



Fosse Green Energy

EN010154

8.13 Statement of Common Ground with
North Kesteven District Council

VOLUME

8

Planning Act 2008 (as amended)

Regulation 8(1)(e)

Infrastructure Planning (Examination Procedure)

Rules 2010

31 March 2026

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

Fosse Green Energy Development Consent Order 202[]

8.13 Statement of Common Ground with North Kesteven District Council

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1. Statement of Common Ground Signatures

This Statement of Common Ground has been prepared and agreed by Fosse Green Energy Limited and North Kesteven District Council.

Signed on behalf of Fosse Green Energy Limited

Name: Lloyd Sandles

Position: Director

Date: 31/03/2026

Signature: 

Signed on behalf of North Kesteven District Council

Name: 

Position: Development Manager

Date: 31/03/26

Signature: 

2. Introduction

2.1 Purpose of this document

- 2.1.1 This Statement of Common Ground (SoCG) relates to the application submitted to the Planning Inspectorate on 18 July 2025 (the Application) by Fosse Green Energy Limited (the Applicant) for a Development Consent Order (DCO) for the Fosse Green Energy solar project (the Proposed Development).
- 2.1.2 This SoCG has been prepared by the Applicant and North Kesteven District Council (NKDC) (together known as “the Parties”) in respect of the Proposed Development.
- 2.1.3 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties and where agreement has not yet been reached. This SoCG will be revised and updated as appropriate and/or required by the ExA at relevant examination deadlines.
- 2.1.4 In particular, this SoCG focuses on planning, environmental and draft Development Consent Order matters.
- 2.1.5 As set out in the procedural decision made by the ExA on 22 August 2025 **[PD-005]**, the ExA requires final and signed SoCGs to be submitted at the midpoint of examination. The Examination Timetable set out at Annex A to the Rule 8 Letter **[PD-010]**, confirmed the midpoint of the examination as Deadline 3A (24 March 2026). Further to this, the procedural decision dated 21 November 2025 **[PD-007]** includes North Kesteven District Council as a party with which the Applicant must enter into a SoCG. Although the deadline for the submission of SoCGs was set as Deadline 3A, as set out in the Deadline 3A Cover Letter **[REP3A-001]**, submission of the SoCG between the Applicant and NKDC was put back to Deadline 4 (31 March 2026). This was confirmed via email on Friday 20 March by the Planning Inspectorate on behalf of the ExA. This extension of time was granted to allow for discussion of matters that arose during Issue Specific Hearing 3 (ISH3) and Issue Specific Hearing 4 (ISH4).
- 2.1.6 The entries in this SoCG reflect the position of NKDC up to Deadline 3 (20 March 2026). Where the status of any matter is recorded as ‘Under Discussion’ in this SoCG, the Parties consider that there is a reasonable prospect of agreement being reached before the end of the Examination, and accordingly, will continue discuss those matters.
- 2.1.7 Application document references are taken from the EN010154 – Fosse Green Energy Examination Library.

2.2 The Proposed Development

- 2.2.1 The Application is for the construction, operation (including maintenance) and decommissioning of a ground-mounted solar photovoltaic (PV) electricity generating station with a capacity exceeding 50 megawatts, with battery storage, onsite substation and associated infrastructure to generate and

export/import electricity. The associated development includes, but is not limited to, access provision, battery storage, underground cabling, areas of landscaping and biodiversity enhancement, and a 400kV underground Grid Connection Cable to connect the Proposed Development to the national electricity transmission network.

2.2.2 The Proposed Development is infrastructure of critical national priority.

2.3 Parties To This Statement of Common Ground

2.3.1 The parties have been, and continue to be, in direct communication in respect of the Proposed Development.

2.3.2 North Kesteven District Council are responsible for district-level services, while county-level services are provided by Lincolnshire County Council. North Kesteven District Council serves over 118,000 residents in a largely rural area, covering the towns of Sleaford and North Hykeham.

2.3.3 The Applicant is a partnership between Windel Energy Limited and Recurrent Energy.

2.4 Terminology

2.4.1 In the tables in Section 3 of this SoCG, 'Matters agreed, not agreed or Under Discussion' are colour coded in column 5 and categorised as follows:

- a. "Agreed" (green) indicates where the issue has been resolved;
- b. "Not Agreed" (red) indicates a final position that a matter cannot be agreed; and
- c. "Under Discussion" (amber) indicates where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the Parties.

3. Record of Engagement

3.1 Summary of consultation

3.1.1 A summary of the meetings and correspondence that has occurred between the Applicant and North Kesteven District Council is set out in **Table 3-1**.

Table 3-1 Engagement between the Applicant and North Kesteven District Council

Date	Form of Correspondence	Details
10/05/2023	Meeting – MS Teams	Introduction to the Proposed Development.
18/08/2023	Email exchange	Informing North Kesteven District Council (NKDC) of upcoming non-statutory consultation and initiating engagement on technical matters.
30/08/2023	Meeting – MS Teams	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. Introduction; b. Scoping Report details; c. Update on environmental constraints and surveys; d. Design update; e. Programme; and f. Update on plans for non-statutory consultation.
11/09/2023	Email exchange	Contacted councillors in the local area at the start of non-statutory consultation.
14/09/2023	Email exchange	To confirm: <ul style="list-style-type: none"> a. Noise receptors; b. Noise monitoring; and c. Noise assessment.
14/09/2023	Email exchange	Proposed noise monitoring locations accepted by NKDC.
26/10/2023	Meeting – MS Teams	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. Upcoming statutory consultation period; b. Details of the plans for connection of the Proposed Development to the national electricity transmission network; and c. Details of proposed permissive paths.
01/11/2023	Email exchange	NKDC provided feedback during the non-statutory consultation including on the working plans and ecology.
02/11/2023	Meeting – MS Teams	Discussion of approach to archaeology in relation to the Proposed Development.

Date	Form of Correspondence	Details
07/11/2023	Email exchange	Feedback sought from NKDC on the draft Statement of Community Consultation (SoCC).
15/11/2023	Email exchange	Comments received from NKDC on the SoCC.
15/11/2023	Email	NKDC provided feedback to the SoCC consultation event.
07/12/2023	Meeting – MS Teams	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. Proposition of holding statutory consultation period in late March; b. Submission date for DCO Application; c. Slight layout changes being made as a result of findings from environmental surveys; d. Key themes arising from non-statutory consultation including the scale of the Proposed Development and potential loss of arable land; e. Ecology mitigation; and f. Include minerals sites in the Preliminary Environmental Information Report (PEIR) cumulative assessment where applicable.
13/12/2023	Meeting – MS Teams	Discussion of highways scope, study area, Construction Traffic Management Plan, cumulatives with National Highways, LCC and NKDC.
04/01/2024	Email exchanges	Final form of Planning Performance Agreement (PPA) agreed between the Applicant and NKDC for the Pre-Application stage of the Proposed Development.
20/01/2024	Meeting – MS Teams	Meeting held in advance of statutory consultation.
04/07/2024	Meeting – MS Teams	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. Re-mobilisation of FGE project; b. Ongoing amendments to the design including revised permissive paths and solar layouts; c. Filling ecology survey gaps; and d. Note new potential proposed development in the cumulative chapter.
15/08/2024	Meeting – MS Teams	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. Preparation of the PEIR; b. Re-mobilisation of consultation with stakeholders;

Date	Form of Correspondence	Details
		<ul style="list-style-type: none"> c. Re-engagement with the Planning Inspectorate (PINS), engaging with their new pre-application service; and d. SoCC to be refreshed.
22/08/2024	Email exchange	Discussion of PEIR cumulative assessment.
26/09/2024	Email exchange	Details of statutory consultation.
26/09/2024	Meeting – MS Teams	<p>Project update meeting – discussion of matters including:</p> <ul style="list-style-type: none"> a. Preparation of the PEIR; b. Statutory consultation to run from 21 October 2024 for 6 weeks; c. Biodiversity net gain (BNG); and d. The possibility of setting up a Community Liaison Group (CLG) as part of the project.
21/10/2024	Email and Letter	<p>Notice issued under Section 42 of the Planning Act 2008 (PA 2008) to NKDC via email and letter. Launch of statutory consultation and local councillors notified.</p>
07/11/2024	Meeting – MS Teams	<p>Project update meeting – discussion of matters including:</p> <ul style="list-style-type: none"> a. Completion of PEIR and confirmation that notice under Section 46 of the PA 2008 was sent to PINS on 18 October; b. Statutory consultation commenced, to run from 21 October to 2 December 2024; c. Organising/holding briefings with Parish Councils and Councillors. Series of public events organised including an online session; d. Site visits being undertaken; and e. Continued engagement supported and separate topic specific meetings to be arranged where required.
02/12/2024	Written response	Feedback provided by NKDC to the statutory consultation.
10/01/2025	Meeting – MS Teams	<p>Project update meeting – discussion of matters including:</p> <ul style="list-style-type: none"> a. Statutory consultation closed 2 December 2024. PEIR comments gratefully received; b. Design amendments ongoing along with consideration of statutory consultation comments; c. Plans being made for a CLG meeting – focused around parishes in advance of submission of the DCO Application;

Date	Form of Correspondence	Details
		<ul style="list-style-type: none"> d. Flexibility options in design being considered for submission of the DCO Application; a. Written Scheme of Investigation (WSI) comments received, and next steps undertaken; b. Aiming for trial trenching to be carried out in February 2025; c. Site Selection and Sequential Test documents to be included in full DCO Application submission; and d. Preparation for Adequacy of Consultation Milestone.
30/01/2025	Meeting – MS Teams	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. BNG; b. Other developments; and c. Cumulative list being prepared.
27/02/2025	Meeting – MS Teams	Discussion of potential construction noise and vibration impacts.
13/03/2025	Meeting – MS Teams	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. Final design refinement/red line boundary; b. Submission of DCO Application; c. The provision of bird mitigation land; d. Permissive path changes; e. Adequacy of Consultation Report; and f. CLG.
26/03/2025	Email exchange	Draft Adequacy of Consultation Milestone (AOCM) report shared with NKDC for comment.
07/04/2025	Email exchange	Comments on draft AOCM report received from NKDC
24/04/2025	Meeting – MS Teams	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. Final design of the Proposed Development; b. Adequacy of Consultation; c. CLG; d. STEM event in Witham St Hughs; e. Submission of DCO Application; f. Cumulative list of developments; and g. BNG.
13/05/2025	Meeting – MS Teams	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. Adequacy of Consultation; and b. Environment update.

Date	Form of Correspondence	Details
05/06/2025	Meeting – MS Teams	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. Submission of DCO Application; b. Draft DCO Requirements; c. Potential Cumulative Effects Interrelationship Report; d. Potential Main Issues for Examination (PMIE); e. CLG; and f. Trial trenching.
26/06/2025	Email exchange	Discussion and receipt of Potential Main Issues for Examination
19/12/2025	MS – Teams Meeting	Project update meeting – discussion of matters including: <ul style="list-style-type: none"> a. Changes to Order Limits and Design of the Proposed Development b. Docs likely to be submitted at Deadline 1 and summary of key changes/commitments c. Feedback from councils and any update on Local Impact Reports (LIRs) d. SoCG discussion
22/01/2026	Meeting – MS Teams	Discussion of ecology matters with LCC and NKDC
23/02/2026	Meeting – MS Teams	Discussion of arboricultural matters
23/02/2026	Meeting – MS Teams	Discussion of outstanding Landscape and Visual Amenity matters
24/02/2026	Meeting – MS Teams	SoCG Catch up between Applicant and Officer
01/03/2026	Email	NKDC provide a revised version of the draft SoCG with amendments and comments.
17/03/2026	Email	The Applicant shared a revised version of the SoCG with NKDC for review and comment.
18/03/2026	Meeting – MS Teams	Discussion of outstanding Landscape and Visual Amenity matters
26/03/2026	Meeting – MS Teams	Discussion of outstanding Landscape and Visual Amenity matters, with the Applicant providing a document setting out the latest position on the Landscape and Visual matters for NKDC review and comment.

4. Matters Agreed, Not Agreed or Under Discussion

4.1 General Planning Matters

Table 4-1 General Planning Matters

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.1.1	The planning policy context of decision making	North Kesteven District Council (NKDC) agrees that the primary decision-making planning policy context for the application consists of NPS EN-1, EN-3 and EN-5. NKDC considers that the policies of the adopted development plan (consisting of the Central Lincolnshire Local Plan together with relevant Neighbourhood Plans) as well as other local policies and strategies are also capable of being important material considerations to which the SoS should have regard.	The DCO Application for the Proposed Development will be decided by the Secretary of State (SoS) who, under Section 104 of the Planning Act 2008 when deciding the Application must have regard to the relevant national policy statements, in this case being the: <ul style="list-style-type: none"> • Overarching National Policy Statement for Energy (NPS EN-1); • National Policy Statement for Renewable Energy Infrastructure (NPS EN-3); and, • National Policy Statement for electricity networks infrastructure (NPS EN-5). Regard must also be had to any local impact reports and any other matters which the SoS thinks are both important and relevant to the decision.	Agreed
4.1.2	Consideration of the Planning Balance	NKDC has set out its overall position and views on the Proposed Development in its	The Applicant considers that the planning balance has been applied to the Proposed	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		Local Impact Report and Written Representation, and has identified positive, negative and neutral impacts, and in particular where there are areas of conflict or tension with adopted policy.	Development in accordance with NPS EN-1 as set out in Section 7 of the Planning Statement [AS-098] and as such, is acceptable.	
4.1.3	Proposed National Grid substation near Navenby	Whilst the Applicant may have secured a grid connection agreement with NESO, the proposed National Grid substation near Navenby cannot be delivered until a planning permission has been secured. To avoid unjustified adverse effects, a requirement should be included in the DCO to prohibit the commencement of the Proposed Development (including permitted preliminary works) unless and until such a planning permission has been secured and any and all pre-commencement conditions have been discharged.	With regards to the suggestion of an additional requirement to ensure commencement of the Proposed Development is co-ordinated with proposals for the National Grid Substation near Navenby, the Applicant does not consider this necessary. 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' ¹ , there are no obvious reasons known to the Applicant why consent for the proposed National Grid substation near Navenby and associated overhead lines to connect it into the national grid would be withheld. It is understood that under NGET's Transmission Owner's Licence: Standard	Not Agreed

¹ The Horlock Rules are non-statutory industry guidelines used to inform the siting and design of electricity substations, with the aim of minimising environmental and landscape impacts while balancing technical and operational requirements.

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			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. The Applicant fully expects NGET to deliver a connection at the proposed Navenby Substation.	
4.1.4	60 year Operational Lifetime of the Proposed Development	Solar Farms typically have a lifespan of 25-40 years, and the Proposed Development is to be operational for 60 years. This extended period spanning two generations places an even greater onus on the applicant to fully mitigate or offset long term adverse impacts, and to embrace opportunities to provide legacy benefits to the community. The extended period also raises questions regarding wholesale replacement of panels and equipment, outages and providing for the costs of decommissioning – questions which are less likely to arise where duration is shorter. NKDC considers that these concerns have not been adequately	The Applicant is seeking a time limited consent for the Proposed Development to be in operation for 60 years, with decommissioning to take place following cessation of operation. An operational lifetime of 60-years will maximise the renewable energy generation of the Proposed Development and allow for replacement of solar PV panels halfway through if there is a loss in output capacity. A 60-year operational lifetime also allows flexibility for technological advancements in solar PV arrays to be utilised by the Proposed Development after a few decades, should these be available. The	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		addressed in the application documents and proposals.	operational life of the Proposed Development is anticipated to be 2033 to 2093. The non-permanent and reversible nature of a solar NSIP with 60 year consent has also been acknowledged in the Secretary of State's decisions on Gate Burton Energy Park and Cottam Solar Project, which have both been granted consent.	
4.1.5	Timescales for Construction of the Proposed Development	Clarity is required on the construction of the Proposed Development with the delivery of the proposed National Grid substation near Navenby. Construction of the Proposed Development is anticipated to take from 2 - 2.5 years commencing in 2031. The most recent timeline provided by the National Grid estimates completion of the proposed National Grid Navenby Substation (NGNS) by 'late 2029' assuming a projected planning application determination timeframe based on submission in mid – late March 2026 and a determination in late 2026 – but which the Council observes ought to have further contingency applied and notably National Grid has recently updated its prediction of	The planning application for the proposed National Grid substation near Navenby has not been submitted at the time of writing. At Issue Specific Hearing 4, NKDC noted that the application is expected to be submitted around 27 April 2026 and based on information available on the National Grid's website at the time of writing, the anticipated completion date for the proposed Navenby substation is currently late 2029. This is around 3.5 years ahead of the connection date proposed for the Proposed Development. Given construction of the Proposed Development is anticipated to commence in 2031, to be operational in 2033, there would be no overlap with construction of the proposed	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		when the application will be submitted to 27 th April 2026.	Navenby substation, even if the National Grid's current timeline is slightly revised. National Grid's website has recently been updated to reflect submission of the planning application in Spring 2026, with a decision expected in Autumn 2026 and, subject to approval, construction anticipated to commence in Winter 2026.	

