

Great North Road Solar and Biodiversity Park

Responses to Deadline 3 Submissions

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Table of Contents

1	Introduction	4
1.1	Purpose of the Report	4
1.2	Structure	4
1.3	Approach	4
2	Deadline 3 Submission – Category 1 Stakeholders	6
2.1	Overview	6
3	Deadline 3 Submission – Category 2 Stakeholders	8
3.1	Overview	8
3.2	Responses to Alix Bailey’s Deadline 3 Submission	9
3.3	Responses to Barry Walton’s Deadline 3 Submission	10
3.4	Responses to Carlton-on-Trent Parish Council’s Deadline 3 Submission	11
3.5	Responses to JPAG’s Deadline 3 Submission	48
3.6	Responses to Robert Jenrick MP’s Deadline 3 Submission	51
3.7	Responses to Nottinghamshire Area Ramblers’ Deadline 3 Submission	53
3.8	Responses to Norwell Solar Farm Steering Group’ Deadline 3 Submission	59
3.9	Responses to Richard Allarton’ Deadline 3 Submission	81
3.10	Responses to Sally Drew’s Deadline 3 Submission	91
3.11	Responses to Tanya Grimes’s Deadline 3 Submission	94
3.12	Responses to Sutton-on-Trent Parish Council’s Deadline 3 Submission	98
	Appendix 1: Applicant Responses to NSDC’s Written Summary Submission	99
	Appendix 2: Responses to Drone Defence’s Deadline 3 Submissions	107

List of Tables

Table 2-1	SoCG Parties	6
Table 3-1	Responses to Alix Bailey’s Deadline 3 Submission	9
Table 3-2	Responses to Barry Walton’s Deadline 3 Submission	10
Table 3-3	Responses to Carlton-on-Trent Parish Council’s Deadline 3 Submission	11
Table 3-4	Responses to JPAG’s Deadline 3 Submission	48
Table 3-5	Responses to Robert Jenrick MP’s Deadline 3 Submission	51
Table 3-6	Responses to Nottinghamshire Area Ramblers’ Deadline 3 Submission	53
Table 3-7	Responses to Norwell Solar Farm Steering Group’ Deadline 3 Submission	59
Table 3-8	Responses to Richard Allarton’ Deadline 3 Submission	81
Table 3-9	Responses to Sally Drew’s Deadline 3 Submission	91



Table 3-10 Responses to Tanya Grimes’s Deadline 3 Submission..... 94
Table 3-11 Responses to Sutton-on-Trent Parish Council’s Deadline 3 Submission98

1 INTRODUCTION

1.1 PURPOSE OF THE REPORT

1.1.1 This report provides the Applicant's responses to submissions from Interested Parties received at Deadline 3 in respect of the Great North Road Solar and Biodiversity Park (hereafter referred to as "the Development").

1.2 STRUCTURE

1.2.1 This document is structured as follows:

- Section 1 of this report sets out the purpose, structure and approach taken in the report.
- Section 2 signposts to the Applicant's responses to the Category 1 stakeholders with which the Applicant has development Statement of Common Ground (SoCGs).
- Section 3 provides the Applicant's responses to the Interested Parties' submissions made at Deadline 3.

1.3 APPROACH

1.3.1 A total of 23 submissions were submitted by 18 Interested Parties ('IPs') at Deadline 3. These were submitted by:

- Alix Bailey
- Barry Walton
- BBS Law Ltd
- Carlton on Trent Parish Council
- Environment Agency
- Robert Jenrick MP
- JPAG
- National Highways
- Newark and Sherwood District Council
- Norwell Solar Farm Steering Group
- Nottinghamshire Area Ramblers
- Nottinghamshire County Council
- Paul Mitchell and Pamela Gladwin
- Richard Allarton

- Richard Gill
 - Sally Drew
 - Sutton on Trent Parish Council
 - Tanya Grims
- 1.3.2 This report does not look to duplicate the Applicant's responses to the previous submissions at Deadlines 1 [\[REP2-115\]](#), 2 [\[REP2-116\]](#), 3 [\[REP3-098\]](#) or **Responses to First Written Questions [EN010162/APP/8.22A]** [\[REP3-096\]](#). Where appropriate to avoid repetition, the Applicant has sought to cross-refer back to responses provided in those documents, supplemented by additional information that has been entered into the Examination since those documents were prepared.
- 1.3.3 Additionally, this report does not respond to every matter raised in the Interested Party submissions at Deadline 3 which the Applicant has comprehensively addressed in the written summaries of the hearings that took place in February 2026.
- 1.3.4 The submissions made by JPAG [\[REP3-112\]](#) and Pamela Gladwin, Paul Mitchell and PM&G Ltd [\[REP3-120\]](#) at Deadline 3 were the written summaries of the verbal submission from the February 2026 hearings. These submissions did not raise any outstanding or further matters for the Applicant to respond to, and so these matters have not been included in this report.
- 1.3.5 Please refer to the following documents for reference:
- **Written Summary of Oral Submissions from Issue Specific Hearing 2 and Response to Action Points [EN010162/APP/8.24] [\[REP3-099\]](#)**
 - **Written Summary of Oral Submissions from Compulsory Acquisition Hearing 1 and Response to Action Points [EN010162/APP/8.25] [\[REP3-100\]](#)**
 - **Written Summary of Oral Submissions from Issue Specific Hearing 3 and Response to Action Points [EN010162/APP/8.26] [\[REP3-101\]](#)**

2 DEADLINE 3 SUBMISSION – CATEGORY 1 STAKEHOLDERS

2.1 OVERVIEW

2.1.1 The following stakeholders have provided submissions for which responses have been provided:

- Nottinghamshire County Council
- Newark and Sherwood District Council
- Environment Agency
- Norwell Solar Farm Steering Group
- National Highways

2.1.2 The table below sets out the parties which have submitted submissions at Deadline 3 with whom the Applicant is negotiating SoCGs. Details of discussions with the SoCG parties following the hearings are set out in the SoCGs.

Table 2-1 SoCG Parties

SoCG Parties	SoCG Reference	Location of response to Deadline 3 submissions
Nottinghamshire County Council (NCC)	8.1C	SoCG
Newark and Sherwood District Council (NSDC)	8.2C	SoCG
Environment Agency (EA)	8.3C	SoCG
National Highways	8.4C	SoCG
Norwell Solar Farm Steering Group	8.12C	SoCG

2.1.3 NSDC provided a technical memorandum on the landscape and visual matters and additional comments in their post-hearing submission, which had not been addressed in ISH3. The Applicant considers the points raised in their submissions are more appropriately addressed within this Report rather than within the SoCG. Appendix 1 provides the Applicant’s responses to the comments raised in the NSDC ISH3 Post-Hearing Submissions [[REP3-106](#)] and Technical Memorandum [[REP3-107](#)].

2.1.4 Norwell Solar Farm Steering Group made two submissions at Deadline 3. ‘Response to Additional Information Provided by the Applicant’ [[REP3-113](#)] relating to carbon saving matters and the Post-Hearing Submissions relating to fire safety matters [[REP3-114](#)]. Carbon saving matters are addressed in

the SoCG, while the fire safety matters are addressed in Section 3 of this Report.

3 DEADLINE 3 SUBMISSION – CATEGORY 2 STAKEHOLDERS

3.1 OVERVIEW

3.1.1 The following stakeholders have provided submissions for which responses have been provided:

- Alix Bailey
- Barry Walton
- BBS Law Ltd and Richard Gill
- Carlton on Trent Parish Council
- Robert Jenrick MP
- JPAG
- Nottinghamshire Area Ramblers
- Norwell Solar Farm Steering Group
- Richard Allarton
- Sally Drew
- Sutton on Trent Parish Council
- Tanya Grims

3.1.2 Drone Defence Services Ltd [[REP3-111](#)] and Richard Gill [[REP3-122](#)] have submitted identical representations. As many of the issues raised in the representations overlap, the Applicant has provided a single, consolidated response to those matters. Accordingly, their representations will be addressed in Appendix 2 of this Report.

3.2 RESPONSES TO ALIX BAILEY’S DEADLINE 3 SUBMISSION

Table 3-1 Responses to Alix Bailey’s Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant’s Responses
Alix Bailey [REP3-118]		
<i>Ecology and Biodiversity</i>		
Page 1"	<p><i>“I find the lack of assessment to the impact on the environment, most notably the impact on both a noted site of ancient woodland and a local wildlife site (Carlton Wood) to be sufficiently lacking. The response from the Forestry Commission and Natural England is clearly only from an initial enquiry and is standard advice to a planning application. Further reviews and ecological assessment should take place before anything is confirmed or decided.”</i></p>	<p>There are no ancient woodlands within the proposed order area. The Applicant has also provided a response relating Carlton Wood LWS in Table 3-3 (Responses to Carlton-on-Trent Parish Council) of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], on page 23.</p> <p>Carlton Wood is recognised as both Local Wildlife Site (LWS) and Ancient Woodland. It is identified in Table 8.9 of ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8B] [REP3-020] which states that the nearest works include access (Work no. 8) along the minor road between the woodland parcels and mitigation/enhancement (Work no. 3) around other boundaries, which includes the creation of complementary ecotone and diverse grassland. The interaction between the Development and Carlton Wood is shown on Figure 31 of the Works Plans [EN010162/APP/2.3A] [AS-005]. No significant adverse effects to Carlton Wood LWS are predicted.</p> <p>The potential effects of the Development on Ancient Woodland, including Carlton Wood LWS, are assessed in section 8.8.8 of ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8B] [REP3-020], informed by the surveys and mitigation set out in ES Volume 4, Appendix A8.12: Arboricultural Impact Assessment (AIA) [EN010162/APP/6.4.8.12] [APP-225]. This</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Alix Bailey [REP3-118]		includes a commitment to increase the size of the default 15 m root protection area if a tree is identified as ancient or veteran. This is secured by the ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3D] , and Requirement 8 of the Draft Development Consent Order [EN010162/APP/3.1E] . The ES Chapter concludes that there will be no loss of or harm to ancient woodland or veteran trees.

3.3 RESPONSES TO BARRY WALTON'S DEADLINE 3 SUBMISSION

Table 3-2 Responses to Barry Walton's Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant's Responses
Barry Walton [REP3-119]		
<i>Ecology and Biodiversity</i>		
Page 1	<p><i>“Good morning my main concern of the great North Road Solar and biodiversity park is the fact that I cannot see that enough has been implemented to stop flooding in the Trent Valley villages which are already prone to flooding. As this is a huge solar park covering vast areas of agricultural land the run off will be astronomical. Who will be responsible if homes</i></p>	<p>The Development is not predicted to increase the risk of flooding, as set out in the Flood Risk Assessment [EN010162/APP/6.4.9.1C] [REP3-051]. With the secured mitigations set out in the Outline Drainage Strategy [EN010162/APP/6.4.9.3] [REP3-052] and the ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3D], the assessment concludes that the Development would not lead to any adverse impacts to homes or properties.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Barry Walton [REP3-119]	<p><i>and properties are flooded due to this solar park and I would like to know who will compensate all the people that are in this unfortunate situation. One thing to consider is that a large area of the land that is going to be used is clay Land so that needs to be considered regarding the water run of [sic]"</i></p>	<p>This matter has been responded to in Table 3-6 of the Responses to Deadline 2 Submissions [EN010162/APP/8.23] [REP3-098], on pages 54 to 55.</p>
Page 2	<p><i>"Is there any areas to contain the excess water that will come from the Solar Panels as there is no possible means it could come down any of the Dykes or streams that are already in the existence. I would like to ask again if there is any compensation going to be available to people that get flooded due to these large Solar farms as all the areas next to the Trent are susceptible to flooding and any more excess water would just exasperate the problem. This needs serious consideration as it could affect thousands of homes as surely someone needs to be responsible."</i></p>	<p>Please refer to the responses above.</p>

3.4 RESPONSES TO CARLTON-ON-TRENT PARISH COUNCIL'S DEADLINE 3 SUBMISSION

Table 3-3 Responses to Carlton-on-Trent Parish Council's Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
<i>Flooding</i>		
Page 1	<p><i>“Carlton-on-Trent Parish Council have made their concerns regarding the affect this project could potential have on increase occurrences of flooding known. After several attempts by the Parish Council and individual residents we believed we had successfully arranged a face-to-face meeting to discuss these matters. Although the meeting took place, it was not successful; the conversation remained on two topics, the runoff from panels sited on Ossington Road (DB042 & DB043) and how the under sown grass would stop the flow of water better than cereal crops due to the ridges created when drilled, remain – this is the same for cereals so we cannot see any improvement in methodology. No other mitigating factors for Carlton were suggested. The site visit hoped for never transpired, so we never got to discuss the second (and potentially) more serious negative impact on our village, fields DB046, DB047, DB048, DB050, also DB051, DB052 and DB053.</i></p> <p><i>The site visit was to look at these areas and to show how the topography would cause the</i></p>	<p>The Applicant has engaged with the Parish Councils, residents and community groups on the details of flood alleviation measures and understands there are pre-existing flood issues in the area, as recorded at page 46 of the Consultation Report [EN010162/APP/5.1] [APP-296].</p> <p>With respect to the Parish Council, the Applicant has engaged with Elizabeth Hopkins and representatives of the Parish Council through bilateral discussions, in-person site visit, and direct phone calls. Following the first round of hearings, the Applicant's water consultant discussed with the Parish Council through emails about the fields in question and localised flooding issues. After ISH3, the Applicant again met with the Parish Council to discuss their experience of downstream flooding, and the discussion has been summarised in the response to Action Point 8 of ISH3, set out within the Written Summary of Oral Submissions from Issue Specific Hearing 3 and Response to Action Points [EN010162/APP/8.26] [REP3-101].</p> <p>The Applicant has also provided detailed responses to the flood-related concerns raised in the Parish Council's relevant representation (RR-025) and subsequent written representations, setting out the Applicant's position on flood risk, drainage and water-related matters. Please refer to:</p> <ul style="list-style-type: none"> • Tab 3-3 of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], page 18-19

