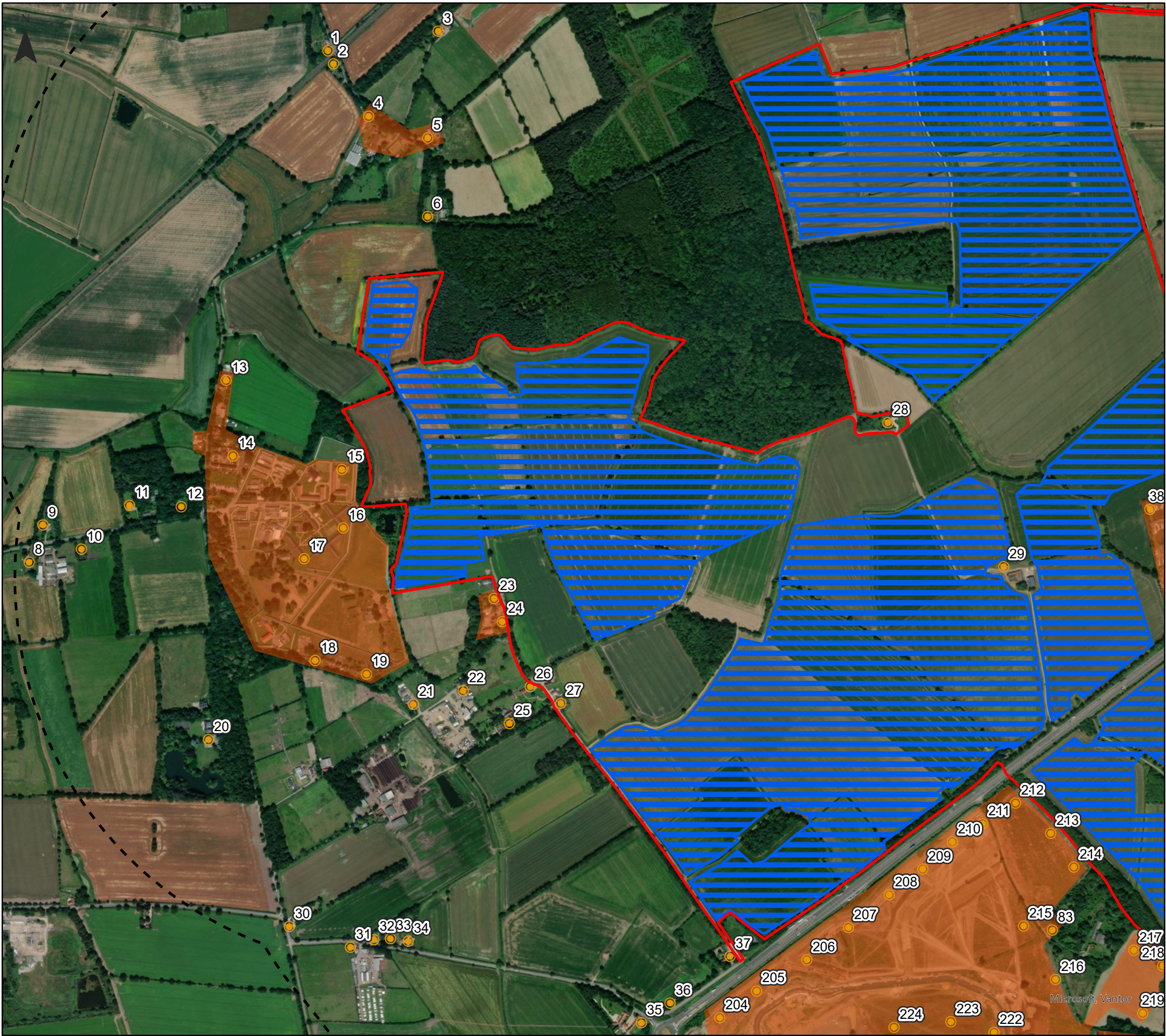
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Date: 30/01/2026
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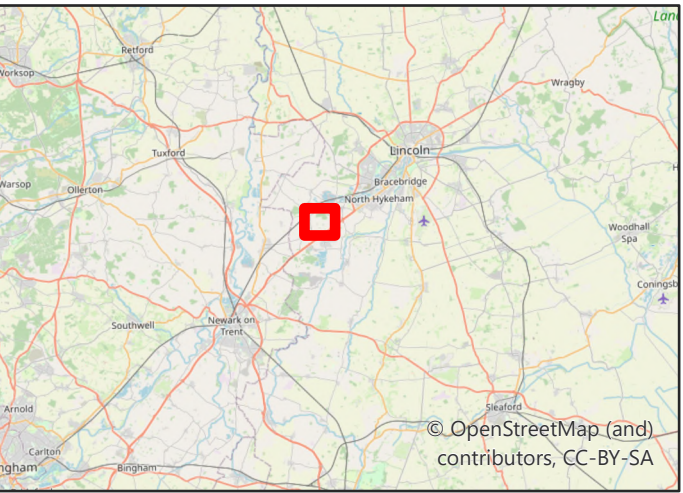


