Fosse Green Energy

EN010154

9.38 Applicant's Response to Deadline 6 Submissions

VOLUME

9

Planning Act 2008 (as amended)

Regulation 8(1)(k)

Infrastructure Planning (Examination Procedure) Rules 2010

09 June 2026

Planning Act 2008

The Infrastructure Planning

(Examination Procedure) Rules

2010

Fosse Green Energy

Development Consent Order 202[ ]

9.38 Applicant's Response to Deadline 6 Submissions

Regulation Reference	Regulation 8(1)(k)
Planning Inspectorate Scheme Reference	EN010154
Application Document Reference	EN010154/EXAM/9.38
Author	Fosse Green Energy Limited

Version	Date	Issue Purpose
Rev 1	09 June 2026	Deadline 7

Table of Contents

Tables

1. Introduction

1.1 Purpose of this document

1.1.1 The purpose of this document is to provide Fosse Green Energy's ('the Applicant') response to the relevant Deadline 6 Submissions made by Interested Parties (IPs) and Non-Interested Parties (non-IPs), submitted to the Examination on 2 June 2026 at Deadline 6. This document refers to a number of previous response documents prepared by the Applicant and submitted to the Examination for further information – for example:

- Applicant's Response to Relevant Representations **[REP1-047]**;
- Applicant's Response to the Examining Authority's First Written Questions **[REP2-029]**;
- Applicant's Response to Written Representations **[REP2-030]**;
- Applicant's Response to Local Impact Reports **[REP2-031]**;
- Applicant's Response to Post Hearing Summaries **[REP2-032]**;
- Applicant's Response to Examining Authority's Second Written Questions **[REP3-045]**;
- Applicant's Response to Deadline 2 Submissions **[REP3A-025]**;
- Applicant's Response to Deadline 3 and 3A Submissions **[REP4-018]**;
- Applicant's Response to Deadline 4 Submissions **[REP5-025]**;
- Applicant's Response to Examining Authority's Third Written Questions **[REP5A-037]**;
- Applicant's Response to Deadline 5 Submissions **[REP5A-038]**; and
- Applicant's Response to Deadline 5A Submissions **[REP6-030]**.

1.2 Structure of this Document

1.2.1 This document provides a response from the Applicant to the relevant matters raised in the Deadline 6 Submissions, and is structured as follows:

a. Deadline 6 Submissions:

   i. Table 2-1: Applicant's Responses to Comments from any party on any submissions and any information received at Deadline 5A

1.2.2 For ease of reference, a table of acronyms used in this document is provided in **Table 1-1** below.

Table 1-1: Abbreviations

Abbreviation	Definition
ACoW	Archaeological Clerk of Works
AIL	Abnormal Indivisible Load
ALC	Agricultural Land Classification
BESS	Battery Energy Storage System
BNG	Biodiversity Net Gain
BPA	British Pipeline Agency Limited
BSMP	Battery Safety Management Plan
CEMP	Construction Environmental Management Plan
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
DEMP	Decommissioning Environmental Management Plan
EAL	Environment Assessment Level
EIA	Environmental Impact Assessment
ES	Environmental Statement
ExA	Examining Authority
Ha	Hectares
IP	Interested Party
kV	Kilovolt
LCC	Lincolnshire County Council
LEMP	Landscape and Ecological Management Plan
LNR	Local Nature Reserve
LPA	Local Planning Authority
LVIA	Landscape and Visual Impact Assessment
MW	Megawatt
MWh	Megawatt Hours
NE	Natural England
NGET	National Grid Energy Transmission
NH	National Highways
NKDC	North Kesteven District Council
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OEMP	Operational Environmental Management Plan

Abbreviation	Definition
PPW	Permitted Preliminary Works
PRoW	Public Right of Way
PV	Photovoltaic
REMA	Review of Electricity Market ARragements
RNP	Reformed National Pricing
SMP	Soil Management Plan
SoCG	Statement of Common Ground
SoS	Secretary of State
SRN	Strategic Road Network
SSEP	Strategic Spatial Energy Plan
TA	Transport Assessment
tCO2e	Tonnes CO2 Equivalent
TEC	Transmission Entry Capacity
TPO	Tree Preservation Order
UKHSA	UK Health Security Agency
WSI	Written Scheme of Investigation

2. Applicant's Response to Deadline 6 Submissions

2.1 Applicant's Responses to Comments from any party on any submissions and any information received at Deadline 5A

Table 2-1: Applicant's Responses to Comments from any party on any submissions and any information received at Deadline 5A

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
Lincolnshire County Council (LCC) **[REP6-035]**	Draft Development Consent Order **[REP5A-007]**	**Draft Development Consent Order [REP5A-007]** LCC notes and welcomes the uplift in the fees as set out in Schedule 15 (5)(2). It is noted that substantial changes have been made to Schedule 15 at this late stage in the examination, with limited time for review and alterations. There does not appear to be an explanation for these changes within the Explanatory Memorandum [REP5A-009]. LCC notes the comments within the Schedule of Changes to the dDCO [REP5A-031] which states that the Schedule 15 alterations are in response to the ExA's proposed changes within PD-022. However, LCC notes that the Schedule 15 alterations depart significantly from the ExA's suggested wording and wish to make the following comments regarding these proposed alterations. The timescale for the discharge of requirements has been set out within Schedule 15 paragraph 2, which states a determination period of 10 weeks wherein the discharging authority must determine the discharge of requirement application. Clarity arising from the inclusion of the word 'working' (in terms of 'working day') is welcomed. With regard to the changes within paragraph 2(5), LCC takes no issue with the applicant's amendment stating that required consultees are provided with copies of the submitted application at the time of submission to the discharging authority. However, LCC do not agree that the applicant should be stipulating the timescales for responding to the discharging authority, as currently drafted within 5(a) and 5(b), cross-referenced to 3(7)(a) and 3(7)(b). The timescales for responding to the discharging authority should be determined by the discharging authority within the constraints of the DCO as set out within 2(1) and 3(2). LCC considers that this will allow the discharging authority to maintain control of the timescales for responses from Required Consultees, which will be based upon receipt of a valid application (including any appropriate fee) within the bounds of the DCO. LCC would therefore suggest the deletion of the remaining text from the sentence starting 'As part of the notification to....' and the subsections (a) and (b). With respect to paragraph 3(3), LCC would suggest that the period for the relevant planning authority to notify the undertaker in writing specifying any further information the relevant planning authority considers necessary or requested by the requirement consultee should revert back to the original 25 working days rather than 20. This would allow a modest additional period to account for the consultation with the requirement consultee(s) to take place. With regard to paragraph 3(6),	As set out in the Applicant's Response to the Examining Authority's Proposed Schedule of Changes to the Draft DCO [**REP5A-036**] the Applicant noted the ExA's comments on Schedule 15 of the draft DCO [**REP5A-006**] and made amendments utilising drafting which is very recently precedented in the equivalent Schedule of the Springwell Solar Farm Order 2026. The Applicant notes that LCC would define receipt of the application as when all relevant documentation and fees have been received by the local authority discharging the requirement and accordingly has made amendments to paragraph 2(3) as follows; *Any application made to the relevant planning authority pursuant to sub-paragraph (1) must <ins>provide the following information to the relevant planning authority electronically via email (unless otherwise agreed between the parties)</ins>—* *(a) <ins>a covering letter which includes confirmation of the requirement to which the submission relates;</ins>* *(b) include a statement to confirm whether it is likely that the subject matter of the application will give rise to any materially new or materially different environmental effects compared to those in the environmental statement and if it will then it must be accompanied by information setting out what those effects are; and* *(c) include confirmation that the application has been notified and provided to the requirement consultees in accordance with sub-paragraph (5), if the provision governing or requiring the application specifies that consultation with a requirement consultee is required. Such confirmation to include contact details for the requirement consultees;* *(d) <ins>the respective detailed management plan, drawing or other written information to discharge the requirement as required by the requirement; and</ins>* *(e) <ins>payment of the relevant fee in accordance with paragraph 5.</ins>*

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		LCC find this paragraph to be unnecessarily complicated and difficult to understand. From LCC's interpretation of 3(6), our understanding is that this paragraph relates to further information being sought from the applicant for a second time. As drafted, following receipt of the second round of additional information, the discharging authority would only have 5 working days to consult with required consultees and then notify the developer of any further information required. If this has been interpreted correctly, then LCC consider this to be an unrealistic and unworkable timescale for a planning authority to consult, review documentation and respond fully. As such LCC is of the opinion that any further information requests should be dealt with under the timescales set out within 3(2), whether this be the first, second or subsequent requests. This would be consistent with the approach taken in other made DCOs within Lincolnshire. As currently drafted, there is a risk that the discharging authority may find themselves having insufficient information to determine an application and unable to request further information due to the tight 5-day timescale, potentially leading to a refusal of the discharge application. As stated above, with regard to paragraph 3(7), LCC is of the opinion that timescales for consultees to respond to the discharging authority should be established and communicated by the discharging authority, not the applicant. Paragraph 3(7)(a) states that '*a requirement consultee is required to notify the relevant planning authority in writing specifying any reasonable further information it considers necessary in order to comment on the application within 15 working days of receipt of the application pursuant to paragraph 2(5)*' As currently worded it would appear as though receipt would be determined from when the applicant provided a copy of the application to the required consultee. LCC would however define receipt of the application as when all relevant documentation and fees have been received by the local authority discharging the requirement; these dates may differ and as such this highlights the importance of clear comment deadlines for Requirement Consultees to be provided by the discharging authority rather than the applicant. With reference to 3(7)(d) and 3(7)(e), LCC would request the removal of these two subparagraphs. 3(7)(d) appears to unduly restrict the receipt of comments from a required consultee outside of the 15 working day period. As above, LCC consider timelines for response to the discharging authority should be established by the discharging authority. The discharging authority must determine the application within 10 weeks of receipt, therefore limiting timescales within the DCO for required consultees to respond is considered unnecessarily restrictive.	With respect to paragraph 3(3), the Applicant has amended the timescale to "25 working days" in line with LCC's comments. These amendments are reflected in the final iteration of the draft DCO [**REP5A-006**] submitted to the Examination at Deadline 7. With regard to paragraph 3(6), the Applicant does not consider this wording to be complicated, and it is noted that it has precedent in the equivalent paragraph of the Springwell Solar Farm Order 2026. This drafting provides that, once the relevant planning authority has received the additional information it has requested, it has five days to notify the undertaker if it deems this information to be insufficient. This paragraph includes a caveat of "*or such longer period as is agreed (including where the quantity of information is substantial or requirement consultees are involved)*" and therefore, where a substantial volume of information is provided (or a requirement consultee is involved) the relevant planning authority and the undertaker can agree an extended time period accordingly. In respect of LCC's other comments, the Applicant does not consider amendments to be necessary. The amendments made by the Applicant in the iteration of the draft DCO [**REP5A-006**] submitted at Deadline 5A are considered to provide certainty and clarity, partially in response to queries from the ExA. As noted above, the revised drafting is precedented in the Springwell Solar Farm Order 2026.
LCC **[REP6-035]**	Biodiversity Net Gain Report **[REP5-015]**	LCC welcomes the updates made in REP5-015 and confirms that most of the outstanding issues relating to BNG have now been resolved. This includes the correct application of Strategic Significance and the Trading Rules now being met. At a meeting between the Councils and the Applicant on 06 May 2026, the Councils confirmed that the only outstanding issue in relation to BNG calculations relates to the use of an assumed baseline condition on two parcels of land proposed for partial enhancement. Given that the actual condition is currently unknown the Councils suggested that it would be preferable to treat the areas concerned as 'retained' post-development rather than 'enhanced'. The Applicant agreed that as	The Applicant has updated the BNG Report [**REP6-016**] accordingly and this was submitted to the Examination at Deadline 6.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		the habitat involved on these parcels of land was of low distinctiveness and the areas involved were small and would therefore not make a significant difference to the final BNG calculations, the metric will be updated to fit with the Council's suggestion.	
LCC **[REP6-035]**	Framework Landscape and Ecological Management Plan **[REP5A-023]**	With reference to paragraph 7.1.9, LCC previously stated its opinion that the membership of the proposed Ecological Advisory Group should include representatives of the Host Local Authorities alongside representatives of the Applicant's team and that a draft Terms of Reference for the Group should be included in the LEMP (REP4-020). LCC has provided additional comments on this issue in response to REP5-025.	The Applicant acknowledges LCC's position regarding the membership of the EAG, however maintains the position regarding the composition of the EAG provided in response to ENC.3.02, as detailed in the Applicant's Responses to the Examining Authority's Third Written Questions [**REP5A-037**]. Regarding the draft Terms of Reference, the Framework LEMP [**REP6-018**] submitted to the Examination at Deadline 6 included, at Appendix C, draft Terms of Reference for the EAG.
LCC **[REP6-035]**	Permitted Preliminary Works Environmental Management Plan **[REP5A-035]**	The Council has reviewed (REP5-026) and considers that the document includes a generally appropriate set of mitigation and good practice measures for proposed preliminary works. The Council considers that a mechanism for agreeing the scope of pre-commencement ecological surveys with relevant consultees should be included.	The Applicant is committed to continued liaison with LCC following the granting of any DCO. Through this engagement, LCC will be aware when PPW are planned to be carried out and will be able to raise queries with the Applicant. The Applicant will procure an ecologist to scope the surveys and expects to either share the scope with LCC in advance of the surveys being undertaken or otherwise, share the results of the surveys after the event. In both cases this would allow LCC an opportunity to comment on the scope of the surveys or the validity of the findings.
LCC **[REP6-035]**	Applicant's Responses to the Examining Authority's Third Written Questions **[REP5A-037]**	PE.3.07 - The Council acknowledge the applicant's methodology for identifying the travel to work area. However, as stated in previous responses, a 60-minute drive time within Lincolnshire is a shorter distance than for other areas, such as those utilised for the quoted studies. The Council would also consider that South East England is not comparable to Lincolnshire. While the studies and comparisons provide a starting point, a Lincolnshire specific element would be beneficial. The Lincolnshire highway network is made up of predominantly single carriageway roads with a slower average travel speed, and a high proportion of slow-moving freight and farm traffic. The 60-minute travel time is nearer to 35-40 miles, especially during the AM and PM peaks. This smaller travel to work area will impact the amount of overnight accommodation for the temporary workforce and thus compound our concerns regarding capacity which we have set out multiple times, including at the hearing sessions. As the Councils concerns regarding capacity of overnight accommodation remain, for this proposal, but also cumulatively with other projects, especially should there be any overlap in construction periods, this matter is one where the Council believe that we will have to agree to disagree with the applicant.	As discussed in the Applicant's Response to the Examining Authority's Third Written Questions [**REP5A-037**] (ref. PE.3.07), drive-time isochrones were generated using the OpenRouteService (OpenRouteMap) API. A 60-minute time threshold was applied to define the travel-to-work catchment, with results aggregated into a composite isochrone as set out within Figure 12-1: 60-minute Drive Time from the Site Boundary of the ES [**AS-064**]. This approach accounts for variations in access points and local network connectivity. Travel times are based on network-specific speed changes that vary by roads, ensuring that differences in speeds across the Lincolnshire road network are reflected. The Applicant acknowledges that travel distances within 60 minutes in Lincolnshire may be shorter than in other areas of the country. However, the assessment is based on travel time rather than distance, which is the appropriate metric for defining labour market catchments. The modelling captures reduced road speeds and therefore reflects a realistic catchment extent based on local conditions. The use of a 60-minute travel-to-work area is consistent with standard socio-economic practice and is identified in Chapter 12 Socio Economics and Land Use of the ES [**AS-016**] as the principal labour market catchment for the Proposed Development. The supporting evidence provides context

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
			on commuting behaviour and workforce mobility rather than implying direct comparability with other regions. To address localised effects, Chapter 12 Socio Economics and Land Use of the ES [**AS-016**] includes a 30-minute drive-time scenario (Figure 12-2 30-minute Drive Time from the Site Boundary of the ES [**AS-065**]) as a worst-case sensitivity test. While this indicates some pressure during peak months, it is a deliberately conservative assumption and does not reflect the expected distribution of workers in practice. Within the assessed 60-minute catchment, Chapter 12 Socio Economics and Land Use of the ES [**AS-016**] demonstrates that accommodation capacity is sufficient across all months, including peak periods, with a clear surplus of available rooms. The assessment is also conservative in that it only considers hotels, bed and breakfasts, and inns, and excludes other accommodation types which would provide additional flexibility. Cumulative effects have been considered where information is available. While an element of uncertainty remains regarding overlapping programmes, the scale of demand from the Proposed Development is small relative to total accommodation supply, and the accommodation market is considered to be able to respond dynamically. On this basis, the conclusion of no significant effect within Chapter 12 Socio Economics and Land Use of the ES [**AS-016**] remains appropriate. The Applicant acknowledges that a difference in professional judgement remains. The Applicant maintains that the methodology applied is robust, reflects local network conditions, and provides a reasonable basis for assessing potential effects, which are assessed as not significant.
LCC **[REP6-035]**	Applicant's Response to Deadline 5 Submissions **[REP5A-038]**	<u>Archaeology</u> Applicant's Response to LCC comments for Deadline 4 begins: '*The provision of an Archaeological Clerk of Works (if deemed necessary), as per CH-C1 of the Framework CEMP [REP5-011] will allow for the adequate response and management of 'corrective actions' to improve growing conditions (where potential to impact important buried archaeological remains is a concern*).' LCC have stated a number of times that the provision of an Archaeological Clerk of Works is essential, as in our Local Impact Report: *'Post-consent trenching leaves a high degree of risk pushed into the post-consent phase with the potential for archaeological works to impact the work programme and budget. It is essential therefore that archaeological work including field evaluation as well as mitigation phases can be dealt with by future commitments through the documentation including approved WSIs and the production of an agreed Archaeological Management Plan with an Archaeological Clerk of Works for the lifetime of the scheme.'*	The Applicant acknowledges LCC's position that the provision of an Archaeological Clerk of Works (ACoW) is essential and would direct LCC to paragraph 3.2 of the Framework Written Scheme of Investigation (FWSI) ([**REP3A-027**]), which states that an ACoW will be engaged to oversee relevant archaeological works. The potential impacts from the Proposed Development and the need for further investigations have been fully acknowledged by the Applicant in the assessments undertaken (e.g. within Chapter 7 Cultural Heritage of the ES [**APP-032**]) and the FWSI [**REP3A-027**]. As set out previously (see the Applicant's Response to Deadline 4 Submissions [**REP5-025**] (ref. p6)), the FWSI [**REP3A-027**] presents an outline scope of work to be undertaken post-consent, including further liaison with the local authorities, further investigations and proposals for mitigation (see Section 3 and

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		The Applicant's Response other comment for this section is that '*On the matter of disturbance to or potential destruction of earthworks of archaeological interest, no such locations are known to exist with areas of likely construction activities*.' Evaluation trenching has yet to be undertaken across much of the redline boundary as we await details on the nature, depth and extent of development works to ensure that the evaluation fieldwork is adequate and fit for purpose. Significant previously undiscovered archaeology has been found across all of the solar NSIPs in Lincolnshire, not surprising given their landscape scale. This is why we included evaluation in our Deadline 4 response: *'We therefore strongly recommend that as details become known the information is shared with the archaeological consultant to inform what further evaluation and/or mitigation works may be required to deal with these developmental impacts.'*	paragraphs 1.20-1.27). The FWSI also sets out the scope of the content of a future Archaeological Management Plan (AMP) and includes provision for an Archaeological Clerk of Works (ACoW), which would assist in the management of the archaeological resource throughout the lifetime of the Proposed Development (construction, operation and decommissioning). Additionally, Requirement 11 of Schedule 2 to the Draft DCO [**REP5A-006**] provides that, with the exception of specific permitted preliminary works, no part of the Proposed Development is to be commenced until: a scheme for additional trial trenching has been submitted to and approved by LCC (in consultation with Historic England); additional trial trenching has been carried out in accordance with that approved scheme; updates have been made to the FWSI to account for the results of that additional trial trenching; and the updated FWSI has been submitted to and approved by LCC in consultation with Historic England. As such, it is clear that the Applicant is committed to ongoing liaison with LCC post-consent. LCC and Historic England will have the opportunity to ensure that adequate mitigation is implemented. It is therefore considered that the matters raised by LCC can be appropriately managed post-consent. On the matter of archaeological earthworks, this comment related explicitly to above ground archaeological earthworks, with Appendix 7-F Air Photo and LiDAR Mapping and Interpretation of the ES [**APP-129**] not identifying such remains on the basis of LiDAR analysis in areas of likely construction activities. As confirmed above, the Applicant is committed to carrying out required archaeological investigations and works post-consent, in line with the FWSI, including future updates, and any site-specific WSIs.
LCC **[REP6-035]**	Applicant's Response to Deadline 5 Submissions **[REP5A-038]**	<u>Ecology</u> LCC notes and disagrees with the Applicant's response to the Council's Deadline 4 submission (REP4-020) in relation to the membership of the proposed Ecological Advisory Group. The Council maintains its opinion that in order to be effective in providing independent scrutiny of the monitoring work being undertaken by the Applicant, the membership of the group should include representatives of the host Local Authorities. At 7.1.9 of (REP-5-017) the Applicant proposes that "*The monitoring reports for surveys during operation will be sent to the host authorities and the Lincolnshire Wildlife Trust for their information, along with a summary of any changes to management set out in the approved detailed LEMP*." The Council considers that this proposal is inadequate and that a mechanism which ensures regular two-way communication between the Applicant and the host Local Authorities is required to ensure that the ecological mitigation is delivered effectively and that enhancement works deliver the maximum possible benefits.	The Applicant acknowledges LCC's position regarding the membership of the EAG, however maintains the position regarding the composition of the EAG provided in response to ENC.3.02, as detailed in the Applicant's Responses to the Examining Authority's Third Written Questions [**REP5A-037**].
LCC **[REP6-035]**	Applicant's Response to Deadline 5	<u>Waste</u> **Applicant's Response to Deadline 3 and 3A Submissions [REP4-018]** – LCC consider it appropriate to agree to disagree regarding this point. Whilst the applicant cites the view from a	The Applicant acknowledges LCC's position regarding the cumulative quantity of waste PV panels and the inclusion of waste within the Interrelationships Report [**REP4-019**], however maintains the position as detailed in the Applicant's Response to Deadline 5 Submissions [**REP5A-**