4.2 Draft Development Consent Order

Table 4-2 Draft Development Consent Order

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.2.1	Draft DCO Wording regarding Tree Preservation Orders (TPO) - Article 40	NKDC has concerns around the wording of the draft DCO in respect of trees subject to Tree Preservation Order, and the unrestricted powers around tree lopping and felling that would be afforded under Article 40. NKDC acknowledges the proposed changes to the wording of article 40 in REP2-006 , and has suggested further changes which are the subject of on-going discussion with the Applicant.	A minor further amendment has been made to the Draft DCO [REP3A-004] at Deadline 3A. The Applicant notes the concerns regarding the powers to be afforded under Article 40 of the draft DCO [REP2-005] in relation to the lopping and felling of trees subject to Tree Preservation Orders. The Applicant has received draft suggested wording from NKDC and, having reviewed this, does not consider any further amendments are required to Article 40. This has been communicated to NKDC.	Under discussion
4.2.2	Co-ordination of the commencement of the Proposed Development with the timeline of the proposed National Grid Substation near Navenby	NKDC requests that an additional requirement is imposed as follows: <i>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 and any pre-commencement conditions have been discharged.</i>	With regards to the suggestion of an additional requirement to ensure commencement of the Proposed Development is co-ordinated with proposals for the National Grid Substation near Navenby, the Applicant does not consider this necessary. As stated in the Grid Connection Statement [APP-200] the Applicant has secured a grid connection offer from National Grid, to	Not Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>The Examining Authority for the Springwell DCO has suggested that it is likely to recommend the inclusion of a similar requirement for that project, if consent is granted.</p>	<p>connect the Proposed Development to the proposed National Grid' substation near Navenby. The grid connection offer was received in September 2022 and accepted by the Applicant in November 2022 meaning that a connection bay has been allocated at the proposed Navenby substation for the Proposed Development.</p> <p>NKDC stated at ISH4 that, based on the most recent update, it is anticipated that the planning application for the proposed National Grid Navenby substation will be submitted on 27 April 2026. Therefore, based on the information available on National Grid's website at the time of writing, following submission of the application in Spring 2026, a decision is expected in Autumn 2026, and subject to approval, construction work is expected to begin in Winter 2026 with the anticipated completion date currently being late 2029.</p> <p>This is around 3.5 years ahead of the connection date proposed for the Proposed Development and there are no obvious reasons known to the Applicant as to why</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>consent for the Navenby substation and associated overhead lines to connect it into the national grid would be withheld. Given construction of the Proposed Development is anticipated to commence in 2031, to be operational in 2033, there would be no overlap with construction of the proposed Navenby substation. Therefore, the Applicant does not consider that there is justification for the request to add a requirement to the draft DCO in order to co-ordinate the commencement of the Proposed Development with the proposals for the National Grid Substation near Navenby.</p>	
4.2.3	Landscape Maintenance during the operation of the Proposed Development	<p>The DCO should include an appropriate period of landscape maintenance, currently referenced at article 30(8), that ties into a period of time identified in the Framework Landscape and Ecological 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</p>	<p>Section 7 of the Framework Landscape and Ecological Management Plan (LEMP) [REP2-021] secures the need to monitor and review the management prescriptions undertaken. This includes walkover surveys of the DCO Site to be undertaken between April and June in years 2, 4, 6, 10 of operation and then every 5 years post-construction until year 60. The implementation of a detailed Landscape and Ecological Management Plan, substantially in accordance with the Framework LEMP, is secured under</p>	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		the Proposed Development. 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	Requirement 8 (Landscape and ecological management plan) of the draft DCO [REP3A-004] .	
4.2.4	Management of Community Orchard proposed East of Witham St Hughs	NKDC agrees with the measures proposed in relation to the proposed community orchard, but does not propose to take on the management of the orchard, which should be offered to the local community.	<p>Section 5 of the Framework LEMP [REP2-021] (ref. paragraph 5.3.71-74) secures the long-term management of the community orchard, and includes provision for an annual condition assessment and an appropriate pruning regime. The implementation of a detailed Landscape and Ecological Management Plan, which is to be substantially in accordance with the framework, will outline the processes to be followed regarding management of the community orchards is secured under Requirement 8 (Landscape and ecological management plan) of the draft DCO [REP3A-004].</p> <p>As detailed in the FLEMP, the proposed community orchard would be managed by the Applicant; however, the Applicant is happy to discuss with NKDC (and/or other</p>	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			relevant parties) the transfer of management of the community orchard although recognises that there may be limitations related to cost and operational management.	
4.2.5	Archaeological Requirements for pre-commencement works of the Proposed Development	NKDC would strongly oppose wording in the Draft Development Consent Order (DCO) for landscaping, biodiversity and ancillary works to be undertaken in advance of the main works programme to be specifically excluded from being subject to the Archaeological Requirements.	<p>For the majority of the Requirements in Schedule 2 of the draft DCO [REP3A-004], the only works that are excluded from the pre-commencement requirements are the 'permitted preliminary works' as these works are excluded from the definition of 'commence' under Article 2(1) of the draft DCO [REP3A-00] and are themselves defined in Article 2(1).</p> <p>However, in discussions with NKDC prior to the submission of the DCO Application, the Applicant previously amended Requirement 11 (Archaeology) at Schedule 2 of the draft DCO [REP3A-004] 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></p> <p>This previous amendment required the provisions in Requirement 11 to be</p>	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>complied with before any of the 'permitted preliminary works' can be commenced.</p> <p>However, in light of recent submissions made by various parties (including NKDC), the Applicant has reviewed and amended the drafting of the definition of “permitted preliminary works” which has resulted in subsequent amendments to the drafting of Requirement 11. These amendments are reflected in the iteration of the draft DCO submitted to the Examination at Deadline 3A [REP3A-004].</p> <p>The revised definition of “permitted preliminary works” is set out at 3.2.9 below. The revised drafting of Requirement 11 is as follows:</p> <p>11.—(1) The <i>No part of the authorised development is to be may not commence commenced until—</i></p> <p style="padding-left: 40px;">(a) <i>a scheme for additional trial trenching for that part has been submitted to and approved by the</i></p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p><i>relevant planning authority, in consultation with Historic England;</i></p> <p><i>(b) additional trial trenching has been carried out for that part in accordance with the scheme approved under sub-paragraph (a); and</i></p> <p><i>(c) updates are made to the framework written scheme of investigation to account for the results of the additional trial trenching carried out and the updated framework written scheme of investigation is submitted to and approved in writing by the relevant planning authority in consultation with Historic England.</i></p> <p><i>(2) The relevant part of the authorised development must be carried out in accordance with the written scheme of investigation approved under sub-paragraph 1(c).</i></p> <p><i>(3) For the purposes of sub-paragraph (1), “commence” includes any activities within</i></p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p><i>paragraphs (f) to (j) of the permitted preliminary works unless otherwise agreed with the relevant planning authority,</i></p> <p>These amendments only allow non-intrusive permitted preliminary works to be undertaken in advance of the archaeological trial trenching works and approval of the Written Schemes of Investigation.</p> <p>Under the definition of permitted preliminary works, landscaping, biodiversity and ancillary works would be considered an activity within item (j) “advanced planting to allow for early establishment of protective screening” and therefore, as per the revised drafting of Requirement 11 set out above, such works are not excluded from the need to comply with the archaeological mitigation provisions under Requirement 11.</p>	
4.2.6	Definition of ‘date of final commissioning’	NKDC has concerns regarding the proposal to bring the development forwards in ‘parts’. NKDC’s concerns have been partly satisfied by the proposed change to the definition to remove the term	The Applicant has now inserted into the draft DCO [REP2-005] a new definition to provide clarity on this point. This is reflected in the updated iteration of the	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		'part', so that there will be a single 'date of final commissioning'.	draft DCO submitted to the Examination at Deadline 3A.	
4.2.7	Definition of 'maintain'	<p>NKDC has concerns regarding this definition, with implications for the extent of maintenance and replacement activities and their potential effects; and has requested an additional requirement for a replacement and repowering strategy to be submitted and approved.</p> <p>The Council has not yet considered the Applicant's submission of a typical maintenance schedule in Appendix C to the Applicant's Response to ExQ2s (REP3-045) and will continue to discuss the matter with the Applicant.</p>	As explained in relation to agenda item 3.1(b) during the course of Issue Specific Hearing 4, and set out in the Written Summaries of Oral Submissions [EN010154/EXAM/9.17], the Applicant has amended the Framework Operational Environmental Management Plan (OEMP) [REP2-015] in relation to this point. The Applicant is not proposing to make any amendments to the draft DCO [REP2-005] as it is considered that the amendments to the Framework OEMP [REP2-015] sufficiently address this point.	Under Discussion
4.2.8	'Permissive paths' and Requirement 17	NKDC seeks revisions to define more clearly what permissive path access is proposed, and an alteration to Requirement 17 to require the provision of permissive paths (see NKDC comments on the DCO (REP1-058), and in response to ExQ2 DCO.2.24 (REP3-055).	With regard to the provision of permissive paths, the Applicant considers that this is best achieved through a combination of amendments to Requirement 17 of the draft DCO [REP2-007] and amendments to the Framework Landscape and Ecological Management Plan (LEMP) [REP2-021]. Paragraph 6.1.2 of the Framework LEMP [REP2-021] has been updated and submitted to the Examination at Deadline 3. The wording of Requirement 17 of	Under Discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			Schedule 2 to the draft DCO [REP3A-004] has been amended to reference and signpost section 6 of the LEMP in the updated draft DCO submitted at Deadline 3A.	
4.2.9	Definition of 'permitted preliminary works' in Article 2	<p>NKDC considers that items c), e), f) and h) are carved out of the definition, to ensure that the permitted preliminary works are not allowed to cause harm in advance of commencement, and without being subject to detailed management plan requirements (see response to ExQ2 DCO.2.08 in REP3-055).</p> <p>NKDC also notes that the Applicant proposes in response to ExQ2 DCO.2.09 (REP3-045) that it intends to provide a new detailed management plan for Permitted Preliminary Works and looks forward to considering that document.</p>	<p>In response to question DCO.2.09 of the Examining Authority's Second Written Questions [PD-016] and as per the Applicant's oral submissions in relation to agenda item 3.1(a) during ISH4, the Applicant has reviewed the drafting in relation to the permitted preliminary works (PPW).</p> <p>As a result, the Applicant has revised the definition of "permitted preliminary works" in Article 2(1) of the draft DCO [REP2-005] to distinguish between intrusive and non-intrusive works and amended the relevant requirements accordingly to reflect this. This revised drafting is as follows:</p> <p><i>"permitted preliminary works" means all or any of—</i></p>	Under Discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>(a) environmental surveys, <i>geotechnical surveys, intrusive archaeological surveys and other investigations for the purpose of assessing ground conditions</i>;</p> <p>(b) removal of plant and machinery;</p> <p>(c) above ground site preparation for temporary facilities for the use of contractors;</p> <p>(d) (g) the temporary display of site notices or advertisements;</p> <p>(e) (h) site clearance (including vegetation removal, demolition of existing buildings and structures);</p> <p>(f) <i>geotechnical surveys and other investigations for the purpose of assessing ground conditions</i>;</p> <p>(g) (d) remedial work in respect of any contamination or other adverse ground conditions;</p> <p>(h) (e) diversion of existing apparatus and laying of temporary apparatus;</p> <p>(i) (f) the provision of temporary means of enclosure and site security for construction; or</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p><i>(i) ⚡ advanced planting to allow for early establishment of protective screening;</i></p> <p>Further, the Applicant is proposing that the PPW will be undertaken in accordance with the mitigation contained in a new detailed plan (to be known as the PPW EMP) to be submitted to the Examination at or before Deadline 5. This will be a certified document under Article 41 and compliance with the mitigation contained in it will be secured within the Requirements of the draft DCO. As this will be a detailed plan, no approval mechanism will be necessary under the Requirements.</p> <p>In addition, it is proposed that the PPW EMP will contain a commitment that in the event that the PPW are undertaken on an abortive basis, the land on which the PPW has been undertaken will be restored. This will mean that if PPW are undertaken but the Proposed Development is not commenced within five years from the date of the Order in accordance with Requirement 2, the land on which the PPW have been undertaken would be restored.</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>The Applicant considers that this should adequately address NKDC's concern.</p> <p>The Applicant has incorporated this mechanism into the iteration of the draft DCO [REP3A-004] submitted at Deadline 3A. This updated draft DCO also reflects the amended definition of PPW set out above.</p>	
4.2.10	Article 35	<p>NKDC considers that that the consent of the Secretary of State should perhaps be required to transfer the benefit of the Order after the time limits for claims for compensation in relation to compulsory purchase have elapsed. This is because there may still be a need to be satisfied of a new Undertaker's credentials, given their responsibility for operation, decommissioning, and the exercise of very extensive statutory powers and privileges.</p>	<p>The ExA asked about the provisions of Article 35 in DCO.1.27 of the First Written Questions and the Applicant responded accordingly. The ExA has not raised any further questions around this point.</p> <p>Additionally, the provisions of Article 35 have precedent, including in the Mallard Pass Solar Farm Order 2024, the Heckington Fen Solar Park Order 2025, and the Tillbridge Solar Order 2025, and therefore the Applicant does not consider that any amendments are required. Any undertaker of the Order would be required to hold a generation licence and the fitness for a generation licence holder would be considered by Ofgem in that licensing process.</p>	Under Discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.2.11	Article 46 approvals procedure (other than for Requirements)	The Council considers that the period for approval should be 10 weeks, as it is for Requirements – this would ensure consistency of approach and avoidance of confusion in the future.	<p>The Applicant notes that question DCO.2.07(b)(1) of the Examining Authority’s Second Written Questions [PD-016] asks that the Applicant explains the rationale for the different timescales and question DCO.2.07(b)(1) asks IPs (including NKDC) to confirm whether they are content with the eight-week period for determinations under Article 46 and, if not, to explain why that is the case.</p> <p>For the sake of brevity, the Applicant has not replicated its response to DCO.2.07(b)(1) here but the position remains that the Applicant is not proposing any amendments to the drafting of Article 46 of the draft DCO [REP3A-004].</p>	Under Discussion
4.2.12	Schedule 2 wording ‘substantially in accordance with’	NKDC is satisfied that this wording gives an acceptable degree of flexibility without allowing the undertaker to depart from the framework plans to a large degree.	As submitted in relation to agenda item 3.2(b) of ISH4 and set out in response to question DCO.2.10(a) of the Applicant’s Response to the Examining Authority’s Second Written Questions [REP3-045], the Applicant considers this wording to provide appropriate flexibility to allow the design of mitigation to reflect the final detailed design of the Proposed Development.	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.2.13	Requirement 20	<p>NKDC acknowledges that the Applicant has amended this requirement to remove references to ‘part’ of the development; and in conjunction with changes to the definition of ‘date of final commissioning’, the situation is now acceptable in that regard.</p> <p>However, in its response to ExQ1 DCO.1.24 (REP2-045) the Council suggests additional wording to deal with potential extended periods of outage and early cessation of generation. A new requirement is also sought to ensure that a decommissioning security is put in place. In its response to ExQ2 DCO.2.27 (REP3-055), the Council also suggests a further change to confirm that generation should cease no later than 60 years from the date of final commissioning.</p>	<p>In relation to agenda item 3.1(d) of ISH4, the Applicant reiterated its position that a decommissioning security is not required for the Proposed Development and therefore no such requirement is necessary. The Applicant has also set out a detailed explanation as to why a requirement securing the provision of a decommissioning bond is neither reasonable nor necessary in response to question DCO.2.28 of the Examining Authority’s Second Written Questions [PD-016].</p>	Under discussion
4.2.14	Schedule 15 discharge of Requirements - appeals	<p>NKDC seeks changes to the wording of paragraph 4 to provide for:</p> <ul style="list-style-type: none"> i) 20 working days to provide written representations or further information – 4.(2)(d) 	<p>The Applicant considers that the timescales set out in paragraph 4(2)(d) and paragraph 4(2)(e) of Schedule 15 to the draft DCO [REP2-005] are reasonable and proportionate. Additionally, these timescales have precedent in a number of made DCOs including The Cottam Solar</p>	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>ii) Provisions for the making of counter-submissions within 20 working days - 4.(2)(e)</p>	<p>Project Order 2024, The Mallard Pass Solar Farm Order 2024, The Gate Burton Energy Park Order 2024, The Heckington Fen Solar Park Order 2025, and The Tillbridge Solar Order 2025.</p> <p>Therefore, the Applicant does not propose amending the timescales set out in these paragraphs.</p>	
4.2.15	Schedule 15 discharge of Requirements – fee structure	<p>The Requirement discharge fees need to be increased to £2,578 (first application) from £2,535. The fees at schedule 15 (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).</p>	<p>As set out in the Applicant's Response to Local Impact Reports [REP2-021], the fee structure set out in the draft DCO [REP3A-004] is consistent with the fee structure for the discharge of Requirements contained within several made Orders 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.</p> <p>The Applicant considers the fee structure set out in Schedule 15 to the draft DCO [REP3A-004] to be appropriate and proportionate and as such, is not proposing to make any amendments to the drafting of this Schedule.</p>	Under Discussion