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
	<p><i>rainwater to flow off these panels down towards the village. Also to examine the drainage currently in place and to explain how during times (such as now) the water causes [sic] are already full, and water is sitting on the land.</i></p> <p><i>We were told the applicant had already been to look at the site before meeting us and were shown a picture of the area DB042. We do not know if he had visited any other fields. Questions have since been put to the applicant via email – see attached – but as we have had no response.</i></p>	<ul style="list-style-type: none"> • Table 4-3 of the Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116], page 170-75 • Table 3-3 and Table 3-6 of Responses to Deadline 2 Submissions [EN010162/APP/8.23] [REP3-098], page 34-35, 54-55 <p>The Applicant is aware of the Parish Council's assertion that no response was provided to their email of 16 February. The Applicant's understanding is that an attempt was made to contact the Parish Council in response, and that Carlton-on-Trent subsequently acknowledged this exchange. The Applicant considers that it has made significant efforts to engage with the Parish Council throughout the process, and the Applicant is open to continue the conversation with the Parish Council.</p>
Page 1-5	<p><i>The suggestion that grass drills will slow the flow of water is a nonsense. The fields are currently uneven and as can be seen are holding water. The following images are taken from the footpaths in DB047, footpath in db050 and the road. One image shows the water has been there that long it has green algae growing in it. The ditches are near capacity and in places are flowing over the road.</i></p> <p><i>To be clear this is normal. We have had periods of heavy rain; however, figures show we have had 89% so far of our typical winter</i></p>	<p>The Parish Council refer to the PEIR design, but the Development set out within the Application has been updated since that point to reflect feedback and design refinement. The Authorised Development is shown spatially on the Work Plans [INSERT REFS], along with the illustrative landscape proposals set out within the ES Volume 4, Appendix A5.1.1: oLEMP Appendix [EN010162/APP/6.4.5.1.1A] [REP1-027], as submitted at the application. The IP raised concerns on the potential risk of runoff and flooding in relation to Fields DB42 (E2), DB43 (E3), DB47 (E7) and DB50 (E9).</p> <p>As presented in Figure 9.7A and 9.7B of the ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1C] [REP3-050], the panels sited along Ossington Road (Fields E2, E3 and E7)</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
<p>Carlton-on-Trent Parish Council [REP3-104]</p>	<p><i>rainfall and we are almost at Spring, which starts meteorologically 1st March.</i></p> <p><i>These images taken at footpath in field DB042. Despite being on a hillside water still collects, again there is algae in the water. There are also deer prints going up the side of the puddle.</i></p>	<p>and Field E9 are not subject to pluvial flood risk. The use of grassland and wider vegetation planting within and around the PV arrays is considered to be a standardised RSuDs technique. Where the panels are located on slopes of 6 % or greater, additional measures to slow runoff, such as filter drains and berms, will be implemented. These measures are secured in the ES Volume 4, Appendix A9.3: Outline Drainage Strategy [EN010162/APP/6.4.9.3] [REP3-052].</p> <p>Requirement 10 of the Draft Development Consent Order [EN010162/APP/3.1E] then secures the detailed design and the practical implementation, which would be submitted to and approved by the NCC (as the LLFA). Please refer to the Applicant's responses on this matter set out in Table 3-3 Responses to Carlton on Trent Parish Council on these matters, pages 22–23 of the Responses to Deadline 2 Submissions [EN010162/APP/8.23] [REP3-098].</p> <p>The Applicant acknowledges the existing surface water flooding issue. However, there is no evidence to indicate that the Development with its associated mitigation measures would exacerbate this situation. As such, the Development does not conflict with the policy.</p> <p>The Applicant has proposed to alleviate existing flooding problems through the NG+ fun, but this is not part of the Development. Please refer to the previous responses to this matter, as set out within Table 3-6 of the Responses to Deadline 2 Submissions [EN010162/APP/8.23] [REP3-098], at page 54 and 55.</p>
<p>Page 6</p>	<p><i>Next images are the Beck feeding the Trent. The river cannot normally be seen from this</i></p>	<p>The Applicant acknowledges the existing flood issue with certain areas along A1. However, it should be noted that no works are proposed at the</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>point due to the banks. There are also images of the height of the Beck as it goes under the A1. From the west side of the culvert water backs up into the field as it cannot get through the drain, once it reaches a certain height it flows around and onto the A1 causing the carriage way to close which creates associated problems and financial repercussions to the nation</i></p>	<p>areas near A1 and ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1C] [REP3-050] concludes that the Development would not contribute to an exacerbation of flooding in the area and on the A1.</p>
Page 8	<p><i>The use of sheep to graze the land will create greater impaction than any mechanical implements, contrary to what the applicant claims. Sheep continually walking an area compacts the soil with no means to reaerate, land that is grazed between crops must be ploughed to remove the solid pan created by the livestock, or the root growth of the crop is unable to penetrate and the yield is reduced.</i></p>	<p>As stated in Table 4-8 Land Use of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], on page 314, the Applicant has explained that sheep grazing forms part of the grassland maintenance strategy within solar PV areas and will assist in improving biodiversity and soil activity.</p> <p>To reiterate, ES Chapter 9: Water Resources [EN010162/APP/6.2.9A] [REP3-022] outlines that using sheep for vegetation maintenance on solar farms can assist in improving biodiversity and soil activity, if grazing pressure is not too high. Sheep can create micro-climates with their hooves in the soil (through compaction), spread seeds with their wool, and spread diaspores from some plants with their hooves and faeces.</p>
Page 8	<p><i>Furthermore, we have been told that should the application be approved then grass seed</i></p>	<p>The Applicant does not propose grass seed planting in September, nor does it indicate that the erection of panels will begin in early spring.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
	<p><i>will be sown in September and solar panels begin to be mounted in the Spring. It must be noted that the grass will not have established in this time, development will be as cereals are now, any growth seen will be weak due to the limited root establishment and will soon perish once the installation process begins. The robust grass growth described to us will not exist until further intervention takes place after completion and then will not be under the panels as there will not be the means to reach there.</i></p>	<p>ES Volume 4, Appendix A5.1: Outline LEMP [EN010162/APP/6.4.5.1D] sets out the programme for the proposed grassland (PV areas) on pages 29–31, including the timing for implementation, management, monitoring and remediation. It states that sowing would be typically undertaken in late autumn or early winter.</p>
Page 8-9	<p><i>The applicant suggests that scrapes will be created.</i></p> <p><i>We recognise these can be a solution as in this example where water of the bank is slowed down and then seeps into the stream. It is also a means of filtering, holding back contaminates preventing from entering the water course, additionally can be a haven for wildlife. This would be impractical at Carlton where surrounding land already floods regularly leaving no area for additional storage.</i></p>	<p>Scrapes are proposed within Work Area No.3 (Mitigation/Enhancement), which will serve to improve the downstream effects of run off. ES Volume 4, Appendix A9.1: Flood Risk Assessment [EN010162/APP/6.4.9.1C] [REP3-050] identifies that the risk of flooding to Work Area 3 is Negligible. The EA and NCC have not raised any objections to the measures secured in the ES Volume 4, Appendix A5.1: Outline LEMP [EN010162/APP/6.4.5.1D].</p>
Page 9	<p><i>The applicant recognises that panels do increase water runoff from the fields as</i></p>	<p>The Applicant does not agree with the statement that the fact that mitigation is proposed indicates that the Development must increase</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>demonstrated by their need to employ an adviser also recognising the need to mitigate and create SUDs. IF water run off was not an issue, no mitigation would be necessary There have been NO suggestion of any SUDs that will help to prevent increase flooding at Carlton-on-Trent.</i></p> <p><i>Water that runs off panels and into our water courses has a higher temperature than the water that has fallen directly to the ground, especially in summer. Where the water has less ground to travel over to reach that water course, then the less opportunity for the temperature to decline. In areas where water courses have seen a rise in temperature there has been a noticeable change in the wildlife that then thrive and dominate the lesser more vulnerable species. Placing panels close to major water courses is counterproductive to any remedial action taken to reduce water temperature. (Map taken from Land App)</i></p> <p><i>Should the Applicant answer our email/queries we will take onboard their response, look at the advice of the Environment Agency and make additional comments if appropriate."</i></p>	<p>surface water. The Applicant has sought to adopt good design, and mitigation , as otherwise mitigation would not be needed. NPS EN-1 requires the Applicant to mitigate any particular impact as far as possible, to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall.</p> <p>The Applicant considers that the measures set out in the ES Volume 4, Appendix A9.3: Outline Drainage Strategy [EN010162/APP/6.4.9.3] [REP3-052] and in the management plans, including the use of SuDS, are appropriate and there would not be an unacceptable impact on drainage from surface water runoff.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
<i>Ecology and Biodiversity</i>		
Page 10	<p><i>“Wildlife and Biodiversity</i></p> <p><i>Carlton-on-Trent Parish council remain concerned that the applicant has failed to take account of the current diverse range of wildlife we have around us. We were told that the survey was a snapshot. However the records are inconsistent with our knowledge of the area, it is not uncommon to drive along Ossington Road and see buzzards and re kites, therefore we question how their ‘snapshot’ can be so different to ours. We are also aware that there have been several sitings of Lapwing and Golden Plovers.</i></p> <p><i>In 2011 there was the possibility of five turbines going into the field DB050, this didn’t happen, instead the single turbine was installed followed by the second to the west. While a single turbine did not require an EIA the applicant had already commissioned one for the five-turbine project, and so it was submitted to NSDC. The survey is now 14 years and yet identifies species that we regularly see.</i></p>	<p><u>Bird Surveys</u></p> <p>Please refer to the Applicant’s responses within Table 3-3 of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], at page 30. To reiterate, the survey methods in ES Volume 4, Appendix A8.4: Breeding Birds Baseline [EN010162/APP/6.4.8.4] [APP-217] follow good practice and are a standardised and repeatable method to determine the breeding status and location of birds. The reported local observations of bird activity are unlikely to correspond to the breeding status and territorial locations of species confirmed by the baseline studies. The ornithological studies reported in the Carlton-on-Trent Wind Turbine Proposal (December 2010) included both Breeding Bird Surveys (BBS) and Vantage Point (VP) Surveys. The BBS methods and results are broadly consistent with those described in ES Volume 4, Appendix A8.4: Breeding Birds Baseline [EN010162/APP/6.4.8.4] [APP-217]. The VP surveys recorded the flight activity of individual birds rather than breeding status or territorial locations and so are not comparable to the methods and results described in ES Volume 4, Appendix A8.4: Breeding Birds Baseline [EN010162/APP/6.4.8.4] [APP-217]. Consequently, there is no inconsistency between the results presented in ES Volume 4, Appendix A8.4: Breeding Birds Baseline [EN010162/APP/6.4.8.4] [APP-217] and the local observations of birds or the bird surveys results from the wind turbine application.</p> <p>Additional pre-commencement and pre-construction surveys will be undertaken to help inform mitigation during the construction phase and</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
	<p><i>The arrangement of the panels with vast fencing will negatively impact the wildlife by substantially reducing the fluidity with which it can move around the countryside. The natural symbiosis will be lost, the very thing the Government is striving to encourage by developing "The Pipeline" with which nature can move around the countryside, large areas will be fenced off from mammals the size of a hare and up."</i></p>	<p>these are secured in ES Volume 4, Appendix 5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3D].</p> <p><u>Wildlife Movements</u></p> <p>The effects of the Development on wildlife movement are addressed in section 8.6.6 of ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8B] [REP3-020].</p> <p><u>Other Protected Species</u></p> <p>A range of baseline studies has been undertaken by suitably qualified, professional ecologists, following good practice methods, to establish the status and distribution of notable and protected species (including great crested newt, white-clawed crayfish, otter, water vole and bats) around Carlton-on-Trent and all other parts of the Order Limits and these are presented in ES Volume 4, Appendix A8.1–12 [EN010162/APP/6.4.8.1–12]. Potential effects on these species are presented in ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8B] [REP3-020].</p> <p>The Applicant notes that similar points have been raised in the representations' submission from page 17 to 22. To avoid any duplication, please refer to the responses at this row.</p>
Page 10	<p><i>"Ancient Woodlands Carlton-on-Trent and the surrounding villages have enjoyed the retained pockets of wooded</i></p>	<p>The Applicant has previously provided a response in relation to Carlton Wood LWS in Table 3-3 (Responses to Carlton-on-Trent Parish Council)</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>areas over the centuries and as such they are now listed as Ancient Woodland. Carlton Wood is one such area and yet it is soon to be surrounded by panels and a substation and therefore fencing. The freedom for wildlife to move in and out will be lost, and so consequently will be the diversity of species that thrive there.</i></p> <p><i>With panels and substation comes cabling, again we do not know where this is planned to go but the likelihood of cutting through tree roots is a real one. Cabling cannot go through the wood and it is therefore a possibility that it will go down the roadside, this will therefore directly down the side of the wood, unless it goes through the centre of the road creating closures and diversions – need more information. While there are no known Ancient and Veteran trees registered (400 years+) it should be acknowledged, especially with a project of this size that any ancient tree requires protection. As the Ancient and Veteran Tree register reduces through natural loses, so it has become recognised that there should be an “Ancient and Veteran Tree Register 2”, for trees 200 – 400 years of age.</i></p>	<p>of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], on page 23.</p> <p>Carlton Wood is recognised as both Local Wildlife Site (LWS) and Ancient Woodland. It is identified in Table 8.9 of ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8B] [REP3-020] which states that the nearest works include access (Work no. 8) along the minor road between the woodland parcels and mitigation/enhancement (Work no. 3) around other boundaries, which includes the creation of complementary ecotone and diverse grassland. The interaction between the Development and Carlton Wood is shown on Figure 31 of the Works Plans [EN010162/APP/2.3A] [AS-005]. No significant adverse effects to Carlton Wood LWS are predicted.</p> <p>The potential effects of the Development on Ancient Woodland, including Carlton Wood LWS, are assessed in section 8.8.8 of ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8B] [REP3-020], informed by the surveys and mitigation set out in ES Volume 4, Appendix A8.12: Arboricultural Impact Assessment (AIA) [EN010162/APP/6.4.8.12] [APP-225]. This includes a commitment to increase the size of the default 15 m root protection area if a tree is identified as ancient or veteran. This is secured by the ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3D], and Requirement 8 of the Draft Development Consent Order [EN010162/APP/3.1E]. The ES Chapter concludes that there will be no loss of or harm to ancient woodland or veteran trees.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>The Eco Group advising and working with the applicant is aware of this action.</i></p> <p><i>The area around the Ancient Woodland has been recognised by the Forestry Commission as being of particular importance to enhance the wildlife that is there by promoting and developing the habitat further and by extending the pipeline corridor previously spoken of. (Map from Land App)</i></p> <p><i>Although the applicant has identified areas where planting and meadows could be placed, we can see from the map that the areas they have put aside for planting, and even open spaces around the woodland are not sufficient.</i></p> <p><i>This is confirmed in the Nottinghamshire Local Nature Recovery Strategy (LNRS) where again it is recognised that the area around Ancient Woodland needs to be respected for the preservation of wildlife. (Map provided by Notts LNRS as the site was not opening at the time of writing)</i></p> <p><i>The applicant claims that the project is going to help biodiversity as they have identified areas that planting of trees or meadows can take place. We believe much of this is a necessity</i></p>	<p>Section 8.10 of ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8B] [REP3-020] <i>“Ecotones around woodlands will buffer them from surrounding land use and reduce edge effects, and where these woodlands are also as LWS, reduce threats and pressures on them.”</i></p> <p>The Local Nature Recovery Strategy (LNRS) has informed (and is cited in) ES Volume 4, Appendix 8.13: Biodiversity Net Gain (BNG) Assessment [EN010162/APP/6.4.8.13B] [REP3-048]. Section A5.1.3.2 in ES Volume 4, Appendix 5.1: Outline Landscape and Ecological Management Plan (LEMP) [EN010162/APP/6.4.5.1D] explains how the LNRS will be considered in the final designs.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