Fosse Green Solar Farm
Residential Based Receptors
Figure 1C



- Key
- Development Boundary
 - Panel Boundary
 - 1km Study Area
 - Glare Not Possible at Receptor
 - Glare Possible at Receptor
 - Residential Area
 - Non-Reflection Zone

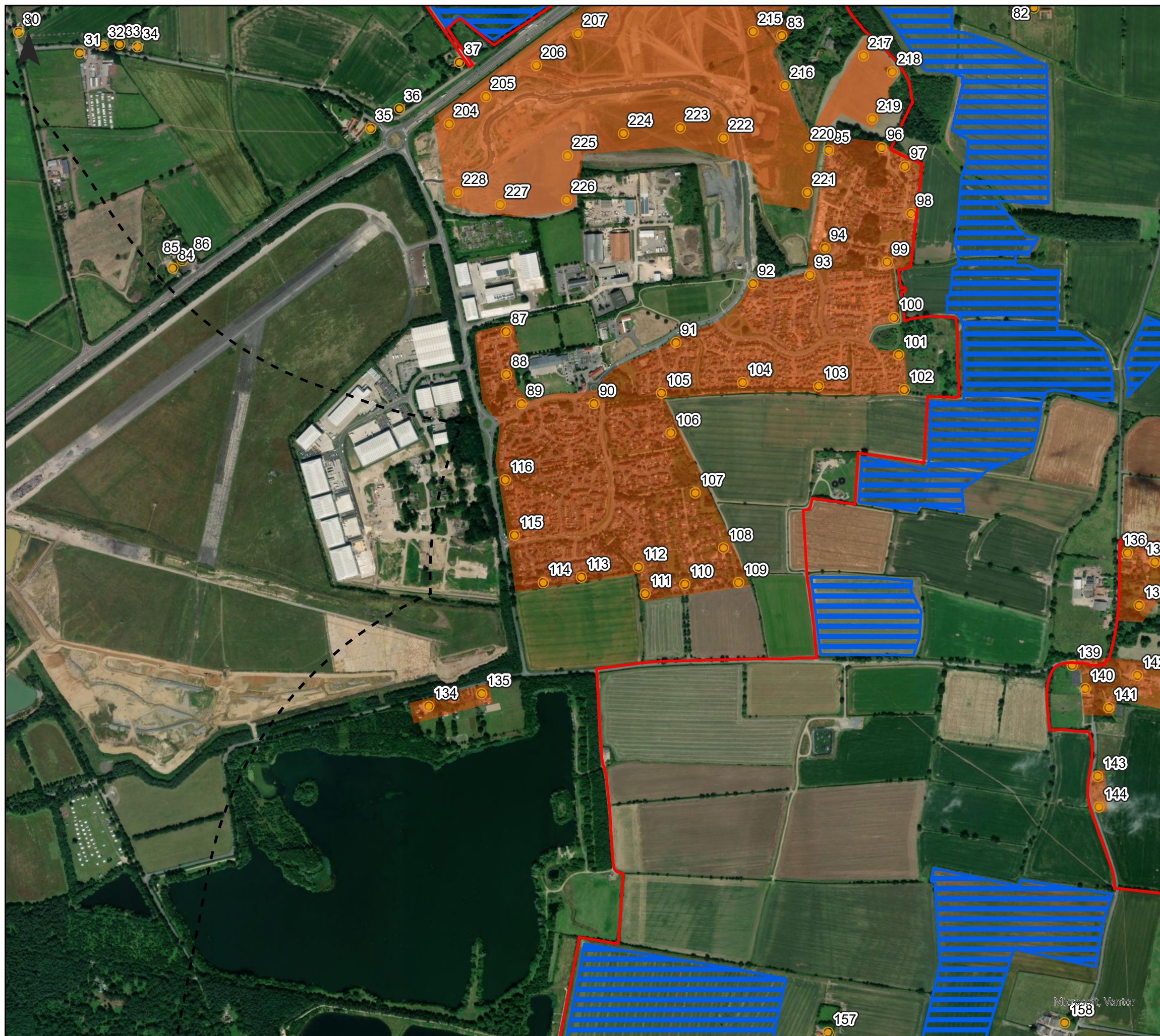
Neo Office Address:
Wright Business Centre, 1 Lonmay Road, Glasgow, G33 4EL