4.3 Alternatives and Design Evolution

Table 4-3 Alternatives and Design Evolution

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.3.1	Consideration of Alternatives - Grid Connection for the Proposed Development	NKDC's position is that the Applicant's site selection process relies in large part for its justification on the proposed grid connection at a future National Grid substation near Navenby. No alternatives for the Proposed Development have been identified in the event of a delay to or cancellation of the proposed National Grid substation near Navenby. NKDC does not object to this absence of an alternative <i>per se</i> . However, it is considered that this reliance on the Navenby substation to achieve a grid connection adds weight to the case for an additional Requirement prohibiting the Proposed Development from proceeding unless and until planning permission for the Navenby substation has been granted and pre-commencement conditions have been discharged.	<p>As per the Grid Connection Statement [APP-200], the grid connection agreement has been secured on the basis of the proposed National Grid substation near Navenby coming forward, therefore alternatives in this context have not been considered.</p> <p>Based on information available on the National Grid's website at the time of writing, the anticipated completion date for the proposed Navenby substation is currently late 2029. This is around 3.5 years ahead of the connection date proposed for the Proposed Development. Given these time frames, it is unlikely that a delay would occur such that the Proposed Development would not be able to connect to the proposed National Grid Substation near Navenby.</p> <p>Given the generally supportive national and local policy position, there are no obvious reasons known to the Applicant why consent for the proposed National</p>	Not Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			Grid substation near Navenby and associated overhead lines to connect it into the national grid would be withheld.	
4.3.2	Site Selection and Proposed Development design - Justification for the siting of part of the Proposed Development on BMV agricultural land	<p>NKDC remains concerned at the potential for a significant area of agricultural land, including BMV land, to be taken out of production for over 60 years. However, it is considered that the site selection and scheme design has taken a reasonable approach to this issue in the context of:</p> <ul style="list-style-type: none"> a) national policy contained in EN-1 and EN-3, together with relevant Ministerial Statements; b) other solar NSIPs which have been granted DCO; and c) resolving tensions with other constraints such as flood risk, effects on heritage assets, and biodiversity. 	The design of the Proposed Development has sought to minimise impacts upon best and most versatile (BMV) 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 and minimising development on BMV land. This has been achieved through the significant amount of retained arable land within the DCO Site (the draft DCO commits to 181 ha of retained arable land in the Framework LEMP [REP2-021] , which will be developed into a detailed Landscape and Ecological Management Plan (substantially in accordance with the Framework Plan) under Schedule 2, Requirement 8 (Landscape and ecological	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>management plan) of the draft DCO [REP3A-004]. This retained arable land affords ecological benefits associated with nesting bird habitats and economic benefits associated with retained jobs. It should be noted that this retained arable land covers a significant proportion (approximately 116 ha) of subgrade 3a BMV land.</p> <p>In line with NPS EN-1 and NPS EN-3, the use of BMV land 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. The Applicant has taken account of other constraints, such as adequate offsets from residential dwellings and heritage settings, which necessitates the inclusion of solar PV arrays on some BMV land in order to maximise the renewable energy</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			generation from the grid connection offer, given the urgent need for renewable energy outlined in the Statement of Need [APP-184] .	
4.3.3	Site Selection Process and Proposed Development – Application of the Sequential Test and the Exception Test	NKDC considers that the Sequential test has been correctly applied to the Site Selection process. NKDC also notes that the scheme design includes limiting the siting of above-ground solar infrastructure in Flood Zones 2 and 3a to three fields, along with mitigation secured in design commitment. On that basis, NKDC considers that the potential sustainability benefits to the community would outweigh any increased flood risk, and therefore the exception test has been correctly applied and used to inform site selection and scheme design.	<p>The Site Selection Report (Appendix A to the Planning Statement) [AS-098] demonstrates consideration of the sequential test in the context of site selection.</p> <p>The Planning Statement [AS-098] then explains how the sequential and exception tests are met at a site-specific level. Appendix 9-C: Flood Risk Assessment of the ES [REP1-023] sets out a comprehensive assessment of flood risk for the Proposed Development and concludes that the area of the Proposed Development will remain safe throughout the operational lifetime and will not result in an increased flood risk elsewhere. The Sequential Test is passed for the Principal Site due to embedded mitigation which will result in the flood risk from any source being low.</p>	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>The location of solar infrastructure in relation to flood zones will be secured via the Design Commitments as set out in Appendix A-1: Design Commitments of the Design Approach Document [APP-186] which state:</p> <p>a. No solar stations or other major electrical infrastructure to be located in Flood Zone 2 or 3.</p> <p>b. No above ground solar development within Flood Zone 3</p>	
4.3.4	Suitable brownfield land in the area	The Council is satisfied that the Proposed Development cannot be accommodated on previously developed land, and that sites on the North Kesteven Brownfield Land Register are identified for other forms of development.	During ISH1 and as set out in the Site Selection Report (Appendix A to the Planning Statement) [AS-098] , it was confirmed a search of the brownfield registers for North Kesteven District Council, South Kesteven District Council, East Lindsey District Council, West Lindsey District Council and the City of Lincoln were consulted (as these councils are located within the area of search (15km)) and the conclusion was that there were no brownfield sites suitable for the purposes of the Proposed Development.	Agreed

4.4 Proposed Development Design

Table 4-4 Proposed Development Design

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.4.1	Recommendation from NKDC for the removal of Field NE02 (as shown on Figure 3-2A and 3-2B of the Preliminary Environmental Information Report)	NKDC acknowledges the removal of solar infrastructure from Field NE02.	Solar infrastructure has been removed from Field NE02 following feedback received during statutory consultation. Field NE02 now comprises Work No.9 'works to create, enhance and maintain green infrastructure and environmental mitigation' as shown on the Works Plans [AS-105] .	Agreed
4.4.2	Buffers from Public Rights of Way	NKDC considers that the Design Commitment PR1, together with the proposals in the FLEMP and the FPRoWMP, as well as Requirements 6, 8, 17 and 18 of Schedule 2 to the DCO, should ensure that and offset of at least 10m on either side of the centreline of a public right of way or permissive path is maintained. This position is without prejudice to NKDC's position that adverse visual effects on users of those paths will be experienced notwithstanding this mitigation measure.	Appropriate buffers have been implemented in the design of the Proposed Development and reflected in the Works Plans [AS-105] , ensuring solar infrastructure is sufficiently offset from Public Rights of Way (PRoW). As per Table 4-3 of the Design Approach Document [APP-186] the Proposed Development has sought to respond to feedback from statutory consultation including siting Solar Stations away from PRoW.	Agreed
4.4.3	Scale and nature of works	NKDC state that the DCO Application involves retaining a high degree of	Any works will need to be carried out in accordance with the detailed	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>flexibility on what form some parts of the Proposed Development will take the scale and nature of the physical works is not entirely clear; and the Proposed Development may come forward (and be decommissioned) in a number of phases.</p>	<p>management plans, which are required to be substantially in accordance with the Framework SMP [REP1-037], Framework Construction Environmental Management Plan (CEMP) [REP2-013] and Framework DEMP [REP2-017], as secured by Requirements 15 (Soil Management Plan), 12 (Construction environmental management plan) and 20 (Decommissioning) respectively of Schedule 2 of the draft DCO [REP3A-004].</p> <p>For decommissioning, a detailed Decommissioning Environmental Management Plan (DEMP), which is to be substantially in accordance with the Framework DEMP [REP2-017], will be prepared and agreed with the relevant authorities at the appropriate time prior to the commencement of decommissioning works as secured via Requirement 20 (Decommissioning) of the draft DCO [REP2-005]. This will set out the methodology of decommissioning works,</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			which may differ to the approaches currently utilised owing to the operational lifetime of the Proposed Development.	
4.4.4	Restoration of land	The DCO Application places a high reliance on the removal of all the works, and restoration of the agricultural land to its original quality, including the BMV component. However, relatively little detail is provided on how this would take place, including for removal of piles, foundations, cables and hardstandings.	<p>The Applicant considers that the decommissioning works, including the removal of piles, foundations, cables and hardstandings, would be of a similar nature to the works during the construction phase (as set out in Chapter 5: Environmental Impact Assessment Methodology of the ES [APP-030], although potentially of shorter duration and less intensity). This is considered a robust assumption, whereby any further assumptions regarding the decommissioning works for the purpose of assessments are outlined within the respective ES technical chapters where relevant (Chapters 6 to 14).</p> <p>In terms of the removal of cables during the decommissioning of the Proposed Development, Section 2.3 of the Framework DEMP [REP2-017] provides flexibility as to the method of cable decommissioning. Cables and cable</p>	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			ducting could either remain in situ or be 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 North Kesteven District Council (NKDC) and applicable best practice at the time of the decommissioning phase. Should NKDC wish for the underground connection cables to be removed, this would be discussed and agreed prior to the commencement of any decommissioning works.	
4.4.5	DCO flexibility on sealing over land	NKDC note that the DCO Application involves retaining a high degree of flexibility and the full area of land which will be sealed over – including by access road surfacing – is not entirely clear.	With regards to how the assessment undertaken has considered the ‘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, this is discussed in Chapter	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>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 given that the soil resource will likely be maintained outside of agricultural use once operation of the Proposed Development has ceased. However, it is noted (as stated within the Framework DEMP [REP2-017], ref. paragraph 2.3.5) that following decommissioning the landowners would choose how the land (including areas of habitat and biodiversity mitigation and enhancement) is 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-</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>Economics and Land Use of the ES [AS-016]. Access tracks are considered to be a temporary loss as they would be returned to use for farming either upon completion of construction or upon decommissioning of the Proposed Development. The Framework Soil Management Plan [REP3-022] includes soil management measures for haulage routes, and the detailed Soil Management Plan (SMP) will include a full description of the reinstatement methods for each component (including haulage routes) of the Proposed Development to ensure the implementation of effective soil management measures.</p>	
4.4.6	Buffers from the Battery Energy Storage System (BESS) and the 'Perception of Harm'	In relation to BESS, NKDC set out that the centralised BESS would be at least 790m from any off-site structure, which reduces to 200m for a decentralised BESS proposal. NKDC acknowledge that these separation distances would be in excess of the minimum recommended in the draft NFCC guidance, but seek clarification on their accuracy, as some buildings appear to be closer to the centralised BESS	With regards to the request for clarification regarding the accuracy of plans, it should be noted that the indicative layout plans submitted with the DCO Application (Figure 3-2A Indicative Fixed South Facing Site Layout Plan [AS-022] and Figure 3-2B Indicative Single Axis Tracker Site Layout Plan [AS-023]) are indicative at this stage, whereby the minimum separation distance between the BESS enclosures	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>compound shown on the Indicative Layout Plans.</p> <p>NKDC has strong concerns about the potential risk to human health arising from fire related accidents at BESS developments. It is NKDC's view that these issues, and matters of detail such as the safety advantages of different battery systems, should be considered through the Examination.</p> <p>NKDC'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.</p>	<p>and DCO Site boundary will be finalised at the detailed design stage, but will be in accordance with the Proposed Development Parameters [REP1-029] secured by the Works Plans [AS105] and Framework Battery Safety Management Plan (BSMP) [REP1-041].</p> <p>Section 5: Pre-construction Requirements of the Framework BSMP [REP1-041], outlines the key risk assessment tools to be utilised together with detailed consequence modelling at the detailed design stage. The Applicant can also confirm that at the detailed design stage, the selected BESS design will have completed Large Scale Fire Testing (LSFT) as part of UL 9540A tests and / or third party full scale destruction testing. This testing involves burning the full BESS system to validate safe equipment spacing and to performance test active and passive mitigation systems integrated into the BESS design.</p> <p>Through the described test program and detailed risk assessment tools the Applicant will demonstrate that the selected BESS design will not cause any significant offsite impacts to sensitive</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>receptors if a BESS failure occurs. The ‘Procedural decisions following the receipt of relevant representations on 27 October 2025’ letter, dated 21 November 2025, sets out that the ExA requests that Lincolnshire County Council (LCC) advises the Lincolnshire Fire and Rescue Services (LFRS) of the need for it to submit a SoCG with the Applicant. A SoCG is also being prepared for LCC which is to include matters for LFRS. Protective Provisions for the benefit of LFRS have been agreed as per Part 3 of Schedule 14 to the draft DCO [REP3A-004].</p>	
4.4.7	<p>Replacement of solar PV panels and other infrastructure during the operational lifetime of the Proposed Development</p>	<p>NKDC has concerns regarding the lack of clarity and controls over replacement works and the definition of ‘maintain’ in Article 2 of the dDCO, as expressed in its submissions as follows:</p> <ul style="list-style-type: none"> • Local Impact Report para 27.7 [REP1-056] • Written Representation para 4.4 (last bullet) [REP1-057] • Post-ISH2 comments on the draft DCO page 2 [REP1-058] 	<p>Further detail on the replacement of components of the Proposed Development is provided in Chapter 3: The Proposed Development of the ES [REP1-015] which sets out the maintenance and servicing which would be undertaken during the operation of the Proposed Development. As defined in Article 2(1) of the draft DCO [REP3A-004] to “maintain” includes to inspect, repair, adjust, alter, remove, refurbish,</p>	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<ul style="list-style-type: none"> Responses to ExQ1 DCO.1.04 [REP2-045] <p>The Council will comment on the Applicants' typical maintenance schedule for the operational period of the development submitted at Deadline 3 and will continue to discuss this matter with the Applicant.</p>	<p>reconstruct, replace and improve any part of the Proposed Development. However, this Article specifically excludes the removal, reconstruction or replacement of the whole of Work No. 1 at the same time. Work No.1, as set out in Schedule 1 of the draft DCO [REP3A-004] is the ground mounted solar PV generating station which includes the PV modules. Therefore, the replacement of solar PV panels during the operational lifetime of the Proposed Development would be a phased process, and the draft DCO does not provide for all solar PV panels to be replaced at the same time.</p>	

4.5 Climate Change

Table 4-5 Climate Change

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.5.1	Applicable Climate Change Legislation and relevant climate change Policy	NKDC agrees that applicable climate change legislation and relevant climate change policy has been considered.	The Applicant considers that Chapter 6: Climate Change of the ES [REP1-017] has identified and given appropriate consideration to all applicable climate change legislation and relevant climate change policy.	Agreed
Methodology				
4.5.2	Climate Change Methodology	NKDC agrees with the methodology adopted within Chapter 6: Climate Change of the ES [REP1-017] .	The Applicant considers that the methodology adopted within Chapter 6: Climate Change of the ES [REP1-017] is an acceptable approach.	Agreed
4.5.3	Carbon Factors used for environmental impact assessment	NKDC's position at the PMIE stage was that the latest carbon factors were to be used in the ES.	The latest emission factors from the Inventory of Carbon and Energy (ICE) V4.0 database (Ref 2) and Department for Energy Security and Net Zero (DESNZ) greenhouse gas reporting 2024 (Ref 3) are used in the assessment calculations in Chapter 6: Climate Change of the ES [REP1-017] . A review of Environmental Product Declarations (EPDs) and best available data for	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			electronic components has formed part of the greenhouse gas (GHG) assessment.	
Baseline				
4.5.4	Climate Change Baseline conditions used for environmental impact assessment	NKDC agrees that the detailed climate change baseline conditions are representative of the DCO Site conditions.	The baseline climate change conditions which are detailed in Chapter 6: Climate Change of the ES [REP1-017] are representative of the baseline DCO Site conditions. The latest emission factors from the Inventory of Carbon and Energy (ICE) V4.0 database and the Department of Energy Security and Net Zero (DESNZ) greenhouse gas reporting 2024 are used in the assessment calculations in Chapter 6: Climate Change of the ES [REP1-017] . A review of Environmental Product Declarations (EPDs) and best available data for electronic components has formed part of the greenhouse gas (GHG) assessment.	Agreed
Assessment Results				
4.5.5	Climate Change Assessment Results	NKDC agrees with the presented assessment results, including likely significant effects anticipated.	The assessment results set out within Chapter 6: Climate Change of the ES [REP1-017] , including likely significant effects anticipated, are acceptable.	Agreed
4.5.6	Impact of Waste Panels on Climate Change	NKDC is satisfied that the Climate Change assessment has included the impact of waste panels, associated with	The greenhouse gas (GHG) assessment within Chapter 6: Climate Change of the ES [REP1-017] addresses the potential	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		replacement of components of the Proposed Development.	climate change impacts of the replacement and disposal of panels. Embodied emissions and waste disposal due to replacements are presented in the operational assessment of effects in Section 6.4.49 onwards (in line with Chapter 14: Other Environmental Topics of the ES [APP-039] , Section 14.5 Materials and Waste), assuming the phased replacement of all panels approximately half way through the operational lifetime of the Proposed Development and 10% for ad hoc replacements.	
Mitigation / Management Plans				
4.5.7	Climate Change Mitigation measures and framework Management Plans	NKDC agrees with the proposed mitigation measures and the provisions set out in the framework management plans in respect of climate change.	<p>The proposed mitigation measures set out within Chapter 6: Climate Change of the ES [REP1-017] are considered acceptable.</p> <p>These mitigation measures are secured within Section 3.2 of the Framework CEMP [REP2-013], Section 3.2 of the Framework OEMP [REP2-015], Section 7 of the Framework Construction Traffic Management Plan (CTMP)</p>	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>[REP2-023], and Section 3.2 of the Framework DEMP [REP2-017] detailed versions of which are to be developed, substantially in accordance with the respective frameworks, as secured by Requirements 12 (Construction environmental management plan), 13 (Operational environmental management plan), 14 (Construction traffic management plan) and 20 (Decommissioning) of the draft DCO [REP3A-004] and are considered acceptable.</p>	
4.5.8	Carbon reporting	<p>The development should make a commitment to provide annual carbon reports of emissions produced and renewable energy generated, to show how, in practice, this proposal contributes to the national (and local) carbon reduction agenda over its full lifespan (LIR [REP1-056] para 21.19).</p>	<p>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</p>	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			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.	