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
	Submissions **[REP5A-038]**	previous Recommendation on East Yorkshire Solar Farm, LCC still hold the view that the cumulative quantity of waste PV panels from this and other NSIP-scale projects mean that suitable recycling capacity is not guaranteed to appear. **Interrelationships Report [REP4-019]** - Whilst the applicants explanation makes sense (that they have covered cumulative waste impacts elsewhere), it's unfortunate that the applicant decided to exclude waste matters from this report as it would have provided a helpful 'onestop-shop' of the scheme's relationship with other projects, of which waste management is a major element.	**038**] and the Applicant's previous responses (e.g. the Applicant's Response to Written Representations [**REP2-030**], ref. p51/52).
LCC **[REP6-035]**	Applicant's Response to Deadline 5 Submissions **[REP5A-038]**	<u>Other Matters</u> **Applicant's Response to Deadline 3 and 3A Submissions [REP4-018] – Grid Connection** – LCC notes the applicants response with regard to preliminary works taking place prior to consent being granted for Navenby substation and the measures contained within the PPWEMP [REP5-026] paragraph 3.14.1, that if the permitted preliminary works (PPW) are undertaken on an abortive basis, the relevant land 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 of the Draft DCO [REP3A-004], the land on which any such PPW have been undertaken would be restored. LCC welcome this inclusion. However, LCC is of the opinion that, even if the land were restored in the event that development does not proceed, the preliminary works and subsequent reinstatement would still result in environmental harm that would not occur if no works had taken place at all.	The Applicant acknowledges LCC's comment that if PPW are undertaken and the Proposed Development does not subsequently proceed, temporary environmental effects may occur that would otherwise not arise. However, PPW would only be undertaken where there is a reasonable expectation that the Proposed Development will proceed. Any effects arising from PPW would be temporary, limited in extent and managed through the measures secured within the PPW EMP [**REP6-026**]. In the event that the Proposed Development is not commenced within the period specified by Requirement 2 of the Draft DCO [**REP5A-006**], the affected land would be restored in accordance with paragraph 3.14.1 of the PPW EMP [**REP6-026**]. The Applicant therefore considers that any environmental effects associated with abortive PPW would be temporary and reversible and would not result in significant residual environmental effects.
LCC Appendix A **[REP6-035]**	**[REP5A -005, 007, 008, 012, 013]**	Reviewed – no further comment	N/A
LCC Appendix A **[REP6-035]**	Proposed Development Parameters **[REP5A-015]**	P6 – PV modules possibly 'blue' in colour P9 – BESS units in 'muted' colour P11 – BESS containers in 'muted' colour P12 – fencing and containers in 'muted' colour Further clarification of colour proposed for development structures is required. It should be made clear if the same colour is proposed for all components or not. LCC would suggest neutral colours are given preference – black or dark grey. White, green and blue should be avoided.	The Applicant has sought some flexibility in colour to avoid missed opportunities, in the event that the latest technology cannot be procured. For example, the Proposed Development Parameters [**REP5A-014**] allows for the solar panels to be black, grey or blue with a silver or black aluminium frame. Currently the majority of the UK ground based solar farms utilise blue coloured panels with a silver aluminium frame; however, since about 2024 these 'polycrystalline' panels are no longer manufactured in bulk and have been replaced by the more efficient 'monocrystalline' panels, which are black in colour and frequently with a black frame. These monocrystalline panels are more efficient and reflect about half the light relative to the previous panels, reducing glint and glare. The assessments set out in the ES have been based on worst case colouring where relevant, but the Applicant requires flexibility in this respect to allow for potential evolution in technology between now and procurement of the technology. In a similar way, some BESS and Solar Station manufacturers produce containers in specific colours, and as such the Applicant seeks to retain

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
			flexibility until detailed design stage to confirm if grey or green containers may fit better into the local landscape. There are some instances where the Applicant considers that green coloured fencing or containers may blend in better with the local setting. White is not proposed for this infrastructure.
LCC Appendix A **[REP6-035]**	**[REP5A -017, 019, 021]**	Reviewed – no further comment	N/A
LCC Appendix A **[REP6-035]**	Framework Landscape and Ecological Management Plan (Revision 8) **[REP5A-023]**	It is noted that additional explanations have been added to the LEMP that make the commitment to longer term replacement planting in response to plant failures more explicit. This is welcomed. 5.3.3 – 'In the unlikely event of external factors causing significant losses to the mitigation planting during the lifetime of the Proposed Development, such that the purpose of screening the development is no longer achieved as a result of gaps in the planting, replacement planting will be undertaken to infill gaps that may arise.' P197.1.12 – 'Results from post-construction monitoring will feed into the management plan and, if required, management may be amended accordingly based on this monitoring. For example, replacement planting and / or changes top planting species where planting has failed to establish.' P43 However, it would be helpful if some examples of 'external factors' were provided e.g. flooding, drought, disease etc. to aid understanding of this commitment. 5.3.6 - There is mention of 'non-native' species possibly used 'in the face of climate change' but there are no non-native species listed in Table 1 - P20. It is also not clear if these non-natives would be used as temporary shelter crops, and then removed, or if the intention would be to retain them. It is noted in paragraph 5.3.8 that species will be selected for their 'climate resilience' but details of species and varieties with proven drought tolerance are not provided. Paragraphs 5.3.12, 5.3.28, 5.3.38, 5.3.74 all describe Long Term management - but there is no mention of ongoing replacement planting (if it is required). Paragraph 5.3.27 Establishment Maintenance – describes replacement planting 'with matching species of same size'. This doesn't allow for an assessment of the reasons for failure and the modification of species to suit.	The Framework LEMP [**REP6-018**] has been developed in consultation with LCC, and as such additions and amendments have been made throughout the Examination, including at Deadline 2, when clarifications on replacement planting were added in response to LCC's Local Impact Report [**REP1-053**]. The species lists provided within the Framework LEMP [**REP6-018**] are indicative, as is common at this stage in the DCO process, to allow an appropriate level of flexibility at detailed design. At detailed design, the Framework LEMP [**REP6-018**] is to be developed into a detailed LEMP, substantially in accordance with the Framework, as secured under Requirement 8 of Schedule 2 to the Draft DCO [**REP5A-006**]. By virtue of the same Requirement, the detailed LEMP must be submitted to and approved by the relevant planning authority (being NKDC) in consultation with LCC (and the other named consultees), such that the detailed planting specification will be developed at this appropriate juncture, with LCC having the opportunity at that stage to comment on the final proposed specification. Once finalised, the detailed LEMP must be implemented as approved. With regard to replacement planting, the Applicant has committed to this within the General Planting Principles noted at paragraph 5.3.3 of the Framework LEMP [**REP6-018**] which apply to all planting typologies. The Applicant considers that repeating the approach to replacement planting under the heading of Long Term management for each typology would make no material difference to this commitment and as such is considered to be unnecessary. With regard to the ability to modify species when replacing planting that has failed to establish, the Applicant has already committed to this within the pre- and post-construction monitoring section noted at 7.1.12 of the Framework LEMP [**REP6-018**].
LCC Appendix A **[REP6-035]**	**[REP5A -025, 031, 035, 036]**	Reviewed – no further comment	N/A

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
LCC Appendix A **[REP6-035]**	Applicant's Responses to the Examining Authority's Third Written Questions **[REP5A-037]**	LV.3.01 - P34 – 'The Applicant acknowledges that the landscape views are relevant to the experience of users of Stepping Out Walks but considers views not to be the specific reason for people choosing these routes.' LCC would disagree with this assertion and would suggest that the surrounding landscape is a reason that people would use the 'Stepping out' Walks. Appreciation of the landscape has mental health benefits and people choose to walk these local routes, sometimes on a daily basis, to improve their mental wellbeing. The importance of the 'Stepping Out' walks and other local PROW to the community have been understated in the assessment.	The Applicant acknowledges the Council's view that the 'Stepping Out' routes are valued for their landscape setting and wellbeing benefits and recognises their importance as part of the local recreational network. From a socio-economic perspective, however, the key consideration is whether any changes to amenity materially affect the function or value of the PRoW network. Chapter 12: Socio-economics and Land Use of the ES [**AS-016**] identifies that the network remains extensive, well connected, and available for use, with no loss or severance of routes, noting that the three proposed permanent diversions of PRoW are assessed to result in a negligible effect (ref. paragraph 12.7.57). While visual effects may influence the experience of walkers in the short term, these effects are temporary and reduce over time, and do not alter the overall availability or role of the routes in supporting recreation and wellbeing. As such, there is no evidence that the visual effects identified would translate into a significant socio-economic impact. Accordingly, the Applicant maintains that the socio-economic effect on PRoW users, including those using 'Stepping Out' routes, remains not significant. From a visual impact perspective, the sensitivity of PRoW users is assessed in line with the LVIA methodology, as agreed with LCC. The Applicant maintains its position on the sensitivity of visual receptors as set out in detail within the Applicant's Response to the Examining Authority's Second Written Questions **[REP3-045]** (reference LV.2.04).
LCC Appendix A **[REP6-035]**	Applicant's Response to Deadline 5 Submissions **[REP5A-038]**	Applicant's Response to Deadline 3 and 3A Submissions [REP4-018] – p6 – LCC maintain that the impact of the development on the 'Stepping Out Walks' remains open to professional judgement and LCC believe this has been understated in the assessment. Comments on ExQ2 responses – LV.2.03 – p 11- LCC maintain solar panels are unlikely to be perceived as rural or agricultural. The impact of Solar panels at an NSIP scale is untested. Sequential cumulative impacts have not been adequately considered. Viewpoint distance, angle and seasonality have not been adequately factored into the assessment of visual effects. Comments on ExQ2 responses – LV.2.05 – P12 – LCC maintains Landscape and Visual effects of the development are significant and are a valid reason for consent to be withheld. Establishment Maintenance still suggests 'matching' species are used for replacement planting. Long Term maintenance still fails to mention replacement planting if required. There is no change to the Establishment period as requested to match the Assessment which considers the impact of new planting at 15 years. Additional Points – Landscape & Visual – P58 – LCC maintains that sequential cumulative effects have not been adequately considered in the assessment. Draft DCO Amendments – Landscape and Ecological Mitigation (Phasing Control) p69 – LCC note Thurlby Parish concerns about 'replacement of failures.' LCC have requested amendments to the	The Applicant has addressed the comments on Stepping Out Walks and replacement planting in its related responses above. It is unclear what is meant by the '*impact of solar panels at an NSIP scale is untested*', but the Applicant would highlight that many DCOs have been granted for solar developments and would question whether the scale of project is a relevant consideration if the anticipated effects are judged by the decision maker to be mitigated to an acceptable level. The Applicant has set out its position on sequential cumulative effects within the Applicant's Response to the Examining Authority's Second Written Questions **[REP3-045]** (reference LV.2.06). This explained that the cumulative landscape and visual assessment provided at Chapter 10: Landscape and Visual Amenity **[AS-117]** of the ES does consider sequential cumulative visual effects. An example of this is evident at paragraph 10.10.21 which identifies major adverse cumulative effects on users of the Viking Way as a result of the construction of the North Hykeham Relief Road in addition to the Proposed Development being noticeable from greater lengths of the route.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		LEMP to ensure the Applicant's commitment to replacement planting is more explicit and long term (see above).	It is unclear how LCC has reached the conclusion that viewpoint distance, angle and seasonality have not been adequately factored into the visual assessment, but the visual assessment contained at Chapter 10: Landscape and Visual Amenity **[AS-117]** adopts a receptor-based approach as is advocated by Technical Guidance Note 2024-01 Notes and Clarifications on Aspects of GLVIA3 (reference: Issue 6(7), page 16). In its general comments within the Local Impact Report **[REP1-053]**, LCC stated that "*the assessment contains an appropriate level of detail for a scheme of this scale and context, and is laid out in a logical manner*" and "*the process of assessment is thorough and well explained, and has been carried out in accordance with best practice and guidance*." With regard to LCC's assertion that the landscape and visual effects of the development are a valid reason for consent to be withheld, the Secretary of State is required to determine the Application in accordance with Section 104 of the Planning Act 2008. Section 104(3) states that the Secretary of State must decide the application in accordance with any relevant national policy statement, except to the extent that one or more of subsections (4) to (8) applies. In respect of subsection (7), the Applicant has demonstrated that the benefits of the Proposed Development far outweigh the adverse impacts, and no other subsection is relevant. Accordingly, the Application must be determined in accordance with the relevant NPS. NPS EN-1 acknowledges the inevitability of landscape and visual impact from nationally significant energy infrastructure projects at paragraphs 5.10.5 and 5.10.13. Therefore, landscape and visual impact is not, in and of itself, a valid reason to refuse to grant development consent. Indeed, development consent was granted in recent Secretary of State decisions for other solar DCO projects, for example Oaklands Farm Solar Park **[EN010122]**, Tillbridge Solar Project **[EN010142]** and Fenwick Solar Farm **[EN010152]**, despite there being significant adverse landscape and visual effects identified. The Secretary of State agreed with the ExA's recommendation that there were no adverse impacts of sufficient weight, either on their own or collectively, that would mean that the DCO should not be made. Therefore, in its decision making, the Secretary of State will need to take into account, inter alia, the balance of landscape and visual impacts against the wider benefits of the Proposed Development (paragraph 5.10.35), the duration and permanence of any adverse impacts (5.10.36), as well as the extent to which the Proposed Development has been carefully designed to minimise and mitigate harm to the landscape (paragraph 5.10.37).

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
			The Applicant acknowledges that there will be significant residual landscape and visual effects as a result of the Proposed Development and has agreed with LCC the level of effects on all but four landscape receptors and four visual receptors, as reported within the Statement of Common Ground with Lincolnshire County Council **[REP4-012]**. The landscape and visual effects of the Proposed Development have been mitigated as far as possible and will reduce over time. To illustrate the embedded mitigation by sensitive design, the Applicant prepared a Design Approach Document **[REP6-016]** which sets out how the design of the Proposed Development has evolved, how the design has been influenced by site selection and site context, how it has addressed the findings of the environmental assessment, how it has evolved through consultation, and how it aligns with the Design Vision and design principles.
NKDC **[REP6-036]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	1. Article 2 definitions – NKDC welcomes the addition of restoration works in the definition of Permitted Preliminary Works Environmental Management Plan (together with item (m) added to list of Work No.9 in Schedule 1).	The Applicant notes this comment.
NKDC **[REP6-036]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	2. Schedule 2, Requirement 19 – NKDC welcomes that this requirement now confirms that the Employment, Skills and Supply Chain Plan is to operate throughout both the construction and operational stages of the Proposed Development. 3. NKDC maintains its position that the Applicant should secure funding to ensure the full implementation of the ESSCP and provide legacy benefits for the local area, as set out in the following submissions made by the Council: - REP1-056 – NKDC Local Impact Report, in particular paragraphs 23.12 – 23.14 on page 81 - REP2- 045 – NKDC Response to Examining Authority's First Written Question PE.1.07, page 47 - REP3-053 – NKDC Response to Examining Authority's Second Written Question PE.2.05	The Applicant notes this comment. With regards to funding, the Applicant maintains that this is not necessary. The Applicant's detailed justification for this position has been set out in various submissions including the Applicant's Response to Local Impact Reports **[REP2-031]** and the Applicant's Response to Deadline 3 and 3A Submissions **[REP4-018]**.
NKDC **[REP6-036]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	4. Schedule 2, Requirement 20 – NKDC welcomes the revision to specify that the detailed Decommissioning Environmental Management Plan is to include a timetable for the completion of decommissioning. 5. However, in the interest of certainty, the Council's view is that the DCO should set a reasonable maximum period of time within which decommissioning should be completed; and suggest that this should be 30 months, consistent with the construction duration. Please see NKDC's earlier submissions on this topic in the following documents: - pages 17 – 18 of REP2-045 (response to the Examining Authority's First Written Question DCO.1.24) - paragraphs 23 – 28 of NKDC Further Response to Examining Authority's Third Written Question GC.3.01 (submitted 22 May 2026) – matters related to the decision on the Springwell Solar Farm DCO	The Applicant notes NKDC's comment but does not consider it necessary for the draft DCO **[REP5A-006]** to impose at this stage a set period of time within which decommissioning works must be completed. As the relevant planning authority in respect of Requirement 20 of Schedule 2 to the draft DCO [**REP5A-006**], NKDC is the approving body for the detailed Decommissioning Environmental Management Plan (DEMP). Therefore, if at the requisite time NKDC does not consider the timetable proposed for the completion of decommissioning included in the DEMP to be appropriate, it can address this before approving the DEMP.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
NKDC **[REP6-036]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	<u>Schedule 15 – procedure for discharge of requirements</u> 6. NKDC notes that substantial changes to Schedule 15 are proposed at a very late stage in the examination process. REP5A-031 states that the reason for these changes is given as: *'Amended in line with the Examining Authority's Schedule of Proposed Changes to the draft DCO [PD-022]'.* 7. However, the Council considers that the revisions now proposed are significantly different from the changes set out in PD-022, which were suggested by the ExA in the interests of precision. The Applicant's revisions represent a shift in approach, such that it is difficult to justify the statement that they are merely "in line" with the ExA's suggestions.	As set out in the Applicant's Response to the Examining Authority's Proposed Schedule of Changes to the Draft DCO **[REP5A-036]** the Applicant noted the ExA's comments on Schedule 15 of the draft DCO **[REP5A-006]** and made amendments utilising drafting which is very recently precedented in the equivalent Schedule of the Springwell Solar Farm Order 2026.
NKDC **[REP6-036]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	a) Changes to paragraph 2(5) 8. NKDC does not object to the undertaker sending a copy of the application submissions to relevant application consultees; and indeed considers this to be helpful. 9. However, NKDC consider that formal consultation should be carried out by the relevant planning authority, rather than the undertaker. This is in part to avoid potential confusion for the consultees in relation to timescales. The Council takes the view that: a) it is the relevant planning authority which will check whether a valid applications been made; b) a valid application will only have been made when the required information and the correct fee have been received; c) conversely, requirement consultees are not bodies which will carry out validation; d) it is possible that an invalid application is received, but a requirement consultee will embark on its consideration of the application under the misapprehension that it has to comply with the timescales for response set out in the undertaker's notification; e) if the relevant planning authority considers that the application is not valid, or becomes valid at a later point in time, it will be necessary to adjust the timescales, which could cause confusion with consultees. 10. Therefore the Council favours a process whereby the relevant planning authority is responsible for notifying consultees of a validly made application, and for setting out the consultation deadlines which are to be adhered to. 11. The Council objects to these revisions, and prefers the ExA's suggested wording for sub-paragraph 2(5) as set out on page 24 of PD-022. 12. Notwithstanding this objection, if the ExA accepts the general approach of the Applicant, the Council considers that paragraph 2 should be amended to clearly set out what constitutes a validly made application, similar to that in the Springwell DCO, including addressing the fee question. This might be achieved through amendments to paragraph 2 of the Fosse Green dDCO a follows: 2. (1) Where a~~n~~ valid application has been made to the relevant planning authority for any discharge, the relevant planning authority must give notice to the undertaker of its decision on the application within a period of ten weeks beginning with the later of— (a) The working day immediately following the day on which the application is received by the authority; (b) the working day immediately following the day on which further information has been supplied by the undertaker under paragraph (3); or	The Applicant notes NKDC's comments in respect of the validity of an application for the discharge of a requirement and amendments have been made to the drafting of paragraph 2(3) to address this as follows; *Any application made to the relevant planning authority pursuant to sub-paragraph (1) must <u>provide the following information to the relevant planning authority electronically via email (unless otherwise agreed between the parties)</u>—* *(a) <u>a covering letter which includes confirmation of the requirement to which the submission relates;</u>* *(b) include a statement to confirm whether it is likely that the subject matter of the application will give rise to any materially new or materially different environmental effects compared to those in the environmental statement and if it will then it must be accompanied by information setting out what those effects are; and* *(c) include confirmation that the application has been notified and provided to the requirement consultees in accordance with sub-paragraph (5), if the provision governing or requiring the application specifies that consultation with a requirement consultee is required. Such confirmation to include contact details for the requirement consultees;* *(d) <u>the respective detailed management plan, drawing or other written information to discharge the requirement as required by the requirement; and</u>* *(e) <u>payment of the relevant fee in accordance with paragraph 5.</u>* These amendments will be reflected in the final iteration of the draft DCO **[REP5A-006]** submitted to the Examination at Deadline 7. However, in respect of NKDC's other comments, the Applicant does not consider amendments to be necessary. The amendments made by the Applicant in the iteration of the draft DCO **[REP5A-006]** submitted at Deadline 5A are considered to provide certainty and clarity, partially in

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		(c) such longer period that is agreed in writing by the undertaker and the relevant planning authority. … … (3) For ~~Any~~ an application for discharge of a requirement to be valid, the undertaker must provide the following ~~application made to the relevant planning authority pursuant to sub-paragraph (1) must —~~ (a) ~~include~~ a statement to confirm whether it is likely that the subject matter of the application will give rise to any materially new or materially different environmental effects compared to those in the environmental statement and if it will then it must be accompanied by information setting out what those effects are; and (b) ~~include~~ confirmation that the application has been notified and provided to the requirement consultees in accordance with sub-paragraph (5), if the provision governing or requiring the application specifies that consultation with a requirement consultee is required. Such confirmation to include contact details for the requirement consultees. (c)) a covering letter which includes confirmation of the requirement to which the submission relates; (d) the respective detailed management plan, drawing or other written information to discharge the requirement as required by the requirement; and (e) payment of the discharge of requirement application fee in accordance with paragraph (5).	response to queries from the ExA. As noted above, the revised drafting is precedented in the Springwell Solar Farm Order 2026.
NKDC **[REP6-036]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	b) Changes to paragraph 3 13. Following on from the above comments on paragraph 2, the Council notes that the proposed changes to paragraph 3 go well beyond what was suggested by the ExA on page 25 of PD-022. 14. Sub-paragraphs (2) and (3) separate situations where the application involves a requirement where there is no requirement consultee, and situations where there is a requirement consultee. Formerly, in the previous version of the dDCO (REP3A-004) the timescales to notify the undertaker of the need for further information were different in each case. However, the proposed revisions make the timescales the same, i.e. within 20 days of receipt of the application. 15. Under paragraph 3(3), the previous 25 day period allowed for the 10 day consultee notification under paragraph 2, followed by a further 15 days for the consultee to respond. This should remain, and the Council objects to the proposed revisions. 16. Additionally, it is recommended that where paragraph 3 refers to the receipt of an application by the relevant planning authority, this should be amended to refer to receipt of a <u>valid</u> application (which has been defined in the proposed revisions to paragraph 2(3) set out above), so that there is no doubt about when the time periods for consultation, requests for further information and determination. 17. Notwithstanding that objection, given that the Applicant proposes timescales for 3(2) and 3(3) which are the same, the purpose for having two separate sub-paragraphs is unclear. It is suggested therefore that in the interests of clarity, subparagraphs (2) and (3) might be combined. However, this does not overcome the Council's objection to the proposed revisions to these sub-paragraphs.	As noted above, the Applicant noted the ExA's comments on Schedule 15 of the draft DCO **[REP5A-006]** and made amendments utilising drafting which is very recently precedented in the equivalent Schedule of the Springwell Solar Farm Order 2026. With respect to paragraph 3(3), the Applicant has amended the timescale to "25 working days" in line with NKDC's comments. With regard to paragraph 3(6), the Applicant does not consider this wording to be complicated, and it is noted that it has precedent in the equivalent paragraph of the Springwell Solar Farm Order 2026. This drafting provides that, once the relevant planning authority has received the additional information it has requested, it has five days to notify the undertaker if it deems this information to be insufficient. This paragraph includes a caveat of "or such longer period as is agreed (including where the quantity of information is substantial or requirement consultees are involved)" and therefore, where a substantial volume of information is provided (or a requirement consultee is involved) the relevant planning authority and the undertaker can agree an extended time period accordingly. However, in respect of NKDC's other comments, the revised drafting is precedented in the Springwell Solar Farm Order 2026 and as such, the Applicant does not consider further amendments to be necessary.