Date: 30/01/2026
Drawn By: Thomas Hughes
Scale (A3): 1:10,000
Drawing No: NEO01357/0031/E



0 0.25 0.5 1 Kilometers

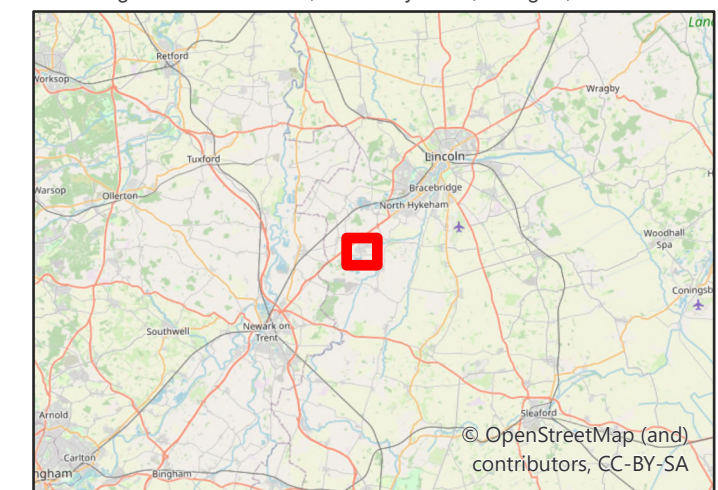


Fosse Green Solar Farm Residential Based Receptors Figure 1D

Key

- Development Boundary
- Panel Boundary
- 1km Study Area
- Glare Not Possible at Receptor
- Glare Possible at Receptor
- Residential Area
- Non-Reflection Zone