4.6 Cultural Heritage (Archaeology and Built Heritage)

Table 4-6A Archaeology

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.6A.1	Applicable Cultural Heritage Legislation and relevant cultural heritage Policy	NKDC agrees that applicable cultural heritage legislation and relevant cultural heritage policy has been considered.	The Applicant considers that Chapter 7: Cultural Heritage of the ES [APP-032] has identified and given appropriate consideration to all applicable cultural heritage legislation and relevant cultural heritage policy.	Agreed
Baseline				
4.6A.2	Cultural Heritage Baseline for the Assessment of the Proposed Development	NKDC agrees that the detailed baseline conditions are representative of the DCO Site conditions.	The baseline conditions which are detailed in Chapter 7: Cultural Heritage of the ES [APP-032] are representative of the baseline DCO Site conditions.	Agreed
Assessment Results				
4.6A.3	Findings from Cultural Heritage Assessment carried out for the Proposed Development	<p>NKDC continues to have concerns regarding the level of archaeological assessment undertaken to inform the Applicant's DCO Application.</p> <p>NKDC acknowledges the Applicant's assessment work to date, including a desk-based assessment (DBA), geophysical survey (magnetometry) and a first phase of</p>	The Applicant is of the opinion that the assessment work completed as part of Chapter 7: Cultural Heritage of the ES [APP-032] , and relevant Appendices, especially Appendix 7-D: Detailed Heritage Asset Setting Assessment of the ES [APP-127] , Appendix 7-F: Air Photo and LiDAR Mapping and	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>targeted evaluation trenching which is currently ongoing. The applicant's own DBA and evaluation work so far shows that archaeology has been identified across the Order Limits.</p> <p>There is currently a very 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 Order Limits. The current programme of trenching also fails to adequately test areas where these previous techniques have not been successful in identifying archaeological remains.</p> <p>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 without identification or recording. While some of these concerns can be addressed through a robust programme of investigation work post-consent, NKDC would expect that at the stage of submission of the DCO Application and the Examination stage, the Applicant at least would have evaluated</p>	<p>Interpretation of the ES [APP-129], Appendix 7-G Detailed Gradiometer Survey Report of the ES [APP-130], Appendix 7-I Trial Trenching Report of the ES [REP2-036] is proportionate and fully compliant with the policies of NPS EN-1 and NPS EN-3, the NPPF and the EIA Regulations. The ES has been informed by desk-based assessment (which included review of previous archaeological investigations), a LiDAR and aerial photograph report, a geophysical survey and (ongoing) trial trench evaluation, which inform the understanding of potential impacts to archaeological remains and the identification of the appropriate mitigation measures in relation to archaeological resource. The approach to archaeological evaluation via trial trenching has been agreed with the County Archaeologist at Lincolnshire County Council. 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'</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>those areas that they themselves have identified as have having significant archaeological potential.</p>	<p>assessment of these effects; and to develop mitigation proposals to manage any residual effects. This assessment has been completed, and suitable mitigation can be delivered. On the specific matter of the EIA Regulations, the potential for 'significant effects' has been adequately assessed. This matter is presented in Chapter 7: Cultural Heritage of the ES [APP-032] (Section 7.7 regarding construction impacts, Section 7.8 regarding additional mitigation and paragraph 7.9.2 summarising the residual effects).</p> <p>The final Trial Trenching Report [REP2-036] was submitted into Examination by the Applicant at Deadline 2 (superseding Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]), which enables a detailed consideration of the relevant data as part of the decision-making process. The overall results conform to the summary presented in the interim report, and whilst appropriate mitigation measures will be required, the final results do not materially alter the conclusions presented</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			within 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.	
4.6A.4	Below-ground heritage: Significance of Cultural Heritage Effects Arising from the Proposed Development	NKDC has concerns regarding the reductive approach to the impacts of the Proposed Development upon the unrenovable archaeological resource which currently survives across the Order Limits. The DCO Application documents state there will be no significant residual effects from decommissioning impacts or even construction impacts to archaeology. These documents also list activities such as earthworks, excavations, site preparation, levelling, grading operations, cut and fill and de-compacting. The evaluation trenching has demonstrated that archaeology survives at less than 30cm from the ground surface. We do not therefore agree the Applicant's worst-case scenario that the residual effect on buried archaeological remains would be neutral. These and all the other substantial ground impacts from the Proposed Development works will need reasonable evaluation and where necessary, appropriate 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. The trial trenching undertaken thus far was designed to be proportionate, and targeted areas of known remains as well as testing areas where previous surveys did not identify such remains. This has allowed the Applicant to confirm, at the interim report stage, that there is an overall good	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>measures to effectively deal with impacts on surviving archaeology. The Council maintains that the Applicant's DCO Application documents for buried heritage and the impacts of the Proposed Development upon it lacks consistency and necessary detail in some areas. This opens the Proposed Development to significant risk in terms of deliverability as proposed and may lead to unnecessary delays, cost increases and unfavourable outcomes for the buried heritage within the Order Limits.</p>	<p>correlation between the anomalies identified in the geophysical survey (Appendix 7-G Detailed Gradiometer Survey Report of the ES [APP-130]) and those identified during the trial trenching (Appendix 7-I Trial Trenching Report of the ES [REP2-036]). The ES Appendix 7-H Written Scheme of Investigation for an Archaeological Evaluation of the ES [REP3A-027] was subject to consultation with the County Archaeologist and was approved on 7 May 2025, prior to the evaluation commencing. For the avoidance of doubt, the final Trial Trenching Report was submitted to the Examination at Deadline 2 (superseding Appendix 7-I Trial Trenching Report (Interim) of the ES [APP-132]), which enables a detailed consideration of the relevant results as part of the decision-making process. The overall results from the final evaluation conform to the summary presented in the interim report. As such, whilst appropriate mitigation measures will be required, the final results do not materially alter the conclusions presented within Chapter 7: Cultural Heritage of the ES [APP-032] regarding the likely impacts of the</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>Proposed Development and the suitability of the mitigation measures on the archaeological resource.</p> <p>The results of the final Trial Trenching Report, and the findings from any additional required trenching, will inform the detailed design process, which will be carried out post-consent, as detailed within the Framework Written Scheme of Investigation [REP3A-027]. 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).</p>	
4.6A.5	Impacts of the Proposed Development on	NKDC noted at the PMIE stage a concern regarding archaeological significance beneath the A46 and recommendation for ground-truthing by trial trenching.	The Applicant has completed a geophysical survey (results detailed in Appendix 7-F Air Photo and LiDAR Mapping and Interpretation of the ES [APP-129]) and the approach to trial trenching is set out in	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
	Archaeology beneath the A46		Appendix 7-H Written Scheme of Investigation for an Archaeological Evaluation of the ES [REP3A-027] which was approved by the LCC County Archaeologist. The results of these investigations (including ongoing trial trenching) inform the ES and further archaeological mitigation.	
4.6A.6	Potential Use of Concrete Blocks as an Alternative to Piling and the Potential Impacts of this on Archaeology	NKDC noted at the PMIE stage a concern regarding use of concrete blocks as an alternative to piling.	Mitigation measures as proposed within the ES are informed by further surveys and an understanding of the archaeological remains which may be affected by the Proposed Development. Chapter 3: The Proposed Development of the ES [REP1-015] sets out that some of the solar PV array may be mounted on concrete blocks during the detailed design stage which will be undertaken post-consent. However, this is not the default position and would be subject to archaeological survey and agreement with the relevant stakeholders. The detailed design of the Proposed Development, which must accord with, inter alia, any details approved under Requirement 11 (archaeology), is to be secured under Schedule 2 Requirement 6 (Detailed design approval) of the draft DCO [REP3A-004] .	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.6A.7	Above Ground Impacts on Archaeology as a Result of the Proposed Development	NKDC noted at the PMIE stage the omission of above ground impacts and reference to only one specific archaeological site in the non-technical summary.	Chapter 7: Cultural Heritage of the ES [APP-032] considers the impacts of all elements of the Proposed Development which have the potential to affect the archaeological resource and areas of impact have been targeted within the Appendix 7-H: Written Scheme of Investigation for an Archaeological Evaluation of the ES [REP2-036] which has been approved by the County Archaeologist.	Under discussion
Mitigation and Management Plans				
4.6A.8	Cultural Heritage Impacts of the Proposed Development on the Settlement of Morton	NKDC noted at the PMIE stage that they consider that there are omissions to mitigation measures for example for 'the earthworks associated with the settlement of Morton'.	The impacts of the Proposed Development on the settlement of Morton are deemed limited as set out in Chapter 7: Cultural Heritage of the ES [APP-032] . It should be noted that impacts of the Proposed Development on this heritage asset have been assessed as limited (resulting in partial loss, and a not significant effect) such that additional mitigation measures are not deemed necessary.	Under discussion
4.6A.9	Archaeological Clerks of Works	NKDC consider that an Archaeological Clerk of Works is required. An Archaeological Management Plan will also need to be agreed, which will remain in place for the lifetime of the Proposed	The Framework Written Scheme of Investigation (WSI) [AS-001] , was updated in March 2026 [REP3A-027] to address the comment and the requirement for an Archaeological Clerk of Works and outline	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>Development until the end of the Proposed Development'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.</p> <p>Given that 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 that the 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 Proposed Development.</p>	<p>scope for an Archaeological Management Plan have been included in the Framework WSI.</p> <p>The Applicant considers that if it becomes apparent that decommissioning works could affect archaeology, appropriate mitigation measures can be agreed with the relevant Local Planning Authority (LPA) at the time (through appropriate design, safeguarding measures specified in the detailed DEMP or archaeological mitigation through recording prior to impacts being incurred) (Reference CH-D1 in the Framework DEMP [REP2-017]).</p>	

Table 4-6B Cultural Heritage

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.6B.1	Applicable Cultural Heritage Legislation and relevant cultural heritage Policy	NKDC agrees that applicable cultural heritage legislation and relevant cultural heritage policy has been considered.	The Applicant considers that Chapter 7: Cultural Heritage of the ES [APP-032] , has identified and given appropriate consideration to all applicable cultural heritage legislation and relevant cultural heritage policy.	Agreed
Baseline				
4.6B.2	Above Ground Heritage Baseline and Study Area for the Proposed Development	<p>At the PMIE stage NKDC requested further consultation with their Conservation Officer to agree the study area – designed at 5 km from the site boundary. Despite this, the applicant has used a study area of 1km for non-designated assets, and 3km for designated assets, only extending beyond this for Lincoln Cathedral. This may have resulted in the lack of proper consideration of the setting of some listed buildings. This point was set out in the Council’s Relevant Representation (RR-210) in October 2025.</p> <p>The applicant has committed to preparing a Heritage Technical Note to be submitted at Deadline 3A. NKDC has provided the</p>	The Applicant acknowledges there is a difference of opinion regarding suitable scope of assessment. As clarified in the Chapter 7: Cultural Heritage of the ES [APP-032] , the approach to study areas was agreed through consultation with Historic England (for further details see the Historic England SoCG), who approved of the flexible, expertise based approach to setting matters at the Scoping stage, and this approach was further discussed and agreed in a meeting on 31 March 2025 between Historic England and Cotswold Archaeology (on behalf of the Applicant). As such, in line with Historic England advice, the flexible approach, based on	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>Applicant with comments on a draft of the document; made oral representations at Issue Specific Hearing 3; and in submission REP3-055 has commented on the points raised by the ExA in relation to HE.2.01. In summary it is considered that in the draft Heritage Technical Note:</p> <ul style="list-style-type: none"> • There is a continuing over-reliance on the fact that the study area was agreed with Historic England • There is a narrative that work was undertaken to consider assets of highest value within 5km of the principal site, though the document fails to establish what assets were included at this stage. • With regards the 5km boundary it is stated that a decision was made by the Applicant based on the potential cultural heritage receptors, the Proposed Development, the advice provided and the expertise of the Applicant’s advisors – however beyond those statements the document does not provide a detailed 	<p>expertise and not constrained by fixed radii, was utilised in the DCO Application documents, and it is considered that this approach provides sufficient understanding of the cultural heritage resource and the potential impacts from the Proposed Development.</p> <p>The study areas were considered to align with other solar Nationally Significant Infrastructure Projects (NSIPs) in Lincolnshire. Applying a greater study area for both designated and non-designated assets would scope in thousands of heritage assets and is not considered proportionate. A 5 km study area has been applied for designated assets of highest significance around the Principal Site. Historic England’s Scoping Report Consultation Response confirmed the suitability of the approach to the Study Areas.</p> <p>There are no heritage assets beyond 1 km of the Order Limits which would be subject to any harm from the Proposed Development, as set out in Chapter 7: Cultural Heritage of the ES [APP-032],</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>rational and explanation for the decision.</p> <ul style="list-style-type: none"> An annex to the document lists assets beyond the study area of “exceptional value” but does not provide a rationale as to why they were scoped out of the study. <p>NKDC looks forward to reviewing the Heritage Technical Note in the hope that it addresses the above points in full.</p>	<p>and so accordingly there would be no potential for cumulative effects in relation to Cumulative Schemes in combination with the Proposed Development at this distance.</p> <p>The baseline conditions which are detailed in Chapter 7: Cultural Heritage of the ES [APP-032] are therefore representative of the baseline DCO Site conditions.</p> <p>The historic landscape aspects are considered not only within Appendix 7-D: Detailed Heritage Asset Setting Assessment of the ES [APP-127] but also within Appendix 7-E: Historic Landscape Character Assessment of the ES [APP-128] and the Applicant considers that a proportionate level of assessment with regard to historic landscape has been undertaken taking into account the overall significance and impacts from the Proposed Development. The Heritage Technical Note [REP3A-026] prepared by the Applicant was submitted into the Examination at Deadline 3A and which includes</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			responses to matters relating to study areas.	
Assessment Results				
4.6B.3	Findings from Cultural Heritage Assessment carried out for the Proposed Development	<p>Whilst NKDC is generally content with the list of assets scoped into the assessment for further examination (Table 7-9 in ES Chapter 7), NKDC does not agree with the findings of the assessments of effects on the following assets:</p> <ul style="list-style-type: none"> • Morton Manor and Morton Grange – the assessment does not consider the movement in and 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 PV array to the north-east of the road. This will change the currently open rural character and adversely impact the setting of the listed buildings. • River Farmhouse - the impact on the agricultural character and appearance of the farmhouse has been underplayed. The impact on the setting, including movement along Claypit Lane and views from within the site result in a medium level of impact, 	<p>The Heritage Technical Note [REP3A-026] was prepared to address two specific matters, as specified in the Applicant’s Response to Local Impact Reports [REP2-031], including with regard to the study areas used for the assessment of effects upon designated heritage assets and group value assessment in relation to historic farmstead.</p> <p>The Applicant acknowledges the NKDC comments raised on the heritage assets, and maintains the position that extensive and detailed settings assessment of the assets has been carried out, and no additional assessment is required. The following responses are provided with regard to the individual assets mentioned:</p> <ul style="list-style-type: none"> • Morton Manor and Morton Grange: the Applicant considers that the detailed settings assessment, carried out in line with Historic England guidance (the Appendix 7-D Detailed 	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>which will have a moderate effect. This is considered to represent a medium-high level of less than substantial harm.</p> <ul style="list-style-type: none"> • Grange Cottage – the proposals will change the agricultural landscape in which the asset is appreciated. The impact will be a medium level of impact, which will have a moderate effect. This is considered to represent a medium level of less than substantial harm. <p>It is considered that these assets should be the subject of further analysis in order to inform a bespoke mitigation strategy, rather than over-reliance on reliance on a blanket approach found in the embedded mitigation currently incorporated into the design of the Proposed Development.</p> <p>The Applicant has undertaken to provide a document containing further assessment of effects on the following assets:</p> <ul style="list-style-type: none"> - Well House - Bridge Farmhouse 	<p>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 its status 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 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 Detailed Heritage Asset Setting</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<ul style="list-style-type: none"> - River Farmhouse - Tonge's Farm - Corner Farmhouse - Tunman Farmhouse - Morton Manor and Grange - Half Way House - Jubilee Farm <p>NKDC looks forward to receiving this document and commenting on it in due course.</p> <p>However, it should be noted that in respect of the following assets, it has been requested repeatedly that the assets listed at the top of this matter (i.e. Morton Manor and Morton Grange, River Farmhouse and Grange Cottage) are treated individually and separately from the 'farmsteads study'. Whilst the Council will continue to liaise with the Applicant, it is likely to maintain an objection if its concerns regarding potential adverse effects on these assets are not fully and separately addressed.</p>	<p>Assessment of the ES [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).</p> <ul style="list-style-type: none"> • 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 	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>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 part of the Proposed Development located between River Farm and Clay Pit Lane. However, any movement along Clay Pit Lane cannot be considered as contributing to the asset's significance, both as visibility of the Listed Building from the lane is obscured from many locations (and as such the farmhouse cannot be experienced in those views), but 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. As such the</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>assessment of impact must be directed to change to the significance of the heritage asset, not just the change to the setting</p> <ul style="list-style-type: none"> 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 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 (which found the overall harm to be within the lower end of less than substantial harm) is considered accurate. Grange Cottage: the Applicant acknowledges the comment but considers 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 	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>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 (see SoCG between the Applicant and Historic England [EN010154/EXAM/8.4]). In response to Historic England's concerns regarding the proximity of solar PV array to Grange Cottage and heritage assets at Auburn, the design of the Proposed Development has been altered to remove solar PV array from Field 46 (the field closest to Grange Cottage, to the south). Updated plans and</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>photomontages, will be submitted to the Examination at Deadline 1.</p> <ul style="list-style-type: none"> Regarding embedded mitigation, the Proposed Development has been designed taking into account heritage constraints and informed by the staged assessment work completed to 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 (embedded mitigation) ensuring no significant effects upon built heritage assets would be incurred. However, it was clarified that appropriate measures will be implemented to ensure that the proposed embedded mitigation is appropriately managed throughout the lifetime of the Proposed Development (to include ensuring that the landscaping / planting measures included as part of the embedded mitigation will be managed 	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			appropriately) The planting mitigation is secured in the Framework LEMP [REP2-021] a detailed version of which is secured via Requirement 8 (Landscape and ecological management plan) of Schedule 2 of the draft DCO [REP2-005] and will be substantially in accordance with the framework plan.	
4.6B.4	Cultural Heritage impacts to Housham Wood Farm in relation to the Proposed Development	Housham Wood Farm was not identified and included in the original assessment. However, the additional information supplied by the Applicant, and it is agreed that it is not necessary to include this property in the assessment.	Housham Wood Farm is not a locally listed building, or a building recorded in the Historic Environment Records (HER). The HER records Housham Wood Farm as a monument (farmstead, of post-medieval to modern date, HER ref. MLI86044). However, 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. 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	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>showing the replacement dwelling within this farm. As such, the historic building on this farm has 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.</p>	