Interested Party	**Theme**	**Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A**	**Applicant Response**
		18. NKDC considers that the newly introduced sub-paragraphs 3(6) and 3(7) are somewhat confusingly drafted and unnecessary. If further information supplied by the undertaker is considered inadequate by the relevant planning authority, then there will usually be - within the overall 10 week determination timescale set by paragraph 2 - sufficient time to approach the undertaker to seek further information and overcome any issues. The new sub-paragraph introduces an express '*deemed to have sufficient information'* provision after five days from the date of receipt of the further information, together with a statutory removal of the entitlement to request further information. This is considered unhelpful to the efficient working of the planning system, as it may have the unintended result of pushing the relevant planning authority towards refusal rather than discussion, and leading to a risk of more refusals and appeals and which could lead to delays in implementing the project which could have otherwise been avoided. 19. Furthermore there is imprecision through use of the terminology …'(*including where the quantity of information is substantial or requirement consultees are involved*)'. The undertaker and relevant authority's respective interpretations of a 'substantial' quantity of information could differ leading to disagreement as to whether the suggested timescale should engage, and as above a potential default towards refusal and delay. Of course, if the undertaker considers that the submitted further information is sufficient, it can decline to provide additional information. 20. Related concerns arise for proposed <u>sub-paragraph (7</u>). The 15 day consultee response time had already been provided for in the previous version of the DCO. Again, within the overall 10 week determination period, the relevant planning authority may wish to seek and receive further information from consultees. The deemed 'no comments on the application' provision at (e) is unhelpful. 21. The Council therefore objects to the newly introduced sub-paragraphs (6) and (7)	
NKDC **[REP6-036]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	c) <u>Changes to paragraph 5, Fees</u> 22. NKDC welcomes the changes to the fees charged for applications seeking approval of matters under the requirements, as set out in sub-paragraph 5(2)(a) – (c). 23. However, there continues to be no provision for indexation of fees. This should be corrected, so that fees increase in line with fees for applications under the Town and Country Planning Act 1990. The Council is very surprised that the Applicant maintains their stance on this point with no reasonable explanation provided as to why they should not be subject to the same inflationary increase in fees to which all applicants for developments under the Town and Country Planning Act 1990 are subject. We continue to object to the wording of paragraph 5 on the basis that it does not include indexation provisions. 24. The Council notes the "without prejudice" wording submitted by the Applicant in its response to the Examining Authority's Third Written Questions (REP5A-037) DCO.3.14. NKDC can confirm that if that wording were inserted into the DCO, it would address the Council's concerns on this point.	The Applicant notes NKDC's comments but maintains its position as previously set out in various submissions such as the Applicant's Response to Examining Authority's Third Written Questions **[REP5A-037]**.
NKDC **[REP6-036]**	Permitted Preliminary Works Environmental	25. NKDC notes the following changes to the PPWEMP: a) Paragraph 2.3.1 indicates a qualification to the proposed activities and working hours regarding noise levels at neighbouring properties b) Paragraph 3.14.1 clarifies that abortive works are to be restored within 12 months.	The Applicant acknowledges NKDC's comments.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
	Management Plan (PPWEMP) **[REP5A-035]**	c) The Council welcomes these changes to the document.	
NKDC **[REP6-036]**	Framework Soil Management Plan (FSMP) **[REP5A-019]**	26. NKDC notes the following changes to the FSMP: a) The title of section 5.0 has been altered to now refer to soil management during operation and decommissioning, as well as construction. b) Paragraph 5.7.1 has been altered with the deletion of reference to handling of wet soils, and clarified the range of acceptable soil storage bunds c) Paragraph 6.1.1 has been amended to remove the reference to off-site transfer of soils; and focus instead on reuse of soils. d) Paragraph 6.9.1 has been amended to include the solar array areas within the scope of the soil maintenance (aftercare) requirements through monitoring. e) Paragraph 7.1.5 has been amended to clarify the Applicant's intention to return land within the Principal Site to its current state following decommissioning of the Proposed Development. NKDC welcomes these changes, though the Council continues to have reservations about whether the whole of the Principal Site will be returned to its original agricultural grade, especially in areas subject to development for elements of the scheme such as hardstandings and roadways. NKDC also looks forward to receiving the Applicant's further responses to comments made by the Council in REP5A-046 when answering the Examining Authority's Third Written Questions FS.3.01 and FS.3.03.	The Applicant notes the Council's reservations regarding returning the Principal Site to its current agricultural land grade classification, though notes that the controls and management protocols set out and secured via the Framework Soil Management Plan (SMP) **[REP6-014]** will facilitate the return of the agricultural land soil resource to the landowners in its current state following decommissioning of the Proposed Development and reinstatement of the land, as committed to in paragraph 7.1.5 of the Framework SMP **[REP6-014]**. Under Requirement 15 of Schedule 2 to the draft DCO **[REP5A-006]**, a detailed soil management plan, which must be substantially in accordance with the Framework, must be submitted to and approved by NKDC in consultation with LCC and Natural England. By virtue of the same requirement, the SMP must be implemented as approved. Therefore, these measures are considered sufficiently secured.
NKDC **[REP6-036]**	Framework Construction Environmental Management Plan (FCEMP) **[REP5A-017]**	27. NKDC notes and welcomes the change at paragraph 2.2.3 of the FCEMP, such that the Council is now named as body to be informed of date of final commissioning.	The Applicant acknowledges NKDC's comment.
NKDC **[REP6-036]**	Applicant's Responses to the Examining Authority's Third Written Questions **[REP5A-037]**	DCO.3.04 – permissive paths, requirement 17 28. NKDC continues to take the view that the Applicant has not provided sufficient and adequate reasons for closures of permissive paths within the Site, which would be in addition to emergency and maintenance closures.	As noted in the Applicant's Response to Deadline 5A Submissions **[REP6-030]**, the Applicant has amended the Framework LEMP to remove the provision for the permissive paths to be closed for up to seven days per year, though has maintained the provision to implement closures for the maintenance purposes, including any repairs required in emergencies. These amendments are reflected in the iteration of the Framework LEMP **[REP6-018]** submitted at Deadline 6 of the Examination.
NKDC **[REP6-036]**	Applicant's Responses to the Examining	DCO.3.05 – Requirement 20 and decommissioning fund 29. NKDC notes the Applicant's 'without prejudice' wording. However, the Council also observes that the wording does not require approval of the mechanism to accrue a decommissioning fund; nor does it require the undertaker to implement the mechanism and actually make the fund a	The Applicant notes NKDC's comments but maintains its position as previously set out in its various submissions and summarised in the Applicant's Response to Examining Authority's Third Written Questions **[REP5A-037]**.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
	Authority's Third Written Questions **[REP5A-037]**	reality. Nevertheless, and noting the 'without prejudice' position the Council supports the proposed inclusion of an additional Requirement on this matter for the reasons set out in our earlier representations but subject to clarity and amendment in relation to the above points to ensure that the funding mechanism can be triggered and implemented as required.	
NKDC **[REP6-036]**	Applicant's Responses to the Examining Authority's Third Written Questions **[REP5A-037]**	DCO.3.14 – Schedule 15 procedures for discharge of requirements 30. The Council notes the "without prejudice" wording submitted by the Applicant in its response to the Examining Authority's Third Written Questions (REP5A-037) DCO.3.14. NKDC can confirm that if this wording is to be inserted into the DCO, it would address the Council's concerns on the question of indexation for the fees required under requirements.	The Applicant notes NKDC's comments but maintains its position as previously set out in its various submissions and summarised in the Applicant's Response to Examining Authority's Third Written Questions **[REP5A-037]**.
NKDC **[REP6-036]**	Applicant's Responses to the Examining Authority's Third Written Questions **[REP5A-037]**	FS.3.03 – Framework Soil Management Plan 31. The Council notes the Applicant's statement that it will review comments on this topic from NKDC, LCC and Natural England; and looks forward to the Applicant's response in due course.	The Applicant acknowledges NKDC's comment.
NKDC **[REP6-036]**	Applicant's Responses to the Examining Authority's Third Written Questions **[REP5A-037]**	HE.3.04 - SoCG – built heritage assets 32. NKDC is very disappointed with the dearth of engagement, meaningful dialogue and additional assessment to address the Council's concerns on this matter. 33. This matter is indeed likely to remain 'not agreed'.	The Applicant acknowledges that there is a difference of opinion with regard to the level of assessment undertaken in respect of a limited number of assets. The Applicant's position on those matters, specifically with regard to Morton Manor, Morton Grange, Grange Cottage and River Farmhouse, is presented in Chapter 7 Cultural Heritage of the ES **[APP-032]** and Appendix 7-D Detailed Heritage Asset Setting Assessment of the ES **[APP-127]**. The Applicant considers that the methodology applied to the assessment is robust, proportionate and has been undertaken in line with relevant policy and guidance. Responses to the NKDC comments, clarifying the Applicant's position on those matters and providing explanation as to why the Applicant considers the assessments carried out to be sufficient, were provided in the Applicant's Response to Local Impact Reports **[REP2-031]**. No responses have been received from NKDC to the clarifications offered by the Applicant.
NKDC **[REP6-036]**	Applicant's Responses to the Examining Authority's Third	TT.3.04 – Permissive Paths 34. NKDC notes the Applicant's responses to this question. 35. NKDC is pleased to inform the ExA that further discussions between the Applicant and the Council have resulted in an agreement to fund certain measures for the Stepping Out Walks. The Applicant has indicated that further details, including the mechanism to secure this funding, will be submitted at Deadline 6.	The Applicant acknowledges this comment and is also pleased to have reached agreement with NKDC on this matter. The Applicant shared draft wording for inclusion in the Draft DCO (to be updated and submitted to the Examination at Deadline 7) with NKDC in advance of Deadline 7 and has incorporated NKDC's comments into the final wording. The Applicant has

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
	Written Questions **[REP5A-037]**		included this wording in Article 48 of the Draft DCO to secure the funding for the Stepping Out Walk measures.
National Highways **[REP6-040]**	Applicant's Response to Examining Authority's Proposed Schedule of Changes to the Draft Development Consent Order **[REP5A-036]**	Requirement 14 (Construction Traffic Management Plan (CTMP) National Highways maintains its position that it should have an approval role in relation to the Construction Traffic Management Plan (CTMP). The position set out in its Deadline 5A response (REP5A-055) is unchanged. In that response, National Highways has already addressed the Applicant's comments regarding the need to consider each application on its own merits. In light of this, those points are not repeated here; instead, National Highways continues to rely on and adopts the reasoning set out in REP5A-55. In terms of distinguishment between impacts on the strategic road network and local road network, National Highways did propose some alternative wording in its Deadline 5A response (REP5A-055) to address this concern. It is not only the extent of the strategic road network within the Order limits that National Highways must consider when assessing construction traffic impacts, but also the wider strategic road network for which it is the highway authority, including routes beyond the Order limits where impacts may arise. In this case, there is also a need to consider the interface with the delivery of the A46 Newark Bypass Development Consent Order scheme, which adds a further layer of complexity to the assessment. National Highways notes the Applicant's comments and the proposed amendments to paragraphs 2(5) and 3(7) of Schedule 15 of the draft DCO (REP5A-006). However, National Highways has concerns with the amended drafting. Whilst the amendments introduce an obligation on the Applicant to provide National Highways with a copy of the discharge application, this does not address National Highways' concerns regarding the operation of the deemed consent provisions. Where the Local Planning Authority fails to determine the application within the prescribed ten-week period, the requirement may be deemed discharged by default. In such circumstances, National Highways has no control over the Local Planning Authority's determination timeframe, yet remains reliant on that process in order to provide its comments. This creates a material risk that matters affecting the safety and operation of the strategic road network could be approved without National Highways having had an effective opportunity to consider and respond to the application. Further, paragraph 3(7)(b) introduces deemed acceptance where National Highways does not notify the Applicant within 15 working days that it has sufficient information to consider the application. National Highways considers that 15 working days is insufficient for this purpose. By comparison, paragraph 3(2) affords the Local Planning Authority 20 working days to request further information. National Highways therefore requests that an equivalent 20 working day period is applied to National Highways in paragraphs 3(7)(a) and (b). Paragraphs 3(7)(d) and (e) also provide that National Highways must then submit its comments to the Local Planning Authority within 15 working days of receipt of the application or further information (if requested), failing which it is deemed to have no comments. As above, National Highways considers that 15 working days is insufficient. There are clear safety implications if National Highways is not afforded adequate time to review and approve the CTMP and to assess the potential impacts on users of the Strategic Road Network. This is particularly important in the context of the construction programme for the A46 Newark Bypass scheme, which has yet to be	The Applicant notes National Highways' comments but maintains its position that it is not necessary for National Highways to be provided an approval role in respect of the CTMP which is summarised in the Applicant's Response to Deadline 5A Submissions **[REP6-030]**. In respect of the A46 Newark Bypass, it should be noted that, as stated at paragraph 3.1.3 of the Framework CTMP **[REP5A-024]**, it is expected that the A46 Newark Bypass will be completed in advance of the earliest anticipated start date for construction of the Proposed Development, being 2031 meaning there is unlikely that to be any overlap. With regards to National Highways' comments regarding safety implications on the strategy road network, the Framework CTMP **[REP5A-024]** adequately addresses all matters which relate to safety. Under Requirement 14 of Schedule 2 to the draft DCO **[REP5A-006]**, the detailed CTMP must be substantially in accordance with the Framework and therefore, matters addressed in the Framework CTMP will form the basis for the detailed CTMP meaning that all matters considered safety critical will be included accordingly. As noted in the Applicant's Response to Deadline 5A Submissions **[REP6-030]**, the Applicant does not consider that there are any matters which could have safety critical implications specifically in relation to the SRN and National Highways has not identified any such matters. In respect of the timescales in Schedule 15 of the draft DCO **[REP5A-006]**, the timescales and the specific structure have precedent in the recent Springwell Solar Farm Order 2026, and the Applicant does not consider that requirement consultees should be afforded an 8-week consultation period. This would extend the overall timescales for the discharge of requirements and as such, is not appropriate for parties in a consultee role.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		finalised. Ensuring that appropriate oversight is exercised in respect of construction-related traffic impacts is a fundamental matter of public safety. Accordingly, National Highways requires a longer period within which to consider discharge applications. Where National Highways is given an approval role to the CTMP, it requests that the 10-week deemed consent period applicable to the Local Planning Authority is mirrored. Alternatively, if the Examining Authority is minded to retain National Highways in a consultee role only, National Highways requests that a period of no less than 8 weeks is provided to the CTMP and in the context of its consultee role on all other requirements.	
National Highways **[REP6-040]**	Applicant's Response to Deadline 5 Submissions **[REP5A-038]**	As set out in National Highways deadline 5A submission (REP5A-055), National Highways seeks, additional annotations and mark-up to the consultation zone plan (Drawing No. EN010154/EXAM/7.15-2 Rev 1) at Appendix B: Figure 7.15-2 of the Framework Landscape and Ecological Management Plan (REP5- 017) to clarify its relationship to the position of the highway boundary to assist in any future review of the requirement for the LEMP. Further explanation is therefore required to set out the methodology and rationale used to establish this distance. In addition, clarification was requested regarding the basis for the proposed consultation zone adjacent to Plots 23 and 15 (Drawing No. EN010154/EXAM/7.15-2 Rev 1). It is currently unclear why the consultation zone is set back so significantly from the solar sites and does not include the existing hedgerows. Since National Highways deadline 5A submission (REP5A-055), the Applicant has provided National Highways with an updated Figure 7.15-2: National Highways Consultation Zone which National Highways understand, the Applicant proposes to submit as part of their deadline 6 response. National Highways has reviewed the updated LEMP Consultation Zone Rev 3 drawing (Figure 7.15-2: National Highways Consultation Zone), together with the Applicant's response submitted at Deadline 5A. The Applicant is still proposing to only consult National Highways on landscaping works extending 5 metres beyond the rear of the existing hedgerow that adjoins the A46 trunk road. National Highways continues to require clarification as to why a 5-metre consultation area has been proposed, the design standards or guidance from which this distance has been derived, and why it is considered that only this 5-metre area would affect SRN interests. As stated throughout the Examination, the existing hedgerow cannot be relied upon as effective mitigation at this stage, as its long-term condition and effectiveness will not yet be fully known. Should the existing hedgerow prove inadequate, additional planting and associated mitigation measures may be required. This could include earthworks, additional landscape planting and species which can affect the A46 trunk road. National Highways therefore seeks to be consulted on all landscaping mitigation located between the solar site and the A46 trunk road, rather than being limited to the proposed 5-metre area. This will enable National Highways to review the detailed LEMP proposals and determine whether the proposed mitigation is sufficient to safeguard the safety of SRN users and protect the condition of the A46 as a critical national infrastructure asset.	The Applicant has met with National Highways in advance of Deadline 7 to discuss its comments (which National Highways had shared with the Applicant in advance of Deadline 6) and subsequently shared a revised iteration of Figure 7.15-2 of the Framework LEMP **[REP6-018]** for review following these discussions. National Highways responded to the Applicant on 8 June 2026 to confirm that the updates made to Figure 7.15-2 adequately address the concerns noted in this response and as such is content that this matter is agreed and closed. This is reflected within the Statement of Commonality submitted to the Examination at Deadline 7, with the updated and final Figure 7.15-2 included within the updated Framework LEMP also submitted to the Examination at Deadline 7.
National Highways **[REP6-040]**	Applicant's Response to Deadline 5	National Highways maintain its position that it should have an approval role to the Construction traffic Management Plan (CTMP). National Highways has already addressed the Applicant's comments regarding the need to consider each application on its own merits and the need to	The Applicant has set out further comments above but maintains that it is not necessary for National Highways to be provided an approval role in respect of the CTMP as summarised in the Applicant's Response to Deadline 5A Submissions **[REP6-030]**.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
	Submissions **[REP5A-038]**	provide for an approval role on this DCO within its deadline 5A submission. National Highways maintains its position set out in its Deadline 5A response (REP5A-055).	
National Grid Electricity Transmission Plc **[REP6-039]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	**Paragraph Number** 86 **Drafting in the draft DCO submitted at Deadline 5A** "Navenby Project" means the proposed construction of the Navenby substation and associated overhead electricity lines to be undertaken by National Grid Electricity Transmission Plc the subject of a planning application validated on [**] by North Kesteven District Council with planning application reference [**] **NGET's required drafting for the version of the draft DCO to be submitted at Deadline 7** "Navenby Project" means the proposed construction of the Navenby substation and associated overhead electricity line works to be undertaken by National Grid Electricity Transmission Plc **Reason for NGET Approach** NGET's required definition of "Navenby Project" is required to ensure that the whole scope of the Navenby Project is covered within the Protective Provisions. Linking the definition to a specific planning application would mean that NGET's powers to undertake overhead electricity line works via permitted development rights would not be covered, nor would a situation where the relevant planning application reference changed in the future (such as if planning permission were obtained pursuant to section 73 of the Town and Country Planning Application 1990). Such approach would undermine the effectiveness of the Protective Provisions and jeopardise the delivery of the Navenby Project.	The Applicant's preferred drafting of the protective provisions for the benefit of NGET is included in the final iteration of the draft DCO **[REP5A-006]** submitted to the Examination at Deadline 7. Although the Applicant and NGET have not yet reached full agreement on the form of the protective provisions, the Applicant is committed to continued engagement with NGET following the close of the Examination in order to agree mutually acceptable protective provisions. Details of the remaining points and the Applicant's position in respect of these are set out in Appendix A to the Final Status of Negotiations with Statutory Undertakers **[EN010154/EXAM/9.37]** submitted at Deadline 7.
National Grid Electricity Transmission Plc **[REP6-039]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	**Paragraph Number** 86 **Drafting in the draft DCO submitted at Deadline 5A** "Navenby Site" means the land shown edged red and purple on drawing reference [**] in connection with planning application reference [**] in respect of the Navenby Project; **NGET's required drafting for the version of the draft DCO to be submitted at Deadline 7** "Navenby Site" includes— (a) land on which any Navenby Project apparatus is situated; (b) land on which Navenby Project apparatus is anticipated to be situated (in so far as the same has been notified by National Grid Electricity Transmission Plc in writing to the undertaker); and (c) land on which any rights associated with the Navenby Project are anticipated (in so far as the same has been notified by National Grid Electricity Transmission Plc in writing to the undertaker) **Reason for NGET Approach** NGET's required definition of "Navenby Site" ensures that the full extent of the land and rights required in order to allow the Navenby Project to be delivered are protected in the Protective Provisions. As set out in NGET's comments on the definition of Navenby Project, tying the definitions to a particular planning permission would undermine the effectiveness of the Protective Provisions and jeopardise the delivery of the Navenby Project.	As noted above, the Applicant's preferred drafting of the protective provisions for the benefit of NGET is included in the final iteration of the draft DCO **[REP5A-006]** submitted to the Examination at Deadline 7. Although the Applicant and NGET have not yet reached full agreement on the form of the protective provisions, the Applicant is committed to continued engagement with NGET following the close of the Examination in order to agree mutually acceptable protective provisions. Details of the remaining points and the Applicant's position in respect of these are set out in Appendix A to the Final Status of Negotiations with Statutory Undertakers **[EN010154/EXAM/9.37]** submitted at Deadline 7.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
National Grid Electricity Transmission Plc **[REP6-039]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	**Paragraph Number** 87(b) **Drafting in the draft DCO submitted at Deadline 5A** (b) having regard to the anticipated programme of works for the Navenby Project and facilitating a co-ordinated approach to construction programming, land assembly (in so far as the extent of the Navenby Site has been notified by National Grid Electricity Transmission Plc to the undertaker in writing), and the carrying out of works in connection with the authorised development and the Navenby Project; **NGET's required drafting for the version of the draft DCO to be submitted at Deadline 7** (b) having regard to the anticipated programme of works for the Navenby Project and facilitating a coordinated approach to construction programming, land assembly, and the carrying out of works in connection with the authorised development and the Navenby Project; **Reason for NGET Approach** NGET's required drafting for paragraph 87(b) is required as NGET considers that facilitating a coordinated approach to land assembly should not be contingent upon NGET notifying the undertaker of the extent of the Navenby Site. It may be the case that co-ordination on land assembly needs to commence prior to the extent of the Navenby Site being finalised to ensure that any considerations regarding land assembly are taken into account.	As noted above, the Applicant's preferred drafting of the protective provisions for the benefit of NGET is included in the final iteration of the draft DCO **[REP5A-006]** submitted to the Examination at Deadline 7. Although the Applicant and NGET have not yet reached full agreement on the form of the protective provisions, the Applicant is committed to continued engagement with NGET following the close of the Examination in order to agree mutually acceptable protective provisions. Details of the remaining points and the Applicant's position in respect of these are set out in Appendix A to the Final Status of Negotiations with Statutory Undertakers **[EN010154/EXAM/9.37]** submitted at Deadline 7.
National Grid Electricity Transmission Plc **[REP6-039]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	**Paragraph Number** 90(2) **Drafting in the draft DCO submitted at Deadline 5A** [NGET note: the previous paragraph 90(2) was removed by the Applicant in the draft DCO submitted at Deadline 5A and it is this deleted paragraph that NGET requires reinserting] **NGET's required drafting for the version of the draft DCO to be submitted at Deadline 7** (2) Regardless of any provision in this Order or anything shown on the land plans, the undertaker mut not unless otherwise agreed in writing acquire any land forming part of the Navenby Site. **Reason for NGET Approach** NGET's required drafting for paragraph 90(2) ensures that it is clear on the face of the order that the undertaker cannot acquire any land forming part of the Navenby Site without the agreement of NGET. The ability of any party to use compulsory acquisition powers over land forming part of the Navenby Site would undermine the safe and efficient operation of the electricity transmission system and create a risk to infrastructure that is critical to ensuring the security of electricity supply. The drafting of paragraph 90(2) removes any risk of that happening.	As noted above, the Applicant's preferred drafting of the protective provisions for the benefit of NGET is included in the final iteration of the draft DCO **[REP5A-006]** submitted to the Examination at Deadline 7. Although the Applicant and NGET have not yet reached full agreement on the form of the protective provisions, the Applicant is committed to continued engagement with NGET following the close of the Examination in order to agree mutually acceptable protective provisions. Details of the remaining points and the Applicant's position in respect of these are set out in Appendix A to the Final Status of Negotiations with Statutory Undertakers **[EN010154/EXAM/9.37]** submitted at Deadline 7.
National Grid Electricity Transmission Plc **[REP6-039]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	**Paragraph Number** 95(2) **Drafting in the draft DCO submitted at Deadline 5A** (2) If as a result of the authorised development National Grid Electricity Transmission Plc's access to the Navenby Project is materially obstructed, the undertaker must provide such alternative means of access that will allow National Grid Electricity Transmission Plc to maintain apparatus or use apparatus no less efficiently than was possible before the obstruction **NGET's required drafting for the version of the draft DCO to be submitted at Deadline 7**	As noted above, the Applicant's preferred drafting of the protective provisions for the benefit of NGET is included in the final iteration of the draft DCO **[REP5A-006]** submitted to the Examination at Deadline 7. Although the Applicant and NGET have not yet reached full agreement on the form of the protective provisions, the Applicant is committed to continued engagement with NGET following the close of the Examination in order to agree mutually acceptable protective provisions.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		(2) If as a result of the authorised development National Grid Electricity Transmission Plc's access to the Navenby Project or to any Navenby Site is materially obstructed, the undertaker must provide such alternative means of access that will allow National Grid Electricity Transmission Plc to maintain apparatus or use apparatus no less efficiently than was possible before the obstruction. **Reason for NGET Approach** Given NGET's required definition of "Navenby Site", NGET's required drafting for paragraph 95(2) ensures that should access to any Navenby Site be materially obstructed suitable alternative access must be provided. This ensures that NGET will be able to access any Navenby Site in order to maintain or use its apparatus to allow the safe and efficient operation of the electricity transmission system.	Details of the remaining points and the Applicant's position in respect of these are set out in Appendix A to the Final Status of Negotiations with Statutory Undertakers **[EN010154/EXAM/9.37]** submitted at Deadline 7.
National Grid Electricity Transmission Plc **[REP6-039]**	Draft Development Consent Order (Rev 5) (DCO) **[REP5A-007]**	**Paragraph Number** 97(1) **Drafting in the draft DCO submitted at Deadline 5A** (1) Where in consequence of the proposed construction of any part of the authorised works, the undertaker or National Grid Electricity Transmission Plc requires the removal of apparatus under paragraph 91(2) or National Grid Electricity Transmission Plc makes requirements for the protection or alteration of apparatus under paragraph 93, the undertaker shall— (a) use its reasonable endeavours to ensure the efficient and economic execution of the authorised works and the efficient operation of National Grid Electricity Transmission Plc's undertaking; and (b) use its best endeavours to co-ordinate the execution of the works in the interests of safety taking into account the need to ensure the safe operation of National Grid Electricity Transmission Plc's undertaking (c) and National Grid Electricity Transmission Plc shall use its best endeavours to co-operate with the undertaker in respect of paragraph 97(1)(b). **NGET's required drafting for the version of the draft DCO to be submitted at Deadline 7** (1) Where in consequence of the proposed construction of any part of the authorised works, the undertaker or National Grid Electricity Transmission Plc requires the removal of apparatus under paragraph 91(2) or National Grid Electricity Transmission Plc makes requirements for the protection or alteration of apparatus under paragraph 93, the undertaker shall use its best endeavours to coordinate the execution of the works in the interests of safety and the efficient and economic execution of the authorised works and taking into account the need to ensure the safe and efficient operation of National Grid Electricity Transmission Plc's undertaking and National Grid Electricity Transmission Plc shall use its best endeavours to co-operate with the undertaker for that purpose. **Reason for NGET Approach** NGET's required drafting for paragraph 97(1) ensures that whenever the removal of NGET apparatus is needed as a result of the works authorised pursuant to the proposed Order, or NGET makes requirements for the protection or alteration of apparatus as a result of such works, the undertaker is required to use best endeavours in relation to all aspects of undertaking those works so that any disruption to the electricity transmission network is reduced as far as is possible. NGET considers that in the event the undertaker only has to provide reasonable endeavours to ensure the efficient and economic execution of the authorised works and the efficient operation of	As noted above, the Applicant's preferred drafting of the protective provisions for the benefit of NGET is included in the final iteration of the draft DCO **[REP5A-006]** submitted to the Examination at Deadline 7. Although the Applicant and NGET have not yet reached full agreement on the form of the protective provisions, the Applicant is committed to continued engagement with NGET following the close of the Examination in order to agree mutually acceptable protective provisions. Details of the remaining points and the Applicant's position in respect of these are set out in Appendix A to the Final Status of Negotiations with Statutory Undertakers **[EN010154/EXAM/9.37]** submitted at Deadline 7.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		NGET's undertaking (as is required pursuant to the drafting in the draft DCO submitted at Deadline 5A), this increases the potential for those works to cause disruption to the electricity transmission network. This is not acceptable given the importance of the electricity transmission network and the importance of security of supply.	
British Pipeline Agency Limited as agents for Phillips 66 Limited **[REP6-041]**	1. Statement of Common Ground	1.1 We understand that the Examining Authority consider that there is now a very urgent need for a final and signed statement of common ground to be submitted by no later than 2 June 2026. 1.2 BPA / P66 are working both internally and with the Applicant in order to progress the statement of common ground (including discussing matters directly with the Applicant) with a view to submitting a final signed version by Deadline 6.	The final and signed Statement of Common Ground between the Applicant and Phillips 66 Limited **[REP6-022]** was submitted to the Examination at Deadline 6.
British Pipeline Agency Limited as agents for Phillips 66 Limited **[REP6-041]**	2. Protective Provisions	2.1 At present, the draft protective provisions for the benefit of P66 are unlikely to be agreed by Deadline 6. 2.2 BPA and Fieldfisher continue to engage with the Applicant / the Applicant's solicitor in relation to the draft protective provisions, with any disagreement as to the form of those provisions to be included in the statement of common ground.	Although the Applicant and Phillips 66 Limited have not yet reached full agreement on the form of the protective provisions, the Applicant is committed to continued engagement with BPA / Phillips 66 Limited following the close of the Examination in order to agree mutually acceptable protective provisions. Details of the remaining points and the Applicant's position in respect of these are set out in Appendix B to the Final Status of Negotiations with Statutory Undertakers **[EN010154/EXAM/9.37]** submitted at Deadline 7.
British Pipeline Agency Limited as agents for Phillips 66 Limited **[REP6-041]**	3. Update	3.1 P66 / BPA continue to actively engage with the Applicant in order to finalise the statement of common ground and to finalise the draft protective provisions. 3.2 P66 / BPA's position remains that they cannot support the draft Order in its current form until BPA's concerns (as set out in the submissions made on behalf of BPA to date) have been satisfactorily addressed and appropriate protections have been agreed. On that basis, P66 / BPA's position in making further representations during the Examination remains strictly reserved.	As noted above, the final and signed Statement of Common Ground between the Applicant and Phillips 66 Limited **[REP6-022]** was submitted to the Examination at Deadline 6. As also noted above, although the Applicant and Phillips 66 Limited have not yet reached full agreement on the form of the protective provisions, the Applicant is committed to continued engagement with BPA / Phillips 66 Limited following the close of the Examination in order to agree mutually acceptable protective provisions. Details of the remaining points and the Applicant's position in respect of these are set out in Appendix B to the Final Status of Negotiations with Statutory Undertakers **[EN010154/EXAM/9.37]** submitted at Deadline 7.
Mark Wheater **[REP6-048]**	Alternatives	With reference to my submission SDB4A8ACY the applicant at the initial hearing committed to come back to the enquiry with detailed reasons as to why my proposed alternative site was discounted. This was an important part of demonstrating that the consultation process carried out by the applicant was compliant. My submission details why my alternative site is deliverable and there are significant mitigation benefits for Thorpe on the Hill.	The Applicant notes that the IP submitted a written representation to the Examination at Deadline 1 **[REP1-135]** regarding the aforementioned alternative design proposed by the IP. The Applicant responded to this submission within the Applicant's Response to Written Representations **[REP2-030]** (ref. p207/208).