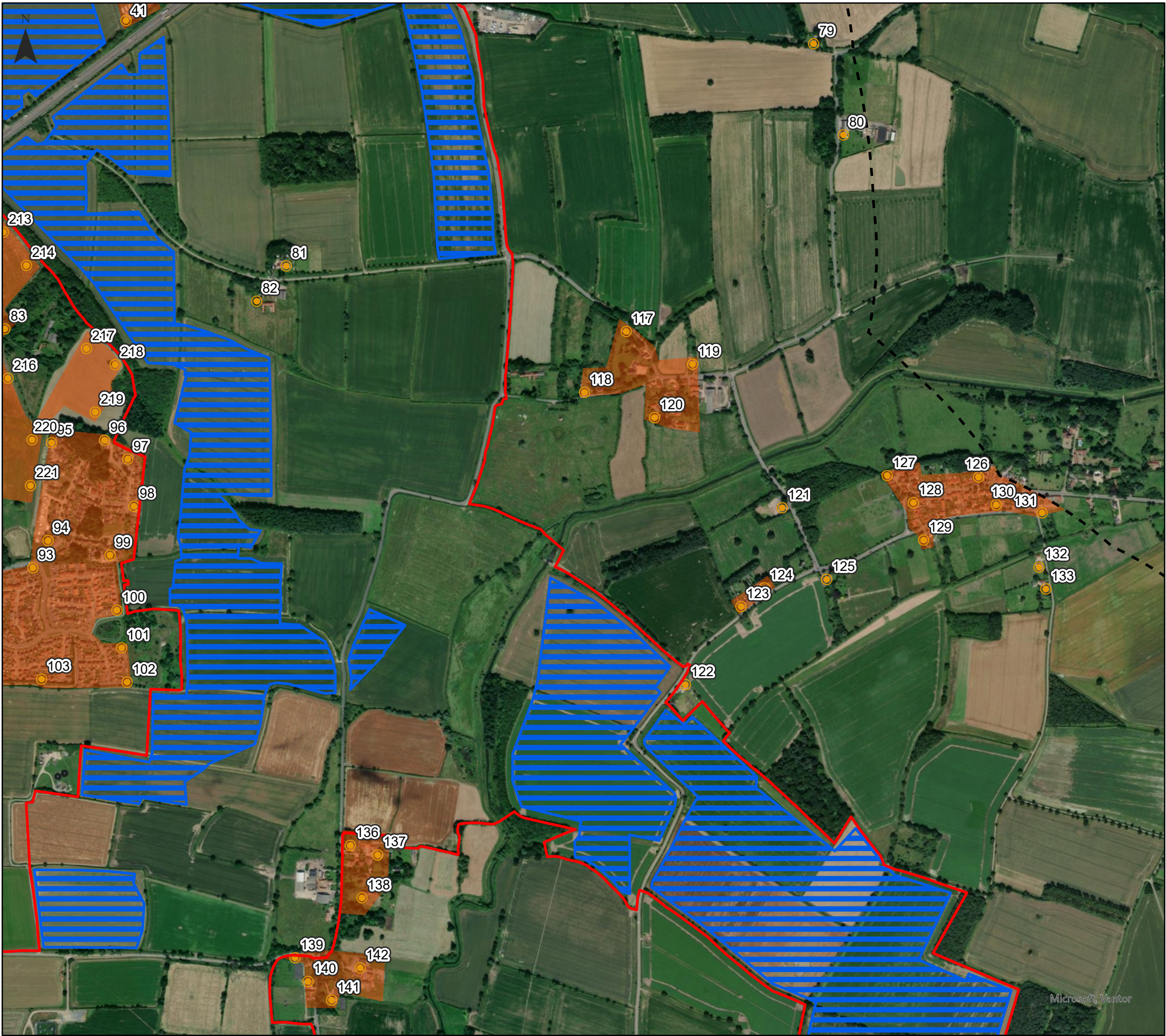
Neo Office Address:
Wright Business Centre, 1 Lonmay Road, Glasgow, G33 4EL



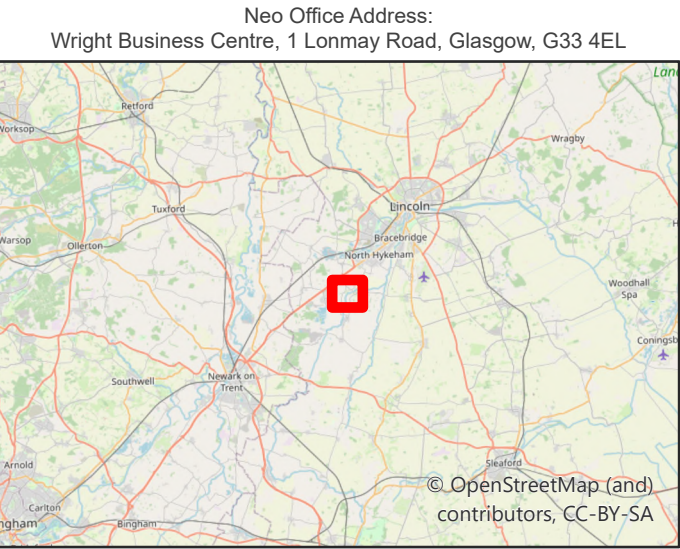
Date: 30/01/2026
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Drawing No: NEO01357/0161/A