4.7 Ecology and Nature Conservation

Table 4-7 Ecology and Nature Conservation

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.7.1	Applicable Ecology and Nature Conservation Legislation and relevant Ecology and Nature Conservation Policy	NKDC agrees that applicable ecology and nature conservation legislation and relevant ecology and nature conservation policy has been considered.	The Applicant considers that Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] has identified and given appropriate consideration to all applicable ecology and nature conservation legislation and relevant ecology and nature conservation policy.	Agreed
Methodology				
4.7.2	Ecology and Nature Conservation Methodology adopted for the Environmental Statement	NKDC agrees with the methodology adopted within Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] .	The Applicant considers that the methodology adopted within Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] is acceptable.	Agreed
Baseline				
4.7.3	Ecology and Nature Conservation Baseline	NKDC agrees that the detailed baseline conditions are representative of the DCO Site conditions for the purposes of assessing the impacts of the development, though not for the Biodiversity Net Gain evaluation.	The baseline conditions which are detailed in Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] are representative of the baseline DCO Site conditions.	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.7.4	Tree classification	<p>NKDC considered that most areas of the baseline were accurate in the original submissions, but requested some clarification in relation to veteran / ancient trees.</p> <p>Following a meeting with the Applicant on 24 February 2026 and subsequent email with supporting information, the Council can confirm that the approach taken to identifying ancient and veteran trees is acceptable.</p>	<p>Section 5.3 of the Arboricultural Impact Assessment [APP-155] defines how veteran and ancient trees have been classified, as follows; “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”. Data for all veteran trees has been reviewed by a VETCert accredited consultant.</p>	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			A meeting has been held with the NKDC Tree Officer (24 February 26) to discuss veteran trees classification on this project and the Officer is satisfied with the Applicant's approach.	
4.7.5	Ecological Surveys and assessments undertaken in relation to the Proposed Development	NKDC are broadly satisfied with the overall scope of the surveys and assessments reported in Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] , which identifies a range of potential ecological effects during the construction of the Proposed Development.	The Applicant notes that NKDC are satisfied with the surveys and assessments undertaken in relation to the Proposed Development as reported in Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] .	Agreed
4.7.6	BNG Baseline Conditions	NKDC is not satisfied that the current Biodiversity Net Gain (BNG) strategy is robust as some of the evidence is weak, and some of the assumptions seem unrealistic. These concerns include establishing the baseline conditions. There is a lack of clarity on the methodologies used; a failure to apply locally adopted strategic significance criteria; no confirmation that the baseline has considered any pre-application degradation; and an absence of condition assessment documents. NKDC notes that	The methodology is fully described and set out in clear detail within the Biodiversity Net Gain (BNG) Report [REP3-024] , specifically Section 3.1.4, and the accompanying appendices. The BNG assessment has been undertaken in accordance with BNG Statutory Guidance and the BNG Metric User Guide (Ref 4). The Central Lincolnshire Local Plan (2023), including its Policies Map, was used to identify local priorities. Additional justification is provided in Appendix E of the BNG Report [REP3-024] , which demonstrates clear alignment with local policy.	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>the submitted (revised) baseline assessment itself contains an automated error message ergo highlighting certain data omissions/inaccuracies.</p> <p>NKDC has held initial discussions with the Applicant on these issues, and looks forward to reviewing the BNG Report submitted to the Examination in due course.</p>	<p>The Applicant would appreciate clarity as to what specific “failure” is considered having occurred, and which adopted strategic significance criteria NKDC believe have not been applied, given that no Local Nature Recovery Strategy (LNRS) is yet published. The Applicant’s approach detailed in the BNG Report [APP-194] remains fully compliant with government guidance for areas without an LNRS.</p> <p>The Applicant can confirm that no evidence of purposeful degradation has been identified. To avoid ambiguity, the following sentence will be added into the BNG Report [REP3-024]: “<i>No evidence was found of purposeful degradation of habitats since 30 January 2020 that has resulted in a loss of on-site biodiversity value.</i>” This revised version will be submitted to the Examination at the next available examination deadline.</p> <p>The condition assessments have been clearly and accessibly set out within the BNG Report [APP-194] itself. The ancient and veteran tree information is already included within both the BNG Report and the Metric. As these features are irreplaceable habitats, they generate no</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>biodiversity units, and therefore, cannot be overcounted within the baseline under any circumstance. The concern raised does not reflect the way the Metric treats irreplaceable habitats.</p> <p>The automated message in the Metric relates solely to rounding behaviour, as explained in paragraph 2.9.1 of the BNG Report [APP-194]. 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 biodiversity unit calculations. This issue is routinely encountered in large BNG assessments and does not compromise the validity or robustness of the results. This 'error' is also mentioned in Appendix Table F of the Statutory Biodiversity Metric User Guide: <i>'These rounding errors do not impact the results of the calculation.'</i></p> <p>The Applicant has updated the Biodiversity Net Gain Report [REP3-024] to provide further clarification on points raised by NKDC. This was submitted to the Examination at Deadline 3.</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Assessment Results				
4.7.7	Results of Ecology and Nature Conservation Assessments in relation to the Proposed Development	Setting aside its concerns regarding the BNG assessment, NKDC agrees with the presented assessment results of impacts on ecological resources, including likely significant effects anticipated. If all of the proposed enhancements are delivered promptly and effectively, these adverse effects may prove to be short term, and the development has the potential to lead to positive effects for ecology and nature conservation over the 60 year operational lifespan of the development.	The Applicant considers that the assessment results set out within Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] , including likely significant effects anticipated, are acceptable.	Agreed
4.7.8	Habitat Regulations Assessment Results	There are no internationally important sites designated for biodiversity within 10km of the proposed Order Limits, and NKDC has no reason to disagree with the conclusions of the Habitats Regulation Assessment.	The Applicant notes that NKDC has no comments regarding the conclusions of the Habitats Regulations Assessment (HRA)[APP-181] .	Agreed
Mitigation / Management Plans				
4.7.9	Ecology and Nature Conservation Mitigation	NKDC agrees with the proposed mitigation measures set out in Table 8-13 of REP1-020.	The Applicant notes that NKDC considers the proposed ecological mitigation measures are acceptable.	Agreed
4.7.10	Ecological Steering Group	NKDC notes the Applicant's intention to establish an Ecological Advisory Group (EAG) to oversee and monitor mitigation, including where this may have wider	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	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>benefits across a number of NSIP projects. However, it should be made clear that this will oversee the delivery of the levels of biodiversity net gain secured under article 8 of the DCO, not just mitigate for adverse impacts.</p> <p>It is also understood that the Applicant considers that there is no role for NKDC in the EAG, to which the Council objects. The composition of the EAG and its funding should be secured either through a s.106 planning contribution (as agreed for the Springwell Solar Farm DCO); or through an additional article in the DCO. This latter approach has been taken by the Applicant for the Beacon Fen Energy Park in article 50 of their draft DCO, where the contribution to NKDC under article 50(1)(a) covers both participation in the steering group and the BNG monitoring.</p>	<p>various solar Nationally Significant Infrastructure Projects (NSIPs) proposed within the vicinity of the Proposed Development.</p> <p>The Framework LEMP [REP3-028], 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), inclusive of Invasive Non-native Species (INNS), 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></p> <p>The provision of a detailed LEMP, which is to be substantially in accordance with the framework, is secured under Requirement 8 (Landscape and ecological management plan) of the draft DCO [REP3A-004].</p> <p>As set out in paragraph 7.1.9 of the Framework LEMP [REP3-028], the purpose</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>of the “Ecological Advisory Group or similar” is to oversee the post-construction ecological monitoring works, with the key function of the Group comprising review of monitoring data on habitats and species to inform future management plans (as necessary).</p> <p>As noted at paragraph 1.3.7 of the Framework LEMP [REP3-028]: “<i>Any long-term biodiversity monitoring and management requirements specified in this document will be carried out by the Applicant and/or a Contractor appointed by the Applicant</i>”. As such, as set out in paragraph 7.1.9 of the Framework LEMP [REP3-028], the Ecological Advisory Group (or similar) will comprise the Applicant or Operations Contractor, Environmental Manager (as defined in the Framework OEMP [REP3-018] – ref. paragraph 6.1.2, 6.1.3 and 6.2.1), a suitably qualified and experienced ecologist, and if relevant to the Proposed Development any research institution(s) carrying out ecological studies onsite during operation. It is not intended that NKDC will be a member of the Ecological Advisory Group and so it is</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>not necessary for the Applicant to meet NKDC's costs of attendance.</p> <p>As set out at paragraph 7.1.11 of the Framework LEMP [REP3-028], results from the post-construction monitoring will feed into the detailed management plan and, if required, management proposals may be amended accordingly based on this monitoring (for example, replacement planting and/or changes to planting species where planting has failed to establish). As noted at paragraph 7.1.9 of the Framework LEMP [REP3-028], 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 proposed. Any material changes proposed to the approved detailed LEMP management proposals, in response to the findings of post-construction monitoring, will be sent to the host authorities for their review and approval prior to their implementation.</p> <p>As noted at paragraph 7.1.9 of the Framework LEMP [REP3-028], the Terms of Reference of the Ecological Advisory Group</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>(or similar) will be drafted following receipt of any future consent and agreed as part of the agenda for the first group meeting.</p> <p>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) without a s.106 contribution.</p>	
4.7.11	Approach to BNG during operation of the Proposed Development	NKDC are not satisfied with the proposed Post-construction BNG strategy. NKDC state that the submitted Metric contains an error for area habitat; that there is a lack of clarity regarding potential footprint and shading effects of the tracker panel option; and uncertainty over the value of and proposals for arable field margins.	The automated message identified relates solely to rounding behaviour within the Metric and does not affect the validity or accuracy of the biodiversity unit calculations. The effects of infrastructure, including tracker panels, on habitat condition have been fully considered and reflected in the post-development condition scores assigned within the Metric associated with the BNG	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>As yet there is no clear commitment to management regimes to deliver BNG target conditions, which is usually provided in a Habitat Management and Monitoring Plan, but which might be included in a revised FLEMP and future detailed LEMPs for each part of the development.</p> <p>NKDC has held initial discussions with the Applicant on these issues, and looks forward to reviewing the BNG Report submitted to the Examination in due course.</p>	<p>Report [REP3-024]. Shading, structural footprint, and potential limitations on ground flora establishment were explicitly taken into account during the assignment of post-development habitat conditions. This is consistent with established practice for solar developments assessed using the BNG Metric.</p> <p>Paragraph 3.3.4 of the BNG Report [REP3-024] explains arable field margin habitat will be lost, but the proposed Other Neutral Grassland habitat will deliver greater ecological value, improved species diversity, and a more robust contribution to the BNG uplift. The suggested alternative habitats provide comparable or enhanced ecological functions relative to arable field margins and are fully captured within the post-development baseline.</p> <p>A BNG Assessment Report is not the mechanism through which detailed prescriptions for long-term management are provided. Such detail is provided through the Framework LEMP [REP3-028] at the appropriate stage. The relevant commitment</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>made at this stage is the delivery of the BNG targets themselves.</p> <p>In relation to a Habitat Management and Monitoring Plan (HMMP), the purpose of a HMMP would be to outline 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. The Applicant considers that a separate HMMP is not required given the commitments made within the Framework LEMP [REP3-028] includes detail on the relevant management and monitoring regimes to deliver BNG targets that will be implemented as part of the detailed LEMP. The following is secured within the Framework LEMP [REP3-028] (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>”</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>The detailed LEMP will contain the information that a HMMP is designed to provide, and therefore, a separate HMMP is not required. The provision of a detailed LEMP, which is to be substantially in accordance with the framework, is secured under Requirement 8 (Landscape and ecological management plan) of the draft DCO [REP3A-004]. This Requirement provides that the detailed LEMP is to be approved by the relevant LPA and must be implemented as approved and maintained throughout the operation of the Proposed Development.</p> <p>The Applicant submitted an updated Biodiversity Net Gain Report [REP3-024] to the Examination at Deadline 3 and looks forward to continuing discussions with NKDC on this matter in due course.</p>	
4.7.12	BNG Approach – Phased development	<p>NKDC are not satisfied with BNG proposed Phased development strategy. It is proposed that the Proposed Development will proceed in parts, each with its own detailed LEMP.</p> <p>With this in mind the Council seeks a commitment that all non-panel related</p>	<p>To account for the phased build out of the Proposed Development, the Biodiversity Net Gain (BNG) assessment presented in the BNG Report [REP3-024] has assumed a two year delay for habitat creation works across the DCO Site which has been applied within the Metric as a worst case assumption for assessment. In reality, the ecological enhancement and habitat</p>	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>habitat creation measures will be completed at an early stage, and secured for the full 60 years of the proposed lifespan of the Proposed Development. This will ensure that each part of the Proposed Development has adequate BNG available whether or not that part comes forward at the outset. Should a particular part of the Proposed Development not be implemented, such that the full suite of BNG areas is not required to meet agreed targets, then discussions could be held in anticipation of selling excess units at that time.</p>	<p>creation would be delivered across the proposed 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'.</p> <p>The following is secured within the Framework LEMP [REP3-028] (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></p>	
4.7.13	BNG Approach – Monitoring and reporting	NKDC is not satisfied with the proposed approach to the monitoring and recording of BNG in relation to the Proposed Development.	The detailed Landscape and Ecological Management Plan (LEMP) will include detail on the relevant management regimes to be implemented to ensure the BNG targets are delivered.	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>NKDC would also expect the proposals to set out monitoring methodology and frequency in respect of the retained, created and/or enhanced habitats, with a commitment that the results will be submitted to NKDC and to Lincolnshire Environmental Records Centre in accordance with an agreed programme. This should be coupled with ongoing monitoring and quality assurance checks by NKDC over at least the 30 year period from completion. Given the scale of the Proposed Development, it is proposed the LPA would take a hybrid approach to QA checks adopting the landscape recover scheme methodologies of using AI habitat identification followed by 20% truth testing sampling. Total cost can be estimated once the metric has been adjusted to reflect the required changes and clarifications referred to above. NKDC has held initial discussions with the Applicant on these issues, and looks forward to reviewing the BNG Report submitted to the Examination in due course.</p>	<p>For clarity, the monitoring is to begin following completion of habitat creation works (e.g. sowing and planting), not following completion of construction of the solar infrastructure.</p> <p>The following is secured within the Framework LEMP [REP3-028] (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></p> <p>The proposed long-term auditing programme, including AI habitat identification and 20% truth-testing, goes beyond what is normally expected for a Nationally Significant Infrastructure Project (NSIP) and is not required for developments which fall outside of the mandatory BNG regime.</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			The Applicant submitted an updated Biodiversity Net Gain Report [REP3-024] to the Examination at Deadline 3 and looks forward to continuing discussions with NKDC on this matter in due course.	
4.7.14	Fee Payable to NKDC for Monitoring of BNG	NKDC has recently introduced a fee for BNG monitoring on planning applications. It will seek to ensure that an appropriate fee is set for monitoring BNG, ecology and landscape mitigation works in respect of the Proposed Development, as the responsibility for this duty is likely to fall upon NKDC. NKDC seeks a financial contribution to periodically review and provide sample field corroboration of the Applicant's BNG monitoring reports. This could be provided either through a s.106 planning contribution (as agreed for the Springwell Solar Farm DCO); or through an additional article in the DCO. This latter approach has been taken by the Applicant for the Beacon Fen Energy Park in article 50 of their draft DCO, where the contribution to NKDC under article 50(1)(a) covers both participation in the steering group and the BNG monitoring.	The Applicant notes NKDC's intention to seek to a fee for monitoring biodiversity net gain (BNG), ecology and landscape mitigation works in respect of the Proposed Development. The Applicant considers that, given the commitments made within the Framework LEMP [REP3-028] , it will not be necessary for NKDC to carry out the monitoring of BNG, ecology and landscape mitigation, and as such, no fee will be required. The Framework LEMP [REP3-028] includes detail of the relevant management and monitoring regimes which will be utilised to deliver BNG targets and monitor landscaping and ecological enhancements, and will be implemented as part of the detailed LEMP. The provision of a detailed LEMP, which is to be substantially in accordance with the framework, is secured under Requirement 8 (Landscape and ecological management plan) of the draft DCO [REP3A-004] . NKDC is the discharging body for Requirement 8 and	Not Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>therefore will be responsible for the discharge of requirements related to the preparation of a detailed LEMP.</p> <p>The following wording is included within the Framework LEMP [REP3-028] (ref. paragraph 7.1.7) and 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>”</p>	
4.7.15	Arboriculture Impact Assessment and the felling of trees	<p>Individual trees and areas of woodland felled may require root and stump removal which may be detrimental to retained trees as there is a very high likelihood of intermeshed root systems. NKDC is satisfied that the changes made to the Framework Construction Environmental Management Plan (CEMP) at Deadline 3 (REP3-017) paragraph 3.17(j) together with the</p>	<p>An updated assessment of the final impacts of the Proposed Development (based on the final design) will be undertaken as part of an Arboricultural Method Statement and Tree Protection Plan which are provided for by the Framework CEMP [REP2-016]. The provision of a detailed CEMP, which is to be substantially in accordance with the framework, is secured under Requirement 12 (Construction environmental management plan) of the draft DCO</p>	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>required approval of detailed CEMPs and an Arboricultural Method Statement will provide adequate mitigation for such potential adverse effects.</p>	<p>[REP3A-004]. This Arboricultural Method Statement will take into account utilities, services and all other elements which have the potential to negatively impact on trees.</p> <p>Appendix 10-H Arboricultural Impact Assessment of the ES [APP-155] assumes a reasonable worst case scenario and takes into account working space requirements and other elements with the potential to negatively impact on trees to deliver a realistic assessment of tree impacts based on the information available at this time.</p> <p>Given the reasonable worst-case nature on which Appendix 10-H Arboricultural Impact Assessment of the ES [APP-155] has been based (known as the ‘Rochdale Envelope approach’), and the controls placed upon the detailed design via the various framework management plans (such as the Framework CEMP [REP3-016]) secured via the Requirements set out in Schedule 2 of the draft DCO [REP3A-004], it is anticipated that the updated assessment based on the detailed design post-consent will not identify any new likely significant effects.</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			The methodology for tree removal and stump management will be detailed in the Arboricultural Method Statement referred to above. Generally, stumps will be retained in situ where they are located within the Root Protection Area of a retained tree.	
4.7.16	The potential impacts of Ash Die Back within the DCO Site	NKDC consider that although the potential adverse impact of Ash Die Back on ash trees and surrounding green infrastructure was understated in the LVIA, it is satisfied with the provisions in the FLEMP to deal with the potential loss of screening and visual amenity within the DCO Site over the anticipated 60 year lifetime of the Proposed Development. The long term provision of monitoring and mitigation planting will be included in the detailed LEMPs as necessary.	The Applicant would like to clarify that ash trees make up 45% of <i>individual</i> trees surveyed (as noted in Plate 2 of the Appendix 10-H Arboricultural Impact Assessment of the ES [APP-155] . However, this does not reflect the proportion of ash trees included in hedgerows, groups or located within woodlands which cannot be reliably determined from BS5837 (Ref 7) tree survey data. Of the 506 individual ash trees surveyed, 417 are recorded as being in fair or good physiological condition which indicates that the majority of the ash trees within the DCO Site are not currently being affected by ash die back. Furthermore, the Framework CEMP [REP3-016] commits to a pre-construction check of ash trees within the DCO Site. With regards to the Landscape and Visual Impact Assessment (LVIA), this assumes that the monitoring and	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>management measures, as secured by the Framework LEMP [REP3-028], are implemented, including (ref. paragraph 7.1.7) a post-construction monitoring programme (which will be formalised, agreed and included within the detailed LEMP) comprising walkover surveys of the DCO Site undertaken between April and June in years 2, 4, 6, 10 and then every 5 years post-construction until year 60. This monitoring programme will be formalised and agreed as part of the detailed LEMP. The provision of the detailed LEMP, which is to be substantially in accordance with the framework, is secured under Requirement 8 (Landscape and ecological management plan) of the draft DCO [REP3A-004].</p>	
4.7.17	Proposed measures for the protection of trees within the Order Limits	NKDC agree that the provisions for tree protection measures, including in relation to upgraded access ways and use of cellweb set out in the Framework Construction Environmental Management Plan (CEMP) (REP3-017) together with the required approval of detailed CEMPs, the Arboricultural Impact Assessment (APP-155) and an Arboricultural Method	In relation to the use of 3D cellular confinement systems (the generic name for cellweb) for the installation of accesses or the reinforcement of existing access routes, the final specification for the surface would be developed to ensure that it has sufficient load bearing capacity and protects the underlying soil from compaction.	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		Statement will provide adequate mitigation for potential adverse effects.	<p>Annex D 2.3 of Appendix 10-H Arboricultural Impact Assessment of the ES [APP-155] provides guidance on bulk density requirements for root growth. This guidance will be further addressed in the Arboricultural Method Statement to be developed post consent, as set out in the Framework CEMP [REP3-016]. This is committed to as the provision of a detailed CEMP, which is to be substantially in accordance with the framework, is secured under Requirement 12 (Construction environmental management plan) of the draft DCO [REP3A-004].</p> <p>The track next to T572 is labelled on county series mapping (1888) as Moreton Lane, indicating its long-standing use. It is likely formed of hard standing compacted material which has been partially overgrown. BS5837:2012 section 7.4.2.3 refers to a maximum 20% of the currently <i>unsurfaced</i> Root Protection Area (RPA) being subject to new permanent hard surfacing. As this particular access route is already surfaced this is not considered to be new surfacing, but rather re-surfacing or reinforcement of the existing surface. For instances of new</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>hard surfacing (which is not applicable to T572), this will typically be on currently ploughed agricultural land, meaning that the installation of a loadbearing floating surface and the cessation of agricultural management (which typically results in root severance and soil nutrient impacts) will likely be a positive benefit to retained trees. The minimum 0.5m offset from the stem of retained trees will be incorporated in the design of the Proposed Development at the detailed design stage and will be addressed in the Arboricultural Method Statement detailed above. This access route near veteran tree T572 is for emergency access only and it is therefore considered unlikely to be subject to frequent use.</p>	