	<p><i>for screening, other smaller pieces are already in evidence in the corners of fields where todays larger machines cannot reach, and natural regeneration is taking place. What we see through the LNRS is that natural recovery is already taking place over farmland where increased knowledge and guidance is being provided. However, the vast swaths of panels and associate fencing will see that development diminish as freedom of nature is curtailed. The LNRS also references the lapwings previously referred to. Species shortlist – is in Appendix 5 [...]</i></p>	
Page 12	<p><i>“Hedge species Native shrub species should be planted without exception. There are currently species that were innocently introduced which have proceeded to dominate native species, thus long-term creating smaller native shrubs in the hedge line.”</i></p>	<p>Table A5.1.3 in ES Volume 4, Appendix 5.1: Outline LEMP [EN010162/APP/6.4.5.1D], starting from page 14, sets out a specification for Proposed Hedgerows which includes only native species.</p>
<i>General</i>		
Page 12	<p><i>“Fees/Costs – Who pays?”</i></p>	<p>Please refer to Written Summary of Oral Submissions from Issue Specific Hearing 2 and Response to Action Points [EN010162/APP/8.24] [REP3-099], which summarises the discussion in</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
	<p><i>Carlton-on-Trent Parish Council were confused to hear at the ISH 3 there was an issue over fees. In early talks the issue of costs and expenses to authorities was raised during an online consultation, and Elements Green said they were in discussion with NSDC Councillors and had offered to cover the costs of NSDC authority. One attendee asked if this consideration would be extended to Parish Councils; we were told “No, we would have to go to NSDC for help [...]”</i></p> <p><i>“[...] Unless correct fees are paid, we the residents pay ultimately pay. Carlton-on-Trent Parish Council have had to raise our precept as our reserves had significantly diminished, a significant portion of those costs were due to this application.”</i></p>	<p>relation to the fee between the Applicant and the local authorities. The fee approach included in the Draft Development Consent Order [EN010162/APP/3.1E] were consistent with legislative provisions and recent orders, and that they had been agreed in discussion with Nottinghamshire County Council. The proposed fees are considered to be fair and aligned with recent precedent. The Applicant considers that the fees proposed are appropriate and would cover the reasonable costs.</p> <p>Helios Renewable Energy DCO is a recently made solar DCO, which was referenced for a structural comparison with the Draft DCO for Great North Road, while One Earth is still at the examination stage. As such, Helios is a comparable project to be adopted.</p>
<i>Principle of Development</i>		
Page 13	<p><i>“Site selection</i></p> <p><i>Carlton-on-Trent maintains that site selection did not follow the prescribed process, this scheme arose after Elements Green had contacted landowners and discovered those</i></p>	<p>The Applicant has responded to the concerns raised in relation to the site selection process, which was provided within Table 4-11 Principle of Development of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], on page 327.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
<i>that wished to take part. This is demonstrated by the letters previously submitted."</i>		
Agricultural Land		
Page 13	<p><i>"Soil quality/BMV land</i></p> <p><i>The Applicant argues that soil quality after 40 years will be as good as it is currently. During consultation we were told the Applicant had been involved in developing solar for over 20 years. At the hearing in November, we asked the applicant to back up their claim regarding soil health by providing comparative data from these earlier projects, they have not done so.</i></p> <p><i>We maintain soil health will degrade under the panels due to lack of, and inability of the mycorrhizal fungi to survive and flourish - as per our previous comments; mycorrhizal fungi are essential for soil health are derived from the cycle of growth and decomposition of vegetation, as we have seen the vegetation growth under the panels is of a poor quality due to the lack of light and rain. The more mycorrhizal the better the grade of soil. Our ability to return to the quality and quantity of</i></p>	<p>Please refer to Table 4-8 Land Use of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], on page 312, for the Applicant's responses on the soil management. The Applicant has reached an agreement with Natural England on the soil handling and management as stated within Statement of Common Ground with Natural England [EN010162/APP/8.6B] and Statement of Common Ground with Newark and Sherwood District Council [EN010162/APP/8.2C].</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
<i>food production after 40 years will be severely compromised."</i>		
<i>Landscape and Visual</i>		
Page 13	<p><i>"Deer/Security fencing & Hedging</i></p> <p><i>In the ISH 3 Environmental Matters Mrs Fisher alluded to the deer fencing would be remain at a single taller fence rather than two smaller due to security. In a meeting with Mr Nevins on 8th February, we were told that lower double fencing would not be used. If the purpose of the single taller fencing is primarily for security, then in the interest of transparency the applicant should cease to call this deer fencing and refer to it as security fencing. To allow for the free movement of smaller mammals such as foxes, hares, badgers... access points should be made a minimum of every 50 meters, thus helping to maintain the environmental corridor. The tall fencing and hedging will block views of significant importance to the location we live in St Mary's Church is a listed building; to obscure that view</i></p>	<p>Please refer to the Applicant's responses to Action Point 8 of the Issue Specific Hearing 3 set out at Written Summary of Oral Submissions from Issue Specific Hearing 3 and Response to Action Points [EN010162/APP/8.26] [REP3-101], page 50.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
	<i>of the top of the church and her spire will be a major loss."</i>	
<i>Cultural Heritage and Archaeology</i>		
Page 14	<i>"Primrose Farm has only one access, it is via Ossington airfield. Primrose Farm is a listed building. North Park Farmhouse is also a listed building, both properties will be impacted by the proposed development, especially Primrose. This would be a major effect given the proximity to the panels, their height, and this being the only access. Copthorn Farm and Knapney also have access across the airfield. There have been items unearthed over the years, including at least two bombs, it wasn't clear if these were practice or not. For a correct analysis to take place, this area should have proper geophysics survey. There are several other farmhouses in Moorhouse that are classified as listed buildings."</i>	<p>Primrose Farmhouse (Grade II) is located to the northwest of the former RAF Ossington. Table A11.2.1 of the ES Volume 4, Appendix A11.2 Heritage Settings Assessment Scoping Exercise [EN010162/APP/6.4.11.2B] [REP3-053] suggest that Primrose Farmhouse was scoped out of the assessment because the Development on the RAF Ossington land does not contribute to the agricultural setting on Primrose Farmhouse. The proposed solar arrays in the RAF Ossington Land are more distant and screened by mature woodland. As such, the Development is not predicated to have the potential for likely significant effects to Primrose Farmhouse.</p> <p>North Park Farmhouse was scoped in the ES Volume 4, Appendix A11.2 Heritage Settings Assessment Scoping Exercise [EN010162/APP/6.4.11.2B] [REP3-053] and the effects of the Development on the farmhouse is described within paragraphs 307 to 316 of ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11] [APP-054]. North Park Farmhouse is not within the Order Limit, but it is in proximity to the Development and to some elements of the former airfield (the WAAFs Quarter). Additional planting will be implemented to screen panels from view in Moorhouse Road, which will be secured in the ES Volume 4, Appendix A5.1: Outline LEMP [EN010162/APP/6.4.5.1D]. The assessment concludes that the</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
		<p>panels on the western side of Moorhouse Road will result in a change to the setting of the asset. With the secured mitigation, the architectural and historic interests will still be appreciable from the farmstead, and this is expected to have a negligible magnitude of impact on the overall significance of the farmhouse. A negligible magnitude of impact upon an asset of high heritage significance will result in an effect which is not significant in EIA terms.</p> <p>As shown in Figure A11.2.2A of the ES Volume 4, Appendix A11.2 Heritage Settings Assessment Scoping Exercise [EN010162/APP/6.4.11.2B] [REP3-053], Copthorn Farm and Knapeney Farm are not located within the Order Limit, and they are not classified as schedule monuments or listed buildings, as such these two farmhouses are not included in the assessment, and they would not have the potential to be affected by the Development.</p>
<i>Glint & Glare</i>		
Page 14	<p><i>“Glint and Glare is caused by the sun’s rays reflecting of the surface of solar panels. The effects on residents of the village and vehicle drivers using the main A1 and train drivers travelling on the east coast main line could range from nuisance to severe or dangerous.</i></p> <p><i>Carlton on Trent Village lies to the East and South-East of the GNR solar park planning application area. The Village has an elevation</i></p>	<p>Please refer to the Applicant’s responses within Table 4-3 of the Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116], at page 186, which confirms that no significant glint and glare effects are identified as a result of the Development. Concept Design Parameters and Principles [EN010162/APP/7.14C] [REP3-067]. This includes the design commitments to secure the orientation and height of the Solar PV modules, which is then secured by Requirement 6 in Schedule 2 of the Draft Development Consent Order [EN010162/APP/3.1E],</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>of 30 feet above sea level. Travelling west out of the village the land rises more than 200feet to plateaux at the height of the Ossington second world war airfield. The main A1 dual carriageway transits from southeast to northwest on the western boundary of the village and adjacent to it is the east coast main line which runs roughly parallel to the A1.</i></p> <p><i>The orientation of solar panels will be to the southerly direction at an angle of between 20 and 30 degrees from the vertical if the normal installation pattern used in operational sites in the surrounding areas.</i></p> <p><i>This will mean that when the sun rises above 20 to 30 degrees above the horizon, which it does for most of the year (winter =13.6 degrees max and summer = 60 degrees max) there will be reflection of light back towards the ground to an increasing degree as the suns altitude rises above 20 to 30 degrees above the horizon. Similarly, as the sun transits from the east to the west in the sky during the day it follows that in the afternoon the sun's rays will be reflected back towards the receptors described above.</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>It is a complex matter to determine the exact periods of exposure to glint and glare for all the individual receptors, but this is a major consideration for the placement of solar panels and must be fully understood, analysed and evaluated to determine the detrimental or potentially dangerous effects on the local environment.</i></p> <p><i>Carlton on Trent PC is looking for assurance that there will be NO glint and glare that would cause issues to our residents, specifically those that reside on the western side of the village and who have to look at this vast sea of solar panels throughout the day.</i></p> <p><i>Extract from – ‘Great North Road Solar and Biodiversity Park Environmental Statement Volume 4 – Technical Appendices Technical Appendix A16.1 – Glint and Glare’ (Page 2 Paragraph 5).</i></p> <p><i>Whilst solar photovoltaic (PV) panels are specifically designed to absorb, rather than reflect light, they may reflect the sun’s rays at certain angles, causing glint and glare. Paragraph 2.10.102 of the UK Government’s National Policy Statement for Renewable</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
<i>Energy Infrastructure (EN-3: See Section 3.1.2) defines these terms as follows: “.</i>		
<i>Traffic and Transport</i>		
Page 15 - 16	<p><i>“Traffic and Transport Management</i> <i>GNR’s Projected Vehicle Movements on the B1164 -</i> <i>The B1164 (Great North Road / Ossington Road section) is assessed as Link 16 in the TS impact tables.</i></p> <ul style="list-style-type: none"> <i>• Baseline (2028 future base without development): ~1,932 total vehicles AADT (63 HGVs).</i> <i>• With peak construction traffic added (worst-case scenario, routed via the B1164 for multiple primary accesses to the Ossington-area solar parcels):</i> <ul style="list-style-type: none"> <i>o Additional +2,422 total two-way vehicle movements per day (all classes: HGVs + LGVs + cars/vans).</i> <i>o Of which +57 HGV two-way movements per day.</i> 	<p>ES Volume 2, Chapter 14: Traffic and Transport [EN010162/APP/6.2.14B] and ES Volume 4, Appendix A14.1: Transport Statement [EN010162/APP/6.4.14.1B] consider the predicted changes on these two sections of road (B1164 Great North Road and Ossington Road) separately, as:</p> <ul style="list-style-type: none"> • Link 16 – B1164 Great North Road; and • Link 12 – Ossington Road (East) <p>Link 16 considers the B1164 Great North Road between Carlton-on-Trent in the south and Tuxford in the north. Link 12 considers B1164 Ossington Road between the A1 and the site accesses to the west prior to the village of Ossington.</p> <p>Traffic surveys were undertaken on both roads between 17-23 April 2024 and the results tabulated within the reports.</p> <p>In relation to forecast increases on these roads during the peak month of the construction in 2028, these are set out in Table A14.1.8 within the revised version of the ES Volume 4, Appendix A14.1: Transport Statement [EN010162/APP/6.4.14.1B]. Link 12 (Ossington Road) is expected to see an increase of 133 vehicles across the day, and Link 16 (B1164 GNR) is expected to see an increase of 257 vehicles across the day. The Parish Council have highlighted a typographical error in the</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>o This equates to a 13% increase in total traffic on this link.</i></p> <p><i>We believe that the statistics stated in the proposal are grossly exaggerated and the increase in traffic with not be in the region of a 13% increase in vehicles per day. The applicant's states there are currently 1,932 per day but we believe it more in the region of 200 per day. This significantly increases in the volume of traffic currently experienced where vehicles on a small carriageway able to accommodate two cars passing will clearly struggle with the lorries, especially when it is two lorries passing each other. At times of the day the traffic does increase e.g. between the hours of 7:00 to 900 am and between 16.30 and 18.00.</i></p> <p><i>The East Coast main line railway crosses the B1162 and it has a major crossroads that are active at all hours of the day and night. When the crossing gates are closed there will be a considerable traffic backup and it should be noted that it is common for the gates to be closed for a considerable period of time, five passing trains is a common sight and this could be ten to fifteen minutes when traffic will</i></p>	<p>tables, which has now been rectified. The assessment of the link has been re-considered against all of the environmental impacts and does not result in a change to the previously reported evaluations. The increase of traffic flows in 2028 is expected to be 129% due to the lower baseline traffic volume. The conclusions of the ES Volume 2, Chapter 14: Traffic and Transport [EN010162/APP/6.2.14B] remain robust.</p> <p>Measures are included within the ES Volume 4, Appendix A5.2: Outline Construction Traffic Management Plan (CTMP) [EN010162/APP/6.4.5.2D] that specifically address the areas of concern raised around traffic levels at peak periods and lorries passing each other. Such measures include a restriction on the timing of deliveries and workforce arrivals/departures during peak periods on the road network, and a booking system for HGVs to coordinate the movements and minimise conflicting passing movements in areas of road width constraint.</p> <p>In relation to concern regarding the crossing of the East Coast Main Line and traffic extending back to the A1, during the peak month of activity, approximately 68 HGV construction deliveries are forecast to use this link during the day. Over a 10-hour working day, this would equate to 7 two-way vehicles per hour. This level of traffic is not expected to significantly impact queuing of vehicles during periods of the crossing being in use and not to an extent that would impact the operations of the A1. In this regard, it should be noted that National Highways have reviewed the submission documents and are satisfied with the forecast impact on the A1 Strategic Road Network.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>be queuing up and the west side of the road is only a short distance. This space will be full very quickly and will effect traffic trying to access and come of the A1. This will increase noise and air pollution to an unacceptable level.</i></p> <p><i>The B1164 is a road that has been repaired many times and suffers from the edges collapsing and the creation of a high number of potholes. When an HGV lorry does use the road, an oncoming car must go extremely close to the edge of the road and invariably on to the grass verge, this can be dangerous as in places the road has a steep drop into a drainage ditch. See photographs below. Access to the proposed substation is also fraught with difficulties and while we have requested a response from GNR there has to date been no reply.</i></p> <p><i>With the vast increase in HGV traffic carrying heavy loads the strain on the current B1162 will see an increase in major damage to the road surface and verges."</i></p>	<p>On the matter of construction traffic causing a detrimental impact of the existing carriageway and verge, the ES Volume 4, Appendix A5.2: Outline CTMP [EN010162/APP/6.4.5.2D] includes for the undertaking of a road condition survey to be undertaken of the routes to site. This survey will be undertaken in conjunction with the local highway authority prior to works commencing and then following completion – any defects noted that are attributable to construction traffic will be made good. Also, in addition to the Construction Traffic Management Plan including measures to co-ordinate HGV deliveries, a new passing place is proposed towards the western end of Ossington Road to ease two-way movements in the section where the road is not as wide as its eastern end.</p>