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		I have not heard any sound arguments from the applicant why my alternative proposal, submitted at consultation stage could not be delivered and was wrongly rejected. In line with latest guidance the applicant is under a duty to use good design principles to mitigate adverse effects of the proposal and their current scheme does not meet these requirements. The alternative scheme achieves this and should be further considered by the applicant.	The Applicant does not agree with the IP's assertion that the requirements of applying good design principles to mitigate adverse effects of the Proposed Development have not been met. The Applicant has demonstrated the application of good design principles to mitigate adverse effects throughout the DCO Application documents (for example within the Design Approach Document **[REP6-006]**, Design Commitments **[REP6-033]**, Planning Statement **[AS-098]** and Chapter 4: Alternatives and Design Evolution of the ES **[APP-029]**. Furthermore, the Applicant has demonstrated the application of good design principles to mitigate adverse effects throughout the Examination, for example, the removal of solar PV arrays within Field 46, sought by the Change Request **[AS-103]** during Examination, in response to concerns raised from the landowner at Grange Cottage and Historic England regarding potential visual and heritage impacts. The Applicant has appropriately considered the alternative scheme put forward by the IP within both Chapter 4: Alternatives and Design Evolution of the ES **[APP-029]** and further within the Applicant's Response to Written Representations **[REP2-030]** (ref. p207/208).
Environment Agency **[REP6-038]**	Permitted Preliminary Works Environmental Management Plan	**Permitted Preliminary Works Environmental Management Plan (PPW EMP)** We note the Examining Authority's (ExA) Rule 17 Request for Further Information [PD-024] in relation to the PPW EMP (Revision 1) [REP5-026] and the Applicant's revised version of the PPW EMP to address the ExA's points at Deadline 5A [REP5A-035]. We agree with ExA's request for clarification with regards to the 'best practice measures' and 'good practise measures' set out in under ECO-PPW1. We welcome the update provided by the Applicant in the PPW EMP (Revision 2) [REP5A-035] in clarifying which 'general measures' they make reference to in ECO-PPW6: Impacts to riparian mammals (Water Vole and Otter). We have engaged with the Applicant outside of the Examination regarding our comments on the PPW EMP [REP5-026] in our D5A submission [REP5A-050]. The Applicant has responded to our comments and provided for our review draft PPW EMP and Framework Construction Environmental Management Plan (FCEMP) documents intended for submission at Deadline 6. Our position is that we are satisfied in principle that the points we raised have been addressed, subject to the submission of the aforementioned documents into the Examination at Deadline 6.	The Applicant notes this response and can confirm that the updated PPW EMP **[REP6-026]** and Framework CEMP **[REP6-008]** submitted to the Examination at Deadline 6 align with those shared with the Environment Agency for their approval in advance of that deadline.
Environment Agency **[REP6-038]**	Draft Development Consent Order	**Draft Development Consent Order (dDCO)** We have reviewed the dDCO (Revision 5) [REP5A-006] in conjunction with the Schedule of Changes to the Draft Development Consent Order (Revision 4) [REP5A 030] and we are content with the updates, regarding the following references in particular: • Schedule 15 (Procedure for discharge of requirements), 2 (Applications made under requirement) • Schedule 15 (Procedure for discharge of requirements), 3 (Further information and consultation)	The Applicant notes this response.
Barry Smith **[REP6-044]** /	Load Factor	**Load Factor**	The Applicant notes that a number of Philip Heard's comments at Deadline 6 **[REP6-046]** align with Barry Smith's submission at Deadline 6 **[REP6-**

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
Philip Heard **[REP6-046]** and **[REP6-047]**		A.1 Further to the ExA's Rule 17 query (page 77) to the Applicant regarding justification of a calculation resulting in a circa 10% load factor, there are two issues: Issue 1: At REP3-036 Paragraph 5.3.2, the Applicant states that Standard Test Conditions (STC) "is not representative of typical operating conditions experienced in real solar installations in the UK." Paragraph 5.3.4 states "NOCT output rating gives a more accurate estimation of energy production in real-life conditions." Yet the Applicant has used STC data in the table at page 77 of REP5A-038. Using the Nominal Operating Cell Temperature (NOCT) data in Table 5.2 of REP3-036 results in a lifetime output figure across 60 years of the proposed development approximately 28% less than the 19,438,499MWh claimed by the Applicant; a reduction of 5,461,855MHh. Issue 2: Equally important is the load factor claimed by the Applicant. Quite simply, the load factor is based on the efficiency of the output exported to the grid. Hence, the real load factor as applied to the grid, is a ratio of the life-time exported output of the proposed development and the maximum possible output based upon the grid connection capacity of 240MW. Therefore, doing a reverse calculation using an estimated output of 13,976,644 MWh the load factor is approximately (and realistically) 11.1 %. At the heart of this debate, the Applicant is trying to use different data sets (STC/NOCT) to justify their excessively high load factor and an over-inflated output benefit.	**044]**. As such, the Applicant has provided a combined response to these IP comments within this table. Where Mr Heard's comments differed to Mr Smith's, a separate response is provided in the rows below. The Applicant refers the IPs to the response provided to the Applicant's Response to the Examining Authority's Request for Further Information Under Rule 17 **[REP6-031]** (ref. p2).
Barry Smith **[REP6-044]** / Philip Heard **[REP6-046]** and **[REP6-047]**	Grid Connection	**Grid Connection** A.2. At page 48, the Applicant states that a Gate 2 connection is only shown in the TEC Register when the project is already consented, being constructed, or built and ready (and the developer has signed the offer). None of these conditions have been met. A.3. The formal definitions of Gate 1 & 2 under NESO's 2025–26 Connections Reform programme, as approved by Ofgem, are: Gate 1 means a project is not yet ready or strategically aligned and therefore receives only an indicative (non-firm) connection offer. Gate 2 means a project meets NESO's readiness and strategic alignment criteria and therefore receives a confirmed connection date, point, and queue position. This Gate 2 definition does not accord with the Applicant's definition. The only document regarding a Gate 2 for the proposed Development appears in the NESO's Existing Agreements Register which is an eligibility list only and does not confer Gate 2 status. A.4. The use of the term "confirmed' Gate 1 for the BESS" is also a misuse of the definitions approved by the Regulator. It is not clear whether the proposed development will still go ahead if the BESS does not proceed to Gate 2 status. A.5. Page 48 states regarding the Navenby Substation, "NGET confirmed that the proposed substation is not due to Fosse Green alone, but the wider demand for connection in the area." Thus the proposed development forms part of the justification for the substation. Therefore, the Environmental Impact Assessment for the proposed development should have taken into account a proportion of the environmental impact of the proposed substation resulting from the FGE development; this proportion should assume a reasonable worst-case scenario that not all of the proposed renewable projects planning to connect to the proposed Navenby substation will be approved or built. In essence, the proposed FGE development is claiming all the benefit resulting from the substation connection point without taking into account any of the negative impacts.	The Applicant disagrees that NESO's Gate 2 definition does not accord with the Applicant's response – the Applicant set out on p48 of the Applicant's Response to Deadline 5 Submissions **[REP5A-038]**, in response to the IPs comment, it's understanding as to why the Proposed Development is not shown on the TEC Register. This does not contradict the conditions of a Gate 2 notification, as defined by NESO. Following ISH1, the Applicant produced a written note summarising connections reform. This was submitted as Appendix A to The Applicant's Written Summaries of Oral Submissions – Issue Specific Hearing 1 **[REP1-046]** and explains how NESO is managing the grid connection process in relation to generating stations and batteries and what the implications are for the Proposed Development, including discussion regarding the Gate 1 connection agreement for the BESS component of the Proposed Development. Regarding the proposed substation near Navenby, the Applicant refers the IP to the Applicant's Closing Statement [**EN010154/EXAM/9.39**] (submitted to the Examination at Deadline 7), which discusses the Navenby Substation planning application. The Applicant is aware of the decision of the Inner House of the Court of Session (the Scottish equivalent to the Court of Appeal) handed down on 17 February 2026 in respect of *Raeshaw Farms Limited v Scottish Ministers* [2026] CSIH 10 **[REP6-043]**. Raeshaw can be distinguished from the Proposed Development for a number of reasons, not least that, as

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		Precedence for this is the recent ruling in Raeshaw Farms Ltd v Scottish Ministers (Raeshaw Farms Ltd CSIH 10 dated 17 Feb 2026).	Raeshaw is a decision of the Scottish Court of Session, it is not binding on the courts of England and Wales. In any event, the facts of Raeshaw are very different to the Proposed Development. Raeshaw concerned the grant of planning permission for Wull Muir wind farm which did not include any part of the off-site grid connection, and so there was no certainty of the grid connection point and no environmental impact assessment (EIA) of its potential impacts. In contrast, the Proposed Development has received an offer to connect to the National Electricity Transmission System at the proposed Navenby substation and includes within its Order Limits both the Cable Corridor and the land on which the proposed Navenby substation will be located. Accordingly, a cumulative EIA of the Proposed Development with the Navenby substation has been undertaken based on the information which was available within the public domain at that time (Environmental Statement Chapter 15 Cumulative Effects and Interactions **[APP-040]**). Further, National Grid has submitted a planning application seeking the grant of planning permission for the Navenby substation. Whilst that application has yet to be validated, it is clear that the application itself will be subject to full EIA, including cumulative impacts, as required by the local planning authority's environmental screening and scoping opinions (as noted in the Technical Note for the proposed National Grid substation near Navenby **[REP3-046]**). This was not the case for Raeshaw, where it was uncertain whether the cable connection would require a planning application or, therefore, EIA at all. This was compounded by the Reporter having been misdirected on matters to be considered when deciding whether the grid connection and the wind farm project should be considered as a single project for EIA purposes and so be subject to EIA as part of the Raeshaw project. Instead of conducting an assessment of the Wingfield criteria, as should have been done, the Reporter simply concluded EIA of the grid connection was not necessary as part of the wind farm because (a) the grid connection would be subject to its own evaluation; (b) the grid connection did not form part of the applicant's proposals; and (c) the applicant had not intended to avoid the need for an EIA by dividing the development into separate parts ('salami slicing'). In applying the Wingfield criteria to the Proposed Development, it is clear that it constitutes a separate project to the Navenby substation, and that they are not part of a single project for EIA purposes: a) Common Ownership: where two sites are owned or promoted by the same person, this may indicate that they constitute a single project. In this instance, there is no "common ownership" as the

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
			Proposed Development is promoted by the Applicant, whereas the Navenby substation is being promoted by NGET; b) Simultaneous Determinations: where two applications are considered and determined by the same decision maker, in similar timescales and subject to reports which cross refer to one another, this may indicate that they constitute a single project. The Proposed Development is an NSIP for which the application for development consent is to be determined by the Secretary of State for Energy Security and Net Zero in accordance with the timescales under the Planning Act 2008 regime. The proposed Navenby substation requires the grant of planning permission under the Town and Country Planning Act 1990 and will be determined by the local planning authority; c) Functional Interdependence: where one part of a development could not function without another, this may indicate that they constitute a single project. Whilst the Proposed Development requires a grid connection, and the new substation at Navenby is intended to provide the grid connection point, if Navenby substation did not come forward, National Grid would be required to provide a different connection point for the Proposed Development; and d) Stand-alone Projects: where a development is justified on its own merits and would be pursued independently of another development, this may indicate that it constitutes a single individual project that is not an integral part of a more substantial scheme. The Navenby substation is intended to serve multiple different projects connecting into the grid, not just the Proposed Development, and therefore Navenby substation is being brought forward as a stand-alone project irrespective of whether or not the Proposed Development comes forward. On the basis that there was no EIA of the Raeshaw grid connection, and having not properly considered whether there should have been, it is perhaps unsurprising that the Court questioned whether the Reporter was right to attach considerable weight to the wider renewable energy benefits of the wind farm and quashed the Reporter's decision. However, no such issue arises in the case of the Proposed Development which: (a) Accords with paragraph 4.11.8 of the NPS EN-1: the Applicant has included information on the proposed Navenby substation, explained the reasons for the separate application for the substation, and confirmed there are no obvious reasons why the application for the proposed Navenby substation is likely to be