4.8 Water Environment

Table 4-8 Water Environment

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.8.1	Applicable Water Environment Legislation and relevant Water Environment Policy	NKDC agrees that applicable water environment legislation and relevant water environment policy has been considered.	The Applicant considers that Chapter 9: Water Environment of the ES [REP1-021] has identified and given appropriate consideration to all applicable water environment legislation and relevant water environment policy.	Agreed
4.8.2	Water Environment Mitigation and Framework Management Plans	NKDC agrees with the proposed mitigation measures in general. However the FCEMP does not provide a great deal of detail on the possibility of leakage of drilling fluids. NKDC requests that a more specific management plan should be provided for the Council to review.	The Applicant considers the proposed water related mitigation measures are acceptable. Amendments have been made to WAT-C6 of the Framework CEMP [REP3-016] to state: "d. A site-specific hydraulic fracture risk assessment including details of drilling fluid management would be developed prior to construction following further investigation of specific ground conditions at the crossing locations, and appropriate mitigation developed in line with best construction practice. There is also a need to manage drilling muds and wastewater	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			so that this would not pollute groundwater or surface water bodies.”	

4.9 Landscape and Visual Amenity

Table 4-9 Landscape and Visual Amenity

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.9.1	Applicable Landscape and Visual Amenity Legislation and Relevant Landscape and Visual Amenity Policy	NKDC agrees that applicable landscape and visual amenity legislation and relevant landscape and visual amenity policy has been considered.	The Applicant considers that Chapter 10: Landscape and Visual Amenity of the ES [AS-117] has identified and given appropriate consideration to all applicable landscape and visual amenity legislation and relevant landscape and visual amenity policy.	Agreed
Methodology				
4.9.2	Methodology adopted for Landscape and Visual Amenity Assessment	NKDCC agrees with the methodology adopted within Chapter 10: Landscape and Visual Amenity of the ES [APP-035] .	The methodology adopted within Chapter 10: Landscape and Visual Amenity of the ES [AS-117] is considered acceptable.	Agreed
Baseline				
4.9.3	Landscape and Visual Amenity Baseline	NKDC agrees that the detailed baseline conditions are representative of the DCO Site conditions.	The baseline conditions which are detailed in Chapter 10: Landscape and Visual Amenity of the ES [AS-117] are representative of the baseline DCO Site conditions.	Agreed
Assessment Results				

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.9.4	Landscape and Visual Impact Assessment (LVIA) Results	<p>It is agreed that significant residual landscape effects would largely arise from landscape character areas directly affected (where the Proposed Development is located within these areas).</p> <p>It is also agreed that a number of sensitive visual receptors will continue to experience Significant adverse effects at year 15 and we consider the applicant's judgement of Moderate to Major Adverse and Significant effects at year 15 for these receptors to be appropriate.</p> <p>These will include 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 development offsets help to mitigate visual effects in some places but for these specific receptors it is acknowledged that at operation the views will change from long distance and open, to short distance and channelled by new landscape mitigation planting and therefore a Major adverse effect is reported at Year 1 and at Year 15 (winter).</p>	<p>The Applicant considers that the level of effects reported within Chapter 10: Landscape and Visual Amenity of the ES [AS-117] accurate.</p> <p>Both parties also agree that the RVAA threshold has not been reached.</p> <p>In response to the matters where agreement has not been reached between the Applicant and NKDC, the Applicant notes the following:</p> <p>LCT 4a: Unwooded Vales was judged to experience non-significant levels of effect, despite direct impacts, because the scale and extent of the changes will affect a small geographic extent of a much larger regional LCT. As such, there will only be subtle iteration to the landscape character.</p> <p>In the case of Sub-area 6: Lincoln Cliff, this was judged 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. This is in line with the agreed position with NKDC</p>	Not Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>Within the cable corridor, it is agreed that by year 15 landscape receptors subject only to temporary and/or indirect effects, where works are below ground and land is reinstated, would not experience significant residual landscape effects, subject to the retention and protection of existing vegetation.</p> <p>Within the cable corridor, it is agreed that the number of visual receptors experiencing Significant adverse effects would reduce between Year 1 and Year 15, primarily due to the completion of underground cable works and the establishment of mitigation planting</p> <p>Overall, NKDC agree with many of the Applicant's judgements on landscape and visual effects of the Proposed Development as reported in Chapter 10: Landscape and Visual Amenity of the ES [AS-117].</p> <p>However, NKDC judge that the level of effects reported for the following landscape receptors would be moderate and significant at year 15 due to changes in</p>	<p>that by year 15 landscape receptors subject only to temporary and/or indirect effects, where works are below ground and land is reinstated, would not experience significant residual landscape effects, subject to the retention and protection of existing vegetation.</p> <p>Sub-area 2: Terrace Sandlands and Sub-area 5: Witham and Brant Vales was judged to experience non-significant levels of effect at Year 15 of operation, 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 will be limited to the Order Limits and its immediate setting. In the context of these sub-areas, this will amount to a small geographic extent and therefore only a subtle alteration to the landscape character.</p> <p>With regard to Stepping out walks generally, 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</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>perceived openness and rural qualities, and potential enclosure where currently absent:</p> <ul style="list-style-type: none"> • LCT 4a: Unwooded Vales • Sub area 6: Lincoln Cliff • Sub-area 2: Terrace Sandlands • Sub-area 5: Witham and Brant Vales <p>NKDC also judge that the significance of the following visual receptors would be moderate and significant at year 15 due to the presence of solar PV arrays and/or the embedded landscape mitigation planting in views:</p> <ul style="list-style-type: none"> • Recreational users of PRow TOTH/6/1 and TOTH/6A/1 • Residents of Housham Wood Farm • Residents of Church Farm and Low Barn • Stepping out walks 	<p>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. The level of effects on recreational users of TOTH/7/2, TOTH/21/1, TOTH/6/2 and TOTH/6/3 are agreed with NKDC.</p> <p>Recreational users of PRow TOTH/6/1 and TOTH/6A/1 were judged to experience non-significant levels of effect at Year 15 of operation due to the filtering and screening in views provided by the established and mature landscape mitigation planting, and reduced visibility of the proposed solar PV arrays as a result.</p> <p>Residents of Housham Wood Farm were judged to experience non-significant levels of effect at Year 15 of operation due to the establishment and maturation of the proposed landscape mitigation contributing to existing vegetation in the curtilage of the house and middle ground of views to provide heavy filtering of the solar PV further beyond.</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			Residents of Church Farm and Low Barn were judged to experience non-significant levels of effect at Year 15 of operation due to the establishment and maturation of the proposed landscape mitigation providing heavily filtered views of the Proposed Development to the west and screening in distant views to the south. Views to the east will be filtered by existing vegetation whilst views to the north will be unchanged.	
Mitigation and Management Plans				
4.9.5	Establishment and the On-going Management of Planting	It is agreed that the most recent revision of the Framework Landscape and Ecological Management Plan [REP3-028] provides improved detail on how the proposed planting will be established and how mitigation planting will be protected across the lifespan of development.	The Framework LEMP [REP3-028] sets out how the habitats will be monitored at Section 7, in line with the proposed management measures set out in Section 5, to ensure correct establishment and growth is achieved, and remedial action (such as re-seeding if establishment fails) would be taken as necessary to ensure the implementation of planting is successful and planting remains throughout the operational lifetime of the Proposed Development.	Agreed
4.9.6	Zone of Theoretical Visibility	It is agreed that the ZTV methodology and presentation is appropriate and sufficient to support the Applicant's judgements on the LVIA study area alongside other evidence	The ZTVs [AS-058 and AS-059] were updated in response to comments raised by NKDC about their presentation, and are now agreed to be appropriate.	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		provided within Appendix 10-G LVIA Study Area Analysis of the ES [APP-154] .		
4.9.7	Offsets from components of the Proposed Development	NKDC agrees that a bespoke approach to offsets from different features is appropriate.	The Applicant considers that the offsets used in the design of the Proposed Development are appropriate. The design parameters, including offsets from different features, are detailed in Chapter 3: The Proposed Development [REP1-015] and the assumptions on which the Landscape and Visual Impact Assessment (LVIA) is based are detailed at Section 10.4 of Chapter 10: Landscape and Visual Amenity of the ES [AS-117] . Appendix A to the Design Approach Document [APP-186] also acknowledges that the proposed offsets are minimum distances rather than a blanket approach	Agreed
4.9.8	Detailed Landscape and Ecological Management Plan	It is agreed that the provision for securing a detailed LEMP substantially in accordance with the Framework LEMP via Requirement 8 of the draft DCO [REP3A-004] is sufficient, and the reservations in the Framework LEMP for some details to be provided post-consent are appropriate.	The provision of a detailed LEMP, which is to be substantially in accordance with the Framework LEMP [REP3-028] , is secured under Requirement 8 (Landscape and ecological management plan) of the draft DCO [REP3A-004] . Requirement 8 (Landscape and ecological management plan) also provides that the detailed LEMP is to be approved by the relevant Local Planning Authority prior to commencement of	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			the Proposed Development. LCC will be a consultee for the discharge of Requirement 8 related to the preparation of a detailed LEMP.	
4.9.9	The provision of grazing within the Principal Site of the Proposed Development	It is agreed that the provisions for grazing within the Framework LEMP [REP3-028] are appropriate at this stage, and that the provision for securing a detailed LEMP substantially in accordance with the Framework LEMP via Requirement 8 of the draft DCO [REP3A-004] is sufficient.	Paragraph 5.3.51 of the Framework LEMP [REP3-028] states that grassland within the solar PV areas will be managed by mowing and/or commercial sheep grazing.	Agreed
4.9.10	Cumulative Landscape and Visual Impacts	<p>NKDC generally agree with the methodology used by the applicant to assess cumulative effects and welcome the Applicant's inclusion of four other solar DCO projects beyond the 2km Zol namely Springwell Energy Farm, Great North Road Solar, One Earth Solar Farm and Leoda Solar Farm.</p> <p>NKDC also agree that it is appropriate and best practice to consider schemes that have not yet commenced construction as part of the cumulative assessment.</p>	<p>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 LCC's LIR [REP1-053] AAH supported this approach.</p> <p>The cumulative assessment contained in Chapter 10: Landscape and Visual Amenity of the ES [AS-117] primarily focus 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</p>	Not agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>However, NKDC disagree with the Applicant's conclusions on the cumulative assessment and judge that there may be significant cumulative landscape effects on regional landscape character areas and significant sequential cumulative visual effects on people travelling across the wider landscape as a result of other NSIPs in the area.</p>	<p>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 LCC's LIR [REP1-053] 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.</p> <p>In response to the matters where agreement has not been reached between the Applicant and NKDC, the Applicant notes the following:</p> <p>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</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			areas or not being perceived at all and were therefore not considered further as part of the cumulative assessment.	