Project Design

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
Pages 22	<p><i>“Cables</i> <i>Although described simply as “33 kV underground cabling,” the physical reality of this infrastructure is substantial. A 33 kV circuit is not a single domestic-style cable; it typically consists of three separate single-core cables, one for each phase of the electrical supply. These are heavy, industrial-grade power cables designed to carry significant current from the solar arrays to the intermediate substations. Each 33 kV cable is normally between 100 mm and 150 mm in external diameter, depending on conductor size and insulation type. They are constructed with a copper or aluminium conductor core, surrounded by layers of XLPE insulation, metallic screening, bedding, armouring in some designs, and a protective outer sheath. Because of this layered construction, the cables are both thick and heavy, often weighing several kilograms per metre. When installed, they are usually laid in a trefoil formation (a clustered triangular arrangement) to manage electromagnetic balance and thermal performance.</i></p>	<p>The location of the cable is defined by the Works Plans [EN010162/APP/2.3A] [AS-005]. The dimension of the Work Areas, the scale and layout of the cable are then set out in Concept Design Parameters and Principles [EN010162/APP/7.14C] [REP3-067]. The exact position and design of the cable would be determined at detailed design stage.</p> <p>The indicative cable route and the method of installation are shown in Figure A5.3.1 of the ES Volume 4, Appendix A5.3: oCEMP [EN010162/APP/6.4.5.3D]. The diameter of each type of the illustrative cable is shown in ES Volume 3, Figure 5.9: Illustrative Cable Trench Cross Section [EN010162/APP/6.3.5B] [REP2-038]. To clarify, the voltage of cables is not only limited to 33kv, instead it can range from LV cable route, 33kv cable route, 132kv, 400kv cable route.</p> <p>The detail of design approval for the Development, including the cabling work, would be controlled in Requirement 6 of Schedule 2 of the Draft Development Consent Order [EN010162/APP/3.1E], which prevents the undertaker from commencing any phase of the Authorised Development until it has obtained the approval of the Planning Authority to the layout, scale, ground levels, external appearance, hard surfacing materials, access and refuse or other storage units, signs and lighting.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
Page 24 to 28	<p><i>On-Site Electrical Infrastructure:</i></p> <p><i>The proposed intermediate substation north of the road between Ossington and Carlton-on-Trent would introduce permanent high-voltage electrical infrastructure into a predominantly open agricultural landscape. Although its technical function is to receive electricity from surrounding solar arrays at 33 kV and step it up to 132 kV for more efficient transmission onward toward Staythorpe Substation, the physical presence of the facility carries wider environmental and spatial implications.</i></p> <p><i>Such substations typically include transformers, steel gantries, switchgear, control buildings, perimeter fencing, security lighting, and areas of hardstanding. Even where landscape mitigation is proposed, these engineered elements introduce an industrial form and materiality into a rural setting characterised by open views and low-lying farmland. In flat landscapes such as those surrounding Carlton-on-Trent, structures can be visible across considerable distances, potentially altering the character of the</i></p>	<p>In response to the Parish Council's request in the email (appended to their submitted representation), further information was sought regarding the detailed design of the intermediate substation.</p> <p>Work No. 4 relates to the works associated with the intermediate substation. The locations of the intermediate substations are identified in the Works Plans [EN010162/APP/2.3A] [AS-005]. Under the Rochdale Envelope approach, the areas identified for intermediate substations are generally larger than the actual substations will be to allow for design flexibility.</p> <p>Figures 5.19, 5.20, 5.21 were included in ES Volume 3, Figure 5 [EN010162/APP/6.3.5B] [REP2-038] to show the expected dimensions and colours.</p> <p>The dimensions of the intermediate substations (Work No.4) are then set out in Table 2.4 of the Concept Design Parameters and Principles [EN010162/APP/7.14C] [REP3-067].</p> <p>The Applicant considers that this approach is consistent with the Rochdale Envelope approach, and that the ES is robust. The detailed design for the Development is secured by Requirement 6 of the Draft Development Consent Order [EN010162/APP/3.1E].</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>approach to the village and views from nearby public rights of way.</i></p> <p><i>Operational impacts should also be considered. Transformers emit a continuous low-frequency hum when energised. While designed to comply with environmental noise standards, such sound can be more perceptible in rural areas where baseline noise levels are low, particularly during evening and night-time conditions.</i></p> <p><i>During construction, the delivery of heavy transformer units, excavation works, and the creation of permanent access tracks may generate sustained HGV movements along narrow rural roads. This has implications for road condition, safety, and residential amenity. In the longer term, the substation compound would remove land from agricultural production for the lifetime of the scheme and impose ongoing access and safety clearances around the installation.</i></p> <p><i>Overall, the intermediate substation represents not simply a technical voltage transformation point but a lasting infrastructural presence within the immediate landscape of Carlton-on-Trent. Its impacts relate to visual character,</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
	<p><i>noise environment, traffic during construction, and the permanent change in land use within the village's rural setting.</i></p>	
Page 25	<p><i>“Substations</i> <i>Likely Scale and Physical Footprint:</i> <i>Although precise measurements for the Ossington (Field 165) substation have not been clearly disclosed in publicly summarised documents (although we have requested this information from GNR, they have not yet responded or included it in their planning permission application. We have identified similar cases that correspond closely to the description provided in these planning applications). Substations operating at 132 kV for large-scale renewable projects typically occupy between approximately 0.5 and 3 hectares, depending on configuration. This could equate to a compound in the region of 70 m × 70 m at the smaller end, and potentially 150 m × 150 m or more where equipment spacing, access roads, transformer bays, drainage infrastructure, and safety clearances are included.</i></p>	<p>Work No.5b relates to the works associated with the 400kV substations. The location of the 400kV substation is defined by the Works Plans [EN010162/APP/2.3A] [AS-005], and the dimensions of the substations (Work No.5b) are then set out in Table 2.6 of the Concept Design Parameters and Principles [EN010162/APP/7.14C] [REP3-067]. The detailed design for the Development is secured by Requirement 6 of the Draft Development Consent Order [EN010162/APP/3.1E].</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>Such compounds usually contain large transformers, steel gantries, air-insulated switchgear, control buildings, security fencing, internal access tracks, and hardstanding areas. Even at the lower end of the typical size range, this represents a substantial engineered platform within farmland.</i></p> <p><i>The absence of clearly stated dimensions in accessible summary materials contributes to uncertainty regarding the true scale of development. For residents and landowners, a description of “intermediate substation” without defined footprint measurements makes it difficult to visualise the extent of land take, structure heights, and overall massing. This lack of dimensional clarity can reasonably generate concern about whether the eventual built form may be larger or more visually intrusive than currently perceived.”</i></p>	
Pages 25 and 26	<p><i>Landscape and Visual Impact:</i></p> <p><i>The countryside surrounding Carlton-on-Trent has open views, relatively flat topography, and agricultural land use. Introducing a fenced electrical compound with transformers and gantries into this context alters both the</i></p>	<p>The Proposed Development would have negligible landscape and visual effects on the areas and routes near Carlton-on-Trent. These issues have been responded within Table 4-3 Responses to Carlton-on-Trent Parish Council of the Responses to Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116], from page 184 to 186.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>physical and perceptual character of the landscape. Even with proposed landscape screening, new planting can take many years to mature, during which time the infrastructure may remain visually prominent.</i></p> <p><i>In flat rural landscapes, vertical elements such as gantries and lightning protection masts can be visible across considerable distances. The effect is not only visual intrusion but also a shift in character from open agricultural countryside to one containing industrial energy infrastructure. For nearby residents, this can affect views from homes, roads, and public rights of way.</i></p>	<p>The Applicant has also clarified how the requested viewpoints by the Council at Deadline 1 [REP1-065] have been covered in the ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment (LVIA) [EN010162/APP/6.2.7A] [REP2-022], at page 117 of the Responses to ExA's First Written Questions [EN010162/APP/8.22A] [REP3-096]. As such, the Applicant considers that the assessment has included an adequate range of viewpoints, particularly to address the concerns raised by the Parish Council.</p> <p>With respect to the visual impact of the substation buildings, with the embedded mitigation measures and the proposed choice of materials for the substation buildings, as secured through the concept parameters and design principles, no significant LVIA effects on Carlton-on-Trent are anticipated. This is also summarised in Section 1.7 of the Written Summary of Oral Submissions from Issue Specific Hearing 3 and Response to Action Points [EN010162/APP/8.26] [REP3-101].</p>
Page 26	<p>Noise and Operational Effects:</p> <p><i>Transformers operating at 132 kV produce a continuous low-frequency hum when energised. Although designed to meet environmental noise standards, the rural baseline noise environment around Carlton-on-Trent is typically low, especially at night. In such settings, even compliant operational noise can become perceptible. The potential</i></p>	<p>The development's noise effects are assessed as negligible to minor and not significant, with noise levels generally remaining below the 65 dB threshold and only limited, short-term exceedances possible, meaning that while some minor adverse effects may occur, they are not considered significant in policy terms. Please refer to the Applicant's responses on the construction and operation noise effects in Table 4-10 Noise and Vibration, page 324 to 325 of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115].</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>for tonal characteristics, particularly during peak load conditions, may alter the acoustic character of the area in subtle but ongoing ways.</i></p> <p><i>Security lighting and periodic maintenance visits may also introduce additional activity into an area that is currently quiet and agricultural in nature.</i></p>	<p>The provision of security lighting is secured in the Concept Design Parameters and Principles [EN010162/APP/7.14C] [REP3-067], and the Applicant has provided responses on this at page 212-213 of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115]. The maintenance will be carry out in line with the respective management plans. The Development has therefore sought to minimise disruption to the residents and the wildlife.</p>
Page 26	<p>Construction and Traffic Impacts:</p> <p><i>The construction phase would involve excavation, reinforced foundations for heavy transformers, delivery of large electrical components, installation of drainage systems, and creation of permanent access routes. Transporting transformer units often requires abnormal load vehicles, which may need traffic management measures along rural roads not originally designed for such movements.</i></p> <p><i>For a small village such as Carlton-on-Trent, increased heavy goods vehicle traffic can raise concerns relating to road safety, road surface deterioration, and temporary disruption to daily life.</i></p>	<p>ES Volume 4, Appendix A5.2: Outline Construction Traffic Management Plan (CTMP) [EN010162/APP/6.4.5.2D] sets out the measures for HGV deliveries includes measures for the HGV deliveries and the transportation of AILs to the substation sites.</p> <p>Figure A5.2.3NE illustrates the proposed passing places in Carlton-on-Trent, and Figure A5.2.2 shows the abnormal load routes to the substation locations and cable drum access points.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
Page 26	<p><i>Permanent Land Take and Land-Use Constraints:</i></p> <p><i>Unlike buried cables, which allow land to be returned to agricultural use after installation (albeit with restrictions), a substation compound permanently removes land from productive farming. In addition, buffer zones and access requirements may constrain adjacent agricultural practices. This represents not merely temporary disturbance but a long-term reallocation of rural land to energy infrastructure.</i></p>	<p>In micro-siting the substations and larger fixed equipment, land quality was fully considered, and the use of BMV minimised where possible.</p> <p>For instance, Works no 5B (400kV substation) are located on agricultural land, which involves a maximum compound area of 3ha, of which 1.7ha is known to be Subgrade 3a and 1.3ha is not surveyed but worst-case assumed to be Subgrade 3a.</p> <p>Consideration was given to seeking to place the substation (Works no 5B) on Subgrade 3b land, but the substation needs to be located in this location for operational reasons, such as the position of the incoming cables, design suitability.</p> <p>The Applicant remains the position that the land will be restored to a suitable use as secured by ES Volume 4, Appendix A5.6: Outline DRP [EN010162/APP/6.4.5.6B]. For detailed explanation, please see the Applicant's responses in Table 4-8 Land Use of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], at page 313, under the section of 'Land use after decommissioning'.</p>
Page 26	<p><i>Broader Planning and Community Concerns:</i></p> <p><i>Beyond measurable physical impacts, there is a broader issue of cumulative industrialisation. The substation does not exist in isolation; it forms part of a network including solar arrays, intermediate substations, 132 kV cabling, and a 400 kV compound exporting electricity toward Staythorpe Substation. For Carlton-on-</i></p>	<p>The landscape impact has been assessed as presented within ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment (LVIA) [EN010162/APP/6.2.7A] [REP2-022] on the basis of the Development as a whole, including the works associated with the substation, compounds, and related infrastructure.</p> <p>As set out in Table 3-3 of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], at page 31, the Applicant undertook extensive engagement with the Parish Council</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>Trent, this means that national-scale transmission infrastructure becomes embedded within the local landscape.</i></p> <p><i>The lack of clearly presented accessible dimensional data for the Ossington substation site may exacerbate local unease.</i></p> <p><i>Transparency regarding footprint size, equipment height, and visual envelope is essential for informed community engagement. Without explicit measurements, residents may reasonably feel that the true physical scale of the installation is difficult to assess, which can undermine confidence in the planning process. Furthermore, the limited information provided by GNR hampers residents' ability to comment on the dimensions and related aspects of the solar farms and their associated substations. Additionally, this lack of information leaves room for potential alterations to the initial plans, including potential expansion, which we are unable to challenge due to insufficient details regarding the sizing of the substations. Consequently, this uncertainty could impact areas mentioned above such as traffic management, road usage, and landscape preservation.</i></p>	<p>during the non-statutory consultation. The design of the Development and the design parameters have been evolved following the stages of assessment work and consultation.</p> <p>The detailed design will be developed in consultation with the local authorities, and the applicant considers that such approach is appropriate and transparent.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
Page 27	<p><i>Central High-Voltage Infrastructure 400 kV Compound:</i></p> <p><i>The proposed onsite 400 kV compound represents a substantial escalation in the scale of electrical infrastructure within the GNR site. Functionally, it would operate as the principal high-voltage hub, consolidating electricity received from the intermediate substations at 132 kV and stepping it up to 400 kV for transmission to the national grid via Staythorpe Substation. In practical terms, this compound would operate as a large transmission-level substation embedded within the rural landscape, rather than limiting such infrastructure to the existing grid facility at Staythorpe.</i></p> <p><i>The key issue is scale. Infrastructure operating at 400 kV requires substantial transformers, air-insulated switchgear, gantries, lightning protection masts, and extensive areas of engineered hardstanding. Even with landscape mitigation, such a compound introduces a distinctly industrial form into an agricultural setting. Compared to the intermediate substations, the physical footprint, equipment height, and visual prominence are likely to be</i></p>	<p>The primary function of the proposed BESS/400kv compound is an integral component of the Development to combine the electricity from the Intermediate Substations to the National Grid Staythorpe Substation. Without this connection, the Development would not be able to contribute to the UK's net zero targets.</p> <p>The design of the compound has been developed in accordance with established engineering standards and the Proposed planting and screening will minimise visual impacts as far as possible, The landscape and visual effects have been considered. Even though the proposed compound would be sited within the rural landscape, no significant visual impacts have been identified. Other environmental matters including operational noise effects, lighting and security and access have been carefully considered. These concerns have been responded to at the rows above.</p> <p>As explained at the row above, the parameters and illustrative design of the compound are set out within the Concept Design Parameters and Principles [EN010162/APP/7.14C] [REP3-067]. Further detail will be secured at the detailed design stage, and the Applicant will continue to engage with the local authorities to ensure the proposals are developed to their satisfaction.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>greater due to the higher operating voltage and associated safety clearances.</i></p> <p><i>There are also operational considerations. Large transformers at this voltage level can generate continuous background noise and, under certain conditions, tonal hum. Although regulated, such installations alter the acoustic character of rural areas. In addition, 400 kV compounds require robust security fencing, lighting, and permanent access arrangements, reinforcing their industrial character and long-term presence.</i></p> <p><i>From a spatial planning perspective, the introduction of a 400 kV compound effectively decentralises transmission infrastructure. Rather than exporting electricity directly from existing grid infrastructure at Staythorpe, a new high-voltage node is created within the solar park itself. This shifts part of the national transmission interface into open countryside, embedding transmission-level equipment within the local landscape rather than confining it to established grid sites.</i></p> <p><i>These specifications have been approximated based on information from previous planning applications for solar farms in other regions</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>and the standards issued by the national grid for substations with similar cabling and solar utilisation as GNR. However, the exact measurements of the substations were not provided in their application, even after specific enquiries made by Carlton on Trent Parish Council.</i></p>	
Pages 27 and 28	<p><i>Options for the Staythorpe Connection: Regardless of whether the export follows the preferred direct 400 kV route (Work No. 6) or connects via the consented Staythorpe BESS facility (Work No. 7), both options require extensive buried 400 kV cabling between the GNR site and Staythorpe. At this voltage level, cables are significantly larger, require deeper trenches, greater thermal separation, and substantial joint bays at intervals along the route. The result is a wide construction corridor extending across multiple agricultural land parcels.</i></p> <p><i>The principal issues relate to cumulative land disturbance and long-term land constraints. Installing 400 kV underground cables involves deep excavation, temporary haul routes, soil storage, and potential disruption to drainage</i></p>	<p>The location of the cables has been designed to minimise impacts to the landowner as far as possible following an iterative site selection process.</p> <p>Any affected land by the Development has been identified, and new rights and restrictive covenants are put in place under Article 24 of the Draft Development Consent Order [EN010162/APP/3.1E] to controls what is necessary to protect the underground cables while minimising burdens on landowners. Control what the landowner from doing certain activities that would impact the buried infrastructure. No permanent easements are proposed.</p> <p>As explained in Section 1.4 of the Written Summary of Oral Submissions from Compulsory Acquisition Hearing 1 and Response to Action Points [EN010162/APP/8.25] [REP3-100], restrictive covenants are necessary and proportionate to protect buried infrastructure from surface activities which may result in damage, as well as health and safety risk.</p> <p>The Applicant will not be able to make the final selection of connection route until the Consented BESS has been fully commissioned and the electrical design of the Development itself has been finalised. However,</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]	<p><i>systems. Although reinstated after construction, the linear nature of the route means that multiple fields are affected along its length. Compaction, altered soil structure, and drainage interruption are recurring risks, particularly in heavy clay soils.</i></p> <p><i>In addition, 400 kV export cables typically require permanent easements that restrict deep excavation, tree planting, or future development above the route. While farming may resume, land-use flexibility becomes constrained. This introduces a lasting infrastructural corridor across the landscape, even though the cables are not visible above ground.</i></p> <p><i>The inclusion of two export options within the DCO provides technical flexibility but also extends uncertainty over the final routing and associated impacts. Different routes may affect different land parcels and communities, yet both ultimately embed transmission-level infrastructure across the countryside linking the GNR site to the existing grid hub at Staythorpe.</i></p>	<p>Requirement 24 in the Draft Development Consent Order [EN010162/APP/3.1E] requires the selection of the proposed grid connection option to be notified to the Planning Authority prior to those works commencing. Please refer to the Applicant's responses to ExQ1.1.4 in the Responses to ExA's First Written Questions [EN010162/APP/8.22A] [REP3-096].</p> <p>The impact of flood risk and land quality arising from the Development has been assessed, and no significant effects have been identified. As such, there is no evidence to suggest that the cable installation would result in runoff or soil compaction to a significant degree.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
Page 28	<p><i>Other:</i></p> <p><i>There are not only issues of this nature but also a separate matter that has been brought to our attention, following the completion of the solar project, the greenfield may be classified as brownfield site. Although we have been assured this will not occur, there is apprehension that the land's reclassification could lead to proposals for housing development, which may cause long-term issues for our village. Such changes could also result in a loss of character and property value in the area.</i></p> <p><i>Some of these concerns were raised by Carlton-on-Trent Parish Council during our meeting with a representative from GNR on Sunday, 8th February 2026. Specifically, concerns were expressed regarding the size of the substation and cabling. We were assured that the individual responsible for overseeing this aspect of the project would contact us on the following Monday. However, our clerk did not receive any response from any other representatives, leaving us uncertain about the</i></p>	<p>ES Volume 4, Appendix A5.6: Outline Decommissioning and Restoration Plan (DRP) [EN010162/APP/6.4.5.6C] sets out the measures for the land to be reinstated to arable agriculture after decommissioning, which is secured through Requirement 19 in Schedule 2 to the Draft DCO [EN010162/APP/3.1E]. However, the Applicant cannot determine whether the site will be considered as brownfield land and whether it will be open for future development after decommissioning.</p> <p>The Applicant provided responses to the concern on the loss of value in Table 4-5 of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], at page 293.</p> <p>The Applicant has engaged with the Parish Council to clarify both its approach to local flooding matters and the application of the Rochdale Envelope to the Project's design. It is the Applicant's understanding that it has responded to the two emails received from Ms Liz Hopkins after the site visit on 8 February. Please refer to the first row of this table for a full summary of the Applicant's engagement with the Parish Council on consultation matters.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
	<i>correct procedures and the plans GNR will be implementing within our parish."</i>	
Page 29	<p><i>"Conditions/Protection of the residents</i> <i>In the event that this application is approved we are asking for robust conditions put in place to:</i></p> <ol style="list-style-type: none"> <i>1. return the land to food production post operation, making it impossible post operation, to claim the land as brown field and therefore open to development.</i> <i>2. Safeguard residents from excessive noise and disruption during construction and again during maintenance.</i> <i>3. Apply financial penalties to the applicant if flooding of properties occurs due to water runoff from panels. Method to be agreed but as an example - calculated by an increase in the water level comparative to last year 2025, and in the event of a storm such as Henk, an increase in number of houses."</i> 	<p>The Applicant considers that the Development and the proposed mitigations have already minimise the impact on the agricultural land, construction noise and traffic impact, flooding, and landscape and visual as far as possible. The Applicant undertakes worst-case assessments and applies the Rochdale Envelope approach, alongside with a robust detailed design control.</p> <p>Regarding the suggested Condition No 3 at page 29 of the Parish Council's submission, the Applicant refers to the responses set out in Table 3-3 Responses to Carlton on Trent Parish Council on these matters, pages 22–23 of the Responses to Deadline 2 Submissions [EN010162/APP/8.23] [REP3-098]. Measures to manage and monitor runoff and soil quality are secured in the ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan (CEMP)[EN010162/APP/6.4.5.3D]. The ES Volume 4, Appendix A17.2: Outline Soil Management Plan [EN010162/APP/6.4.17.2B] [REP3-065] contains measures to rectify areas of Order limits should soil compaction of bare ground be evident. Additionally, the ES Volume 4, Appendix A5.5: Outline Operation Environmental Management Plan (OEMP) [EN010162/APP/6.4.5.5D] outlines that the Applicant will maintain effective drainage measures and rectify drainage measures that are not functioning adequately.</p> <p>The Environmental Manager (see section A5.5.4.2) will have responsibility for reporting to the Site Manager on the functionality of</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Carlton-on-Trent Parish Council [REP3-104]		
		drainage measures and for acting promptly to rectify any defects. As such there are robust control procedures in place to ensure runoff from the Development is managed in a sustainable way and therefore there is no requirement to add additional conditions beyond those in the Draft Development Consent Order [EN010162/APP/3.1E] .

3.5 RESPONSES TO JPAG' S DEADLINE 3 SUBMISSION

Table 3-4 Responses to JPAG's Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant's Responses
JPAG [AS-079]		
<i>Land Interest</i>		
Page 1	"Interaction Between GNR Solar and NGET Compulsory Purchase Order 2026 [...] <i>It has come to our attention through the publication of statutory notices that on 12 February 2026 National Grid Electricity Transmission plc (NGET) made The National Grid Electricity Transmission (West Burton to Ratcliffe-on-Soar Refurbishment Project) Compulsory Purchase Order 2026 to enable it to compulsorily acquire the land and land rights necessary to refurbish infrastructure between</i>	The Applicant refers the ExA to the Statement of Common Ground with National Grid Electricity Transmission plc ("NGET") [EN010162/APP/8.7C] (the "SoCG"). The SoCG provides details of the up to date position regarding engagement between the Applicant and NGET and the points of interface between the Proposed Development and NGET's West Burton to Ratcliffe-on-Soar Refurbishment Project (known as the "SCRE/WRRE Project"). The need for a CPO to assemble the land required for the SCRE/WRRE Project is also referred to, as is the need for a land

Ref.	Summary Position of Interested Party	Applicant's Responses
JPAG [AS-079]	<p><i>West Burton, High Marnham, Stoke Bardolph and Ratcliffe-on-Soar. This includes land within the GNR Order Limits. A copy of the CPO, accompanying maps and statement of reasons is available on the National Grid project website at:</i></p> <p>https://www.nationalgrid.com/electricity-transmission/network-andinfrastructure/infrastructure-projects/west-burton-to-ratcliffe-on-soar</p> <p><i>We note from an examination of the maps that the NGET made CPO involves land within the GNR Order Limits, with the NGET looking to compulsory purchase land and/or compulsory acquire land rights on the same land that GNR are looking to do the same. The overlap seems to involve two main parcels of solar panels N4/N8/N9 and S7/S8, as well as cable corridors and access routes in the GNR Order Limits. The NGET CPO appears to include not just land under their overhead line but also additional land for accesses and other operational purposes. Whilst NGET appears to be listed in the Book of Reference for land parcels where their overhead line runs, a cursory look shows that they do not seem to be listed as a relevant</i></p>	<p>agreement to address the land rights required to enable both projects to come forward and coexist.</p> <p>Discussions between the Applicant and NGET are ongoing and remain positive. It continues to be the case that the Applicant anticipates reaching a settled and mutually agreeable position before the end of the examination.</p> <p>For the avoidance of doubt, the Applicant confirms that the Book of Reference [EN010162/APP/4.3D] [REP3-012] [REP3-014] does not refer to NGET's CPO in the relevant land parcels because the CPO has not been confirmed and it does not confer any legal rights within the meaning of the categories in section 57 of the Planning Act 2008.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
JPAG [AS-079]		
	<p><i>category 1 or category 2 party in the Book of Reference in relation to all the land parcels that their CPO covers. We are not experts on the compulsory purchase/compulsory acquisition processes, but it seems rather unusual that two Orders are proposed in relation to the same parcels of land.</i></p> <p><i>We appreciate that the draft DCO contains protective provisions for NGET in Part 8 of Schedule 13, but we are unclear as to whether this sufficiently addresses the interaction and overlap between the made NGET CPO and the draft DCO in relation to competing rights.”</i></p>	
Cumulative Impact		
Page 1-2	<p><i>We consider that it is appropriate to draw the attention of the Examining Authority to this issue for two reasons:</i></p> <ol style="list-style-type: none"> <i>1. Impact on compulsory acquisition</i> <i>2. Cumulative impact</i> <p><i>We are mindful that as far as we can ascertain there has been no discussion of this</i></p>	<p>Information on the National Grid project¹ confirms that no new pylons will be constructed as part of the NGET project. The work is therefore limited to upgrading the electricity overhead lines. This is anticipated to require a crane at each pylon location to facilitate the removal of the existing line and fitting of the new one. This is expected to be a quick process, in any one location (c. 1 week or less in any one location). Any required access works for the NGET project would be expected to</p>

¹ West Burton to Ratcliffe-on-Soar. The Great Frid Upgrade. National Grid. 2026. Available at: <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects/west-burton-to-ratcliffe-on-soar>. Accessed by: 17/03/2026.