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
			refused (Technical Note for the proposed National Grid substation near Navenby **[REP3-046]**); and (b) Has included Navenby substation in the cumulative environmental assessment on the basis of information available within the public domain (see the Cumulative Effects assessment within the ES, ref. cumulative scheme ID 105 in Appendix 15-A: Long List of Cumulative Developments of the ES **[APP-177]** and Figure 15-3 Short List of Cumulative Developments of the ES **[AS-078]** for context)). Likely significant cumulative effects were identified relating to landscape and visual amenity (as detailed within Chapter 10: Landscape and Visual Amenity of the ES **[AS-117]**), however, paragraph 10.10.28 of the chapter notes that, given the scale of the Navenby substation site relative to the DCO Site, and the fact the Navenby substation is encompassed by the DCO Site boundary, there would be no notable difference between the landscape and visual effects of the Proposed Development, and the cumulative landscape and visual effects of the Proposed Development in addition with the Navenby substation (ID 105) during construction and by year 15 of operation. As such, the likely significant cumulative effects identified in the assessment are predicted to be no different to the likely significant effects of the Proposed Development alone. The decision-maker, therefore, is able to assess the likelihood of the Navenby substation coming forward and to weigh any adverse impacts of this in the overall balance when deciding on the weight to be given to the benefits of the Proposed Development and, indeed, whether to grant consent for the Proposed Development. In short, there can be no suggestion that the Raeshaw decision is relevant to decision making for the Proposed Development, because there was no EIA of the grid connection in the Raeshaw case whereas, for the Proposed Development, the grid connection has been assessed, including the Navenby substation which is part of the cumulative environmental assessment for the Proposed Development.
Barry Smith **[REP6-044]** / Philip Heard **[REP6-046]** and **[REP6-047]**	Potential Ground Contamination from Storm Damage	**Potential Ground Contamination from Storm Damage** A.6 At page 45 the Applicant "notes that a contributing factor to the storm damage at Porth Wen solar farm was its location, being an exposed coastal area which is vulnerable to strong winds." However, the link to a coastal location argument is flawed: the development at Camblesworth is inland and suffered storm damage. In addition, the Trent valley of Lincolnshire sits in one of the UK's most active tornado corridors – the East Midlands Belt - where the terrain and converging airflows favour brief spin-ups. In their Framework OEMP the Applicant states that this "will ensure that the structural integrity on the panels will be regularly observed." But there is no statement on mitigating the impact of serious storm damage should it occur. With the impact of global warming,	The Applicant disagrees that there is no statement on mitigating the impact of serious storm damage should it occur within the Framework OEMP **[REP6-010]**. As set out in the Applicant's Response to Deadline 5A Submissions **[REP6-030]** (ref. p43), the Framework OEMP **[REP6-010]** includes a number of controls which will manage and mitigate potential effects (such as contamination risk) that could arise as a result of damage to infrastructure as a result of storm events.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		there are more and more occasions when we are seeing severe thunderstorms in our area which are often the precursors to a tornado. Given the Met Office's recent analysis of the impact of climate change accelerating, with temperature records being broken not by 0.1C increments but 2C as occurred in May 26, it can be argued that 1 in 100 year events are now much more likely to occur and on a much more frequent basis. Hence, the key question is, to what storm level will the proposed development be designed to withstand? The design must reflect in terms of rainfall (e.g. bund size), wind strength and particularly gust speeds the likelihood of major storms affecting the local area on an increasing basis over the life of the development.	The detailed design of the Proposed Development will be in accordance with national standards, industry best practice and relevant planning and environmental requirements to ensure resilience to severe weather events throughout its operational lifetime. The final design will consider the latest available meteorological and climate data for the area, taking into account wind loading and gust speeds as relevant (for example in the design of mounting structures). The design of the Proposed Development has considered rainfall (inclusive of climate change consideration) within the Framework Surface Water Drainage Strategy **[REP3-014]**, whereby a final drainage strategy will be developed substantially in accordance with this framework plan, in line with Requirement 10 of the Draft DCO **[REP5A-006]**.
Barry Smith **[REP6-044]** / Philip Heard **[REP6-046]** and **[REP6-047]**	Framework Soil Management Plan	**Framework Soil Management Plan (FSMP)** A.7. At page 38, referring to the FSMP (REP4-010), the Applicant states that "The agricultural land soil resource within the Principal Site will be returned to the landowners in its current state following decommissioning of the Proposed Development and reinstatement of the land". The use of the term **will** suggests a guarantee that this will occur. With no proven experience of performing this function over the proposed 60-year life cycle of this development, this statement cannot be given any weight in the examination process. Furthermore, the Applicant offers no guarantee regarding the successful removal of any contamination of the soil (heavy metals from damaged panels, toxic firewater, leeching from temporary battery storage sites etc) as a result of the operation of the site.	Regarding returning the Principal Site to its current agricultural land grade classification, the controls and management protocols set out and secured via the Framework SMP **[REP6-014]** will facilitate the return of the agricultural land soil resource to the landowners in its current state following decommissioning of the Proposed Development and reinstatement of the land, as committed to in paragraph 7.1.5 of the Framework SMP **[REP6-014]**. Under Requirement 15 of Schedule 2 to the Draft DCO **[REP5A-006]**, a detailed soil management plan, which must be substantially in accordance with the Framework, must be submitted to and approved by NKDC in consultation with LCC and Natural England. The Applicant refers the IPs to the mitigation measures regarding potential contamination secured within the Framework OEMP **[REP6-010]**.
Barry Smith **[REP6-044]** / Philip Heard **[REP6-046]** and **[REP6-047]**	Food/Energy Security	**Food/Energy Security** A.15 At page 58 the Applicant states "… the key document on UK food security is the Defra UK Food Security Report 2024." A further key document is the one I referred to at page 58, dated 20 January 2026. This latest Government document is some 2 years more recent than the 2024 Defra document referred to by the Applicant and addresses food security risks as underpinning national security in today's volatile world; why has the Applicant ignored it? It is noted that in the Springwell Decision Letter (Paragraph 4.51), the Secretary of State considered that the Applicant should have assessed the impacts of the proposed development on food production and food security within its environmental statement. A.16 Alongside this are my comments regarding energy security which the Applicant has again not addressed. Projects such as the proposed development may provide peripheral support to energy generation targets but, being intermittent energy, providing its maximum output when demand is at its lowest, sourced from China and only some 10% efficient, cannot provide energy security at a time when the need for security is becoming increasingly significant. Hence, the Applicant's 'need' argument must be tempered by the fact it does not bring any level of energy security. A.17 It is also noted that the Applicant has not commented regarding my assertion that this is not cheap energy. During public consultation the Applicant has stated the proposed development will power 110,000 homes. At approximately £2Bn to power one million homes, a Small Modular	The Applicant refers the IPs to the Applicant's Closing Statement (submitted to the Examination at Deadline 7), which discusses food security. Furthermore, the Applicant refers the IP to Chapter 12: Socio-Economics and Land Use of the ES, which has been updated (at paragraphs 12.4.18 – 12.4.22) and submitted to the Examination at Deadline 7 to discuss the justification regarding the scoping out of food security from the ES. Regarding energy security and alternative technologies, the Applicant has responded to these topics previously, such as within the Applicant's Response to Relevant Representations **[REP1-047]**, and as such does not intend to repeat previous responses.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		Reactor (SMR) will, pro-rata, power 110,000 homes for circa £220M; compared to the Applicant's projected cost of £340M (APP-021) to power 110,000 homes – some 1.5 times higher cost than an SMR. In addition, unlike the proposed development, a SMR provides consistent baseline energy.	
Barry Smith **[REP6-044]**	Reformed National Pricing Policy	**Section B. Reformed National Pricing Policy** B1. The Core Objection. This submission formally requests that the ExA defer any final recommendation or decision on the FGE DCO application until the National Energy System Operator (NESO) publishes the formal SSEP blueprint. Proceeding to determine this application in isolation represents extreme strategic economic risk because of a premature decision. It locks in an investor led, 320MW commercial deployment on productive greenfield land before the government's mandatory, top-down spatial plan has verified whether this specific region is an appropriate location for concentrated solar generation. B2. Radical Shift in National Planning Policy (The RNP Framework. The Reformed National Pricing (RNP) Delivery Plan explicitly ends the era of "first come, first-served" commercial developer choice for grid connections. The framework establishes a system-led approach where infrastructure and generation must strictly align with the forthcoming SSEP. • Pre-empting Statutory Mapping: The SSEP is designed to map out exactly where the UK's future generation mix should be hosted to minimize consumer costs, protect local environments and avoid grid congestion. • The Risk of Regulatory Conflict: If the ExA grants consent to FGE now and the statutory SSEP blueprint subsequently identifies Lincolnshire as an over-congested zone with a strict technology capacity ceiling for solar, this project will become a fundamentally stranded or heavily curtailed asset. B3. Absolute Dependence on an Unconsented, Unmapped Substation Hub. The FGE application relies entirely on a 10km grid connection corridor to the proposed Navenby Substation. This presents two critical flaws under the new RNP framework: 1. A Connection to Nowhere: The Navenby Substation is an independent, unconsented application being pursued separately by National Grid. Granting a DCO to a 320MW generation asset whose sole point of grid access does not legally or physically exist is procedurally unstable. 2. Violation of RNP Core Objectives: The RNP framework mandates that generation and network infrastructure must be co-designed under the SSEP. Deciding on FGE before the Navenby Substation is assessed against the SSEP's spatial optimization zones directly violates this unified system directive. B4. Technical Viability and Network Constraint Costs. The RNP Delivery Plan focuses heavily on eliminating regional constraint costs - the billions of pounds paid to generators to switch off when local grid networks are overloaded. Currently forecast to be £8Bn by 2030 and unaffordable in the long-term. • The Local Reality: The network node into which FGE intends to connect is highly constrained due to nationally significant aviation fuel pipelines in its vicinity. • Economic Failure Under RNP Levers: The RNP, alongside active Ofgem regulatory shifts, introduces penalising locational Transmission Network Use of System (TNUoS) charges for congested nodes . FGE has failed to provide updated financial or engineering modelling to prove	Regarding Strategic Spatial Energy Planning (SSEP), the Applicant refers the IP to the Applicant's Response to Relevant Representations **[REP1-047]** (e.g. ref. p297). Regarding the proposed connection into the proposed substation near Navenby, the Applicant refers the IP to previous submissions on this matter, and notes that the Applicant's Closing Statement [**EN010154/EXAM/9.39**] (submitted to the Examination at Deadline 7) also discusses the Navenby Substation planning application. The Applicant notes the Reformed National Pricing (RNP): delivery plan which will replace the Review of Electricity Market Arrangements (REMA). The Applicant however does not consider the document a 'shift in Planning Policy' as stated in comment B2, as it is not a planning policy document. The RNP has been brought forward by the UK Government, Ofgem, and the National Energy System Operator (NESO) to retain and reform a national electricity market. The relevant Planning Policy for the Proposed Development is set out in Section 2 of the Planning Statement **[AS-098]**.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		that a 320MW scheme can remain commercially viable under these incoming RNP constraint mechanisms.	
Philip Heard **[REP6-046]** and **[REP6-047]**	GHG Emissions	**GHG Emissions** A.6 At page 21 regarding GHG emissions, the Applicant states "… there is no clarity or traceability on the emission factor used in Springwell …." The detail provided in the Springwell documents is broadly similar to that provided by Fosse Green. Given that the Applicant has not selected any panel type nor panel manufacturer, could the Applicant please reference where the 'clarity and traceability on the emission factor' for the proposed development can be found in the documentation. A.7 At page 42, regarding emissions comparisons with the grid, the Applicant refers to REP3 006. The Applicant cannot justify any savings comparisons with the grid prior to the commencement of operations in 2033. Yet the Applicant continues to compare 'overall lifetime carbon savings' to the current (2025) energy mix (REP3-006 Paragraph 6.4.73). Indeed, the Applicant continually dismisses any comparison other than with other operational emissions; operational emissions for the proposed development commence in 2033 and therefore the only valid comparison is with other energy providers to the grid at that time. It is clear why the Applicant is reluctant to compare to grid carbon intensity at the same time when the proposed development will be operational; based on DESNZ Energy & Emissions Projections 2024–2050 (3 February 2026), the UK grid carbon intensity in 2033 will be around 20% of the 2025 level, i.e. some 80% lower. A.8 REP3-006 paragraph 6.4.77 states "Comparing the operational carbon intensity of the Proposed Development at 0.025 tCO2e/MWh and OCGT at 0.460 tCO2e/MWh (REF 6-43), the use of battery energy storage for grid balancing purposes would deliver an additional saving of approximately 2,242,089 tCO2e over its operational lifetime." Contrary to the Applicant's assertion at page 42, that neither CCGT nor OCGT are used as a baseline, this appears to be using OCGT as a baseline to estimate GHG emission savings attributable to the BESS. Notwithstanding that the Applicant states this figure is not included in the overall GHG savings estimate, it is inflated and should be based on comparison with the 2033 grid energy mix.	Regarding emission factors, please refer to p6-6 of Chapter 6: Climate Change of the ES **[REP3-006]** which sets out that the latest emission factors from the Inventory of Carbon and Energy (ICE) V4.0 database and the UK Department of Energy Security and Net Zero (DESNZ) greenhouse gas reporting 2024 are used in the calculations, which themselves are presented in the chapter. The emission factors utilised in the assessment are applicable and representative, using Environmental Product Declarations (EPDs) that are publicly available and representative of large solar manufacturers – it is noted that the EPDs referred to at paragraph 6.4.31 of Chapter 6: Climate Change of the ES **[REP1-017]** are provided within Appendix B of the Applicant's Response to Deadline 2 Submissions **[REP3A-025]** which were submitted to the Examination in response to the IP at Deadline 3A. It should be noted that the Applicant's response noted in the IP's comment was not to state that the Springwell Solar Farm submission had less information than the Proposed Development's submission, but instead that the Applicant does not have the source or information to adopt their approach as it wasn't possible to review and access the source EPDs or factors they used. Regarding emissions comparisons, the Applicant refers the IP to the Applicant's Response to the Examining Authority's Third Written Questions **[REP5A-037]** (ref. CC.3.01).
Philip Heard **[REP6-046]** and **[REP6-047]**	Abnormal Indivisible Loads	**Abnormal Indivisible Loads (AILs)** A.10 Page 40 states, "no AILs are expected to be required during operation." REP5-013 Table 2 (Page 6) states the indicative design life of transformers as being 30 – 40 years. As this Table is titled "Indicative Design Life of Key Equipment of the Proposed Development" it would be reasonable to assume ALL key equipment is included. Indeed, APP-031 Paragraph 6.4.27 states "…transformers are assumed to be replaced every 30 years." No mention is made of different design lives for different transformers. REP3-045 Table C-2 states that MV transformers have a typical design life of 30-40 years. Where in the documentation is it stated that the large substation transformers (400kV power transformers?) have a design life of at least 60 years, and based on what evidence? Research appears to show that a typical design life for a 400kV transformer is 30-40 years, but "well maintained units consistently operate for 40 to 50 years". The Applicant cannot guarantee units will be 'well maintained', therefore assuming a 60 year life is not taking a reasonable worst-case approach, it is taking a highly optimistic best-case one. Hence, it is highly likely that AIL(s) will be required during the operation phase in order to replace the large 400kV substation transformers.	Regarding the design life of the 400kV transformers, the Applicant refers the IP to Table A-2 (p50) of the Applicant's Response to the Examining Authority's Third Written Questions **[REP5A-037]** which notes a typical design lifetime of 40-60 years for a 400kV transformer, noting that no replacement is anticipated, with refurbishment/life extension activities (e.g. replacement of bushings, oil regeneration, On-Load Tap Changer (OLTC) overhaul) to be undertaken during operation.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
Philip Heard **[REP6-046]** and **[REP6-047]**	Permanent Sealing of Land	**Permanent Sealing of Land** A.11 "The Applicant does not consider it has changed position on the issue of permanent sealing [of land]." It is difficult to keep count of the number of times the Applicant HAS changed its position regarding this issue. For example, in response to ExA question FS.2.02 "The Applicant is not aware of other solar NSIPs including areas of built 'hard' infrastructure (access roads, compounds, BESS, substations) within the calculation of land permanently lost, except where an applicant is not proposing to decommission these works." The Applicant then states at page 26 it has fully explained its position why "other solar NSIPs such as Mallard Pass, Heckington Fen, Gate Burton and Beacon Fen may have assessed some impacts as permanent …" in these cases the permanent sealing was not associated with any intention to retain the hard infrastructure on decommissioning , so the Applicant HAS CHANGED IT'S POSITION. A.12 Regarding the Applicant's comments (page 27) referring to the proposed Springwell development "…. It is noted that Springwell Solar Farm differs from the Proposed Development by the presence of 86ha (213 acres) of Very High sensitivity land comprising Grades 1 and 2 within its Order Limits. 14 ha (35 acres) of this is solar PV with the potential for crushed gravel access tracks and impermeable concrete pad foundations on which Solar Stations will be sited." This is INCORRECT. In the proposed Springwell development, there is no planned permanent sealing of Grade 1 or 2 land as a result of access tracks, BESS, substation etc (Springwell, APP-051 Chap 11 Table 11-12 (page 29) refers). Hence, the Springwell Secretary of State decision letter regarding permanent sealing of land has direct read across to the proposed development.	The Applicant refers the IP to previous submissions made regarding this topic, such as the Applicant's Response to Deadline 5A Submissions **[REP6-030]** (e.g. ref. p27, 31, 34, 74, 95).
Philip Heard **[REP6-046]** and **[REP6-047]**	PRoW	**PRoW** A.13 At Paragraph 11.4.18 of APP-036 the Applicant states "….. given the linear nature of PRoWs and Permissive Paths, the range of noise impacts along them that forms the ambient noise environment, and the transient usage of a PRoW or Permissive Path, a material change in the experience of using the PRoW or Permissive Path as a whole as a result of noise emissions from the Proposed Development, which could affect PRoW and Permissive Path user's health or quality of life, is not anticipated." Firstly, one of the most popular walks in the area is a circular walk commencing and finishing in Thorpe on the Hill which if the proposed development is approved, will be subject to continuous noise from the proposed development as this circular route is traversed. Secondly, given the Applicant states PRoW have been scoped out as noise receptors, how can the Applicant come to such a conclusion in the absence of any noise impact assessment.	The Applicant refers the IP to the Applicant's Response to Deadline 5A Submissions **[REP6-030]** (ref. p46).
Philip Heard **[REP6-046]** and **[REP6-047]**	Overplanting	**Overplanting** A.18 The Applicant will respond to the ExA's Rule 17 request for further information at PD 028 regarding overplanting, but it is worth noting the Applicant's statement (REP3-036 5.3.7) "Since the purpose of overplanting is to ensure that generating levels are maintained in the real world, it is NOCT output rating that is used to derive the level of overplanting required." The Applicant's own data (REP3-036 Page 18, Table 5.2) for NOCT conditions shows an overplanting ratio commencing at 1.17 in Year 1, ending at 1.02 in Year 30.	The Applicant refers the IP to the response provided to the Applicant's Response to the Examining Authority's Request for Further Information Under Rule 17 **[REP6-031]** (ref. p2).
Philip Heard **[REP6-046]** and **[REP6-047]**	Maintenance activities	Section B REP5A-037 Applicant's Response to the Examining Authority's Third Written Questions. Words in italics refer to REP5A-037 unless otherwise stated. GC. 3.06	The Applicant refers the IP to the Applicant's Response to Deadline 5A Submissions **[REP6-030]** (ref. p39).

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		B.1 The Applicant refers to REP3A-004 (draft DCO) regarding annual maintenance schedules which prevents "*the carrying out of any works which are likely to give rise to any materially new or materially different effects that have not been assessed in the environmental statement*." The environmental impact assessment of the construction phase covered the total installation of 100% of the solar panels; hence, if 99% of panels were replaced under the term 'maintenance' during the operational phase, the environmental impact would be within the scope of that assessed under construction, and therefore, using the wording in the DCO, would not "give rise to any materially different effects that have not been assessed in the environmental statement". Therefore, in its current form, the DCO does not exert any control or limit over the maintenance activities undertaken during the operational phase. From a waste perspective alone, the cumulative impact arising from the many proposed and approved solar developments in the region will present massive challenges for local authorities which will require management and control.	
Philip Heard **[REP6-046]** and **[REP6-047]**	GHG Emissions	CC. 3.01 B.2 In response to the ExA regarding assessment of GHG emissions, the Applicant states *"…….. it could in theory lead to other forms of energy generation being proposed to deliver this energy. This might include a series of small gas fired power plants, which do not currently require carbon capture technology ….."* This is speculation. Carbon capture technology could be mandated in 7 years time, or the 'other forms of energy' could be cleaner renewables such as wind or Small Modular Reactors. Gas may still be considered because it gives a consistent baseline supply, as does nuclear, whereas solar does not.	Regarding alternative technologies, the Applicant has responded to this topic previously, such as within the Applicant's Response to Relevant Representations **[REP1-047]**, and as such does not intend to repeat previous responses.
Philip Heard **[REP6-046]** and **[REP6-047]**	EMF and fish	ENC.3.06 & ENC.3.07 B.3 Regarding embedded avoidance and mitigation measures (fish), the ExA requested "a review is undertaken to determine whether there are other similar references in the various management plans that may introduce doubt about the deliverability of mitigation measures ……" At REP1-019 Page 8-43, the Applicant states that burying cables 5m below the Rivers Witham and Brant will reduce electromagnetic fields (EMF) to "below background level", thereby reducing EMF effects on fish. There does not appear to be any recognised standard (such as the International Commission on Non-Ionizing Radiation, Institute of Electrical and Electronic Engineers, Defra/Centre for Environment, Fisheries and Aquatic Science) that defines a 5m burial depth as sufficient to reduce EMF to below geomagnetic background, nor any evidence that the Applicant has actually modelled magnetic field strength or spatial gradients at the riverbed. Fish sensitivity to EMF is driven by localised gradients, not absolute field strength; there is no evidence that this has been assessed. Furthermore, it has been shown that EMF persists even when cables are buried deep and remains detectable up to tens of metres from the cable; modelling study of buried subsea cables (Hutchison et al., 2021) shows that deeper burial reduces EMF but does not remove it, and magnetic field deviations remain detectable by sensitive species even when cables are buried. In the absence of modelling outputs (micro-tesla values at the riverbed, gradient plots, cable spacing etc), the statement by the Applicant that EMF will be "below background level" does not appear to be verified and therefore cannot be relied upon in the environmental assessment.	The depth at which the buried cables will traverse below the Rivers Witham and Brant (minimum 5m under the riverbed) has been agreed with the Environment Agency (see the Statement of Common Ground with the Environment Agency **[REP3A-009]**). ES Appendix 14-F Electromagnetic Field Assessment **[APP-175]** presents an assessment of the EMF impacts associated with the Proposed Development. The electrical field is fully mitigated by the cable sheath and surrounding soil and therefore would not affect the fish in the watercourse. Magnetic fields are emitted by buried cables, and for the high voltage 400kV export cable may be up to 25μT immediately adjacent to the cable. This is relevant where cables are installed on a riverbed or seabed, but for the Proposed Development the cables will be installed a minimum of 2m below minor/ordinary watercourses (except where minor/ordinary watercourses have minimal or no water flow and water management is easily managed) and 5m beneath main rivers. Plate 3 shows that for an underground 400 kV cable circuit at maximum load the peak magnetic field is 20μT. The concentration reduces rapidly with distance from the source, reaching near background levels within about 10m and background levels within about 20m. Typical, every day levels would be lower than this. As explained in Paragraph 1.3.23 of Appendix 14-F, EMF levels at this distance would be almost imperceptible

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
			(around 3μT or less). Any fish would also only be directly above the buried cables for only a very short duration, and therefore the exposure duration is short. The Applicant is not aware of any UK statutory EMF health thresholds for fish in rivers or streams. Marine Scotland does however have criteria based on EU research for marine fish, set based on the Lowest published physiological change levels and Lowest published behaviour change levels. For fish, these levels are set at over 600μT, and generally for most species are over 1000μT. There are limited research papers on the effects of magnetic fields on freshwater fish; however, as examples, Bevelhimer et al (2013) identified that behaviour impacts in fish occur at about 1000-2000 μT. This is about 300 times greater than the impact attributed to the Proposed Development. For comparison, normal background levels in the laboratory were approximately 100–200 μT, and the Earth's geomagnetic field strength ranges from approximately 20 to 75 μT (Bochert and Zettler, 2006). An additional 3μT is therefore not considered a material increase on the health or behaviour of fish, especially given the limited research available and the exposure time for the fish to the EMF. The impact of 132kV and 33 kV cables would be lower than the above, and therefore also negligible.
Philip Heard **[REP6-046]** and **[REP6-047]**	Framework SMP	FS.3.03 B.4 "*The Applicant has based the Framework SMP on good industry practices, its experience on other projects, and the Framework SMPs accompanying several made DCOs for solar NSIPs ….*" Could the Applicant please explain its 'experience on other projects' and how any such experience is relevant to managing soils that will lay dormant for 60 years? Moreover, none of the "solar NSIPs" mentioned in the Statement of Competence have even commenced construction, so the Applicant cannot provide any physical evidence to underpin, with any degree of certainty, how soil that has been sealed, not worked, shaded etc for such a long time, will behave.	The Applicant's reference to "experience on other projects" is in reference to wider project experience, not just on solar NSIPs, where management measures for soils have been proposed and implemented. The controls and management protocols set out and secured via the Framework SMP **[REP6-014]** apply industry best-practices and professional judgement and are considered to allow for the return of the agricultural land soil resource to the landowners in its current state following decommissioning of the Proposed Development and reinstatement of the land, as committed to in paragraph 7.1.5 of the Framework SMP **[REP6-014]**. Under Requirement 15 of Schedule 2 to the Draft DCO **[REP5A-006]**, a detailed soil management plan, which must be substantially in accordance with the Framework, must be submitted to and approved by NKDC in consultation with LCC and Natural England.
Philip Heard **[REP6-046]** and **[REP6-047]**	Unplanned Emissions Assessment	Unplanned Emissions Assessment C.1 It is noted that regarding the proposed BESS to the South of Green Man Road, Navenby, NKDC commissioned an independent Review of the BESS Unplanned Emissions Assessment (NKDC Planning Portal 25/0491/FUL Documents Tab Unplanned Emissions Assessment Review (Published on the Portal 08 May 2026}). It is assumed that the Applicant will be fully aware of the recommendations as the Applicant is also promoting the Navenby BESS. The recommendations include: Recommendation 1: The applicant should be asked to explain the reasoning for using AEGL-1 value of 820 μg/m3 for hydrogen fluoride as the reference point for this study, rather than using the more demanding Environment Agency short-term EAL of 160 μg/m3, or alternatively, update	The Applicant notes that NKDC's reviewer expresses preferences (in NKDC Planning Portal 25/0491/FUL Documents Tab Unplanned Emissions Assessment Review, published on the Portal 08 May 2026) for an assessment approach that is inconsistent with current guidance for risk assessment or fire response planning. The reviewer's preference to use Environmental Assessment Level (EAL) values intended to manage ongoing operational emissions from process industry activities within the environmental permitting regime. This is not an appropriate reference point when considering consequences from an accidental fire, where emissions from fires at BESS are not regulated under the environmental permitting regime. The UKHSA provides clear guidance on assessment criteria for

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		the assessment to use the EAL as the reference point. [Note: AEGL: Acute Exposure Guideline Levels. EAL: Environmental Assessment Level] Recommendation 2: Consideration should be given to presenting the results as zones or distances of potential impact due to emissions during and unplanned fire event, rather than as dilution factors. The model results can then be evaluated against the EAL for hydrogen fluoride, as set out in Recommendation 1. Recommendation 4: Consideration should be given to using ADMS for modelling emissions from a multiple cabinet fire scenario. [Note: ADMS: Atmospheric Dispersion Modelling System] C.2 APP-176 Unplanned Emissions Assessment, Paragraphs 2.2.3 and 2.2.4 appears to show that the Applicant is using the same AEGL-1 value of 0.82 mg/m3 (820 µg/m3). Therefore the same question is valid; what is the reasoning for using this value and not the more demanding Environment Agency short-term EAL of 160 µg/m3? Given that APP-176 is almost identical to the Unplanned Emission Assessment for NKDC Planning Application 25/0491/FUL (Documents Tab 'Unplanned Emissions Assessment' dated 24 April 2025), a number of the 7 recommendations in the Review could equally apply to APP-176. C.3 At REP5A-038 page 46 the Applicant states regarding modelling and referring to the Unplanned Emissions Assessment (APP-176) "It considers the very unlikely scenario of propagation beyond a single container." Maybe 'unlikely' but not impossible and not unknown as shown on a number of occasions worldwide. APP-176 Paragraph 4.1.7 states "In the unlikely event that a fire was to break out in a single module, it is very unlikely, given the control measures, that the fire would spread to the rest of the modules in a cabinet, or from a single cabinet to a larger BESS container." This suggests modelling in based on either a single module or a single cabinet not even a single container and is definitely not a worst case scenario.	hydrogen fluoride emissions for fire response planning and have adopted the AEGL-1 value as the assessment criteria. With regards to the assessment of the Proposed Development, consideration has been given to likely significant effects as is appropriate for an assessment being undertaken to accompany a DCO application. The scenario assessed is a reasonable worst case as it considers the impact on hourly mean concentrations of hydrogen fluoride resulting from an emission rate maintained over an hour, that in combustion tests have been observed to only last for a few minutes at most. The approach used is highly precautionary in terms of the emission rates used.
Anne Heard **[REP6-042]**	Permanent sealing of agricultural land	Permanent sealing of agricultural land page 26,27 and 32 1.1 Applicant's response The Applicant does not consider that it has changed its position on the issue of permanent sealing. Gate Burton, Tillbridge, East Yorkshire Solar and Fenwick are examples of solar NSIPs where the applicant may not be removing vegetation planting or substations and therefore the impact was assessed as permanent. The Applicant is unaware whether the Springwell applicant made any commitment to return soils to their current state. Springwell differs from the proposed development by the presence of Grade 1 and 2 agricultural land of which 14ha is solar PV with the potential for crushed gravel access tracks and concrete pad foundations on which solar stations will be sited. It is understandable why a developer, ExA or SoS may consider this impact of Grade 1 and 2 soils to be a permanent loss of agricultural land; it is more difficult to reinstate Grades 1 and 2 land back to it's current standard. 1.2 Comments in reply 1.2.1 When challenged about the statements it has made in relation to the issue of permanent sealing of agricultural land in other solar NSIPs throughout the examination, the Applicant has repeatedly changed its position and made contradictory or factually incorrect assertions:-	The Applicant refers the IP to previous submissions made regarding this topic, such as the Applicant's Response to Deadline 5A Submissions **[REP6-030]** (e.g. ref. p27, 31, 34, 74, 95).