4.10 Noise and Vibration

Table 4-10 Noise and Vibration

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.10.1	Applicable Noise and Vibration Legislation and Relevant Noise and Vibration Policy	NKDC agrees that applicable noise and vibration legislation and relevant noise and vibration policy has been considered.	The Applicant considers that Chapter 11: Noise and Vibration of the ES [APP-036] has identified and given appropriate consideration to all applicable noise and vibration legislation and relevant noise and vibration policy.	Agreed
Methodology				
4.10.2	Methodology utilised for the Assessment of Noise and Vibration	NKDC agrees with the methodology adopted for the assessment within Chapter 11: Noise and Vibration of the ES [APP-036] .	The Applicant considers that the assessment methodology adopted within Chapter 11: Noise and Vibration of the ES [APP-036] is acceptable.	Agreed
Baseline				
4.10.3	Noise and Vibration Baseline Utilised for the Assessment	NKDC agrees that the detailed baseline conditions are representative of the DCO Site conditions.	The baseline conditions which are detailed in Chapter 11: Noise and Vibration of the ES [APP-036] are representative of the baseline DCO Site conditions.	Agreed
Assessment Results				
4.10.4	Results of Noise and Vibration Assessments in relation to the	NKDC agrees with the presented assessment results, including likely significant effects anticipated.	The assessment results set out within Chapter 11: Noise and Vibration of the ES [APP-036] , including likely significant effects anticipated, are acceptable.	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
	Proposed Development			
Mitigation / Management Plans				
4.10.5	Noise and Vibration Mitigation and Framework Management Plans	<p>NKDC generally agrees with the proposed mitigation measures, which are outlined in the FCEMP, FOEMP and FDEMP, and which will be refined in the detailed management plans. NKDC requests that the proposed working hours and noise controls set out in those plans:</p> <ul style="list-style-type: none"> a) a) are brought into line with the Council's Response to Action Point 7 arising from Issue Specific Hearing 4 b) Ensure that lighting use is consistent with the working hours limits <p>Provision is made to reassess sensitive receptors for the decommissioning stage</p>	<p>Following the Applicant's Response to Local Impact Reports [REP2-031] page 63, the Framework CEMP [REP2-013] (ref. Section 2.3) notes the core construction working hours on-site.</p> <p>The proposed working hours (in terms of noisy construction works) are in line with the Council's guidelines, whereby any deviation from this would be subject to a Section 61 agreement.</p> <p>With regards to operational working hours, as noted at ISH4 Action Point 6 (Appendix E of Written Summaries of Oral Submissions - Issue Specific Hearing 4 [REP3-043], the Applicant recognised that these were not specifically set out in the Framework OEMP, and as such updated the Framework OEMP [REP3-018] (submitted to the Examination at Deadline 3) to include a section on 'Operational Working Hours' (Section 2.10).</p>	Agreed

4.11 Socio Economics and Land Use

Table 4-11 Socio Economics and Land Use

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.11.1	Applicable Socio-Economic and Land Use Legislation and relevant Socio-Economic and Land Us Policy	NKDC agrees that in the main the applicable socio-economic and land use legislation and relevant socio-economic and land use planning policy has been considered. However, other relevant policies include the North Kesteven Active Travel Strategy 2025 – 2030, the Lincolnshire Walking Strategy, and the Lincolnshire Local Transport Plan LTP5 which are not considered. Only limited reference is made to the North Kesteven Tourism Strategy 2024 -2029.	The Applicant considers that Chapter 12: Socio Economics and Land Use of the ES [AS-016] has identified and given appropriate consideration to all applicable socio-economic and land use legislation and relevant socio-economic and land use policy.	Under discussion
Methodology				
4.11.2	Methodology adopted for the assessment of socio-economic and land use impacts arising from the Proposed Development	NKDC agrees with the methodology adopted within Chapter 12: Socio Economics and Land Use of the ES [AS-016] . However, the Chapter does not properly address the significance of and effects on the Stepping Out Walks as socio-economic resources for tourism, recreation and health.	The Applicant and NKDC are agreed that the methodology adopted is acceptable, other than in relation to the those matters stated by NKDC.	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.11.3	Local Economic Impact Analysis	NKDC agrees that the assessment presented in Chapter 12: Socio Economics and Land Use of the ES [AS-016] , takes an approach which is consistent with the assessments of economic impacts on solar Nationally Significant Infrastructure Projects (NSIPs) across England. Notwithstanding this, NKDC considers that Local Multiplier 3 (LM3) modelling of local economic impacts would provide a more comprehensive and accurate evaluation.	The assessment presented in Chapter 12: Socio Economics and Land Use of the ES [AS-016] , aligns with the assessments of economic impacts on solar Nationally Significant Infrastructure Projects (NSIPs) across England.	Agreed
4.11.4	Policy S67 of the Central Lincolnshire Local Plan	NKDC is seeking compliance with Policy S67 'Best and Most Versatile Agricultural Land' of the Central Lincolnshire Local Plan (CLLP) in terms of: <ul style="list-style-type: none"> • Exploring previously developed, brownfield, contaminated and industrial land • Taking into account the economic and other benefits of BMV land • Seeking to avoid the use of BMV land where possible by preferential use of lower quality land justified their use of BMV land 	The Applicant confirms that it has appropriately considered the items listed in Policy S67 of the Central Lincolnshire Local Plan in determining the location of the Proposed Development. The Site Selection Report at Annex A of the Planning Statement [AS-098] sets out how previously developed land was given appropriate consideration during the site selection process. Chapter 12: Socio Economics and Land Use of the ES [AS-016] considers the economic and other benefits of best and most versatile (BMV) agricultural land as	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<ul style="list-style-type: none"> • Seeking to minimise impacts on BMV land, and on ongoing agricultural operations • Consider the cumulative impacts of other solar farm proposals in the area on agriculture • Demonstrated that the land can be restored to its former agricultural use once the development has been decommissioned. 	<p>part of the assessment undertaken, for example giving consideration to the existing jobs supported by the agricultural land. As noted in paragraph 12.7.52 of this ES chapter, it has been confirmed by all landowners of land within the Order Limits, that no job losses are expected to result from the removal of agricultural land. It is expected that when the rent revenues from the land start, additional jobs will be created on their farms offsite as landowners are able to diversify their land further with the underlying financial stability of the rental income. With regards to seeking to avoid the use of BMV land and seeking to minimise impacts on BMV land (and ongoing agricultural operations), this has been taken into account both during site selection, and through the sensitive design of the Proposed Development. 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</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>[APP-186], relates to taking a sensitive approach to existing agricultural land and minimising development on BMV 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 of Grade 3a land to ecological enhancements. It is also important to note that the loss of agricultural production on the land due to the Proposed Development would not be permanent. The Applicant is applying for a 60-year operational period for the Proposed Development. At the end of the operational lifetime of the Proposed Development, the land will be returned to the current owners and be available for its current use, although the landowners would choose how the land is to be used and managed. Any material change in use would require planning permission.</p> <p>With regards to consideration of the potential cumulative impacts associated with the Proposed Development in combination with other proposed solar</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>Nationally Significant Infrastructure Projects (NSIPs) in the area, these are assessed in Chapter 15: Cumulative Effects and Interactions of the ES [APP-040]. The short list of cumulative developments, inclusive of the relevant proposed solar NSIPs in the area, has been agreed with both NKDC and Lincolnshire County Council. This agreed short list of cumulative developments is set out in Chapter 15: Cumulative Effects and Interactions of the ES [APP-040].</p> <p>With regards to demonstrating that the land can be restored to its former agricultural use following decommissioning of the Proposed Development, the Framework SMP [REP3-022] 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 which is to be set out within the detailed SMP. The provision of a detailed SMP, which is to be substantially in accordance with the framework, is secured under Requirement 15 (Soil</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			management plan) of the draft DCO [REP3A-004] .	
Baseline				
4.11.5	Baseline DCO Site Conditions for Socio-Economics and Land Use	<p>NKDC agrees that the detailed baseline conditions are representative of the DCO Site conditions, with the exception of:</p> <ul style="list-style-type: none"> the absence of reference to the promoted Stepping Out Walks; and the identification on a plan of all existing permissive paths within the Site. 	<p>The baseline conditions which are detailed in Chapter 12: Socio Economics and Land Use of the ES [AS-016] are representative of the baseline DCO Site conditions.</p> <p>The Applicant has mapped the existing permissive paths based on information provided by landowners at the time and is currently working with the council with the intention of updating the plans to include additional proposed permissive paths for the lifetime of the Proposed Development in order to facilitate the Stepping Out Routes.</p>	Under discussion
4.11.6	Agricultural Land Classification Survey for the Proposed Development	NKDC recommend that an Agricultural Land Classification (ALC) survey is undertaken of the entire DCO Site boundary, including the Cable Corridor.	<p>The Agricultural Land Classification (ALC) 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 [REP3-022].</p> <p>It should be noted that when applying the Institute of Environmental Management and Assessment (IEMA) significance</p>	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			criteria, the presence or absence of BMV land in the Cable Corridor would not constitute a significant effect in Environmental Impact Assessment (EIA) terms, and as such, the effects established within Chapter 12: Socio Economics and Land Use of the ES [AS-016] , would remain unchanged even if the exact baseline conditions were known. The grade of ALC does not affect the conclusions of the assessment, due to the land remaining farmed and with the same ALC grade after construction.	
Assessment Results				
4.11.7	Results of Socio-Economic and Land Use Assessments in relation to the Proposed Development	NKDC considers that the socio-economic effects arising from impacts on permissive paths and the experience of users of the Stepping Out Walk network have not been properly assessed.	The Applicant considers that the assessment results set out within Chapter 12: Socio Economics and Land Use of the ES [AS-016] , including likely significant effects anticipated, are acceptable.	Under discussion
4.11.8	Inconsistencies in the figures stated for the area of land affected and its agricultural quality	NKDC notes the revised figures quoted for the areas of land affected and its agricultural quality.	Appendix 12-B Agricultural Land Classification Report [APP-161] has been updated to revise areas of land effected at Deadline 1.	Agreed
Management Plans and Mitigation				

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.11.9	Soil Management Plan for the Proposed Development	At the PMIE stage, NKDC indicated the need to ensure Soil Management Plans remain robust for 60 year life span.	The Framework SMP [REP3-022] reflects the 60 year operational life of the Proposed Development. The provision of a detailed SMP, which is to be substantially in accordance with the framework, is secured under Requirement 15 (Soil Management Plan) of the draft DCO [REP3A-004] .	Agreed
4.11.10	Soil restoration following decommissioning of the Proposed Development	<p>NKDC consider that the return of agricultural land to its original quality will depend heavily on high standards of soil handling and management throughout all parts of the construction and decommissioning phases, which may be further complicated by each 'part' of the Proposed Development coming forward and being decommissioned separately.</p> <p>NKDC seeks confirmation that the following will be secured, if necessary through amendments to the FSMP:</p> <p>a) engaging an appropriately experienced soil specialist to be present on site to advise on and supervise soil handling</p>	The Framework SMP [REP3-022] sets out the measures to be implemented for soil handling which will ensure that the soil is protected and is able to revert back to its former condition. This includes the maintenance of soils and the implementation of a monitoring schedule to be set out within the detailed SMP (ref. section 6.9 of the Framework SMP [REP3-022]). It should be noted that regardless of the phase or element of construction and decommissioning works being undertaken, the works will still need to adhere to the detailed SMP, detailed CEMP and detailed DEMP, which are to be developed substantially in accordance with the Framework SMP [REP3-022] , Framework CEMP [REP3-016] and Framework DEMP [REP3-020] as secured under Requirements 15 (Soil management plan), 12 (Construction	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<ul style="list-style-type: none"> b) carry out pre-development baseline soil condition surveys for each part of the development c) commit to conservation grazing of the solar array areas 	<p>environmental management plan) and 20 (Decommissioning) respectively of the draft DCO [REP3A-004].</p> <p>With regards to NKDC’s comment that agricultural land impacts will potentially be exacerbated due to the duration of the operational life of the Proposed Development, it should be noted that improvements in soil quality over time due to absence of intensive farming have been studied and reported.</p> <p>For example, research by Lancaster University (Ref 5) suggests that with good management (diverse planting, low-intensity grazing, minimal soil compaction), solar farms can boost soil-carbon storage over time.</p> <p>With regards to the Soil Management Plan,</p> <ul style="list-style-type: none"> a) Paragraph 5.2.1 of the Framework Soil Management Plan [REP3-022] states that “A site representative shall be appointed to be the person responsible for the management of on-site practices to ensure the implementation of the SMP and any associated SWMP or MMP. This person shall be a suitably qualified 	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>and experienced soil scientist or practitioner”</p> <p>b) The Applicant has committed within Paragraph 7.2.2 of the Framework SMP [REP3-022] to further Agricultural Land Classification (ALC) surveys - soil surveys across remaining areas of the site red line boundary: including the cable corridor previously inaccessible areas and compound locations etc.</p> <p>c) With regards to grazing, 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). Any grazing arrangements would be progressed post-consent, during construction, once appropriate local landowners or graziers (including, where relevant, established grazier coordination services working with solar developments) can be engaged and contractual arrangements agreed. The Framework Operational Environmental Management Plan</p>	