Ref.	Summary Position of Interested Party	Applicant's Responses
JPAG [AS-079]	<p><i>NGET project as part of the cumulative impact or cumulative effects, because there had been no public consultation or publicity regarding the West Burton to Ratcliffe-on-Soar Refurbishment Project. Construction on the relevant sections of the NGET project seem to be planned for 2027 and 2028 which would appear to overlap in planned construction timetable with GNR. There has been public consultation and publicity on the NGET Brinsworth to High Marnham grid upgrade which will also run through the GNR Order Limits in relation to the parcel of solar panels N1. However, the Brinsworth to High Marnham project is currently awaiting planning permission for three new substations which need to be constructed before the overhead line itself can be upgraded from 275kV to 400kV. As such there is no timetable yet for the NGET CPO for the Brinsworth to High Marnham grid upgrade."</i></p>	<p>be managed by that project to minimise effects on local roads and wildlife. All potential effects would be during the construction stage, with the completed NGET project being visually the same as the current pylon line. Whilst any spatial and temporal overlap in the works for the NGET project and the Development will need to be co-ordinated between the two projects to ensure smooth running of both, the potential for significant cumulative environmental effects is negligible.</p>

3.6 RESPONSES TO ROBERT JENRICK MP'S DEADLINE 3 SUBMISSION

Table 3-5 Responses to Robert Jenrick MP's Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant's Responses
Robert Jenrick MP [AS-080]		
<i>Cumulative</i>		
Page 1	<p><i>"I met recently with the Joint Partish Action Group (JPAG), a group of Parish Councils who are representing the Communities affected by the Great North Road solar proposals. The combination of this proposal along with the other large scale solar farms that are proposed in Nottinghamshire will encompass a large swarth of rural villages. Whilst I appreciate that these are being considered on their own merits, I would like an assurance that the cumulative impact of these solar farms on the communities will be considered when looking at these proposals. I understand other developments in the area deferred consideration on the basis that the Great North Road Development was at an early stage. I would be grateful if you could provide a response that I can share with my constituents"</i></p>	<p>The Applicant can provide the reassurance that the cumulative impact of the Development with other proposed large scale solar farms have been assessed, which is presented in the ES Volume 4, Appendix A2.1: Cumulative Assessment Stages 1 and 2 [EN010162/APP/6.4.2.1B] [REP2-042]. The cumulative effects are then reported by environmental topic as appropriate in chapters 7- 19 of the Environment Statements as described in ES Volume 2, Chapter 2: Environmental Impact Assessment (EIA) [EN010162/APP/6.2.2] [APP-045]. Please refer to the Applicant's responses to the approach to cumulative assessment, as set out within Table 4-5 General of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], on page 301.</p> <p>Cumulative effects relating to landscape and visual matters received attention since Deadline 1. The Applicant has had constructive discussion with NSDC on the cumulative effects in relation to to (i) sequential experience of movement, and (ii) a strategic or regional-level cumulative impact on wider landscape character areas. At Deadline 3, the parties agree that the cumulative assessment provided within the LVIA meets the relevant guidance, and additional information was provided to supplement the assessment in agreement with NSDC. Please refer to the discussion with NSDC recorded at Ref 2.3.13 of the Draft Statement of Common Ground with Newark and Sherwood District Council [EN010162/APP/8.2C].</p> <p>Overall, the Applicant considers that the assessment has been prepared in line with the Planning Inspectorate's Advice on Cumulative Effects</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Robert Jenrick MP [AS-080]		Assessment and the EIA Regulations. For further details on the discussion of cumulative environmental effects, including visual impacts, please refer to Section 1.7 of the Written Summary of Oral Submissions from Issue Specific Hearing 1 and Responses to Action Points [EN010162/APP/8.19] [REP1-068] , and to Section 1.4 of the Written Summary of Oral Submissions from Issue Specific Hearing 3 and Response to Action Points [EN010162/APP/8.26] [REP3-101] .

3.7 RESPONSES TO NOTTINGHAMSHIRE AREA RAMBLERS' DEADLINE 3 SUBMISSION

Table 3-6 Responses to Nottinghamshire Area Ramblers' Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant's Responses
Nottinghamshire Area Ramblers [REP3-115]		
<i>Introduction</i>		
Page 1	<i>"With reference to the above Nottinghamshire Area Ramblers wish to make a further submission in relation to:</i>	Please refer to the Applicant's responses set out below.

Ref.	Summary Position of Interested Party	Applicant's Responses
Nottinghamshire Area Ramblers [REP3-115]		
	<ul style="list-style-type: none"> • <i>The diversion of Public Right of Way Weston FP10</i> • <i>Applicants response to ExA Question 2.1.6</i> • <i>Applicants response to ExA Question 11.1.3”</i> 	
<i>Public Rights of Way</i>		
Page 1-3	<p><i>“The diversion of Public Right of Way Weston FP10</i></p> <p><i>The Applicant proposes to divert part of Weston FP10 which currently traverses an arable field, to the field edge. The proposed diversion is shown in red below:</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>In its Response to Representations Report (EN010162/APP/8.8) the Applicant acknowledges that the diversion is an increase in distance of 91%, which is hardly consistent with their Rights of Way Strategy(EN010162/APP/6.4.4.1A) para A4.1.5. Whilst the reason for the diversion is understood, we do not support the proposal to make it a permanent diversion rather than a temporary one.</i></p>	<p>It is noted in the NCC’s Local Impact Report paragraph 5.7 that NCC finds the approach to diversion of Weston FP 10 as set out in the ES Volume 4, Appendix A4.1: Public Right of Way Strategy [EN010162/APP/6.4.4.1B] [REP3-030] is acceptable. The Applicant has also addressed NCC’s comments on FP6, it is therefore considered to be acceptable. Please refer to this in Table 2.5 of the Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116], at page 61.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Nottinghamshire Area Ramblers [REP3-115]	<p><i>Like many other PROW in this area, Weston FP10 is an historic path, which is shown on the OS six-inch map (1888-1913) [Source: Ramblers DLYW website]</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>It is clear from the above map that Weston FP10 was not a cross-field path 100 years ago. The section of the path that the Applicant wishes to divert has only become a cross-field path as the part of the field boundary hedge has been removed. This is a well-used path, as evident in this Google Earth photo:</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>In Environmental Statement Volume 3, Chapter 18 Recreation Figures [EN010162/APP/3.18A] [AS-048] the applicant states: "Whilst it is acknowledged that local people value access to local routes, it is considered that PROW crossing arable fields generally retain limited historic character".</i></p> <p><i>We dispute the statement that PROW that cross arable fields retain limited historical character. The Applicant also proposes the permanent diversion of Carlton-on-Trent FP6</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Nottinghamshire Area Ramblers [REP3-115]	<p><i>and FP10. Again, these footpaths are clearly shown on the OS 6inch map (1888-1913).</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>The current OS map is show alongside for comparison. What is remarkable is how little the setting of these historic footpaths has changed in more than 100 years.”</i></p>	
Page 3-4	<p><i>“The foregoing is relevant to the Applicant’s response to ExA Question 2.1.6. In our submission of 7th December (REP1 – 103) we questioned why the Applicant was specifying permanent diversions to PROW for a DCO that had a maximum permitted operation of 40 years. We cited a number of other Solar Farm DCO’s, none of which make permanent diversions to PROW. It its response (EN010162/APP/8.22) the Applicant quotes the A66 Northern Trans-Pennine Development Consent Order 2024, The Drax Power (Generating Stations) Order 2019 and Sizewell C (Nuclear Generating Station) Order 2022 as examples of DCOs that make permanent diversions to PROW. However, none of these DCOs are solar farms with a limited permitted period of operation.</i></p>	<p>The Applicant maintains the position stated in the responses to ExQ2.1.6 in Responses to ExA’s First Written Questions [EN010162/APP/8.22A] [REP3-096], pages 22 to 23, that the permanent diversion powers are appropriate in this context. The Applicant has previously responded to the matters on the approach to the PROW diversion within Table 3-21 of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], at page 154.</p> <p>The PROWs, where diverted, have been routed around the edges of fields. After 40 years of this routing, it is unlikely to make sense to re-route them back across the middle of a field that is in use for agriculture. Notwithstanding this, the Applicant has proposed to review this as part of the DRP, ES Volume 4, Appendix A5.6: Outline Decommissioning and Restoration Plan (DRP)[EN010162/APP/6.4.5.6C], prior to decommissioning, and apply (to NCC or the appropriate body at that time) to re-route them back where this is deemed best. This is secured in the ES Volume 4, Appendix A5.6: Outline Decommissioning and</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Nottinghamshire Area Ramblers [REP3-115]	<p><i>The Applicant's response also states "The Applicant considers that users of a PRow would consider a route that has been in situ for 40 years or more to be permanent by that time"</i></p> <p><i>The suggestion that the diversion of Weston FP10, Carlton-on-Trent FP6 & FP10, and also that of Kelham FP7a (as per our submission of 15th January 2026) would be accepted as permanent fails to recognise the historic aspect of these PRow, nor the inconvenience to users of the length of the diversions.</i></p> <p><i>We would also point out that there is no certainty that Great North Solar will be in operation for the whole of its permitted lifetime. In his award of solar farm CFD contracts on 10 February 2026 the Secretary of State awarded 157 solar contracts for a period of twenty years, in order to ensure that the developers could achieve a reasonable return on their investment. It is quite probable that a number of these contracts will not be renewed in twenty years time, and therefore the solar farms will then be decommissioned."</i></p>	<p>Restoration Plan (DRP)[EN010162/APP/6.4.5.6C] via Requirement 19 of the Draft Development Consent Order [EN010162/APP/3.1E].</p> <p>For context, the Development requires diversion of PRow during the construction and operation phases. The diversion of PRow during the operational phase are limited to routes that cross arable fields, and the affected routes are set out in Public Rights of Way Diversions and Permissive Routes Plan [EN010162/APP/2.4A] [REP2-004] and are listed in Part 3 of Schedule 5 of the Draft Development Consent Order [EN010162/APP/3.1E]. As such, the authorised development to which Nottinghamshire Area Ramblers refers cannot be compared directly with the Development, given that the diversion powers are limited to facilitating the construction works.</p> <p>The Draft Development Consent Order [EN010162/APP/3.1E] secures that the Development would operate for 40 years, and the Applicant has an agreement in place for the grid connection. There is sufficient certainty that the Development would operate throughout the consented period to bring forward the need for the development and its contribution to the national net zero target. As such, there is no obligation for the Draft Development Consent Order [EN010162/APP/3.1E] to secure the operation continues throughout the Project lifetime. In relation to funding, as set out in the Funding Statement [EN010162/APP/4.2A] [REP3-010], the Development is demonstrated to be viable to maintain its operation.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Nottinghamshire Area Ramblers [REP3-115]		
Page 4	<p><i>“In Q1.1.9, Planning Benefits, the ExA invited parties to comment on whether they agree that the proposed development would deliver the stated benefits. One of those benefits was “enhanced public access legacy”. Clearly the proposed permanent diversion of Kelham FP7a, Weston FP10 and Carlton-on-Trent FP6 & FP10, do not enhance public access.</i></p> <p><i>Ramblers was formed 90 years ago to protect and enhance public access to our countryside. That remains one of our charitable aims today.</i></p> <p><i>The closures / diversions of the PROW highlighted in our submissions should be Temporary. Should that be deemed not feasible, then the DCO should state as part of the decommissioning that these PROW must be restored to their current alignments, rather than use the procedure of the Highways Act 1980.</i></p> <p><i>We ask that the Examining Authority takes the necessary steps to ensure that, if the application is approved, these footpaths are restored to their rightful position in our landscapes, and that future generations of</i></p>	<p>Please refer to the Applicant's responses in Table 3-11 of Responses to Deadline 2 Submissions [EN010162/APP/8.23] [REP3-098], at page 110.</p> <p>To reiterate, as mentioned in Table 3-21 of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], at page 155, the increase in walking distance for NT Weston FP10 would be 385m, equivalent to approximately 8 minutes at a leisurely walking pace (3 km/h). The increase in walking distance for NT Carlton-on-Trent FP6 and FP10 would be 184 m and 198 m, equivalent to approximately 4 minutes at a leisurely walking pace. The increase in walking distance for NT Kelham FP7a, for users travelling east, would be 595 m, equivalent to 12 minutes at a leisurely walking pace. Therefore, the approach to the PROW diversions is considered to be of similar length as much as practically possible; and has followed logical alignments with consideration to topography, land use, and destinations.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Nottinghamshire Area Ramblers [REP3-115]		
	<i>walkers are able to enjoy these footpaths as we can enjoy them today."</i>	