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		(table below)	

Applicant's statement	Submission in response
1.The permanent sealing of agricultural land in the IEMA guidelines relates to the sealing of land and roads and not solar developments citing Tillbridge, Cottam and West Burton (ENV2-011).	Neither ExA report nor SoS decision letters make reference to IEMA Guidelines in relation to permanent sealing (REP1-106)
2.The Applicant is not aware of any solar NSIPs where hard infrastructure was considered as permanently sealed unless the intention was to not to remove those works on decommissioning (REP3-045 FS.2.02).	Hard infrastructure was intended to be removed on decommissioning and deemed permanently sealed- Mallard Pass, Heckington Fen and Beacon Fen (REP1-106 paragraph 2.4.3)
3. The issue of whether land is permanently sealed relates to the ALC grading of the soil on which the hard infrastructure is built referring to Mallard Pass (REP3A- 025 page 53)	The hard infrastructure was considered permanently sealed due to the length of time that the land was lost to agriculture and nothing to do with soil sensitivity (paragraphs 1.5-1.7 of REP5-045)
4. The schemes at Gate Burton, Tillbridge, East Yorkshire Solar and Fenwick have not assessed land as permanently sealed (REP3A-025 page 54).	The substations within each site were accepted as permanently sealed (REP5-045 paragraph 1.8)
5. The Applicant considers it prudent to follow current good industry practice rather than aligning with an assessment carried out in 2022 for Mallard Pass (REP3A-025 page 54).	In EIAs since Mallard Pass, namely Beacon Fen, Heckington Fen and Springwell, hard infrastructure has been accepted as permanently sealed (REP5-045 paragraph 1.10 and 1.11)
6. The hard infrastructure was deemed permanently sealed in Mallard Pass as the original application was not time limited and the ES was not revisited when the time limit of 60 years was introduced (REP4-018 page 71).	Contradicts the assertion made by the Applicant at 3. that the hard infrastructure was deemed to be permanently sealed due to the high sensitivity of the soils. The ES was revisited when the 60 year time limit was introduced (REP5-045 paragraph 5.1.4)

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		7.The issue of whether land is permanently sealed relates to the ALC grading of the soil on which the hard infrastructure is built referring to Heckington Fen (REP5-025 page 48). / No distinction was made between the substation on Grade 3b land and the access tracks and solar stations which were on higher grade land (REP5A-064 paragraph 4.2.3) 1.2.2 The Applicant asserted at point 4 of the table at paragraph 1.2.1 that there was no permanent sealing of hard infrastructure in the schemes at Gate Burton, Tillbridge, East Yorkshire solar and Fenwick (REP3A-025 page 54). However, the Applicant's assertions were factually incorrect as in each of those schemes the substation was deemed to be permanently sealed. The Applicant has shifted it's stance again in REP5A-038. It now accepts that the substations were deemed permanently sealed but for the reason that the applicant may not be removing this hard infrastructure on decommissioning (and that this does not apply to Fosse Green as the hard infrastructure is to be removed). Whilst the future of the hard infrastructure was in some doubt in these schemes, there are recent examples in Beacon Fen, Heckington Fen and Springwell where the hard infrastructure was to be removed, similar to Fosse Green, and the land considered to be permanently sealed. 1.2.3 The Applicant considers that Springwell differs from Fosse Green in that the hard infrastructure in Springwell is on Grade 1 and 2 agricultural land which is more difficult to reinstate (REP5A-038 page 27). Paragraphs 11.8.23 and 11.8.24 of Chapter 11 Land, Soil and Groundwater (REP1-014) of Springwell state that all infrastructure will be removed on decommissioning and that the land will be restored to its current condition. None of the hard infrastructure is to be sited on Grade 1 or 2 agricultural land as the Applicant asserts (Table 11-12 of REP1-014 Springwell).	
Anne Heard **[REP6-042]**	Noise impact on PRoW	Noise impact on PRoW page 29 2.1 Applicant's response The range of noise levels along the PRoW from the operation of the proposed development (which would be below those associated with regular speech) and the transient use of them are not considered to constitute a permanent impact on user's health and quality of life. Baseline sound surveys along the PRoW could only establish indicative sound levels in the area, akin to the surveys already undertaken. Such levels would not alter the transient and relatively low levels of noise exposure along the PRoW. 2.2 Comments in reply 2.2.1 The Applicant has concluded that the noise levels along the PRoW do not constitute a permanent impact on user's health and quality of life. Yet the Applicant has scoped PRoW out of the EIA. It is therefore difficult to understand on what basis the Applicant has arrived at it's conclusions without carrying out a noise assessment. 2.2.2 Paragraph 11.4.14 of Chapter 11 Noise and Vibration (APP-036) defines non-sensitive noise locations as including those where no human activity takes place or where such activity would not be affected by noise from the proposed development. On this basis PRoW are sensitive noise locations as human activity takes place there and users of the PRoW are potentially affected by	The Applicant refers the IP to the Applicant's Response to Deadline 5A Submissions **[REP6-030]** (ref. p46).

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		noise from the proposed development. Yet Table 11-4 which sets out non-residential receptors do not include PRoW. 2.2.3 Paragraph 4.5 of IEMA Guidelines for Environmental Noise Impact Assessment 2014 deals with the selection of noise sensitive receptors and sets out a number of types of possible receptors that need to be considered when determining the baseline noise levels. These include open air amenities. Paragraph 4.6 of the guidelines explains that "open air amenities" covers a wide range of receptors and sensitivities and advises that sites such as nationally recognised footpaths which should be considered as particularly sensitive. It is clear from the guidelines that PRoW can amount to non-residential noise sensitive receptors. Other NSIP schemes such as Mallard Pass and The Droves have included PRoW within the order limits as noise sensitive receptors with medium sensitivity. 2.2.4 The justification for scoping out PRoW from the noise assessment in paragraph 11.4.18 of Chapter 11 Noise and Vibration (APP-059), is that there will not be a material change in the experience of using the PRoW as a result of the proposed development. The Applicant has jumped to this conclusion without having carried out the necessary assessment. The correct question to be addressed at this stage in accordance with the guidelines is whether the PRoW are likely to be adversely affected by the proposed development. As the Applicant has acknowledged in paragraph 11.4.17 of Chapter 11 that noise experienced along the PRoW from the proposed development will amount to an adverse noise effect, then PRoW should have been scoped into the assessment. 2.2.5 Paragraph 5.6 of the IEMA Guidelines for Environmental Noise Impact Assessment explains that the function of establishing baseline noise levels is to provide context for the noise levels predicted to arise from the proposed development against which they may be appraised. The Applicant says that baseline sound surveys along the PRoW could only establish indicative sound levels in the area, akin to the surveys already undertaken. The position of the monitoring locations for the sound surveys is at Fig 11-1 Receptor and Noise Monitoring Locations (APP-099). Noise levels measured at these locations will inevitably be higher than on the PRoW network which are away from roads and residential properties. None of the monitoring locations were on the PRoW within the order limits. 2.2.6 The Applicant has provided noise contour plans showing the predicted operational noise levels for the centralised BESS (AS-062) and the distributed BESS (AS-063) which illustrates that the PRoW between Aubourn and the PRoW (existing and proposed new permissive paths) to the west of Thorpe on the Hill will be subjected to noise levels of between 30dB and 55dB. However, without data for baseline noise levels along PRoW, it is not possible to assess the numerical level of noise change in these locations as a result of the proposed development. 2.2.7 Paragraph 7.54 of the IEMA Guidelines for Environmental Noise Impact Assessments advises that the numerical change in noise levels should not be solely relied on to assess the noise impact and consequential significance of effects. Paragraph 7.57 notes that "for an area that is valued because of its soundscape, a relatively small impact could be considered as having a potentially substantive effect if the quality of the noise environment were to be eroded. This particularly relates to tranquil, quiet or calm areas". Paragraph 7.70 refers to amenity areas and says that the effect of a disruptive impact may mean that people no longer use the amenity because of the new noise intrusion spoiling their enjoyment of the area. Paragraph 7.71 notes that "to determine an effect on human receptors, the assessor must form a view regarding the extent	

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		of the impact that the proposed development is likely to cause and any consequential change in attitude, behaviour and health effects". 2.2.8 As the Applicant has scoped PRoW from the noise impact assessment, it has failed to properly consider the impact of the noise from the proposed development on PRoW, citing the linear nature of the PRoW, the ambient noise environment and the transient usage as the justification for concluding that there will no effect on user's health or quality of life. 2.2.9 The Applicant has produced no evidence in support of its conclusions. It has carried out no survey of users of PRoW within the order limits to ascertain potential impacts of the noise from the proposed development on such users. 2.2.10 The Applicant has failed to take into account the erosion of the quality of the existing noise environment of the PRoW which is tranquil and quiet as referred to in paragraph 7.70 of the IEMA Guidelines for Environmental Noise Impact Assessments. This is reinforced by the World Health Organisation "Guidelines for Community Noise" which sets out in Table 1 that existing quiet outdoor areas should be preserved. 2.2.11 The Applicant has not taken into account the particular vulnerability of those suffering from depression who are likely to have a higher sensitivity to unwanted noise. Paragraph 2.7.7 of the Health and Wellbeing Summary Statement (REP3-047) acknowledges that the percentage of the population in Lincolnshire diagnosed with depression (15.8%) is higher than regional and national levels. The World Health Organisation "Guidelines for Community Noise" discusses the effects of environmental noise on mental health and notes the importance of taking vulnerable groups into account, because they are not able to cope sufficiently with unwanted environmental noise and this is particularly true of children, the elderly and people with pre-existing illnesses, especially depression. 2.2.12 In conclusion, the Applicant has scoped ProW out of its noise assessment without justification and as a result it has failed to carry out baseline noise levels along the ProW in order to determine change in noise levels. It has also failed to consider the erosion of the quality of the existing noise environment of the PRoW which is tranquil and quiet and failed to consider the effects of particular vulnerability of a proportion of the local population to the impacts of noise along the PRoW.	
Anne Heard **[REP6-042]**	Visitor Economy	Visitor Economy page 31 3.1 Applicant's response The Applicant accepts that visual and experiential factors can influence walking preferences but the EIA assessment draws on EIA practice which recognises that route availability, connectivity and safety are primary determinants of route use at a network level. The evidence presented does not demonstrate that changes to landscape character would result in a measurable reduction in use of routes within the study area or give rise to a likely significant effect. Chapter 12 Socio Economics and Land Use considers cumulative effects. Effects to PRoW during construction are not considered within the cumulative assessment as the proposed development would not make a meaningful contribution to any cumulative effect which may occur from other developments in the area. The assessment does not rely on operational data from large-scale solar schemes. In line with EIA practice, it draws on professional judgment, available literature and experience from comparable infrastructure projects. The absence of extensive operational precedent does not invalidate the	3.3.2/3.3.3/3.3.5: Regarding the scope of assessment, the Applicant notes that the scope of the ES, and Chapter 12 Socio Economics and Land Use, was established by the EIA scoping process, as detailed in the EIA Scoping Opinion **[APP-119]**. 3.3.4: Chapter 12: Socio-Economics and Land Use of the ES **[AS-016]** defines the impact sensitivity criteria (i.e. the levels of PRoW importance) at Table 12.7. 3.3.6/3.3.7: The Applicant disagrees – the baseline, assessment and cumulative assessment are all considered robust and valid and are based on the approach agreed as relevant as part of the EIA Scoping Opinion **[APP-119]**.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		assessment; rather, a proportionate and evidence based approach has been applied to determine the likely significant effects on the visitor economy are not anticipated. 3.2 Comments in reply 3.2.1 Paragraph 12.4.18 of Chapter 12 Socio-Economics and Land Use (AS-016) sets out that as there is no statutory guidance on the methodology for undertaking assessment of the socio-economic and land use effects, the Applicant has based its assessment on best practice and professional judgment. 3.2.2 The Applicant has failed to follow the guidance from the Institute of Public Rights of Way and Access "Environmental Impact Assessment: Appraising Access" 2020. Paragraph 1.44 of the guidance advises on establishing baseline information that includes not only the legal and policy framework but also the characteristics of the access resources and the numbers, types and preferences of affected access users. Such data can be obtained from third party surveys, user monitoring and user intercept surveys. In contrast, the baseline information provided by the Applicant amounts to a list of the existing resources in and around the order limits (Paragraphs 12.5.30 to 12.5.36 of Chapter 12). 3.3.3 The IPROW guidance has been used to base Suffolk County Council's "Public Rights of Way and Green Access Supplementary Guidance Document" July 2024. The Guidance states that the preference is for PRoW and amenity to be dealt with in their own chapter of the EIA because PRoW have unique additional characteristics that are not shared with other highways. Specifically, they make a significant contribution to the local communities sense of place, mental health, physical health and overall well-being. In addition, the contribution that PRoW make to community access and sense of place has an important relationship to the offer and function of the visitor economy. The guidance advises that the EIA methodology should consider the combination of effects that will impact on the quality of the amenity experienced by the receptors i.e. walkers, cyclists, equestrians, wheeled users as well as the effect on the physical resource. The effects to be considered include impacts on the tranquillity and ambience experienced by recreational receptors. 3.3.4 The Applicant has included very narrowly drawn criteria in Table 12-7 of Chapter 12 which lists the impact sensitivity criteria. These refer to the level of "importance" of the PRoW (which is not defined) and the availability of alternative routes. There is no reference for example to the vulnerability of users of the PRoW, such as the elderly or people with disabilities who may be disproportionally affected by small changes. 3.3.5 Similarly, in Table 12-14 of Chapter 12 the magnitude criteria (from High to Very Low) solely relates to the increase/decrease in journey length, travel patterns and opportunities to access the wider network and or community infrastructure. There is no reference to the scale of the degree of change to the amenity and recreation experience, there is no reference to the geographic extent of the change to that experience, nor to the duration of the time that it would be experienced. 3.3.6 By failing to gather adequate baseline data and by applying narrowly drawn criteria for both sensitivity and magnitude of impact, the resultant conclusion that there will be negligible effects on PRoW during construction (paragraph 12.7.34 of Chapter 12 refers) and a minor beneficial effect during operation (due to the provision of additional permissive paths) (paragraph 12.7.54 of Chapter 12 refers) is unreliable.	

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		3.3.7 This, in turn, undermines the Applicant's conclusions concerning cumulative impacts in paragraphs 12.10.11 (construction and decommissioning) and 12.10 22 (operation).	
Anne Heard **[REP6-042]**	Traffic and Transport	Traffic and Transport page 33 4.1 Applicant's response There is no specific requirement to carry out iRAP assessments. The approach adopted is the typical means of assessment adopted for other similar schemes. The approach set out in the ES Scoping Report and the Preliminary EI Report were submitted to LCC and no requirement for an alternative methodology was requested. Regarding L11, as the HGV % impact assessed was 52% and there has been one collision in the last 5 years, a slightly higher % impact would not materially affect the assessment result. Regarding Clay Lane, Bassingham the public footpath ThuN/5/1 (shown on AS-020) is the right of way which was described as running parallel to it within 200m. Regarding the sensitivity of Clay Lane, Bassingham the criteria cited in Table 13-28 only applies to PRoW as stated in Table 13-7 where the assessment criteria have been split depending on the type of receptor i.e. Road Links v Walk/Cycle Links. Since Clay Lane is a road link, it has been assessed using the sensitivity criteria for Road Link i.e. Very Low as there are no sensitive users (defined in Table 13-7) i.e. no residential or workplace frontages and no off road cycle route. The PRoW criteria are not relevant to the assessment of Clay Lane as it is not a PRoW. Regarding the magnitude of effect, the magnitude has been downgraded as stated in paragraph 13.7.45 due to very low total traffic flows as shown in Appendix 13-D. The magnitude has not been adjusted by way of a blanket rule but has been considered on an individual basis. 4.2 Comments in reply Road Safety assessment- Magnitude of Effect -Link 11 Butts Lane/South Hykeham Road 4.2.1 Paragraph 13.4.19 of Chapter 13 Traffic and Transport (REP3-010) states that the assessment methodology has been informed by the 2023 IEMA Guidelines. Paragraph 3.45 of those guidelines advocates use of the "Safe System" using iRAP or similar to assess road safety. The 2023 guidelines superseded the 1993 Guidelines for the Environmental Assessment of Road Traffic (GEART). Paragraph 4.42 of the 1993 guidelines, relating to accidents and road safety, calls for an analysis of the existing accident rates and statistical assessment of the likely increase or decrease in the number of accidents resulting from changes to the traffic flows; that where a development is expected to produce a change in the character of the traffic e.g. HGV movements on rural roads, then data on existing accident levels may not be sufficient and professional judgment is needed to assess the implications of local circumstances, or factors which may elevate or lessen the risks of accidents A comparison of the provisions of both sets of guidelines is usefully contained in the Review of IEMA Guidelines on EA of Traffic and Movement in the Rampion 2 Offshore Windfarm NSIP (REP2-017). Table 2-5 of that document highlights that the use of a "Safe System" is a more sophisticated replacement of the application of professional judgment in relation to "local circumstances or other factors" to existing collision data. 4.2.2 By considering solely collision data in its assessment of road safety impacts, the Applicant has fallen between two stools in that it has neither applied the professional judgment to consider local circumstances or other factors as required by the 1993 guidelines neither has it applied the	4.2.1-4.2.5: The Applicant reiterates its response within the Applicant's Response to Deadline 5 Submissions **[REP5A-038]** (ref. p21), whereby the approach adopted is the typical means of assessment adopted for other similar schemes, which follows the EIA Scoping Opinion **[APP-119]**. Furthermore, LCC (as the Local Highways Authority), has not requested an alternative methodology of assessment. The wording in paragraph 3.45 of the 2023 IEMA/ISEP Guidelines is that *'…a Safe System approach **could** be taken to the assessment of road safety impacts of a project.'* [emphasis added], therefore it is not a requirement to adopt the Safe System approach. 4.2.6: The Applicant refers the IP to the response provided on this matter within the Applicant's Response to Deadline 3 and 3A Submissions **[REP4-018]** (ref. p72). 4.2.7-4.2.9: The assessment of Clay Lane as a link receptor has been carried out according to the link assessment criteria outlined in Chapter 13 Traffic and Transport of the ES **[REP6-004]**. Since there is no officially designated walking/cycling route (e.g. a PRoW) along Clay Lane, it has not been assessed as a walking/cycling route. However, non-motorised user amenity for the link in question has been assessed in compliance with the 2023 IEMA/ISEP guidelines. The assessment of Clay Lane as a receptor has been accepted by LCC highways as an appropriate assessment of the effects of the Proposed Development on the link. 4.2.10-4.2.14: The Applicant has set out the methodology used to assess the effects of the Proposed Development, and this has been accepted by LCC.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		more technical iRAP or other protocols as required by the 2023 guidelines to assess the road safety impacts of the proposed development. 4.2.3 In the absence of using iRAP, other solar NSIPs have retained the use of professional judgment to consider local circumstances or other factors in their methodology for assessing road safety impacts. For example, paragraph 15.6.15 of Chapter 15 (APP-058) of Rosefield Solar states that "professional judgment has been used to assess the implications of local or other circumstances, or factors which may elevate or lessen the risks of accidents". Page 13 of Chapter 9 Transport and Access (APP-058) of The Droves Solar Farm repeats this phrase it its assessment methodology. Paragraph 13.4.40 of Chapter 13 Transport and Access (APP-050) in Green Hill Solar says in it's methodology statement that "Patterns or road safety factors that could be exacerbated by traffic or movement have been identified and considered in the context of construction movements strategies, their managements and the temporary nature of effects". 4.2.4 In paragraphs 6.1.4 to 6.1.9 of my submission at REP5-045 I challenged the future baseline number of 209 HGV at L11 given by the Applicant which would give rise to an increase of 52% in HGV at L11 as a result of the proposed development. The Applicant considers that the downward trend in the numbers of HGV over the last few years represents a "marginal degree of variation". The completion of the North Hykeham Relief Road in summer 2029 will also result in lower numbers of HGV at L11. Currently the route through Haddington is a "rat-run" from the A46 to the A15. The new relief road will create a faster short cut from Pennells roundabout on the A46 eastwards to the eastern bypass on the A15. In using National Road Traffic growth forecast figures to calculate future baseline traffic flows, the Applicant has failed to take into account local factors. The Applicant considers that a "slightly" higher % impact would not materially affect the assessment result. On the basis of the 2024 DfT traffic count, the 172 HGV at L11 as a baseline figure would give rise to an increase of 63% HGV as a result of the proposed development. If the downward trend in the number of HGV continues and taking into account the likely effect of the new North Hykeham relief road, the baseline figure will be even less than 172 with an increasingly larger % impact. The Applicant does not define a "slightly" higher impact but if this amounts to 63% or more, then this calls into question the Applicant's assessment. 4.2.5 In conclusion, the Applicant has used narrowly defined criteria for assessing the magnitude of effect for road safety and has failed to consider the impact of a potentially lower number of baseline HGVs on the link road from those calculated by the Applicant based on local rather than local trends. The Applicant has previously noted that the original assessment of magnitude of effect for L11 should have been Medium and not Low (REP4 018 page 72). This should be further reviewed in the light of the above comments. Road Safety assessment- Sensitivity -Link 11 Butts Lane/South Hykeham Road 4.2.6 The Applicant has failed to respond to my submission at paragraph 6.1.1 of REP5-045 that the sensitivity of L11 should be High/Medium rather than Low. Severance, Pedestrian Delay, Non-motorised User Amenity and Fear and Intimidation assessment- Sensitivity- Clay Lane Bassingham 4.2.7 The Applicant suggests that I have misapplied the sensitivity criteria set out in Table 13-7 of Chapter 13 Traffic and Transport (REP3-010) which the Applicant says have been split depending on the type of receptor being considered i.e. Road Links v Walk/Cycle Links. There are a number of points to be made in response. Firstly, there is nothing that explicitly says that only one element of the criteria should be applied depending on the type of receptor being considered. Secondly,	