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>[REP3-018] allows for the flexibility to deliver management of the grass using grazing.</p>	
4.11.11	<p>Financial Contribution to the Employment, Skills and Supply Chain Plan through an Agreement under s106 TCPA 1990.</p>	<p>To ensure the development delivers legacy benefits to the local economy, NKDC is seeking a financial contribution from the Applicant in relation to the Employment, Skills and Supply Chain Plan to be secured by a planning obligation in an agreement under Section 106 of the Town and Country Planning Act (TCPA) 1990, or possibly via a new Article in the DCO.</p>	<p>Chapter 12: Socio Economics and Land Use of the ES [AS-016], concluded that there are no adverse socio-economic effects as a result of the Proposed Development that require mitigation to be provided, including in relation to employment, skills and the supply chain.</p> <p>Therefore, the Applicant is not proposing a financial contribution in relation to the Employment Skills and Supply Chain (ESSC) Plan as part of the Proposed Development and nor is it required to do so.</p> <p>However, the Applicant has prepared a comprehensive Framework ESSC Plan [APP-197] to maximise the beneficial effects reported in the Environmental Impact Assessment (EIA) which will arise from employment generation (including supply chain opportunities, and skills development), and Gross Value Added (GVA) generation during the construction</p>	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			and decommissioning phases of the Proposed Development.	
4.11.12	The Handling and Management of Soils during the construction and decommissioning of the Proposed Development	NKDC considers that the DCO Application places a high reliance on the removal of all the works, and restoration of the agricultural land to its original quality, including the BMV component. However, relatively little detail is provided on how this would take place, including for removal of piles, foundations, cables and hardstanding.	Regarding how removal and decommissioning works including the removal of piles, foundations, cables and hardstanding, would be carried out, the assessments presented in the ES assume that the decommissioning works would be of a similar nature to the works during the construction phase (as set out in Chapter 5: Environmental Impact Assessment Methodology of the ES [REP1-019] , although potentially of shorter duration and lesser intensity. This is considered a robust assumption, and any further assumptions regarding the decommissioning works for the purpose of individual assessments are outlined within the respective technical ES chapters where relevant (Chapters 6 to 14). A detailed Decommissioning Environmental Management Plan (DEMP), which is to be substantially in accordance with the Framework DEMP [REP3-020] , (as secured under Requirement 20 (Decommissioning) of the draft DCO [REP3A-004]) will be prepared and	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			approval sought from the relevant authorities at the appropriate time, prior to the commencement of decommissioning works. This detailed DEMP will set out the methodology of decommissioning works, which may differ to the approaches currently utilised owing to the operational lifetime of the Proposed Development.	
4.11.13	Stepping Out Walks	<p>NKDC seeks further mitigation and compensatory measures to offset the socio-economic effects arising from impacts on the experience of users of the Stepping Out Walks, which would lead to adverse effects in terms of health, recreation, and tourism – together impeding the Council’s ambition to expand the network and its benefits. The measures sought are:</p> <ol style="list-style-type: none"> 1. Making sections of Stepping Out Walks which are existing / proposed new permissive paths into statutory rights of way – providing security for their long term future 2. Funding to alter the existing Stepping Out Walks Thorpe on the Hill, and 	The Applicant considers 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] and new permissive paths. As such, further mitigation or compensatory measures are not considered to be required.	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
		<p>Morton & Tunman Wood so that they follow whatever new routes are agreed</p> <p>3. Funding to make paths from Witham St Hughs across to Aubourn into a new Stepping Out Walk – including public consultation, waymarking, preparing the route leaflets and marketing, presence on All Trails, use monitoring.</p> <p>4. Funding to create a new Stepping Out Walk outside but adjacent to the Order Limits, from Hykeham to Aubourn – which would provide the opportunity to link up the main urban area with other Stepping Out Walks, including the new path referred to at item 2 above. This would include set up costs and monitoring, and also bringing it into a existing maintenance programme, secured via a s.106 agreement or possibly via a new Article in the DCO</p>		

4.12 Traffic and Transport

Table 4-12 Traffic and Transport

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.12.1	Traffic and Transport	NKDC defers to Lincolnshire County Council as the local highway authority on matters of traffic and transport. NKDC notes that the Highway Authority have 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. NKDC has not identified any additional issues in relation to this matter.	The Applicant notes the deferral of traffic and transport matters to LCC and general agreement with the methodology and assessment set out in the ES.	Agreed

4.13 Air Quality

Table 4-13 Air quality

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.13.1	Applicable Air Quality Legislation and Relevant Air Quality Policy	NKDC agrees that applicable air quality legislation and relevant air quality policy has been considered.	The Applicant considers that Section 14.2 Air Quality of Chapter 14: Other Environmental Topics of the ES [APP-039] has identified and given appropriate consideration to all applicable air quality legislation and relevant air quality policy.	Agreed
Methodology				
4.13.2	Methodology Adopted for the Assessment of Air Quality	NKDC agrees with the methodology adopted within Section 14.2 Air Quality of Chapter 14: Other Environmental Topics of the ES [APP-039] .	The Applicant considers that the methodology adopted within Section 14.2 Air Quality of Chapter 14: Other Environmental Topics of the ES [APP-039] is acceptable.	Agreed
Baseline				
4.13.3	Baseline utilised for the Assessment of Air Quality in relation to the Proposed Development	NKDC agrees that the detailed baseline conditions are representative of the DCO Site conditions.	The Applicant considers that the baseline conditions which are detailed in Section 14.2 Air Quality of Chapter 14: Other Environmental Topics of the ES [APP-039] are representative of the baseline DCO Site conditions.	Agreed
Assessment Results				

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.13.4	Results of Air Quality Assessments in Relation to the Proposed Development	NKDC agrees with the presented assessment results, including likely significant effects anticipated.	The Applicant considers that the assessment results set out within Section 14.2 Air Quality of Chapter 14: Other Environmental Topics of the ES [APP-039] , including likely significant effects anticipated, are acceptable.	Agreed
Mitigation / Management Plans				
4.13.5	Air Quality Mitigation and Framework Management Plans	NKDC agrees with the proposed mitigation, including the submission of dust management proposals as part of the detailed CEMPs which are to be prepared in general accordance with the FCEMP.	The Applicant considers that the proposed air quality related mitigation measures and relevant framework management plans are acceptable.	Agreed

4.14 Glint and Glare

Table 4-14 Glint and Glare

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.14.1	Applicable Glint and Glare Legislation and Relevant Glint and Glare Policy	NKDC agrees that applicable glint and glare legislation and relevant glint and glare policy has been considered.	The Applicant considers that Section 14.3 Glint and Glare of Chapter 14: Other Environmental Topics of the ES [APP-039] has identified and given appropriate consideration to all applicable glint and glare legislation and relevant glint and glare policy.	Agreed
Methodology				
4.14.2	Methodology adopted for the Assessment of Glint and Glare	NKDC agrees with the methodology adopted within Section 14.3 Glint and Glare of Chapter 14: Other Environmental Topics of the ES [APP-039] .	The Applicant considers that the methodology adopted within Section 14.3 Glint and Glare of Chapter 14: Other Environmental Topics of the ES [APP-039] is acceptable.	Agreed
Baseline				
4.14.3	Baseline utilised for the Assessment of Glint and Glare in relation to the Proposed Development	NKDC agrees that the detailed baseline conditions are representative of the DCO Site conditions.	The baseline conditions which are detailed in Section 14.3 Glint and Glare of Chapter 14: Other Environmental Topics of the ES [APP-039] are representative of the baseline DCO Site conditions.	Agreed
Assessment Results				

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.14.4	Results of Glint and Glare Assessments in Relation to the Proposed Development	NKDC agrees with the presented assessment results, including likely significant effects anticipated.	The Applicant considers that the assessment results set out within Section 14.3 Glint and Glare of Chapter 14: Other Environmental Topics of the ES [APP-039] , including likely significant effects anticipated, are acceptable.	Agreed
Mitigation / Management Plans				
4.14.5	Glint and Glare Mitigation and Framework Management Plans	NKDC agrees with the proposed mitigation given the improvements to measures securing maintenance and monitoring of planting.	The Applicant considers that the proposed glint and glare related mitigation measures and relevant framework management plans are acceptable.	Agreed

4.15 Ground Conditions

Table 4-15 Ground Conditions

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.15.1	Applicable Ground Conditions Legislation and Relevant Ground Conditions Policy	NKDC agrees that applicable ground conditions legislation and relevant ground conditions policy has been considered.	The Applicant considers that Section 14.4 Ground Conditions of Chapter 14: Other Environmental Topics of the ES [APP-039] has identified and given appropriate consideration to all applicable ground conditions legislation and relevant ground conditions policy.	Agreed
Methodology				
4.15.2	Methodology Adopted for the Assessment of Ground Conditions	<p>NKDC agrees in general with the methodology adopted within Section 14.4 Ground Conditions of Chapter 14: Other Environmental Topics of the ES [APP-039].</p> <p>However, this does not appear to address issues related to potential contamination from waste solar panels during decommissioning particularly if they are damaged and stored during this phase.</p>	<p>The Applicant considers that the methodology adopted within Section 14.4 Ground Conditions of Chapter 14: Other Environmental Topics of the ES [APP-039] is acceptable.</p> <p>The Framework DEMP [REP3-020] 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,</p>	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			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”.	
Baseline				
4.15.3	Baseline utilised for the Assessment of Ground Conditions in relation to the Proposed Development	NKDC agrees that the detailed baseline conditions are representative of the DCO Site conditions.	The Applicant considers that the baseline conditions which are detailed in Section 14.4 Ground Conditions of Chapter 14: Other Environmental Topics of the ES [APP-039] are representative of the baseline DCO Site conditions.	Agreed
Assessment Results				
4.15.4	Results of Ground Conditions Assessments in relation to the Proposed Development	Subject to the issue of potential from waste panels identified in matter 3.15.2 above, NKDC agrees with the presented assessment results, including likely significant effects anticipated.	The Applicant considers that the assessment results set out within Section 14.4 Ground Conditions of Chapter 14: Other Environmental Topics of the ES [APP-039] , including likely significant effects anticipated, are acceptable.	Agreed
Mitigation / Management Plans				

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.15.5	Ground Conditions Mitigation and Framework Management Plans	<p>NKDC agrees in general with the proposed mitigation, but 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.</p>	<p>The Applicant considers that the mitigation measures and relevant framework management plans related to ground conditions are acceptable.</p> <p>The Framework Soil Management Plan [REP3-022] 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 [REP3-018] 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. GCO1 also notes that specific requirements and frequency of the monitoring will be confirmed in the detailed OEMP(s).</p> <p>As such, in developing the detailed SMP and OEMP, a programme will be detailed</p>	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>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 [REP3A-004] 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.</p>	

4.16 Materials and Waste

Table 4-16 Materials and Waste

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Mitigation / Management Plans				
4.16.1	Materials and Waste Mitigation and Framework Management Plans	NKDC defers to the views of Lincolnshire County Council as the relevant Waste Planning Authority on most matters related to waste, but requests that the Framework Decommissioning Environmental Management Plan includes a protocol for the disposal of solar panels (also see matter 3.15.2 above). NKDC would support an additional Requirement to fix the replacement rate of solar panels and other equipment	It is noted NKDC defers to LCC on this matter. As outlined in Table 11: Materials and Waste of the Framework DEMP [REP3-020] “ <i>the types, quantities and final destination of waste generated during the decommissioning phase would be identified, measured and recorded through the DEMP.</i> ” 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 [REP3-018] 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	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			relevant planning authority when a component is no longer operational and requires final decommissioning.	

4.17 Major Accidents and Disasters

Table 4-17 Major Accidents and Disasters

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.17.1	Applicable Major Accidents and Disasters Legislation and Relevant Major Accidents and Disasters Policy	<p>NKDC has not taken a position on this topic, other than in respect of BESS and fire safety, as follows:</p> <ul style="list-style-type: none"> the public perception of risk from the new and evolving BESS technologies should take into account as a material consideration this should include the selection of battery system as part of safety assessments NKDC seeks confirmation that all of Lincolnshire Fire and Rescue Service's (LFRS) concerns have been addressed and a monitoring contribution secured 	<p>The Applicant considers that Section 14.6 Major Accidents and Disasters of Chapter 14: Other Environmental Topics of the ES [APP-039] has identified and given appropriate consideration to all applicable major accidents and disasters legislation and relevant major accidents and disasters policy.</p> <p>The Applicant has submitted a Framework Battery Safety Management Plan (BSMP) [REP3-030] which 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 layout of the BESS has been designed 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</p>	Agreed

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>the Framework BSMP [REP3-030] and the identification of appropriate mitigation measures. The Framework BSMP is to be developed into a detailed BSMP, substantially in accordance with the Framework, as secured under Requirement 7 (Battery safety management) of Schedule 2 to the Draft DCO [REP3A-004]. The Applicant has consulted the NFCC guidelines and engaged with LFRS throughout the pre-application phase, and engagement will continue with LFRS throughout the detailed design stage, post-consent. It is noted that the LFRS is a named consultee for Requirement 7, and as such the LFRS will have the opportunity to review the detailed BSMP prior to any approval. Protective provisions for the protection of LFRS have been agreed and are set out in Part 3 of Schedule 14 to the draft DCO [REP3A-004].</p>	

4.18 Cumulative Effects and Interactions

Table 4-18 Cumulative Effects and Interactions

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Legislation and Policy				
4.18.1	Applicable Cumulative Effects and Interactions Legislation and Relevant Policy	NKDC agrees that applicable cumulative effects and interactions legislation and relevant policy has been considered.	The Applicant considers that Chapter 15: Cumulative Effects and Interactions of the ES [APP-040] has identified and given appropriate consideration to all applicable cumulative effects and interactions legislation and relevant policy.	Agreed
Methodology				
4.18.2	Methodology Adopted for the Assessment of Cumulative Effects and Interactions	NKDC raised at PMIE that the cumulative assessment should consider schemes beyond 1-3 km of the Proposed Development boundary.	As set out in Chapter 15: Cumulative Effects and Interactions of the ES [APP-040] , the methodology is a combination of professional judgement and established guidance that has been used to define an appropriate scope for the assessment. For example, the approach to assessing cumulative landscape and visual effects is consistent with the Planning Inspectorate's Guidance on Cumulative Effects (Ref 6) and follows a proportionate methodology as outlined in the 3 rd edition Guidelines on Landscape and Visual Impact Assessment (GLVIA3) published by the Landscape Institute.	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
Baseline				
4.18.3	Developments considered for the Assessment of Cumulative Effects and Interactions in relation to the Proposed Development	NKDC agrees that the cumulative development assessed are correct for the Proposed Development.	The Applicant has consulted NKDC on the cumulative developments assessed and considers they are correct for the Proposed Development.	Agreed
Assessment Results				
4.18.4	Results of Cumulative Effects and Interactions Assessments in Relation to the Proposed Development	NKDC agrees with the presented assessment results, including likely significant effects anticipated with the exception of the cumulative impacts on ground nesting birds and Skylark, discussed below.	The Applicant considers that the assessment results set out within Chapter 15: Cumulative Effects and Interactions of the ES [APP-040] , including likely significant effects anticipated, are acceptable.	Under discussion
4.18.5	Cumulative Impacts on Ground Nesting Birds and Skylark	In terms of cumulative impacts, particularly from the large number and area of solar energy proposals in the local area, there remains concern about the potential for adverse impacts on populations of ground nesting birds such as skylark.	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 proposals for ground nesting birds such as skylark. With these mitigation measures in place Table 8-16 of Ecology and Nature	Under discussion

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
			<p>Conservation of the ES [REP1-019], concludes that no significant effects on ground-nesting birds (or other birds) will arise as a result of the Proposed Development.</p> <p>Table 8-19 of Chapter 8: Ecology and Nature Conservation of the ES [REP1-019] of the ES concludes that <i>"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."</i></p>	
Mitigation / Management Plans				

Reference	Description of Matter	North Kesteven District Council Position	Applicant Position	Status
4.18.6	Cumulative Effects and Interactions Mitigation and Framework Management Plans	NKDC considers that there remain certain topic areas for which intra-project and inter-project cumulative effects have not been wholly mitigated by the framework management plans.	The Applicant considers that the mitigation measures and framework management plans related to cumulative effects are acceptable.	Under Discussion

References

- Ref 1 Department for Energy Security & Net Zero (2025). Overarching National Policy Statement for Energy (EN-1). Available at: [EN-1 Overarching National Policy Statement for Energy](#)
- Ref 2 Global Alliance for Buildings and Construction (2019). Inventory of Carbon and Energy (ICE) V4.0 database. Available at: <https://globalabc.org/sustainable-materials-hub/resources/inventory-carbon-and-energy-ice-database>
- Ref 3 UK Government (2024). Greenhouse gas reporting: conversion factors 2024. Available at: <https://www.gov.uk/government/publications/greenhouse-gas-reporting-conversion-factors-2024>
- Ref 4 Department for Environment, Food & Rural Affairs (DEFRA) (2025) Statutory biodiversity metric tools and guides. Available at: <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>
- Ref 5 Lancaster University (2024). Appropriate Management of Solar Farms Can Boost Soil Carbon Levels. Available at: <https://www.lancaster.ac.uk/energy-lancaster/about-us/news/appropriate-management-of-solar-farms-can-boost-soil-carbon-levels>
- Ref 6 Planning Inspectorate (2025). Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment. Available at: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-cumulative-effects-assessment>
- REF 7 British Standards Institute (BSI) (2012). BS5837 - Trees in relation to design, demolition and construction. Recommendations. Available at: <https://knowledge.bsigroup.com/products/trees-in-relation-to-design-demolition-and-construction-recommendations>