3.8 RESPONSES TO NORWELL SOLAR FARM STEERING GROUP' DEADLINE 3 SUBMISSION

Table 3-7 Responses to Norwell Solar Farm Steering Group' Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
<i>Pond 116</i>		
2.1 – 2.10	<p><i>“2.1 This water feature was designated as Pond 116 in the Technical Appendix A8.7 Great Crested Newt Baseline (GCN) APP-220. Below is an edited graphic from that document showing its location. It is within the grounds of Kneesall Lodge, Northwest of Norwell Woodhouse.</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>2.2The map pin is coloured blue signifying that it has a Habitat Suitability Index rating as Excellent for GCN, though on the day of the</i></p>	<p>A hydrology walkover of Fields 96 to 100 (W7) on 18/02/2025 with the resident of Kneesall Lodge to ascertain the source of the spring and the likely drainage pathway to the pond (Pond 116) adjacent to the property. Based on site observations and anecdotal evidence, it is likely that the spring rises on the northern boundary of Field 96 within Work Area 3: Mitigation i.e. an area where no below ground infrastructure will occur. As such, the effects of the works for PV panels within Field W7 on the water infrastructure in Pond 116 would be unlikely. Regardless, Section A5.3.9.6.3 Water Infrastructure Watching Brief of the ES Volume 4, Appendix A5.3: Outline CEMP [EN010162/APP/6.4.5.3D] outlines measures to reduce the potential for damage to water pipework.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]	<p><i>survey of the pond, it tested negative for GCN DNA.</i></p> <p><i>2.3 In terms of how this location is to be affected by the development, the below graphic is taken from the Applicant's Masterplan, demonstrating its proximity to planned panelling.</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>2.4 The location of the pond is shown as a faint light blue circle. It is the proposed development on field W7 above that is a cause for concern. The pond is pictured below:</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>2.5 This pond is fed by an underground pipe which draws from a natural spring in field W7. Below is pictured the pipe discharging into the pond; [Refer to image in the submission]</i></p> <p><i>2.6 The pipe outlet end is a relatively recent replacement but the original underground pipe underneath the two fields leading to the spring is over 100 years old. The owner of this property is aware of the rough location of the underground horseshoe clay pipe underneath the fields to the south, with this information</i></p>	<p>The geophysical survey results show a response where there is a gap in the PV array layout in Field W7, as shown on the Sheet 17 of 39 of the Illustrative Design [EN010162/APP/2.10] [APP-029].</p> <p>The effects of Development on great crested newt for the ponds, including Pond 116, have been assessed as unlikely. ES Volume 4, Appendix A8.7: Great Crested Newt Baseline [EN010162/APP/6.4.8.7A] [REP2-056] shows that the pond is suitable to support GCN with a high Habitat Suitability Index (HSI), but the Environmental DNA analysis of water samples show a negative result for Pond 116, indicating that no GCN was identified during the survey.</p> <p>Paragraphs 172 to 173 of ES Volume 4, Appendix A5.3: Outline CEMP [EN010162/APP/6.4.5.3D] state that pre-commencement surveys will be undertaken for great crested newts. The results of these surveys will inform revisions to the CEMP thereby ensuring that it remains fit for purpose. With the measures to safeguard ponds and great crested newt as set out at paragraph 205 of the ES Volume 4, Appendix A5.3: Outline CEMP [EN010162/APP/6.4.5.3D], no significant biodiversity effects are predicted for Pond 116. This is an agreement matter with NSDC.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]	<p><i>having been handed down over the generations. Below is a graphic taken from Technical Appendix A11.5: Phase 2 Geophysics Results - Part 3 of 5 APP-260</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>2.7 The geophysical survey identified a feature which was deemed to be an agricultural disturbance, as signified by the brown shading above, running north to south. The line roughly corresponds with where the pond landowner has always believed to be the location of the underground pipe. The geophysical results did not recognise it as a service pipe: in fact, the results failed to identify any pipe heading north to the pond. It is also worthy of note that this line, if continued through the next field in a straight line, would lead directly to the pond.</i></p> <p><i>2.8 The concern is that the panel mounting structures in field W7 will be pile driven into the ground, below which is this pipe. Being as this field is one of the highest and most exposed in the development, the panels here will have to be anchored deeply.</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
	<p><i>2.9 The northern boundary of field W7 will have deer fence posts anchored in concrete buried in the ground. The clear concern here is that either of the above two ground penetrations could inadvertently fracture this pipe and cease the feed to the pond, leading to a long term deterioration in that feature, with an associated adverse impact on this wildlife habitat.</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>2.10 It is requested that the Applicant takes further measures to confirm the exact location of the pipe and to ensure that all pile driving and excavation takes place around it, not into it. There should also be a requirement that if it is shown that the pipe has been fractured and the feed to the pond lost, then the Applicant should make an undertaking to repair the damage and restore the spring feed at the earliest opportunity."</i></p>	
<i>BESS Fire-water</i>		
3.1-3.7	<p><i>"3.1 The part of the proposed development with the most potential for causing pollution harm to the environment and jeopardising</i></p>	<p>The Applicant considers that the use of lithium iron phosphate cells in the BESS, which are generally considered safer and less prone to thermal runaway and explosion than other lithium-ion battery</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]	<p><i>safety for wildlife and people is the 880MWh of battery storage. The potential for Lithium Ferrophosphate (LFP) battery cells to catch fire has been long recognised and sadly such events are becoming more common, principally driven by an increase in the number of electric vehicles.</i></p> <p><i>3.2 However, the country is now experiencing a sudden rush in the construction of BESS. Responsibility for dealing with a BESS fire or explosion in the County falls to Nottinghamshire Fire and Rescue Service (NFRS).</i></p> <p><i>3.4 Paragraph 2.1.2 of the Applicant's Responses to Relevant Representations Report REP1-065 states:-“A number of parties where SoCGs have been requested have related to bodies who had not submitted Relevant Representations, or registered as Interested Parties. The Applicant has reached out to these bodies, but a substantive response has not yet been received. These relate to: • Nottinghamshire Fire and Rescue...”</i></p> <p><i>3.5 The above is a little surprising. On 9th February 2026, the National Fire Chiefs</i></p>	<p>technologies. The lithium-ion system battery technology as is commonly used on other sites being developed in the UK. With the appropriate BESS design and mitigation measures set out in the ES Volume 4, Appendix A5.4: Outline Fire Safety Management Plan (FSMP) [EN010162/APP/6.4.5.4B] [REP3-038], no significant risk associated with a potential fire in a battery unit is likely. Please refer to the Applicant's responses on this matter within Table 4-1 of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115].</p> <p>The Applicant undertook pre-application consultation with NFRS, during which NFRS requested that the oFSMP should ensure that the Development commits to the standards set out in the NFCC guidance. The Applicant is aware of the updated NFCC guidance, which was published in December 2025, therefore, ES Volume 4, Appendix A5.4: Outline Fire Safety Management Plan (FSMP) [EN010162/APP/6.4.5.4B] [REP3-038] will be updated at the next deadlines to reflect the newly published updates.</p> <p>The Applicant and NFRS have discussed this point after Deadline 3, and NFRS have confirmed, in this context, they have no objection to the Development, or to the measures set out in the ES Volume 4, Appendix A5.4: Outline FSMP [EN010162/APP/6.4.5.4B] [REP3-038].</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]	<p><i>Council (NFCC) published its latest Guidance¹ to Fire and Rescue Services on Grid Scale Energy Storage System Planning. This replaced their 2023 Guidance and updated draft guidance issued in 2024.</i></p> <p><i>3.6 The start of Section 3 of the 2026 Guidance is identical to the start of Section 5 of the 2024 draft, stating. "Fire and rescue services can take measures to support the planning process. This includes facilitating timely and meaningful engagement between the fire and rescue service, local planners, and developers to assist operational pre-planning."</i></p> <p><i>3.7 It is of course possible that NFRS were aware of the imminent publication of the latest guidance and have delayed engagement until its publication. NFRS are not a statutory consultee for projects such as these. To some this may seem a bit perverse given the inherent dangers of such infrastructure. They do have a statutory duty to obtain information which would assist in extinguishing fires in their area. Government Guidance on Renewable and Low Carbon Energy (2023) encourages applicants for utility scale BESS</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
	<i>to engage with local fire and rescue. The Applicant here states that has been done.”</i>	
3.8 – 3.20	<p><i>“3.8 In the Outline Fire Safety and Management Plan (FSMP) REP1-032, the Applicant, provides all their intended measures to be adopted to deal with the threat of a thermal runaway.</i></p> <p><i>3.9 It is widely accepted that the tactic to be employed in tackling a LFP fire is to let it burn itself out whilst cooling the units nearby to prevent fire propagation. There is no difference in the on-site water requirement between the 2024 and 2026 guidelines. The Applicant has clearly noted these requirements and plans two tanks each containing 231m³ of water. The provision of 2 tanks appears to cater for the probability that one may not be safely accessible. There appears to be less detail about other sources of water for firefighting. The Guidance makes it clear that typically pumping fire appliances would carry 1,800-2,000L of water on board which can be exhausted in under 5 minutes.</i></p> <p><i>3.10 This is a subject on which it would be useful to have the view of NFRS. Given its</i></p>	<p>The provision of water supply is in line with the minimum requirements of NFRS, NFPA 855 and ARC. The tanks will be filled by the water mains or a specialist water bowser. Water connection is a matter which is secured prior to or during construction.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
	<p><i>location, it has not been shown that sufficient water can be delivered or where it will be coming from.</i></p>	
3.11	<p><i>3.11 To put this issue in some form of context, it is worth examining the likely amounts of water that may be required. Assistance is given in this regard by examining historical BESS fires.</i></p> <p><i>(a) 15th September 2020 Carnegie Road Liverpool</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>Thought to be first major lithium-ion battery storage incident in the country, firefighters had to be deployed for 58 hours. There is no exact calculation as to how much water was needed to fight that fire but several sources state it was in the millions of litres, possibly over 5 million. A post Incident presentation² has been published by Merseyside Fire and Rescue Service. There was hydrogen fluoride and hydrochloric acid in the water run off and smoke plume.</i></p> <p><i>(b) 15th May 2024 San Diego California</i></p>	<p>In response to Paragraph 3.11(a), the Carnegie Road Liverpool BESS utilised LG Chem JP3 nickel-manganese-cobalt (NMC) modules, which have a lower thermal runaway onset temperature compared to LFP-based installations. Additionally, the Carnegie BESS was designed to meet the initial 2017 NFPA 855 requirements. Since then, several revisions of this standard have been released, with the latest being in 2026. The lessons learned from this plant's incident have been incorporated into the safety standards, codes and guidelines currently used for BESS projects, including favouring LFP for improved thermal stability, improved battery containers' self-containment and internal mitigations, separation distances, among other safety directives.</p> <p>In response to Paragraph 3.11(b), the Gateway BESS (Otay Mesa), CA (US) utilised LG Chem nickel-manganese-cobalt (NMC) modules, which have a lower thermal runaway onset temperature compared to LFP-based installations. Additionally, the Gateway BESS, commissioned in 2020, was designed using pre-2023 NFPA 855 guidance. Since then, several revisions of this standard have been released, with the latest being in 2026. The lessons learned from this plant's incident have been incorporated into the safety standards, codes and guidelines currently used for BESS projects, including favouring LFP for improved thermal stability, improved battery</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]	<p><i>At the 250MW/250MWh lithium-ion battery installation Gateway Energy Storage, California, a fire broke out and continued to reignite, extending the incident to around two weeks. Nearby industrial facilities and schools were temporarily closed and evacuation orders were issued because of the poisonous vapours and potential explosions – evacuation orders were initially lifted then had to be reimposed after the fire reignited. It was reported that some 8 million litres of water were used in an attempt to control the fire</i></p> <p><i>(c) 5th September 2024 Escondido California</i></p> <p><i>The fire was confined to a single containerized battery unit out of the 24 on-site. It forced evacuations for several days due to the “immediate threat to life”. Schools and around 500 local businesses were closed.</i></p> <p><i>(d) 16th January 2025, Moss Landing. Monteray California.</i></p> <p><i>In their suite of post incident reports³, the US Environmental Protection Agency responders reported that they had to remove</i></p>	<p>containers’ self-containment and internal mitigations, separation distances, among other safety directives.</p> <p>In response to Paragraph 3.11(c), the Escondido BESS was commissioned in 2017, meaning it utilised already superseded technology, standards, and guidance. Lessons learned from this incident have since been incorporated into current safety standards, codes, and guidelines, contributing to the technology's improved and more mature safety profile today.</p> <p>In response to Paragraph 3.11 (d), the Moss Landing BESS, Phase 1 “MOSS300”, CA (US) utilised LG Energy Solutions nickel-manganese-cobalt (NMC) modules, which have a lower thermal runaway onset temperature compared to LFP-based installations. Moss Landing Energy Facility experienced multiple incidents throughout its operational life, leading to its decommissioning in 2025. Additionally, Phase 1 of the Moss Landing BESS, commissioned in 2020, was designed using pre-2023 NFPA 855 guidance. Since then, several revisions of this standard have been released, with the latest being in 2026. The lessons learned from this plant’s incident have been incorporated into the safety standards, codes and guidelines currently used for BESS projects, including favouring LFP for improved thermal stability, modular/outdoor BESS layouts, improved battery containers’ self-containment and internal mitigations, separation distances, among other safety directives.</p> <p>In response to Paragraph 3.11 (e), limited public information is available on the technical details of the Thurrock BESS project in Essex, England. However, as a newer project, it is likely that updated</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
	<p><i>586,300 gallons of water from the site (2.6 million litres). To put that into context, the volume of water is roughly equivalent to the amount of water in an Olympic-sized swimming pool. That fire burned for from 16th to 18th January 2025.</i></p> <p><i>[Refer to image in the submission]</i></p> <p><i>Source: Facebook</i></p> <p><i>(e) 19th February 2025 East Tilbury Essex</i></p> <p><i>On the above date, there was a BESS fire at the Statera BESS in Essex. Essex County Fire and Rescue Service state in their post incident report that they were dealing with the incident for 25 hours. It is reported that the contaminated fire-water was still on-site in June that year with problems appointing an appropriate waste carrier. This incident happened during the construction phase. The above 5 examples are just a small selection of serious battery incidents.</i></p>	<p>fire safety guidelines and standards were implemented. This may have contributed to the fire being confined to one battery container and controlled within approximately one day, with no propagation or injuries, by applying a controlled burn strategy, even as a project still in construction. Additionally, the presence of water on the site does not mean pollution, since adequate water run-off management, drainage, and containment measures are expected to meet environmental agency and updated guidance requirements (e.g., NFCC guidance and NFPA 855).</p> <p>Each of these cases have different approaches to fire fighting and in many of them the fires have not been extinguished correctly which has resulted in a prolonged duration and significantly higher volume of water. The proposals for this Development are in line with the latest guidance in the UK.</p>
3.12-3.16	3.12 <i>The Applicant takes the view in the Technical Appendix TA A9 Flood Risk Assessment and Outline Drainage Strategy</i>	On BESS firewater management, as agreed with the Environment Agency, the contained fire suppressant will be tankered offsite and not released to the hydrological environment.

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]	<p><i>REP1-039 (FRA, page 54) that it is unlikely that there will be contaminated fire-water: "As water will not be directly applied to affected BESS container, there is limited potential for suppression water to become contaminated."</i></p> <p><i>3.13 The Group would suggest that this is a highly optimistic view to take and dangerous to rely on as a plan. In their following paragraph, the Applicant states their plan is based on the assumption that the burn time will be 2 hours, implying there will be no need for further cooling with water after that time. Given the experiences of other fire and rescue services at BESS fires, this seems totally over optimistic and unrealistic. This may be even more unlikely with this project as there has to be a strong likelihood that when the choice of cells is finally made, they are more likely to be larger more recently designed MWh units which would have the potential to burn even longer. The assumption by the Applicant in the Staythorpe BESS Outline FSMP on page 9 was that fire-water would have to be "removed by tankers and taken to a licenced facility".</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
	<p><i>3.14 The unrealistic 2 hour burn assumption does explain another impracticable design feature – that the “SuDS structures serving each catchment of the BESS compound will be sized to accommodate the 1 % AEP + 40 % CC or 228 m³, and this will be sufficient for storing the full fire suppressant volume.” (paragraph 214 of the FRA). It is argued strongly here that the planned size of the SuDS will be totally inadequate. They would be able accommodate the on-site water but that is all.</i></p> <p><i>3.15 The contaminated fire-water holding pond will be large enough if the Applicant has an immediate response authorised hazardous waste carrier with enough tankers and an acceptable and willing authorised hazardous waste facility to receive the liquid.</i></p> <p><i>3.16 Removal by tanker would only be necessary when testing identified what the contaminants were. This would be necessary as it is a legal requirement to provide the correct classification code and description of the chemicals in the required hazardous waste consignment note.</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
3.17	<p><i>3.17 Being as the Statera incident occurred in the construction phase, best practice for other developers would suggest having the above arrangements in place for when installation of the cells commences. The Applicant is nearing that stage at the Staythorpe BESS. Should they have identified all such waste related parties for that project, that would provide some comfort that immediate response waste removal can be achieved for the larger BESS.</i></p>	<p>BESS fire safety, including adequate drainage and run-off containment, as required by authorities (e.g., environmental agency and local FRS) and current standards/codes, will form part of the GNR Project, even during its construction phase. Detailed design of these features will occur post-planning consent and before construction starts. The current BESS safety approach emphasises a layered strategy, where water provision is one layer, but not the primary firefighting mechanism. Key layers include self-containment of each battery container, early detection, explosion prevention, suppression and ventilation, separation, early shutdown, and alarms. These layers will act in consonance, aiming for a controlled burn approach in the case of an emergency, using intermittent water only for cooling, to help prevent thermal propagation and limit run-off.</p>
3.18	<p><i>3.18 If it is not achievable to organise chemical testing, tanker attendance, loading and delivery slots at a waste facility all within the first two hours of an incident, then there is a high likelihood that contaminated fire-water will overwhelm the holding facilities. And what could realistically be achieved at weekends or if the incident happened at night?</i></p>	<p>Chemical testing is not proposed for contained suppressant, as agreed with the Environment Agency.</p> <p>As outlined in Section A9.3.3.2 of the ES Volume 4, Appendix A9.3: Outline Drainage Strategy [EN010162/APP/6.4.9.3] [REP3-052] based on recommendations in NFPA 855 Standard for the Installation of Stationary Energy Storage Systems and NFCC – Grid Scale Battery Energy Storage System planning – Guidance for FRS, a burn time of 2 hours and a requirement of 1,900 l/min of fire suppression water has been used to calculate the volume of fire suppressant water required to be stored onsite in the event of a container fire. This equates to 228 m³ of storage. The SuDS structures serving each catchment of the BESS compound will be sized to</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
		accommodate the greater of 1 % AEP + 40 % CC or 228 m ³ , for each catchment drained, and this will be sufficient for storing the full fire suppressant volume. As such, the SuDS structures combined with the detention basin will provide sufficient volume for spent firefighting water.
3.19	<i>3.19 The Applicant states the main holding pond will be lined to prevent chemicals permeating towards the water table. There has to be a strong possibility that any fire will be nowhere near the pond on the site. Between the pond and fire, presumably all the ground is permeable.</i>	<p>The SuDS structures to serve each BESS catchment will be sized to accommodate the 1 % AEP + 40 % CC and have an additional holding basin available for spent firefighting water to be pumped to from the SuDS structures in the event of a battery fire during heavy rainfall. As such, the SuDS system will not reach capacity during such an event.</p> <p>The BESS will comprise a sub-base with drainage infrastructure built into or below the sub-base to divert runoff to a lined contaminant tank/pond in the unlikely event of a battery fire, meaning there is limited potential to interact with the underlying strata or groundwater unit. Additionally, due to the underlying geology at the Work Area 5a: BESS compound consisting of clay-based strata (Alluvium) which acts as a barrier to infiltration (and subsequently the transfer of pollutants) with groundwater at depths likely to be greater than 2 m (BGS Water Well Reference: SK75/81), groundwater is unlikely to be present near the surface, meaning there is limited potential for pollutants to come into contact with groundwater.</p>
3.20	<i>3.20 The Outline FSMP for the Staythorpe BESS stated on page 9 there would be an</i>	In terms of the drainage strategy for Staythorpe BESS, the Staythorpe BESS Drainage Strategy was updated following consultation with

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
	<p><i>impermeable membrane installed 300mm below ground to prevent table contamination. The Group have been told that Staythorpe residents have been informed by on site contractors that is now not going to happen. This is perhaps corroborated by the fact that that section of the Staythorpe FSMP was not copy pasted into the Averham one."</i></p>	<p>NFRS, EA, LLFA and IDB and approved by NSDC. The impermeable membrane is no longer required because the fire extinguishment methodology has changed to the 'let it burn' method. In the unlikely event of a fire, the method requires cooling the surrounding areas without applying any water to the burning unit. This is to prevent thermal runaway. When the impermeable membrane was proposed, it was assumed that the burning container will be deluged in water. This is no longer an adequate methodology for extinguishment of BESS fire. The 'let it burn' method is recognised in the latest NFCC guidance.</p>
<i>Airborne Pollution from a BESS Fire.</i>		
4.1-4.9	<p><i>"4.1 Ground permeation is one route for hazardous chemicals to escape the site. What is far more difficult to control would be airborne pollution.</i></p> <p><i>4.2 The chemicals most associated with a LFP fire are:</i></p> <p><i>a) Hydrogen Fluoride (HF- extremely toxic and corrosive)</i></p> <p><i>b) Phosphoryl fluoride (POF₃- highly toxic)</i></p> <p><i>c) Carcinogenic hydrocarbons and volatile organic compounds (eg Ethylene carbonate)</i></p>	<p>Hydrogen Fluoride (HF) is the primary toxic gas released in Lithium Ferro Phosphate (LFP) battery fires, with some cases of Hydrogen Cyanide (HCN) production, as documented in cell-level UL 9540A tests and other publicly available studies. Phosphoryl fluoride (POF₃) and Ethylene Carbonate (EC) are typically undetectable in the immediate vicinity of LFP battery fires. NFPA 855 (2026) and other fire safety best-practice guidelines address these emissions through early detection, ventilation, and explosion control requirements.</p> <p>The study published by Bordes et al focuses on NMC batteries, excluding LFP batteries, which share similarities due to common electrolytes but differ in cathode composition (e.g., NMC produces high volumes of heavy metals, which are barely present in LFP events). The GNR project's water run-off management approach is outlined in the</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
	<p><i>d) Carbon Monoxide (C- colourless, odourless and lethal)</i></p> <p><i>e) Particulates and metal aerosols (eg Iron, copper, aluminium compounds. Fine particulates can penetrate deep into lungs).</i></p> <p><i>4.3 A detailed study of the pollutants released during firefighting a LFP battery fire with water can be found in “Assessment of Run-Off Waters Resulting from Lithium-Ion Battery Fire-Fighting Operations”, Bordes et al (2024)⁴.</i></p> <p><i>4.4 With the probability of such chemicals being present in any smoke plume, it is important to have risk assessments and modelling. These should include different weather conditions including rain and fog. The potential affects need assessing of chemical deposition or absorption on the arable land and the wood immediately beyond the order limits, and the nearby farm close by, especially if there is a strong north easterly wind.</i></p> <p><i>4.5 Similarly, should there be a strong westerly or south westerly wind, it must be important to assess any risks to the village of Kelham including the hotel.</i></p>	<p>Applicant’s responses to paragraph 3.17 of the IP’s submission at the row above, at page 71.</p> <p>LFP thermal runaway scenarios resulting in ignition are highly unlikely to occur. Hydrogen Fluoride (HF) dissipates rapidly when in contact with oxygen and exclusion zones typically do not exceed 20m for a short period of time. A smoke plume model, based on the final design and technology to be installed, will be completed as part of the final FSMP. Additionally, outdoor BESS fires benefit from rapid gas dispersion, often resulting in lower risk compared to indoor scenarios, where, with adequate configuration, fire safety and monitoring, public/land impacts remain low compared to other industrial fires. A project-specific battery failure plume assessment, including an airborne pollutant analysis for the specific BESS technology to be used in the project, may be performed to inform the final FSMP; however, this can only be done post planning consent and before construction when the BESS Supplier and their proposed technology are chosen.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
	<p><i>4.6 The above assessments are not optional. The Department for Energy and Net Zero published “ Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems” in March 2024. Within that document and referring to these types of BESS is the following:</i></p> <p><i>3.3.1 “There should be a full consideration of site/project risks including, but not limited to, accidental or intentional damage and natural phenomena such as fire, weather (including snow and ice and access during severe weather), flooding, land subsidence, flora, and fauna (including birds and mammals), and security. Note that risk assessments should be bidirectional – i.e. include both risks to the facility and from the facility. The planning process should assess the following risks and describe how the credible worst case has been mitigated”</i></p> <p><i>... and on the following page</i></p> <p><i>“Studies and risk assessments for the local ecosystems must be considered in site proposals, as the release of potentially harmful</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]	<p><i>gases and chemicals could cause irreparable damage to the nearby environment.”</i></p> <p><i>4.7 The FSMP states that an emergency response plan will be developed following consultation with NFRS. This may even be post determination. It is argued that the environmental risk assessment can and should be completed pre-determination.</i></p> <p><i>4.8 In the article “Preventing the Next Battery Incident: Rethinking Battery Energy Storage Safety”, Close and Bulan 2025 Institution of Chemical Engineers⁵, the authors state:</i></p> <p><i>“Compliance is not equal to safety: many failures occurred in systems that met current standards, highlighting the urgent need for regulations to incorporate consequence-based design and holistic risk management, particularly as systems scale and move closer to populated areas”</i></p> <p><i>4.9 During the webinar “Best practice for energy storage system safety around the globe”, on 29 October 2020 , a senior manager at DNV – a global assurance and risk management services provider stated: “Over the life of a [grid-scale] BESS at least one</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
	<i>failure will occur. It is unrealistic to eliminate all chance of failure.”</i>	
<i>Design and Layout</i>		
5.1 – 5.8	<p><i>“5.1 The following graphic has been taken from 2.10 Illustrative Design APP-029: [Refer to image in the submission]</i></p> <p><i>5.2 It is clear that revised plans must show the location of any holding pond. More importantly, it will hopefully demonstrate the access plans for tankers which are often articulated HGVs. At the moment, the only tarmac access to the site is in the west.</i></p> <p><i>5.3 Ordnance Survey maps tend to suggest that the main part of the BESS area is quite flat with a gentle rise in the area of the substation and towards the wood to the north. If the incident is still live, tanker drivers would very much be at the mercy of the winds. Given the potential toxicity of smoke, it seems unlikely that NFRS would be comfortable with anyone entering a site of this design whilst the fire is still going.</i></p> <p><i>5.4 The Applicant should have to satisfy NFRS and the LPA that more refined plans</i></p>	<p>The GNR BESS preliminary site layout presented in Illustrative Design [EN010162/APP/2.10] [APP-029] features two access points and 'loop' type vehicle access routes, as required in the 2026 NFCC energy storage guidance. The project has had further engagement with NFRS and Fire Safety related updates will be presented at D5.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
	<p><i>satisfy the requirements of the NFCC 2026 design guidelines. The current level of detail does not clearly demonstrate compliance with the broad principles covering access for appliances. Some of this can be completed post determination. However, it is argued here that the general location of any holding pond should be indicated during the examination. The Applicant should also state whether they intend to copy the Staythorpe BESS plan and not intend that fire-water will be recycled for second use by the NFRS.</i></p>	
5.5-5.8	<p><i>5.5 Perhaps more importantly, there is a need at this stage for the Applicant to explain how contaminated fire-water from, for example, the most northern battery area in the above plan will make its way to any pond, as opposed to soak into the ground and eventually the water table. There is mention of pumping but how and by whom is not clear. It seems unlikely that NFRS will allow personnel onto site whilst the fire is in progress and equally unlikely that NFRS will allow their own pumps to move the corrosive contaminated water around.</i></p>	<p>The BESS facility will have Sustainable Drainage Systems (SuDS) serving each catchment area of the facility, with automatic penstocks to shut off in a fire event. Additionally, a 228 m³ impermeable holding basin will be used for spent firefighting water, preventing SuDS overflow. Pumping from the SuDS to the holding basin will be performed by the facility personnel. Further details of the site's overall drainage strategy can be found in the ES Volume 4, Appendix A5.4: Outline FSMP [EN010162/APP/6.4.5.4B] [REP3-038].</p> <p>The Cirencester Hybrid Solar Farm fire investigation is ongoing, with the root cause and propagation reason still publicly unknown. The fire was contained within a day with no injuries or evacuations, demonstrating the effectiveness of more recent safety standards and the need to</p>