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		whilst Road Links, Junctions and PRoW are considered in Chapter 13 as receptors, "Walk/Cycle Links" are neither defined nor considered as receptors so it is not clear how the sensitivity criteria in the Table relates to these routes. Thirdly, in assessing the Clay Lane as being Very Low sensitivity, the Applicant states in REP2-018 page 72 that this is because "no residential properties have a direct frontage to the highway, it has no pedestrian footways, or designated cycle infrastructure, and it is not a PRoW, but has a PRoW running parallel and adjacent to it." If, as the Applicant asserts, it is not relevant to consider the sensitivity criteria relating to "Walk/Cycle Links including PRoW" why has the Applicant made specific reference to these criteria in it's assessment of Clay Lane? Fourthly, in considering sensitivity criteria for High and Medium values for "Road Link and Junctions", there is no mention of pedestrians and cyclists. Surely the Applicant is not suggesting that these users should not be considered as a factor? 4.2.8 Looking at the way that other solar NSIPs have dealt with the assessment of sensitivity criteria, both Helios (Table 10.1 of Chapter 10 APP-030) and The Droves (Table 6.1 of Chapter 9 APP-058) consider that "areas with no footways with high pedestrian footfall and congested areas" have high sensitivity. 4.2.9 There are no footpaths along the entire length of Clay Lane which is part of the Bassingham Circular Stepping Out Walk and therefore particularly attractive to walkers. Nor is there any off-road provision for cyclists. The way that the Applicant has applied the sensitivity criteria in Table 13-7 is inconsistent with the comments made in REP5A-038 about their application, and there is no explanation of how the criteria for Road Links and Junctions should be considered in relation to the provisions for cyclists and pedestrians. Non-motorised User Amenity- Magnitude - Clay Lane Bassingham L18 4.2.10 The Applicant states that the magnitude for Clay Lane L18 has been downgraded in Table 13-36 as stated in paragraph 13.7.45 from High to Medium due to very low total traffic flows as shown in Appendix 13-D; that the magnitude has not been adjusted by way of a blanket rule but has been considered on an individual basis. 4.2.11 Paragraph 13.4.23 of Chapter 13 Traffic and Transport (REP3-010) sets out that a "movement rule" has been considered against the baseline hourly traffic flows to allow the magnitude of impact to be downgraded by one category if specified conditions are met and that magnitudes which have been adjusted in this way for each assessment category are detailed in Section 13.7. Paragraph 13.7.45 states that for L18 the high magnitude assessment has been downgraded to medium due to low baseline traffic flows. 4.2.12 It appears therefore that the movement rule has been applied in accordance with paragraph 13.4.23 as the conditions of the rule have been met and the initial magnitude level has been downgraded by one category which has then been detailed in paragraph 13.7.45. If, as the Applicant asserts, each case is considered on an individual basis, the "movement rule" is superfluous. That it is called a "movement rule" (rather than a movement guideline which can be applied flexibly) dictates that if the conditions apply, then the magnitude of impact is automatically downgraded by one category. 4.2.13 Paragraphs 3.29 and 3.30 of the IEMA Guidelines states with regard to non-motorised user amenity that "pedestrian amenity is broadly defined as the relative pleasantness of a journey and is considered to be affected by traffic flow, traffic composition, and pavement width/separation from traffic. The assessment of amenity should pay full regard to the specific local conditions."	

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		4.2.14 The Applicant has applied a "rule" in considering the magnitude for Clay Lane, rather than paying full regard to local conditions as the guidelines require.	
Anne Heard **[REP6-042]**	Ecology - Bats	Ecology-Bats page 36 5.1 Applicant's response The limitations of comparing the Tinsley study to the proposed development have already been pointed out. However, the advice in that study to ensure that solar energy does not negatively impact biodiversity have been adopted within the FLEMP. The comments in paragraph 4.3.1 of REP1-106 relating to artificial lighting are not relevant as the proposed development will not be lit at night (other than low level PIR security lighting) which would not light boundary features within the Order limits. The comments in REP1-106 regarding noise are not relevant as they relate to bats which are not native to the UK i.e. the pallid bat (Antrozous pallidus) or they relate to noise from different types of development (roads and natural gas). Noise from the proposed development would be in localised areas. In relation to the BESS, that would be located away from the areas within the Order limits /boundary habitats used by bats. At these locations, noise would be below the suggested threshold of 50-55bBA where noise may start to affect some bat species. There would be only limited, temporary and short-term habitat fragmentation as hedgerow loss will be compensated with significant areas of new hedgerow planting and enhancement and other landscape scale enhancement. Llanwern solar farm (noting the limitations of the report as there was an incomplete baseline data set) is within a different habitat type comprising grassland and a network of drains where baseline bat activity might be expected to be higher (due to invertebrate prey being higher in grasslands and wetlands) and then potentially reduced where replaced by solar panels. This is unlikely to be the same for the proposed development which has large intensively managed arable fields with limited wetlands, with resulting low bat activity within the fields which will be replaced by solar panels and grassland. No conclusions can be made from the use of one bat box only as very few bat boxes were installed and the take up of bat boxes may take years, particularly as no roosts were lost and the roosting resource remains similar to the baseline. The mitigation proposed is not comparable to Llanwern which is much smaller with a different habitat type. The large scale change from intensively managed arable to grassland and solar PV, new species-rich and permanent grassland, new hedgerows etc will provide a net benefit to foraging and commuting bats. Hedgerow loss of approximately 2 km is temporary/short term as new hedgerows will likely be established by year 5 and likely to function as a habitat resource and commuting route before then. Paragraph 3.3.20 of App 8-I and the assessment guidance has been followed. This guidance and Table 2 of App 8-I states that the conservation importance for individual species and not the overall bat assemblage score is used in the assessment. 5.2 Comments in reply Tinsley study 5.2.1 The Applicant states that the advice in Tinsley et al 2023 "Renewable energies and biodiversity: Impact of ground-mounted solar photovoltaic sites on bat activity" In Journal of Applied Ecology 7 August 2023 is that to ensure solar energy does not negatively impact	5.2.1 The Applicant reiterates the response provided in the Applicant's Responses to Deadline 5 Submissions **[REP5A-038]**. The Applicant directs the IP to paragraphs 8.12.28-33 of Chapter 8: Ecology and Nature Conservation **[REP1-019]** which acknowledge the findings of the Tinsley study (Tinsley, E., Froidevaux, J.S.P., Zsebők, S., Szabadi, K.L. and Jones, G. (2023) Renewable energies and biodiversity: Impact of ground-mounted solar photovoltaic sites on bat activity. Journal of Applied Ecology, 2023;00:1–11) amongst others and considers the findings in the context of the Proposed Development, concluding that these '*sites did not have any significant new tree/hedge planting, and/or grassland creation and may not be comparable to the Proposed Development (and other large-scale DCO schemes) where significant areas of habitat compensation and enhancement are provided. All the small solar sites in the study were on grassland that was either grazed or managed through mowing or were on cut arable crops and therefore the avoidance behaviour observed by bats may be different to the Proposed Development, where the embedded mitigation (see Table 8-13) and proposed habitat creation will include large areas of grassland managed for conservation, habitat buffers, pond restoration and new tree and hedge planting.* *Taking into account embedded mitigation measures that includes providing large areas of permanent grassland suitable for foraging bats and sets back panel arrays from all important habitats used by foraging bats, i.e., hedgerows and woodlands, there is no robust data to suggest that, with the embedded mitigation measures set out in Table 8-13, displacement of bats from these habitats will occur. As such, it is assessed that the magnitude of this impact is Low, which results in a negligible effect, that is not significant in EIA terms as will not affect the overall bat populations present within the DCO Site and will not affect the integrity of any particular bat species population.*' 5.2.2 and 5.2.3 The Applicant reiterates the response provided in the Applicant's Responses to Deadline 5 Submissions **[REP5A-038]**, and directs the IP to paragraph 2.5.1 of the Framework OEMP **[REP6-010]** which secures that '*no areas [of the Proposed Development] are proposed to be permanently lit.*' Table 5 ID: ECO-O3 of the Framework OEMP **[REP6-010]** states that '*All lighting would seek to limit any impact on sensitive receptors following guidance from the Bat Conservation Trust among others.*' This commitment will be translated to the detailed OEMP(s) prior to commissioning.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		biodiversity, measures should be taken to mitigate for lost foraging space such as planting insect-friendly vegetation, providing wildlife corridors and creating alternative habitats. However, Tinsley goes on to say that where a solar PV site is proposed in proximity to a roost or on a known important commuting route of the species which have been identified as affected by the presence of solar panels (including serotine and common pipistrelle), then consideration should be given to whether alternative siting of the development at a less sensitive location would be more appropriate. Both serotine and common pipistrelle bats are present within the area of the proposed development and will inevitably be likewise negatively impacted by the presence of the solar arrays as the Tinsley research illustrated. Artificial lighting 5.2.2 Paragraph 4.3.5 of the 2025 CIEEM UK Bat Mitigation Guidelines considers the research around the disturbance of roosts from artificial lighting and paragraph 4.4.10 considers its impact on foraging and commuting bats. In providing guidance on mitigation strategies, paragraph 7.3.16 refers to the guidance from the Bat Conservation Trust and in the Institution of Lighting Professionals which highlights the importance of early involvement and collaboration between a lighting professional and the ecologist which will help to ensure that the design is informed by inter alia a baseline lighting survey. Paragraph 7.3. reiterates that it is important to request baseline lighting levels (horizontal and vertical) and likely changes to those levels to get a real indication of the likely impacts. A commuting route where the existing light levels are tolerated by bats, augmented by additional light which seems to be relatively low as modelled, may cumulatively render the post development commuting route unattractive to light-averse species. Paragraph 7.3.19 goes on to say that lighting from headlights may also need to be controlled/ limited by screening if there will be frequent vehicle movements next to features used by bats. 5.2.3 It is not apparent that the Applicant has carried out a baseline lighting survey as the guidelines advise in order to properly assess the impacts of lighting on the assemblage of bats. Nor has the Applicant considered the potential impact from vehicle headlights either during construction or operation. Noise 5.2.4 The Applicant asserts that the comments made in my submission a REP1-106 (paragraph 4.3.2) about noise impacts on pallid bats are not relevant as pallid bats are not native to the UK. The reference in REP1-106 was to the research paper Allen L C et al 2021 "Noise distracts foraging bats" In Proc R.Soc. B 288 20202689. Pallid bats are highly sensitive to noise pollution as they hunt by passively listening for low-frequency sounds of ground prey (gleaning) rather than by echo-location. The primary gleaning bats in the UK include the Brown Long-eared bat and Natterer's bat both of which are present within the proposed development site. 5.2.5 The Applicant asserts that the research papers referred to in my submission at REP1 106 regarding the impact of compressor stations associated with natural gas extraction and highway noise are not relevant to solar development. These papers were cited as examples of anthropogenic noise impacting on bat activity which will be present not only during the two year construction phase but also for the 60 year operational period of the proposed development. The overarching message is that "anthropogenic noise must be considered as a serious form of environmental change and pollution as it affects aquatic and terrestrial species" (P Hansjoerg and R Schmidt 2019 "The effects of anthropogenic noise on animals: a meta-analysis" In Biology Letters Vol 15 Nov 2019).	During construction, as far as practicable construction works will be limited to daylight hours, with artificial lighting likely only required during the winter when all 18 species of bats found in the UK are likely to be hibernating (the Proposed Development's core construction working hours on-site are secured in paragraph 2.3.1 of the Framework CEMP **[REP6-008]**). In addition, Section 2.5 Control of Light of the Framework CEMP **[REP6-008]** secures mitigation *'to avoid excessive glare and minimise spill of light to nearby receptors (including ecology and residents)'* in line with the IPs comments. 5.2.4 to 5.2.7 Table 3 ID: ECO-C7 and Table 6 ID NV-C1 of the Framework CEMP **[REP6-008]** secure bat-specific pre-construction surveys and mitigation as well as best practice measures for the reduction of noise and vibration during construction. Pre-construction (ground-level inspection) bat surveys will be undertaken to support the baseline survey findings, the purpose of which is to ensure mitigation during the construction phase is based on the latest protected species information and Proposed Development design. Should there have been any changes to the design which could impact upon roosting bats, where found within the DCO Site, then further surveys will be undertaken as required (e.g. bat emergence surveys at potential roost features) and Natural England licences will be sought (if required) and mitigation measures updated accordingly. Regarding operational noise the Applicant directs the IP to Figure 11-2: Noise Contours - Operational Phase Centralised BESS **[AS-062]** and Figure 11-3: Noise Contours – Operational Phase Distributed BESS **[AS-063]** which illustrate the limited area in proximity to the BESS installations that is assessed to exceed 50dB (see pale green areas on the figures). In addition, note that plant that will be used in the Proposed Development has not yet been finalised and consequently, a conservative approach has been taken when defining sound data for noise sources and it may be possible that quieter plant can be incorporated into the final design. 5.2.8 to 5.2.9 The Applicant disagrees with the IPs statement '*that approximately 2 km of hedgerow is to be removed and not replaced'*. As set out in the Framework CEMP **[REP6-008]** (ref. LV-C1, ECO-C3 and CH-C2), removal of existing hedgerow or existing trees will only occur where access is required. These crossings will, wherever practical, be located at current field access locations or in areas where there are existing gaps in the hedgerow and no trees. The Proposed Development will seek to retain any hedgerows deemed 'important' under the Wildlife and Landscape criteria of the Hedgerows Regulations and under the archaeology and history criteria of the Hedgerows Regulations 1997 where possible. With regards to any localised removal of Ecological Important Hedgerows and

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		5.2.6 The Applicant says that noise from the proposed development would be in areas located away from the boundary habitats used by bats and at those boundaries noise levels would be below the 50-55 dBA where noise may start to affect some bat species. In the research paper by Reason P and Bentley C 2020 "Noise impacts on Bats: A sound assessment" In Practice CIEEM Issue 108 June 2020, the authors say that applying the precautionary principle, non-natural, unfamiliar or unpredictable noise levels exceeding 50 dB, Lmax at 8+kHz within a roost could begin to have deleterious effects but that this should not be cited as a threshold for disturbance. Factors to be considered in any bat noise impact assessment include tolerance to noise which differ between species, baseline conditions indicating existing levels of tolerance, the duration of the development works, the character of the sound and contributory factors such as lighting and human disturbance. 5.2.7 The Applicant's comments referred to in paragraph 5.2.6 relate to the operational phase of the development. During the construction period, noise levels from construction machinery, noise from vehicles and human noise and disturbance will not be localised but present throughout the development site and this will continue for 2 years. Habitat fragmentation 5.2.8 The Applicant states that the loss of nearly 2km of hedgerow is temporary/short term as new hedgerows will likely be established by year 5 and likely to function as a habitat resource and commuting route before then. In Tarcy N et al "Managing hedgerows for biodiversity: Disentangling the effects of trimming, structure and connectivity on the use of linear features by bats" In Journal of Applied Ecology 25 November 2025 hedgerow monitoring for bat activity considered six hedgerow characteristics namely trimming method, foliage density, height, width, connectivity and woody plant diversity. The results showed that height and connectivity together with trimming method were the primary drivers of bat activity. 5.2.9 Part 1 of Schedule 11 to the draft DCO (REP5A-006) sets out the lengths of hedgerow to be removed ranging from 1m to 143m. Paragraph 5.2.13 of REP5A-022 states that these areas of hedgerow are to be removed for access. The Applicant describes the hedgerow loss as short-term and temporary and this appears to be a reflection of paragraph 8.12.17 of Chapter 8 Ecology (REP1-019) where Hedgerow Removal is described as temporary and that any replanting required has been embedded within the design of the proposed development as shown in the FLEMP. There is also a reference to the restoration of hedgerow habitats post-construction in Table 8-15 on page 154. In the section on Embedded Mitigation on page 122 there is a reference to "small areas of hedgerow and scrub will be lost mainly for access widening". The FLEMP (REP5A-022) provides no further clarity about the intention to replace the hedgerow which has been removed, with paragraph 5.2.13 reiterating that existing hedgerow will be removed where access is required. The basic premise in the DCO is that approximately 2 km of hedgerow is to be removed and not replaced. As connectivity is one of the drivers of bat activity, the habitat fragmentation caused by the removal of the hedgerows will have an adverse impact on the ability of the bats to forage and commute along the hedgerow corridors. Llanwern solar farm 5.2.10 The Applicant notes the limitations of the Year 3 monitoring report as there was an incomplete baseline. This is a reference to Appendix 2 of the Ecological Monitoring and Review - Year 3 Report dated January 2024 which explains that static automated bat detectors were deployed at six locations across the site chosen previously for baseline data collection. Data from	Important Historic Hedgerows (as per the Hedgerow Plan **[REP5A-005]** and Appendix 8-B: Terrestrial Habitats and Notable Flora **[AS-080]** and Appendix 7-E Historic Landscape Character Assessment **[APP-128]** to facilitate construction, where hedge removal is required for visibility splays only, where practical they will be trimmed down to a height to be agreed with County Highways, most likely 0.9m, so that it is not removed altogether and can regrow after construction (secured in Table 3 ID: ECO-C4 k. of the Framework CEMP **[REP6-008]**). It is also noted, as detailed in the Biodiversity Net Gain Report **[REP6-016]** and secured in the Framework LEMP **[REP6-018]**, the Applicant has committed to deliver a minimum of 50% biodiversity net gain in hedgerow units. The proposed planting design shown in the Landscape Mitigation Plan presented in Figure 7.15-1 within the Framework LEMP **[REP6-018]** includes approximately 20km of new native hedgerow planting in addition to hedgerow enhancement, gapping up and infill planting (secured in paragraph 4.2.4a of the Framework LEMP **[REP6-018]**). Furthermore, the Applicant has embedded a 5m offset of all infrastructure from all hedgerows within the DCO Site (secured in paragraph 4.1.14 b of the Framework LEMP **[REP6-018]**). Further detail on the Applicant's proposed management of existing and new hedgerows can be found in Section 5: Management Prescriptions of the Framework LEMP **[REP6-018]**. 5.2.10 to 5.2.15 The Applicant reiterates the response provided in the Applicant's Responses to Deadline 5 Submissions **[REP5A-038]**, in particular: *The method in Appendix 8-I: Bats of the ES **[AS-088]** (ref. paragraph 3.3.20) and assessment guidance referred to in that paragraph has been followed. This guidance and Table 2 in Appendix 8-I: Bats of the ES **[AS-088]** states that the Conservation Importance for individual species is used in the assessment and not the overall bat assemblage score. The response received fails to go on to state that "Assigning a level of importance to an assemblage provides contextual information only; it is not expected that the assemblage as a whole would be assessed as a single IEF (receptor)". The Applicant has therefore followed the correct assessment method and provides an assessment of District to County Importance depending on the individual species.* With reference to 5.2.15 the Applicant therefore does not "demonstrate that the habitat of intensively managed arable fields still supported an assemblage of bats of National Importance". As explained, the DCO Site overall is valued District to County Importance depending on the individual species, noting that bat activity levels are higher within suitable foraging and commuting habitat (i.e. hedgerows and woodland) rather than intensively managed arable