Fosse Green Solar Farm
Residential Based Receptors
Figure 1E



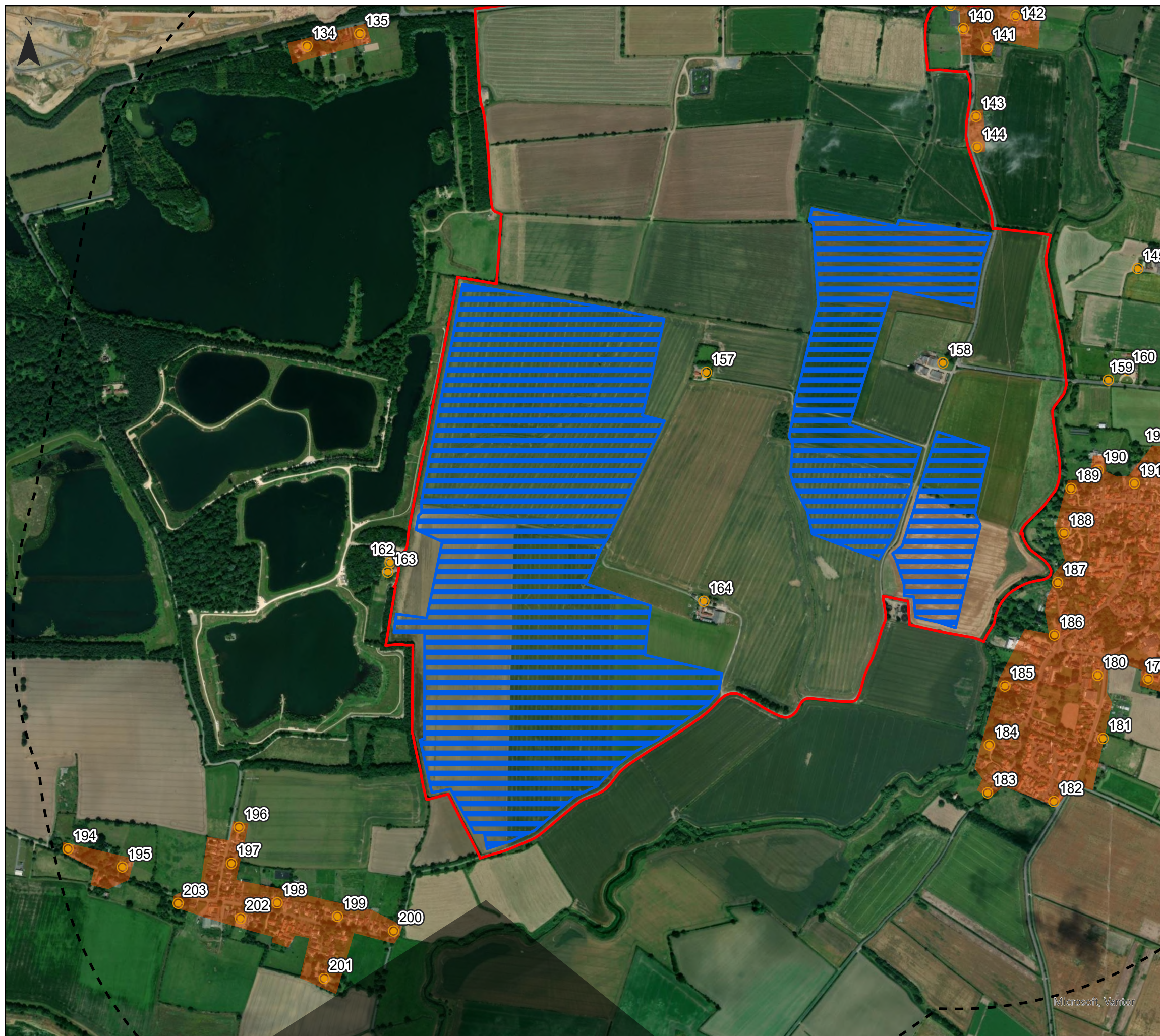
- Key
- Development Boundary
 - Panel Boundary
 - 1km Study Area
 - Glare Not Possible at Receptor
 - Glare Possible at Receptor
 - Residential Area
 - Non-Reflection Zone