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Norwell Solar Farm Steering Group [REP3-114]		
	<p><i>5.6 The final point on design is the intended spacing between units. Page 26 of the FSMP states: "Pending acceptance of the UL 9540A test report by the LPA / NFRS, The Applicant has allowed for a spacing of 3.0 m between BESS enclosures on all sides"</i></p> <p><i>5.7 In the FSMP for the Staythorpe BESS, the Applicant's consultant states (on page 16): "The UL 9540A certification demonstrates that the fire will not spread".</i></p> <p><i>5.8 On 28th March 2025, a LFP battery unit went into thermal runaway at the Cirencester Hybrid Solar Farm 2 years after being commissioned. This fire propagated to a second unit (approximately 5m away) and these fires threatened to propagate to a third. This was prevented by Fire and Rescue personnel. These units had been analysed using UL9540A and received certification. Firefighters from 6 appliances attended and it took them five and a half hours to deal with the fire. It is recommended that the 3m gap be re-evaluated as it appears that UL9540A is not a guarantee against propagation."</i></p>	<p>update older installations to the latest editions. Without clear root causes, it's too early to conclude that the 3m separation distance needs re-evaluation. The Cirencester site was commissioned in late 2022, and since then, NFPA 855 has been revised twice (2023 and 2026 editions). The 2026 edition requires large-scale fire testing (LSFT) by an approved laboratory, in addition to UL 9540A testing, aiming for self-extinguishing and isolated fires. Additionally, the newer edition requires improved fire and explosion control and prevention strategies, with changes already adopted by most, if not all, major BESS OEMs.</p>

Conclusions

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]		
6.1 – 6.6	<p><i>“6.1 The issues surrounding the water supply to Pond 116 are relatively straightforward. All efforts should be made by the Applicant to locate and avoid the feed pipe from the spring. Fracturing this pipe by pile driving will lead to the deterioration of the habitat.</i></p> <p><i>6.2 The current FSMP underestimates the burn time should a thermal runaway occur. It further underestimates the volume of water that will be required by firefighters. This will most likely cause the site including the planned holding pond to be overwhelmed by water which is potentially contaminated by toxic or corrosive chemicals.</i></p> <p><i>6.3 The Applicant has failed to explain how fire-water will reach the holding pond as opposed to soaking into the ground and potentially the water table. The impermeable membrane promised in the Staythorpe FSMP is not included in this plan.</i></p> <p><i>6.4 There has been no risk assessment covering the effects of the smoke plume in differing weather conditions. There are potential risks to contiguous woodland and crop fields as well as population centres.</i></p>	Please refer to the Applicant's responses provided above.

Ref.	Summary Position of Interested Party	Applicant's Responses
Norwell Solar Farm Steering Group [REP3-114]	<p><i>6.5 As it stands, the FSMP does not comply with NFCC Guidance for appliance access. It is also totally unclear how and when waste tankers would access the holding pond. In the Staythorpe BESS FSMP, the assumption was that fire-water will have to be tankered away. The Applicant has now incorrectly shifted position, assuming that fire- water will probably not be contaminated.</i></p> <p><i>6.6 Engagement by Nottinghamshire Fire and Rescue Service in this planning process would inevitably clarify what needs to change or be added to render this design more compliant with their firefighting requirements.”</i></p>	

3.9 RESPONSES TO RICHARD ALLARTON' DEADLINE 3 SUBMISSION

Table 3-8 Responses to Richard Allarton' Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant's Responses
Richard Allarton [REP3-121]		
<i>General</i>		
Page 1	<p><i>“[...] I am writing to request the Inspectorate confirm that they are aware of another DCO level project that may affect the area currently under consideration by your team. https://h2east.co.uk/ describes a hydrogen pipeline that will run from the Immingham area to Staythorpe, crossing through the GNR Solar (and other) areas. Although apparently only published in January, farmers in the Moorhouse and Ossington areas have already been warned to expect approaches from Cadent for site inspections.</i></p> <p><i>Assuming that the Inspectorate are aware of this, please could they seek, and publish, from the Applicant, an update on how the H2East project is expected to impinge on, and affect the design and development of the GNR Solar Park. This should include credible safety assurances regarding project impingements with a minimum of, reasonably foreseen, detailed safety assessment in the common geographical areas (and any intended systems interactions) pertinent to Persons, Environment, Infrastructure and Culture. As a</i></p>	<p>The identification and assessment of cumulative effects in the ES Volume 4, Appendix A2.1: Cumulative Assessment Stages 1 and 2 [EN010162/APP/6.4.2.1B] [REP2-042] followed PINS Guidance on the Cumulative Effects Assessment. The PINS Guidance sets out criteria for the projects to be considered in the long list based on the categories of Tier 1 (most certain) to Tier 3 (least certain). To qualify as Tier 3 project, a development must be registered on the PINS website, identified in the relevant development plan and emerging development plans, and referenced in other plans and programmes. H2East Pipeline: Humber to Nottinghamshire launched in January and has not yet been registered on the Planning Inspectorate’s website, nor has the promoter submitted an EIA Scoping Report. As such, ES Volume 4, Appendix A2.1: Cumulative Assessment Stages 1 and 2 [EN010162/APP/6.4.2.1B] [REP2-042] does not need to be updated to consider H2East Pipeline: Humber to Nottinghamshire. It will only be added to the long list once the Tier 3 criteria are met and the EIA Scoping Report is provided.</p> <p>There is little reliable information about pre-application developments, particularly those that have not started consultation, and therefore it is not possible to undertake a meaningful cumulative impact assessment including these, which is why they do not meet Tier 3 criteria. Notwithstanding this, assuming the pipeline would be buried, if such a pipeline project were to proceed in the vicinity of the Development, the potential cumulative effects would be during the construction stage only, and only if the construction stage of the two projects overlapped.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Richard Allarton [REP3-121]	<p><i>minimum, this analysis should include basic safety assessment methods to include, but not be limited to, some form of Failure Modes, Effects and Criticality Analysis to support their higher level arguments in overall safety assurance.”</i></p>	<p>The Development construction phase is expected to be completed by c. 2029, whereas the H2East project DCO process itself is expected to last until 2031, with a period beyond that before construction starts. There is therefore no potential for cumulative effects of the Development against a baseline including H2East.</p>
<i>Cultural Heritage and Archaeology</i>		
Page 3	<p><i>“[...] Throughout their documents Elements Green have assessed and dismissed the significance of the airfield in terms of its archaeology. The airfield and the complex of buildings related to its activities are extensive and impressive. However, no consideration has been given by Elements Green to the value of the airfield as part of our cultural heritage and as a Heritage Asset. They have entirely missed the significance of the airfield to many people and to the culture and the history of the Second World War.</i></p> <p><i>We would like to point out that the importance of the airfield has been brought to the attention of Elements Green right from the very first public consultations. At that point their response was – it was a brownfield site – of no</i></p>	<p>The Applicant has considered the airfield as a non-designated heritage asset for purposes of the assessment. This significance is derived primarily from its archaeological and historic interests. Given the very limited above ground remains at the site (within the DCO limits), and the nature of the HER record at the time the assessment as undertaken, the archaeological interest was accorded more weight in the initial assessment. A partial geophysical survey was undertaken within the order limits, and it is intended that this is completed as part of the Stage 2 works proposed in the ES Volume 4, Appendix A11.8: Outline Archaeological Mitigation Strategy (AMS) [EN010162/APP/6.4.11.8C]. Results will be considered in respect of the detailed design, and appropriate mitigation proposed and carried out in accordance with the process set out in the AMS.</p> <p>The Applicant was made aware after Deadline 2 that NCC had concerns regarding the airfield, and the level of significance which it has been accorded, and that NCC were in the process of updating the Historic Environment Record for the airfield. The Applicant has been in dialogue</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Richard Allarton [REP3-121]	<p><i>consequence. The significance of the airfield both as a heritage site and communal facility was then highlighted in each consequent written representation. We can't actually see any evidence that our information has at any point be considered by anyone.</i></p> <p><i>We feel the value of Ossington airfield meets the criteria of a Heritage asset defined by the NPPF "the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."</i></p> <p><i>The airfield slots in here comfortably. The tangible features are the setting - the extensive flat open space on high ground, almost devoid of trees and hedges in contrast to the undulating ground, trees, narrow roads bounded by tall hedges which are characteristic of the area. The extensive views across the Trent plain with Lincoln Cathedral and the new Lancaster bomber monument in the distance.</i></p> <p><i>Other tangible features that contribute to the physical presence are the runways and</i></p>	<p>with NCC, and given further consideration to the airfield, but notes that much of the surviving evidence is in the form of structural remains in varying states of preservation at various locations in the wider Ossington locality, and outside of the Order limits. The Applicant notes that the remains (individually or together, including those within the Order Limits), whilst contributing to the overall significance of the airfield, are not considered to be of schedulable quality.</p> <p>The Applicant wishes to address the comment regarding the degree of surviving infrastructure at the airfield. It is recognised that the perimeter track survives in relatively good condition within the Order Limits (albeit reduced in width along most of its length). However, the majority of the runways that were located within the Order Limits have either been removed in totality or have been significantly reduced in width. Other than the perimeter track and sections of runway, there are only limited above ground traces of the former form and use of the airfield. None of the hangars or buildings such as control towers that would characterise this area as an airfield are present.</p> <p>The Applicant considers that the remains are not unique to the region, there being considerable survival of material related to the part played by the region in the air war as part of the wider war effort during World War II. Nevertheless, the Applicant considers that there is heritage value at the location, including a contribution made by those remains within the Order Limits. A Joint Statement on the Ossington Airfield has been prepared by the Applicant together with Nottinghamshire County Council (NCC), and sets out the position of the Parties with respect to the former RAF Ossington. Please refer to Appendix 1 of the Draft</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Richard Allarton [REP3-121]	<p><i>perimeter tracks, their distinctive concrete, the occasional lighting fitting and parts of the complex drainage systems, the unusual and rare Arrester System infrastructure, the company headquarters and the brick ruins. It is the most visible and iconic part of a large complex of buildings and sites which housed around 2000 people during the Second World War. The intangible factors are the stillness, the openness, the amazing “sense of place”. Even though the airfield is neglected, or perhaps because of this, there is always, (whatever the weather) an evocative atmosphere and a feeling of connection to history. This “sense of place” is the reason the airfield is so appreciated given by its many walkers and visitors.”</i></p> <p><i>“[...] Two relatively small areas had geophysical surveys (see map above). The anomalies indicated from the area to the north western edge are much more likely to be due to the amount of earth movement required to form the airfield in the first place. The ground was built up here as can be seen by the bank along the boundary and the built-up drive to Knapeney Farm which lies just over the western boundary. Old maps show only a very</i></p>	<p>Statement of Common Ground with NCC [EN010162/APP/8.1C].</p> <p>The Applicant stands by its position that whilst there will be some potential for loss of the archaeological significance from construction of the proposed panels and associated infrastructure, this can be mitigated. Such mitigation may include detailed design amendments to avoid/preserve those features of most interest (such as the structures associated with the arrester system), or by preservation by record, that is, the proportionate investigation and recording of buried remains, as appropriate. Decisions on the exact nature of the mitigation to be applied can be accommodated via the process laid out in the ES Volume 4, Appendix A11.8: Outline Archaeological Mitigation Strategy (AMS) [EN010162/APP/6.4.11.8C].</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Richard Allarton [REP3-121]	<p><i>small amount of the airfield has been removed in this location. The area surveyed to the east is where the majority of the remains of the built structures lie so anomalies should be expected. [...]</i></p> <p><i>"[...] Over 60% of the runways remain along with the entirety of the perimeter track in the area to be covered in panels. Only two short sections of the runways on the northern section have been removed."</i></p>	
Page 5	<p><i>"Despite our many and detailed representations to Elements Green and the Planning Inspectorate we have never seen any evidence that our evidence which shows the significance of the airfield to the community and to our cultural heritage have been considered. The video recording seems to indicate that nobody has even looked at them.</i></p> <p><i>The Airfields of Britain Conservation Trust say "Despite what many people might say, Britain's airfields are extremely popular. Exciting areas possessing uniquely indefinable atmospheres and infinite depth, anything but 'bleak' or 'windswept' as their detractors would have you believe. History however shows that our</i></p>	<p>The Applicant remains the position set out in Table 4-13, page 261 of Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116] that the public recreational use of the site occurs on an informal basis without any legal right of access. Accordingly, no planning weight can be attributed to such informal use in the assessment of the Proposed Development.</p> <p>Nevertheless, the Applicant acknowledges there is a wider communal aspect to the historic interest in the site and considers that there is opportunity for wider community engagement in any enhancement proposals (such as research into and content of information boards, facilitating continued access around the perimeter track etc.). This matter is under discussion with NCC and the Applicant will continue to work with NCC to agree a position.</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Richard Allarton [REP3-121]	<p><i>airfields have always had to cope with a crisis of some kind and as ever our disused airfields are suffering today terrible indignities. Mindless destruction continues as priceless pieces of land or buildings vanish”</i></p> <p><i>There is enormous interest and a love of Ossington airfield from people in many different areas of life.</i></p> <p><i>Here are some examples.</i></p> <p><i>For local people the airfield is the “go to” place to walk. There are plenty of other footpaths in the area but the atmosphere and “sense of place”, the long views and wide- open space are preferred. The airfield is also part of folk memories and integrated into the culture of the village. Much of the communal life revolves around the various VE day, VJ day and Remembrance Day commemorations where around 40 people will come listen to a talk on a particular aspect of the airfield, and/or something around life in the second world war that is relevant to the village. They sit down to eat and talk and then there are trips around the airfield with a tractor and trailer (always oversubscribed).</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Richard Allarton [REP3-121]	<p><i>People from other parts of the country and abroad, (usually, but not restricted to the States and Canada) often visit the airfield Jean Johnson has many tales of people she has had a chance meeting with who had relatives, usually aircrew, who flew from the airfield. This is not just the older generations but also the children and grandchildren.</i></p> <p><i>Milan Petrovic, a nationally known aviation expert is continually asked to give presentations solely on Ossington Airfield during the second world war.</i></p> <p><i>Ossington airfield is part of a much larger heritage which originates in the contribution of the raids from Bomber Command Airfields centred around Lincolnshire. The International Bomber Command Centre (IBCC) is a large, modern and exciting site of museum, memorials, interactive experiences etc built south of Lincoln in 2018. It was created to act as a point of “recognition, remembrance and reconciliation”. That such a centre was built reflects the importance, relevance and interest in Bomber Command History and that of aviation in the Second World War.</i></p>	