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		2023 was compared to that from previous monitoring in 2021 and also to the baseline data from 2015. The baseline data was not as complete as the monitoring data as monitors during the baseline surveys were only deployed in certain locations in each season. However, comparisons in the 2024 Monitoring Report were only made between data sets from equivalent seasons. 5.2.11 The Applicant points out that Llanwern is within a different habitat type comprising grassland and a network of drains where baseline bat activity might be expected to be higher (due to invertebrate prey being higher in grasslands and wetlands) and then potentially reduced where replaced by solar panels. Paragraph 11.7.55 of the Environmental Statement dated January 2018 noted that the bat activity transect survey showed low/moderate levels of commuting and foraging with most activity along linear features of hedgerows and ditches (as opposed to across the open fields). The static bat detectors both during the baseline surveys and the 2023 surveys were also located within hedgerows and woodland edges. The conclusion drawn in paragraph 11.10.64 of the Environmental Statement dated January 2018 was that "bat activity was relatively low within the open fields". 5.2.12 The Applicant states that the habitat within the proposed development site comprises large, intensively managed arable fields with resulting low bat activity within the fields. The Fosse Green surveys identified most of the bat activity associated with woodland edges, field boundary habitats with hedges and trees and within close proximity to water (paragraph 5.1.11 Chapter 8 Ecology (REP1-019). This is similar to the baseline survey data for Llanwern which also showed low bat activity within the fields (paragraph 5.2.11 above refers). Despite the Applicant's assertion that baseline bat activity might be expected to be higher in grassland and wetlands habitat, the Fosse Green surveys demonstrate that the habitat of intensively managed arable fields still supported an assemblage of bats of National Importance. 5.2.13 The consistent trend from the Year 3 Monitoring Report at Llanwern was that the number of bat passes at the locations associated with the array areas had decreased considerably compared to the baseline. The level of bat activity noted in the monitoring report outside the panel areas was the same or higher in 2023 in comparison to the baseline, so if as the Applicant suggests, the reduction in bat activity was due to reduced levels of prey then the same reduction in bat activity would have been evident in these areas. 5.2.14 The conclusions in the 2024 Year 3 Monitoring Report were that the monitoring had shown "a large decline in the abundance of bats (in terms of number of passes) in the solar array fields compared to the baseline. The overall diversity of bats showed no difference between the solar array fields and the control areas but abundance was much lower in the solar array fields. The results of the bat monitoring broadly agree with the conclusions drawn in Tinsley which also found no consistent change in bat species diversity in solar array fields compared to control sites but with a significantly lower abundance. This indicates that in the short-term post-construction bat abundance has been affected by the new solar arrays at Llanwern". Assessing the importance of the bat assemblage 5.2.15 In REP4-018 (page 75) the Applicant states:- "The Applicant has not identified a bat assemblage of national importance". This is a complete contradiction of the Applicant's statement in Table 2 of App8-I (APP-141) that the overall bat assemblage score is 92.3% which meets the threshold for National importance. The Applicant now says that the assessment guidance has been followed in assessing the conservation importance for individual species and not the overall assemblage. The Applicant has been selective in applying the assessment guidance. The CIEEM	fields that dominates the DCO Site, where there is a lack of bat foraging activity, likely to due to limited invertebrate prey in intensively managed crop fields.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		Bat Mitigation Guidelines (2025) considers the assessment of the importance of the bat assemblage at paragraph 3.4.26:- "Sites of importance to bats often support several species and it can be helpful to consider the importance of the assemblage as a whole after the individual bat species Important Ecological Features (IEF) have been assessed". Whilst the Applicant has assessed the IEF of each species, and noted the presence of a bat assemblage of national importance, it has made no further reference to this and not considered for example how this might impact the type of survey work carried out, the cumulative analysis and mitigation strategies.	
Anne Heard **[REP6-042]**	Water run off	Water run off page 39 6.1 Applicant's response The Applicant is unable to comment on the effectiveness of the flood mitigation implemented on other schemes. 6.2 Comments in reply 6.2.1 This thread of submissions arose from paragraph 9.7.74 of Chapter 9 (REP3-008) Water Environment where the Applicant stated that in order to limit channelisation as a result of water runoff from the solar PV panels, the areas around the panels would be planted with native grassland and wildflower mix which would intercept and absorb rainfall. ExQ 1 WE.1.05 asked for evidence that this approach would manage water run-off from the panels. There followed a discussion of research papers including the ADAS report in REP2 029 page 111, REP3A-037 paragraph 12, REP4-018 page 79. My submission at REP5-045 paragraph 10 was intended to illustrate, using the example of Cleve Hill, that despite the professional, expert assessment that the effects of water run-off from the panels would be negligible, the reality is that seeding the areas under the drip lines "to prevent rilling and increase the surface run-off rates" has not worked as the site has flooded, presumably as a result of the anticipated 41.62% increase in water runoff rates. 6.2.2 It is surprising that the Applicant says that it is unable to comment on other schemes. Many of the chapters in the EA include a methodology based on best practice and professional judgment from other assessments undertaken on comparable energy infrastructure projects e.g. paragraph 5.10.5 of Chapter 5 Impact Assessment Methodology (APP-030) "AECOM has developed an approach based on professional judgment which is consistent with that followed on previous NSIPS", Table 6-6 of Chapter 6 Climate Change (REP3-006) "The project's GHG impacts would be fully consistent with ….good practice design standards for projects of this type", paragraph 9.4.20 Chapter 9 Water Environment (REP3-008) "IA Methodology based on professional judgment and experience of other similar solar DCO schemes", paragraph 12.4.18 of Chapter 12 Socio-Economic and Land Use, (AS-016) "the assessment follows best practice methodology and professional judgment from other assessments undertaken on comparable energy infrastructure projects". As Cleve Hill is the only operational solar NSIP, it would be expected that professionals from all areas of expertise would be studying the site to compare the results of the EIA with empirical data to inform future assessments.	The Applicant maintains that it is unable to comment on the effectiveness of the implementation of mitigation on other schemes – for example, the Applicant cannot validate, nor comment on, how mitigation proposed by other solar farms as part of their DCO applications has been built out by contractors, and therefore the Applicant is unable to make a meaningful comparison between the mitigation proposed as part of the Proposed Development and the mitigation built out at other operational sites given the extent of unknown variables. The Applicant can, however, apply professional judgement regarding the anticipated effectiveness of mitigation based on discussions with relevant statutory stakeholders such as the Environment Agency, modelling and assessment results, and the assessment of residual effects on other similar solar NSIPs.
Anne Heard **[REP6-042]**	Clay Lane Bassingham permissive path mapping	Clay Lane Bassingham permissive path mapping page 40 7.1 Applicant's response Figure 3-2A Indicative Fixed South Facing Site Layout Plan (REP5-006) and Figure 3-2B Indicative Single Axis Tracker Site Layout Plan (REP5-007) are indicative whilst the Streets, Rights of Way	As stated in the Applicant's Response to Deadline 5 Submissions **[REP5A-038]** the proposed permissive paths are secured by the Streets, Rights of Way and Access Plans **[REP5-004]**, which shows the proposed permissive path running parallel to the west of Clay Lane. The other figures referenced are illustrative in nature, utilise a different basemap, and are not at the same scale as the Streets, Rights of Way and Access Plans **[REP5-004]**.

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		and Access Plans (REP5-004) are detailed secured plan showing the proposed permissive path at Clay Lane adjoining the western edge of the highway. 7.2 Comments in reply: 7.2.1 Whilst the Indicative Fixed South Facing Site Layout Plan (REP5-006) and Figure 3-2B Indicative Single Axis Tracker Site Layout Plan (REP5-007) are indicative, it would surely not have been too difficult to show the location of the route of the permissive path so as to be consistent with other plans. Whilst those indicative plans show the permissive path within the highway and the Streets, Rights of Way and Access Plans (REP-004) show the permissive path to the west of the highway, there is a further version shown on the FLEMP Appendix A Figure 7.15.1 (REP5-017) Sheet 9 which shows the permissive path partially within the highway and partially to the west. Three different versions of the route of this path!	As such, it is the Streets, Rights of Way and Access Plans **[REP5-004]** which secures the permissive path routing and should be referred to. It is noted that Requirement 17(1) of Schedule 2 of the Draft DCO **[REP5A-006]** states "*No part of the authorised development is to be commenced until details of— (a) the final routing of the permissive path(s) to be provided, such routing to be substantially in accordance with the routing as shown on the streets, rights of way and access plans*".
Anne Heard **[REP6-042]**	Visual Impact Clay Lane, Bassingham	Section B Applicant's response to ExQ3 (REP5A-037) -LV.3.01 Visual Impact Clay Lane, Bassingham 8.1 Applicant's response When reaching overall judgments on sensitivity of visual receptors, GLVIA3 states at paragraph 6.31 that separate judgments on value and susceptibility should first be assessed. The Applicant acknowledges that NKDC disagrees with the medium level of susceptibility that the Applicant has attributed to the users of the Stepping Out walks and that NKDC would judge them to have a high level of susceptibility. The Applicant has set out its justification in its response to ExQ2 (REP3-045). In summary, within the Applicant's LVIA methodology (APP-149) the Applicant distinguishes between users of public rights of way where their interest is likely to be focused on the landscape and users of public rights of way where appreciation of the view is unlikely to be the primary interest. The Applicant acknowledges that the landscape views are relevant to the experience of users of Stepping Out Walks but considers views to not be the specific reason for people choosing to use these routes. With regard to the judgments on value attached to views, this is influenced by the quality or distinctiveness of the different elements, or lack thereof, within views. This is not influenced by the length of time spent experiencing the views and so would be attributed the same value regardless of the activity being undertaken by those experiencing the views. When assessing the value of views of users of Clay Lane, the Applicant considered the presence of moderate quality elements, specifically the local road surrounded by arable fields and groups of vegetation, to warrant a medium value. The Applicant's professional judgment is therefore that a medium susceptibility, medium value and medium sensitivity is appropriate for both motorists and users of the Stepping Out walk along Clay Lane. 8.2 Comments in reply Visual sensitivity- methodology 8.2.1 Paragraph 6.31 of the Landscape Institute and Institute of Environmental Management and Assessment 2013 "Guidelines for Landscape and Visual Impact Assessment" (GLVIA3) states that "Each visual receptor, meaning the particular person or group of people likely to be affected at a specific viewpoint, should be assessed in terms of both their susceptibility to change and visual amenity and also the value attached to particular views".	The Applicant maintains its position regarding the assessment of visual impact being appropriate, as set out in the responses to LCC above, and within previous submission responses (e.g. the Applicant's Response to the Examining Authority's Second Written Questions **[REP3-045]**, ref. LV.2.04).

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		Visual value criteria 8.2.2 Paragraph 6.37 of the GLVIA3 gives further guidance on the value to be attached to views experienced which should take account of:- -recognition of the value attached to particular views, for example in relation to heritage assets, or through planning designations; -indicators of the value attached to views by visitors, for example through appearances in guidebooks or on tourist maps, provision of facilities for their enjoyment such as parking places, sign boards and interpretive material and references to them in literature or art. The Applicant has used these guidelines in setting out Visual Value criteria in Table 6 of Appendix 10-B LVIA Methodology (APP-149). 8.2.3 In considering the application of these criteria to the users of Clay Lane and Bassingham Road, paragraph 16 "Key views and vistas" of Bassingham Conservation Area Appraisal 2016 states:- "Bassingham was originally an agricultural settlement and the village is surrounded by flat, fertile farmland, with the River Witham to the west. Wider countryside and riverside views exist from Church bridge. Looking towards the village from the open countryside to the west of the river, striking views of the crenellated tower of the Church of St Michaels and All Angels are visible above riverside shrubbery". Thus the importance of the views towards and from Bassingham Conservation Area and the Grade II* Listed Building of St Michael and All Angels Church is acknowledged in the Conservation Appraisal. Views of the church tower described in the Conservation Appraisal can be seen along Clay Lane:- *[Note, images not repeated]* 8.2.4 Clay Lane forms part of the Bassingham and Villages circular Stepping Out Walk. The Stepping Out Walks are a network of footpaths promoted by North Kesteven District Council. Details of the walks are published on the Hill Holt Wood website, available to view on the AllTrails app and advertised on the Lets Move Lincolnshire website. Many of the Stepping Out Walks are featured on led walks as part of the annual North Kesteven Walking Festival. 250,283 people used the Stepping Out network during 2024/25. (REP1-103 Springwell DCO submission by NKDC). The route of the Bassingham and Villages circular Stepping Out Walk is available on the Hill Holt website and at section 7-8 Norton Disney to Bassingham states:- "You will come to a junction where you will take the left turning down Clay Lane (single track lane). You will continue along this road for a good while. The road will bend round to the left and right several times and you will have open fields either side. The further along the road you go, you will start to see Bassingham church tower in the distance". The walk starts at Hammond Hall in Bassingham where there is parking provision and the route is signposted along Clay Lane:- *[Note, image not repeated]* Visual Susceptibility Criteria 8.2.5 Paragraph 6.33 of the GLVIA3 states that the visual receptors most susceptible to change include residents or visitors who are engaged in outdoor recreation, including the use of PRoW, whose attention or interest is likely to be focused on the landscape and on particular views, visitors to heritage assets, or to other attractions, where views of the surroundings are an important contributor to their experience and communities where views contribute to the landscape setting enjoyed by residents in the area. The Applicant has used these guidelines in setting out Visual Susceptibility criteria in Table 7 of Appendix 10-B LVIA Methodology (APP-149).	

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		8.2.6 In considering the application of these criteria to the users of Clay Lane and Bassingham Road:- a) Visitors using the Stepping Out Walk here are likely to be focused on the landscape and particular views across the open fields towards the church tower as they approach from Norton Disney. These views are specifically mentioned in the description of this part of the route in the tourist literature. b) For visitors to Bassingham and residents of the village, part of the cultural heritage of the settlement is it's agricultural hinterland which is acknowledged in the Bassingham Conservation Area Appraisal. Views from and to the conservation area including the Grade II* listed St Michael's Church across the fields to the west of the village are an important contribution to the setting of these heritage assets. c) Those views also contribute to the landscape setting enjoyed by the residents of the area. Applicant's assessment 8.2.7 Turning to the Applicant's visual assessment of Clay Lane and Bassingham Road in Table 55 of Appendix 10-F (AS-120), the description of the receptor refers to motorists travelling along Clay Lane experiencing a flat and open landscape with scattered farmsteads and glimpses of the development in Bassingham. There is no reference to other users of Clay Lane likely to be affected, for example users of the Stepping Out Walk and visitors and residents where views contribute to the experience of the setting of the Conservation Area including the Grade II* Listed church as well as the wider landscape. By failing to identify these receptors, the Applicant has consequently failed to properly consider the value of views and the visual susceptibility of those receptors. 8.2.8 An example of the consideration of the visual impact of solar development on local routes around a settlement was considered in a Planning Appeal ref 6001477 dated 28 April 2026 in relation to land to the north of Stretton Road, Morton, Alfreton. The appeal was made by JBM Solar Projects 28 Ltd against the decision of North East Derbyshire Council to refuse planning permission for a 49.9MW solar farm. The planning inspector, in refusing the appeal, considered the visual impact of the proposed development along Evershill Lane. At paragraphs 30/31 of the decision letter, views along the lane are described as close to medium range encompassing vistas of agricultural fields and that expansive medium and long range open views are also possible. It was accepted that there would be a major adverse visual effect on receptors from Evershill Lane at year 1 but as new hedgerows mature post-construction screening the view, the applicant identified an overall visual effect reducing to negligible at year 15. The inspector agreed with the Council that the hedgerows themselves would have a harmful impact and that the experience of leaving the village and of entering a flat landscape would be a greatly foreshortened view. At paragraph 34 the inspector noted that "the extent of some long range views may vary over months or even years due to vegetation growth and management. Nonetheless, it is that very cyclicity and variance in natural features and seasons which engages communities with nature and the countryside, drawing people across the year, and creating interaction and anticipation. Restricting these views for a period of up to 40 years under the appeal proposal would go far beyond this anticipation, and the lived experience of how these hedgerows and fields have been historically managed. It would erode visual connectivity to the wider landscape character". At paragraph 39 the inspector concluded that "overall, the appeal proposal would severely degrade the qualitative experience of travelling along Evershill Lane and the PRoW, removing those views across open	

<table>
<tr><th>Interested Party</th><th>Theme</th><th>Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A</th><th>Applicant Response</th></tr>
<tr><td></td><td></td><td>countryside which provide context and a sense of understanding of place. This degradation would occur during construction, during the period the industrial form of the panels and associated works remain visible and then also once the hedgerows have substantially grown. I find there would be major adverse visual effect along this route across the lifetime of the development causing significant harm".</td><td></td></tr>
<tr><td>Carl Koenen
[REP6-045]</td><td>Thorpe on the Hill</td><td>1. I have discovered that the addresses given in APP022 Book of Reference and identified in the column marked "Powers Sought & Description of Land" do not take into account the parish boundaries. Therefore, I have revisited my calculations as previously submitted at ISH 1. Detailed reference has also been made to APP 007 Land Plans. This has not affected the calculations for the area of the parish of Thorpe on the Hill which remain as before. The revised data is shown below:
<table>
<tr><th>Parish</th><th>Parish Acres</th><th>Parish Hectares</th><th>Acres taken by Fosse Green</th><th>Hectares taken by Fosse Green</th><th>Percentage of Area under potential Fosse Green Development</th></tr>
<tr><td>Thorpe on the Hill *</td><td>1820</td><td>737</td><td>862.36</td><td>349</td><td>47.36%</td></tr>
<tr><td>Thurlby *</td><td>1840</td><td>745</td><td>676.75</td><td>274</td><td>36.78%</td></tr>
<tr><td>Aubourn & Haddington</td><td>2110</td><td>854</td><td>482.99</td><td>196</td><td>22.89%</td></tr>
<tr><td>Bassingham</td><td>3015</td><td>1221</td><td>351.95</td><td>142</td><td>11.67%</td></tr>
<tr><td>Navenby</td><td>2110</td><td>854</td><td>334.21</td><td>135</td><td>15.84%</td></tr>
<tr><td>Norton Disney *</td><td>2305</td><td>933</td><td>286.4</td><td>116</td><td>12.43%</td></tr>
<tr><td>Coleby</td><td>2500</td><td>1012</td><td>152.86</td><td>62</td><td>6.11%</td></tr>
<tr><td>Boothby Graffoe</td><td>2000</td><td>810</td><td>254.42</td><td>103</td><td>5.15%</td></tr>
<tr><td>Witham St Hughes</td><td>1025</td><td>415</td><td>17.81</td><td>7</td><td>1.74%</td></tr>
<tr><td>Totals:</td><td>18725</td><td>7581</td><td>3419.75</td><td>1385</td><td></td></tr>
</table>
Please Note (*)
The Parishes of Thorpe on the Hill, Thurlby and Norton Disney all have significant water features within their parish boundaries. These areas have not been calculated out of the land area affected by the potential Fosse Green development.

1. The above figures relate to the whole project area and have not differentiated between the solar array area and the cable corridor.

2. During ISH1 the applicant confirmed that the total area of solar panel developments, less cable corridor and areas for associated BESS, across all the development sites would amount to 1136 acres (460 hectares). With the area of Thorpe on the Hill having 862 acres (349 hectares) of development this means that 75% of the total Fosse Green development would be found within the parish boundary of Thorpe on the Hill.

3. The concentration of solar panels and associated equipment and mitigation areas within the parish boundary of Thorpe on the Hill will have a detrimental effect on the community of Thorpe on the Hill. This could be reduced if the overplanting ratio of 1.6 (which it is believed to be materially overstated as has been questioned in detail by fellow contributors) is revisited. This would greatly benefit the area of land taken within the parish boundary (as it would in the other proposed parish communities) and assist with the Thorpe on the Hill's Parish Council's contention that revision</td><td>The Applicant notes the amendments made to the design and mitigation embedded into the design of the Proposed Development in response to feedback received from Thorpe on the Hill Parish Council and local residents during statutory consultation to reduce the impact of the Proposed Development upon Thorpe on the Hill, as discussed in the Applicant's Response to Relevant Representations [REP1-047] (e.g. ref. p262).

Regarding overplanting, the Applicant refers the IP to the response provided to the Applicant's Response to the Examining Authority's Request for Further Information Under Rule 17 [REP6-031] (ref. p2).</td></tr>
</table>

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		would help mitigate the impact on the Stepping Out routes south of Thorpe on the Hill via Clay Lane towards Tunman Wood.	
Carl Koenen **[REP6-045]**	Height of solar panels	4. The Applicant suggests in their APP 028 6.1 ES Chapter 3 The Proposed Development that: *Currently individual panels are typically up to 2.4m in height by 1.3m in width and consist of a series of PV cells beneath a layer of toughened glass with an anti-reflective coating (as shown in Plate 3-1 and Plate 3-2, which are two common panel arrangements). Other PV technologies are developing rapidly and may be available at the time of construction, and therefore to allow flexibility for future module technology to be larger, the maximum solar PV table (i.e. solar PV panels fixed to the mounting structures) height parameter considered within this ES is 3.5m above ground level (AGL).* Please note that here the Applicant says "…to allow flexibility for future module technology to be larger…..that a height of 3.5m above ground would be possible." So instead of anticipating future arrays to be more compact they consider they would be larger. With a 60-year term for the proposed development and a life time of 30-40 years for the panels this potentially would mean a far larger set of arrays to cover the landscape than were originally installed	It should be noted that the Applicant is seeking approval for a maximum height of the highest part of the PV Modules (i.e. at maximum tilt) at 3.5m above ground level (AGL) (existing levels), as secured by the Proposed Development Parameters **[REP5A-014]** (ref. p4). This maximum parameter allows for flexibility should a smaller height panel be established at the detailed design stage. This maximum parameter has been assessed, in line with the Rochdale envelope methodology described in Chapter 5 Environmental Impact Assessment Methodology of the ES **[APP-030]**, as noted in Chapter 10: Landscape and Visual Amenity of the ES **[AS-117]** (ref. paragraph 10.4.38. As such, the landscape and visual effects established within this chapter are in line with the maximum height parameters of panels sought for approval.
Carl Koenen **[REP6-045]**	Scale of development	5. The scale of these structures will turn the land around Thorpe on the Hill – as it will other village communities within the proposed development - into a vast overbearing industrial landscape. It remains my contention that such a large scale proposed solar development would be to the detriment of food production and the local communities both from an economic, mental health and general wellbeing position. Large scale solar developments belong on commercial roofs.	Regarding the scale of the Proposed Development and the comment regarding solar on commercial roofs, the Applicant refers the IP to the previous responses on these topics, such as within the Applicant's Response to Relevant Representations **[REP1-047]**. Regarding mental health and wellbeing, the Applicant refers the IP to the Health and Wellbeing Summary Statement **[REP5-023]**, which sets out the steps that have been taken by the Applicant to provide clear information, engage, and consult with stakeholders, assess and mitigate significant environmental effects where practicable, and secure enhancement measures to help address potential impacts. Regarding food production, the Applicant refers the IP to the Applicant's Closing Statement [**EN010154/EXAM/9.39**] (submitted to the Examination at Deadline 7), which discusses food security. Furthermore, the Applicant refers the IP to Chapter 12: Socio-Economics and Land Use of the ES, which has been updated (at paragraphs 12.4.18 – 12.4.22) and submitted to the Examination at Deadline 7 to discuss the justification regarding the scoping out of food security from the ES.
Thorpe on the Hill Parish Council **[REP6-037]**	Public Rights of Way	1. Public Rights of Way Thorpe on the Hill (TOTH) Parish Council (PC) notes the responses provided by the applicant in REP5A-038 to points made by the PC at deadlines 5 & 5A. Several proposed changes to footpaths in and around the Stepping Out routes, whilst not necessarily ideal, present largely acceptable work-arounds. However, key sections of the Stepping Out route remain inadequately addressed.	The Applicant has not ignored the design suggestions made by Thorpe on the Hill Parish Council, however, maintains its position as set out in the Applicant's Response to Deadline 5 Submissions **[REP5A-038]** (ref. p64/65).

Interested Party	Theme	Applicant's Response to Comments from any party on any submissions and any information received at Deadline 5A	Applicant Response
		At Deadline 5A TOTH PC's submission REP5A-047 identified that there remain parts of the Stepping Out route that pass-through corridors of solar arrays, i.e., where the fields either side of the path are filled with solar panels or where the proximity of solar panel significantly affects the key views in an adverse manner. In addition is likely that the proximity of panels and equipment close to, and on either side of the paths, will lead to elevated noise levels as referred to in other submissions. In particular, the footpaths designated as LLTOTH/13/2 and LLTOTH 12/3 on the Applicant's map REP5-008 remain blighted in this manner, and the affected areas identified by the PC in its submission REP5A-047 appear to have been ignored, at least at this stage. The PC continues to request an improved design at these locations to eliminate, or minimise the described impacts. The PC does not consider that screening will be sufficient or appropriate, and continues to believe that efforts to address the current shortcomings would not materially impact the overall effectiveness of the project, but would dramatically improve the response of local residents and visitors to the area.	The Applicant maintains that the Framework LEMP **[REP6-018]** secures the appropriate controls to ensure that screening will be appropriate.
John Astleford **[REP6-049]** and **[REP6-050]**	Flooding	The application does not appear to have taken into account that the fields adjacent to the river Witham regularly flood. Are panels designed to be flooded? are all connections designed for submersion? and can the risk of electrocution be guaranteed for all life forms in the flooded areas? We all know that electricity is dangerous when it gets wet! I will upload pictures showing the flooding of these fields taken this year. I also have additional video footage of this taken in 2023 that I would like to send to you however this web page does not allow me to send video evidence. Please let me know how I can get this too you.	The Applicant can confirm that it has fully considered flood risk, including the fields adjoining the River Witham. For example, a Flood Risk Assessment (FRA) **[REP3-012]** has been prepared which considers both the potential impact of the Proposed Development on flood risk, as well as the potential impact of flooding upon the Proposed Development. The FRA concludes that the area of the Proposed Development remains safe for its lifetime, does not increase flood risk elsewhere, and fulfils the Government's wider criteria for sustainable development. It is also noted that the Environment Agency; the statutory body who oversees the potential flood risk of schemes such as the Proposed Development, is in agreement with the findings of the FRA **[REP3-012]**, as set out in the Statement of Commonality submitted to the Examination at Deadline 7.
John Astleford **[REP6-049]** and **[REP6-050]**	Food security	Also note that my original objections about food security for the country have not been answered in a satisfactory manner. We import > 50% of our food into the UK. We learnt in the first world war, second world war, and more recently the Ukraine crises that food can be critical. Using productive farmland for solar panels should not be an option.	The Applicant refers the IP to the Applicant's Closing Statement [**EN010154/EXAM/9.39**] (submitted to the Examination at Deadline 7), which discusses food security. Furthermore, the Applicant refers the IP to Chapter 12: Socio-Economics and Land Use of the ES, which has been updated (at paragraphs 12.4.18 – 12.4.22) and submitted to the Examination at Deadline 7 to discuss the justification regarding the scoping out of food security from the ES.