0 0.25 0.5 1 Kilometers

Date: 30/01/2026
Drawn By: Thomas Hughes
Scale (A3): 1:10,000
Drawing No: NEO01357/0171/A



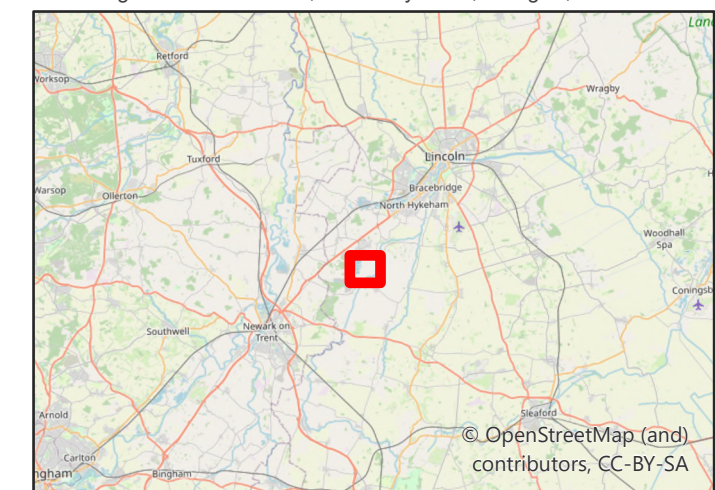


Fosse Green Solar Farm Residential Based Receptors Figure 1F

Key

- Development Boundary
- Panel Boundary
- 1km Study Area
- Glare Not Possible at Receptor
- Glare Possible at Receptor
- Residential Area
- Non-Reflection Zone

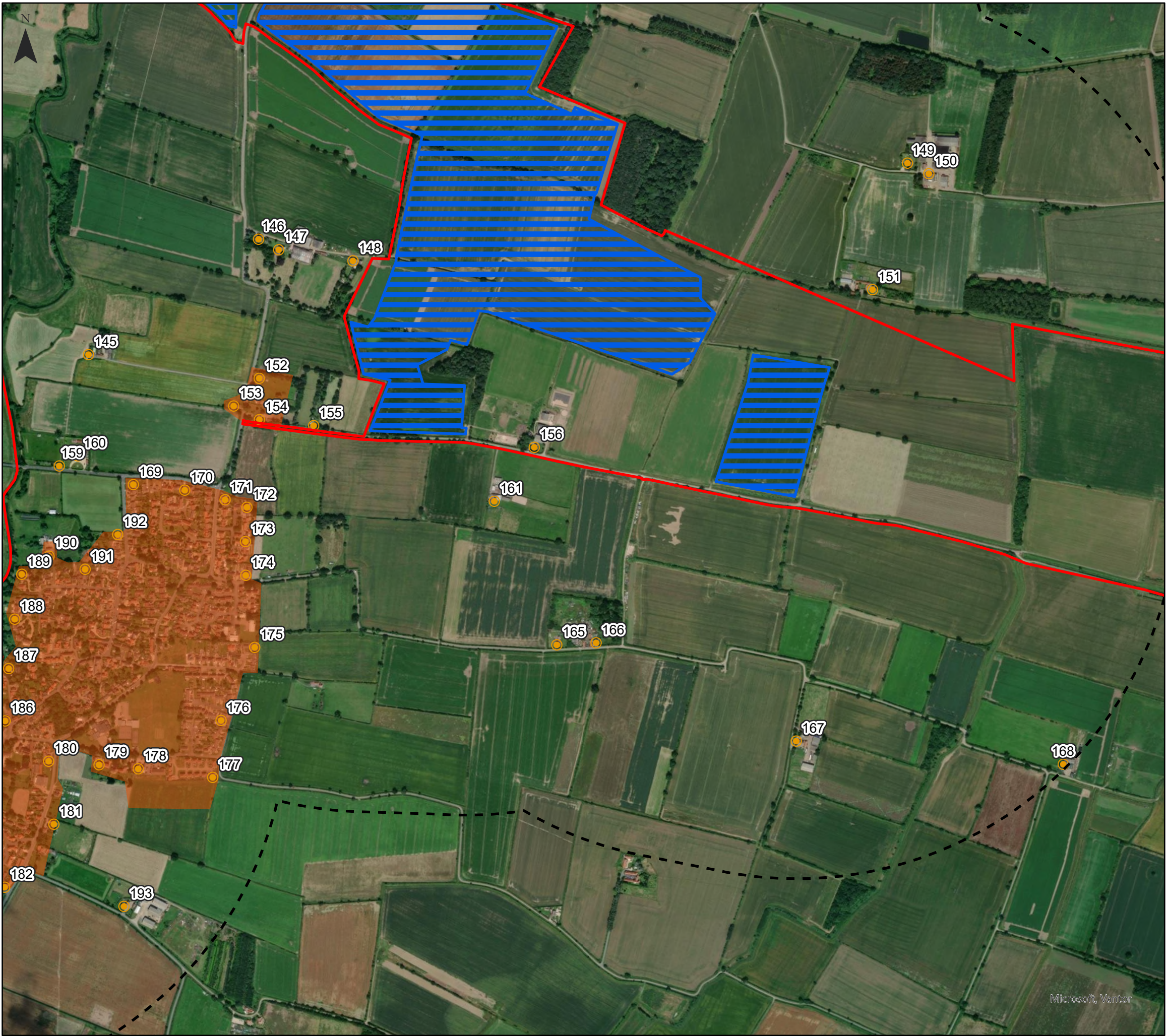
Neo Office Address:
Wright Business Centre, 1 Lonmay Road, Glasgow, G33 4EL



Date: 30/01/2026
Drawn By: Thomas Hughes
Scale (A3): 1:10,000
Drawing No: NEO01357/0181/A



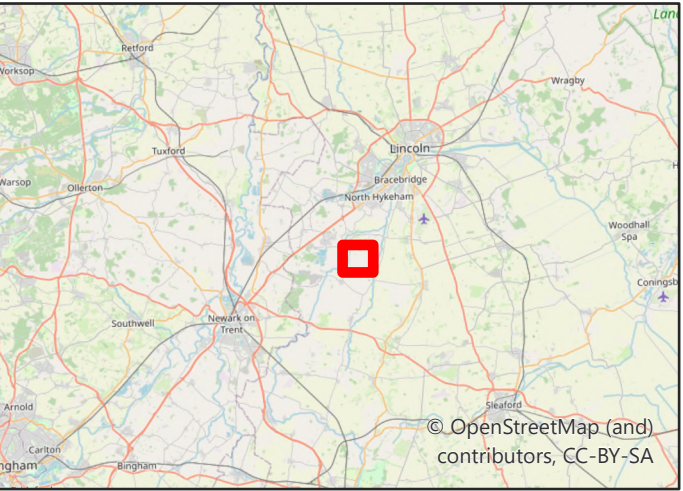
Fosse Green Solar Farm
Residential Based Receptors
Figure 1G



Key

- Development Boundary
- Panel Boundary
- 1km Study Area
- Glare Not Possible at Receptor
- Glare Possible at Receptor
- Residential Area
- Non-Reflection Zone

Neo Office Address:
Wright Business Centre, 1 Lonmay Road, Glasgow, G33 4EL



0 0.2 0.4 0.8 Kilometers

Date: 30/01/2026
Drawn By: Thomas Hughes
Scale (A3): 1:10,000
Drawing No: NEO01357/0191/A