Ref.	Summary Position of Interested Party	Applicant's Responses
Richard Allarton [REP3-121]	<p><i>The IBCC represent our cultural heritage on a large scale but there are much smaller and more intimate memorials laid at local crash sites such as Laxton and Maplebeck where individual aircrew are honoured. The many airmen flying from Ossington and lost from crashes and being shot down are remembered and commemorated both formally and in people's thoughts. There were many Canadian Airforce personnel stationed here. Two tragic crashes of Wellington Bombers flown by Canadians from Ossington are commemorated annually. One in Yorkshire, with the loss of six airman and the there was a very unfortunate destruction of a Wellington bomber which took off from Ossington but was shot down by an RAF plane in Devon with the death of 6 Canadians. That was commemorated by a fly past by the Red Arrows last June"</i></p> <p><i>[Refer to image in the submission]</i></p>	
Page 7	<p><i>"Further concerns</i></p> <p><i>As an ex-RAF aircraft engineer of some 32 years, the airfield has importance to me where I walk my dog, and I recognise the significance of the visitor comments on perspective and</i></p>	<p>ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment (LVIA) [EN010162/APP/6.2.7A] [REP2-022] concludes that, once mitigation planting has matured, increased enclosure from hedgerows would reduce effects to medium-scale adverse, with no significant residual effects. Visual effects on Ossington Airfield are specifically addressed within Table 4-13 Responses to Ossington Solar Concerns</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Richard Allarton [REP3-121]	<p><i>vista in a way that Mr Turner clearly did not seem grasp during his hearing statements at 00:25:28:21 - 00:26:02:00. (Though it is noted that he inadvertently admits the placement of these panels is on prime agricultural land!) Either from the peritrack, or the existing road, the perspective across the airfield to the demolished hangars is clear and the planned placement of solar panels will completely disrupt this.</i></p> <p><i>The current website map (EN010162/APP/2.11) shows double security fencing along the northern peritrack, but it is unclear whether walkers will still be allowed along this walkway. In either case, hemmed in on both sides by solar panels and fencing will hardly make for a restful walk.</i></p> <p><i>Equally, it remains of concern that such work and further planting is directly adjacent to ancient woodland in which can be found the extremely rare Barbastelle Bat.”</i></p>	<p>group of the Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116], pages 256 – 257.</p> <p>With respects to the concerns on the existing route in question, please refer to the Applicant' responses to Richard Allarton in Table 3-13, currently on page 116-117 of Responses to Deadline 2 Submissions [EN010162/APP/8.23] [REP3-098]. New Permissive Footpath 8 has been proposed, so that the ability to walk the site and experience part of the form of the airfield will remain.</p> <p>Effects on lapwing and Laxton Sykes SSSI, in the area around Ossington airfield have been assessed, and no significant adverse effects have been identified. ES Volume 4, Appendix A5.1: Outline LEMP [EN010162/APP/6.4.5.1D] includes a range of beneficial interventions in and around Ossington including the creation of new woodland, wood pasture and open space. Biodiversity matters on Ossington Airfield are specifically addressed within Table 4-13</p> <p>Responses to Ossington Solar Concerns group of the Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116], pages 258.</p>

3.10 RESPONSES TO SALLY DREW’S DEADLINE 3 SUBMISSION

Table 3-9 Responses to Sally Drew’s Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant’s Responses
Sally Drew [REP3-123]		
<i>General</i>		
Page 1	<p><i>“We would like to express our concern over the cumulative impact of GNR along with Knapthorpe and Muskham Solar in that these will completely encircle the pretty hamlet of Knapthorpe (mentioned in the domesday book) completely. Along with Averham proposals will cause impact for landscaping and will be what we see on an everyday basis. The World Health Organisation ID: 28466 suggest a solar park should be at least 2 miles away from residents. This was reflected upon by the planning inspectorate and advice to authorities was suggested to be 2 kilometres or 1.2 miles away, again these distances are not maintained. You can see just in our plan that solar is just 30 metres away in some cases. Also, the cumulative impact on all other solar parks being granted significantly goes against the appropriate distance from residents. These proposals and the impact of being surrounded are effecting my mental health. I am a person</i></p>	<p>The Applicant’s responses on the cumulative landscape impact on Knapthorpe and Muskham are set out within Table 4-21 of the Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116], at page 363.</p> <p>In relation to the setback from the residential property, the Site has been carefully selected to avoid or reduce visual effects on residential amenity, including having a 50m setback from residential property, and a 100-metre setback from homes where panels would be openly visible, in cases where existing features do not fully screen residential properties. The Applicant considers that the setback and mitigations are appropriate, and no proposed panels are located within 30 metres of the property. The nearest solar panels proposed as part of the Development to the residential properties at Knapthorpe are over 250 m, whereas solar panels of the consented Knapthorpe Grange Solar Farm are c. 40 m from the nearest residential properties at Knapthorpe.</p> <p>The Applicant is not aware of such guidance from the World Health Organisation (WHO) and can find no credible reference to it online. It is understood that the same citation was used at the Examination stage of the Helios Solar project, and the Examining Authority in that case could not source the cited document but noted another document: “What is a Safe</p>

Sally Drew [REP3-123]

with good health and have never had any mental health issues but these plans to create an industrial landscape are seriously effecting me and have done from the outset. It is asked that all distances are reviewed from residents and plans adjusted accordingly. [Refer to image in the submission]

Distance to Live from a Solar Farm?"². This document provides unclear and conflicting messages about distance, stating "According to the World Health Organization, there is no significant research that proves living near a solar farm is harmful due to EMF exposure. Still, in general, solar farms are required to be built at least 3 km (1.86 miles) from residential areas. It's a good idea to know if the operation is a large-scale farm or a small scale. Typically, it's recommended to live at least 500m (0.3 miles, 1640 feet) from large-scale farms and 200 km (0.12 miles, 656 feet) from small scale." There is no reference as to what/who "requires" that solar farms are built at least 3 km from residential areas, nor any reason to do so. The references to why it is "recommended" to live the stated distances away are set out as being noise, glint/glare, electromagnetic field exposure and land use and habitat destruction. As has been shown in detail in the **ES Volume 2, Chapter 12: Noise and Vibration [EN010162/APP/6.2.12] [APP-055]** and **ES Volume 2, Chapter 16: Miscellaneous Issues [EN010162/APP/6.2.16] [APP-059]** for the Development, at all sensitive receptor locations (including residential properties), the effects of noise, glint and glare and electromagnetic fields are below thresholds of acceptability, and land use and habitats will be improved generally across the site. The recommended separations from residential properties set out in the "Go Solar Florida State" document may be broadly applicable in the absence of good design, and mitigation/control measures, however, with planning practice and guidance in the UK, these good practice and control measures are in place, and therefore solar developments can be appropriately sited much closer to residential properties than the generic statements made in that document.

Neither the WHO document (if it exists) nor any other document that states a specific separation distance between solar and residential properties should be given any weight in the Examination, as any such

² "What is a Safe Distance to Live from a Solar Farm?". Go Solar Florida State. July 2023. Available at: <https://gosolarfloridastate.org/blog/what-is-a-safe-distance-to-live-from-a-solar-farm/>. Available at: 17/03/2026.

Sally Drew [[REP3-123](#)]

	<p>statement is generic and is superseded by site- and design-specific measures and controls proposed for the Development. The Development has been designed, with the controls secured in the Draft Development Consent Order [EN010162/APP/3.1E], to lead to no adverse effects at residential properties that would be unacceptable in planning terms.</p>
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3.11 RESPONSES TO TANYA GRIMES’S DEADLINE 3 SUBMISSION

Table 3-10 Responses to Tanya Grimes’s Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant’s Responses
Tanya Grimes [REP3-124]		
<i>Landscape and Visual</i>		
Page 1	<p><i>“Further to the recent hearings in which there were questions raised regarding the methodology used to assess the visual amenity and how the significance was assessed; the applicant stated: Professional judgment is applied to ensure that the potential for significant effects arising has been thoroughly considered.</i></p> <p><i>I wish to dispute this statement. Having had the opportunity to speak to a representative of the applicant this week, I raised the issue of identified as one of the most impacted properties.</i></p> <p><i>I questioned the following statement in document EN010162/APP/6.4.7.6d, Residential Visual Amenity Assessment page 11:</i></p>	<p>The figure below shows an extract from the plans included in the ES Volume 4, Appendix A5.1.1: oLEMP Appendix [EN010162/APP/6.4.5.1.1A] [REP1-027]. It shows the design of the development adjacent to the property in question. The plan indicates a proposed hedge (in bright green) alongside the panel area to the west of the property which is separate from the hedge alongside the property boundary (dark green and coincides with the red line boundary). It is the proposed hedge around the panel area which would provide the mitigation referred to in the ES Volume 4, Appendix A7.6: Residential Visual Amenity Assessment (RVAA) [EN010162/APP/6.4.7.6] [APP-213], regardless of how the existing hedge alongside the property boundary is managed.</p> <p>Table A5.1.3 within the ES Volume 4, Appendix A5.1: Outline Landscape and Ecological Management Plan (LEMP) [EN010162/APP/6.4.5.1D], at page 19 to 22, set out measures for the existing and proposed hedgerow to maintain the hedgerow at an appropriate height, following a variable cutting or trimming schedule. The ES Volume 4, Appendix A5.1: Outline LEMP [EN010162/APP/6.4.5.1D] and ES Volume 4, Appendix A5.1.1: oLEMP Appendix [EN010162/APP/6.4.5.1.1A] [REP1-027] present the illustrative design, which would be confirmed through the detailed</p>

Ref.	Summary Position of Interested Party	Applicant's Responses
Tanya Grimes [REP3-124]	<p><i>"Once the proposed hedge along the edge of the panel area to the west matures (7-10 years), effects would reduce to Negligible."</i></p> <p><i>The boundary hedge is already a very mature hedge; already being fully established in 2007 when the property was purchased. I therefore questioned whether there was a further hedge proposed beyond the existing hedge which would require time to mature, but it was suggested not. I then asked whether, by 'mature' the statement actually meant 'left to get taller', to which the response was 'yes probably'.</i></p> <p><i>If this hedge is allowed to grow and screen some of the visual impact it will have an even more significant impact on the property.</i></p> <p><i>This property was built in an area of land much lower than the adjacent field - over 1 metre difference in places. Under present conditions the hedge is cut bi-annually by the land owner/maintainer to a level approximately 3 metres above ground level on the property</i></p>	<p>LEMP. Requirement 8 of the Draft Development Consent Order [EN010162/APP/3.1E] secures that the detailed design would be subject to consultation with affected properties, and the final approval would be from NSDC.</p>

side of the hedge; though much lower on the field side, being nearer to 1.5 metres high.



In the period between cuts when new growth quickly reaches 4+ metres high from the property side, it is extremely difficult to keep the overhanging branches cut back in order to prevent damage to vehicles using the shared access driveway, such as a motorhome entering and exiting the property.

Although a taller hedge may screen the view of the nearest panels, it would greatly increase the burden of overhanging hedgerow, thus significantly impacting daily access to the property. Impact would not therefore be reduced to negligible as stated it would simply be changed to a different type of impact. Domestic hedge cutters are not designed to withstand work on such mature hedging and do not have the reach to work at such height. I do not therefore believe any professional judgement was applied to assess the impact of this mitigation measure at this property.

It is thus requested that this hedge be excluded from any visibility mitigation.”



Legend

-  Property referred to in by Tanya Grimes in ISH3 Post-Hearing Submissions [[REP3-124](#)] (and request for site visit [[PDA-011](#)])
-  Proposed hedge around solar arrays to west of property

Ref.	Summary Position of Interested Party	Applicant's Responses
Tanya Grimes [REP3-124]		
<i>Landscape and Visual</i>		

3.12 RESPONSES TO SUTTON-ON-TRENT PARISH COUNCIL’S DEADLINE 3 SUBMISSION

Table 3-11 Responses to Sutton-on-Trent Parish Council’s Deadline 3 Submission

Ref.	Summary Position of Interested Party	Applicant’s Responses
Sutton-on-Trent Parish Council [REP3-109]		
<i>Introduction</i>		
Page 1	<p><i>“The Parish Council has concerns in relation to the proposals increasing the risk of flooding to its community. It would therefore ask that the applicant address all matters raised by the Environment Agency that are not currently resolved to ensure that there is no additional flooding risk.</i></p> <p><i>The Parish Council supports its neighbour, Carlton-on-Trent, and the comments submitted in relation to flood risk from Carlton-on-Trent Parish Council.”</i></p>	<p>Agreement has been reached on a number of matters with the EA, with outstanding matters relating to the DCO and Management Plan as stated in Draft Statement of Common Ground with the Environment Agency [EN010162/APP/8.3C].</p> <p>Please refer to the Applicant’s responses to the matters raised by Carlton on Trent Parish Council, which are set out within:</p> <ul style="list-style-type: none"> • Table 3-3 of the Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115], starting at page 18 • Table 4-3 of Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116], starting at page 170 • Table 3-3 of Responses to Deadline 2 Submissions [EN010162/APP/8.23] [REP3-098], starting at page 27 <p>The Applicant has also provided an update to how the concerns on surface water flooding raised by Mrs Hopkins would be addressed, in response to Action 28 from Issue Specific Hearing 3, presented at page 60 of the Written Summary of Oral Submissions from Issue Specific Hearing 3 and Response to Action Points [EN010162/APP/8.26] [REP3-101].</p>

Appendix 1: Applicant Responses to NSDC's Written Summary Submission

Ref.	Summary Position of Interested Party	Applicant’s Responses
Newark and Sherwood District Council		
<i>Responses to ISH3 Post-Hearing Submissions [REP3-106]</i>		
Paragraph 3	Sequential assessment is awaited.	A draft of the assessment had been provided to NSDC before ISH3. The final version was submitted as Appendix A to the Applicant’s ISH3 Written Summary [EN010162/APP/8.26] [REP3-101] .
Paragraph 6	<i>“NSDC noted the significant change in the wider character of the district that would result from the proposed development, introducing significant ‘industrial’ style development from the current character in these areas which is largely characterised by open countryside areas.”</i>	The LVIA provided in ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment (LVIA) [EN010162/APP/6.2.7] [REP2-022] , identifies significant effects arising from the Proposed Development on the host landscape character type but not on <i>“the wider character of the district”</i> . Given the references in paragraphs 5 and 7 of ISH3 Post-Hearing Submissions [REP3-106] are to cumulative effects with One Earth it is not clear whether NSDC intend paragraph 6 to refer to the effects of the Proposed Development, or to combined effects with One Earth solar farm.
Paragraph 7	<i>“NSDC confirmed their view around the experience of ‘sequential’ views as moving through the landscape, which would be dominated by solar arrays and associated infrastructure and the significant change in land use that would result when considering the combined effects of the</i>	As described in Appendix A to the Applicant’s ISH3 Written Summary [EN010162/APP/8.26] [REP3-101] , hedgerows, woodlands and the undulating terrain would fragment the visibility experienced to brief glimpses of each solar array – particularly for road users as most roads are hedge-lined. The solar arrays of each project would be experienced briefly in succession, rather than the landscape being ‘dominated’ by the solar arrays.

Ref.	Summary Position of Interested Party	Applicant's Responses
Newark and Sherwood District Council		
	<i>Great North Road and One Earth Solar Farm projects.”</i>	See also responses to Technical Memorandum[EN010162/APP/3.3D] [REP3-107] below.
Paragraph 7	<i>“NSDC concluded by confirming that the strategic level cumulative impacts on landscape character need not be considered within the technical documents.”</i>	The Applicant agrees with this point.
Responses to Technical Memorandum [REP3-107]		
Section 1	<i>“The Applicant’s approach, based on individual landscape character areas (from local to national scale) is considered too restrictive when considering the widespread change, the region is undergoing through the development of large scale solar, BESS and energy infrastructure... the approach utilised ... does not adequately capture how multiple schemes collectively influence the perceived character, openness and rural qualities of the Trent Valley landscape. Although we accept that this follows guidance in terms of assessing the</i>	As NSDC have agreed, the approach to cumulative assessment in the LVIA follows current guidance and (as noted above) is complete in terms of the technical requirements. Given this, NSDC’s concerns relating to regional landscape change go beyond what is required to be considered in the LVIA for this project. To address the point, the Applicant has set out an opinion in relation to regional landscape change at page 48 of the Written Summary of Oral Submissions from Issue Specific Hearing 3 and Response to Action Points [EN010162/APP/8.26] [REP3-101].

Ref.	Summary Position of Interested Party	Applicant’s Responses
Newark and Sherwood District Council		
	<p><i>cumulative impacts of the development when considered against the agreed long list, it does not address the strategic level change.”</i></p>	
Section 1	<p><i>“Although not adopted guidance, there have been numerous reports and studies on this matter, for example IEMA Volume 7: July 2020, Demystifying Cumulative Effects, ‘Thought pieces from UK practice’ is a selection of articles and opinion pieces on the subject of cumulative effects assessment. Some of these articles address the point we are raising.”</i></p>	<p>Some of the articles in Impact Assessment Outlook Journal Volume 7: July 2020 ‘Demystifying Cumulative Effects - Thought pieces from UK practice’ discuss this topic or related matters such as whether to assess the combined effects of multiple developments but no conclusion is reached. The only article which directly addresses the issue of landscape change (see page 12 of the journal) specifically endorses PINS Advice Note 17 on Cumulative Effects Assessments as “a repeatable and demonstrably systematic methodology for cumulative effects assessments”.</p>
Section 1	<p><i>“The position of adverse cumulative landscape and sequential visual effects of several NSIP scale solar developments was also adopted by Lincolnshire County Council on the Tillbridge Solar Project, and the Examining Authority’s Report of Findings and Conclusions and Recommendation to the Secretary of State</i></p>	<p>Paragraph 3.7.145 of the ExA Report for Tillbridge Solar Farm 3 indicates that the ExA in that case considered that:</p> <p>“The applicant has underestimated the cumulative landscape and visual effects of the proposed development. This is primarily because we consider that the cumulative landscape and visual harm experienced on a sequential basis would be significant up to year 15 of operation”, and that</p>

³ The Planning Inspectorate (2025). TILLBRIDGE SOLAR PROJECT Examining Authority’s Report of Findings and Conclusions and Recommendation to the Secretary of State for Energy Security and Net Zero. Available at: <https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010142-001371-Recommendation%20Report.pdf>. Accessed by 17/03/2026.

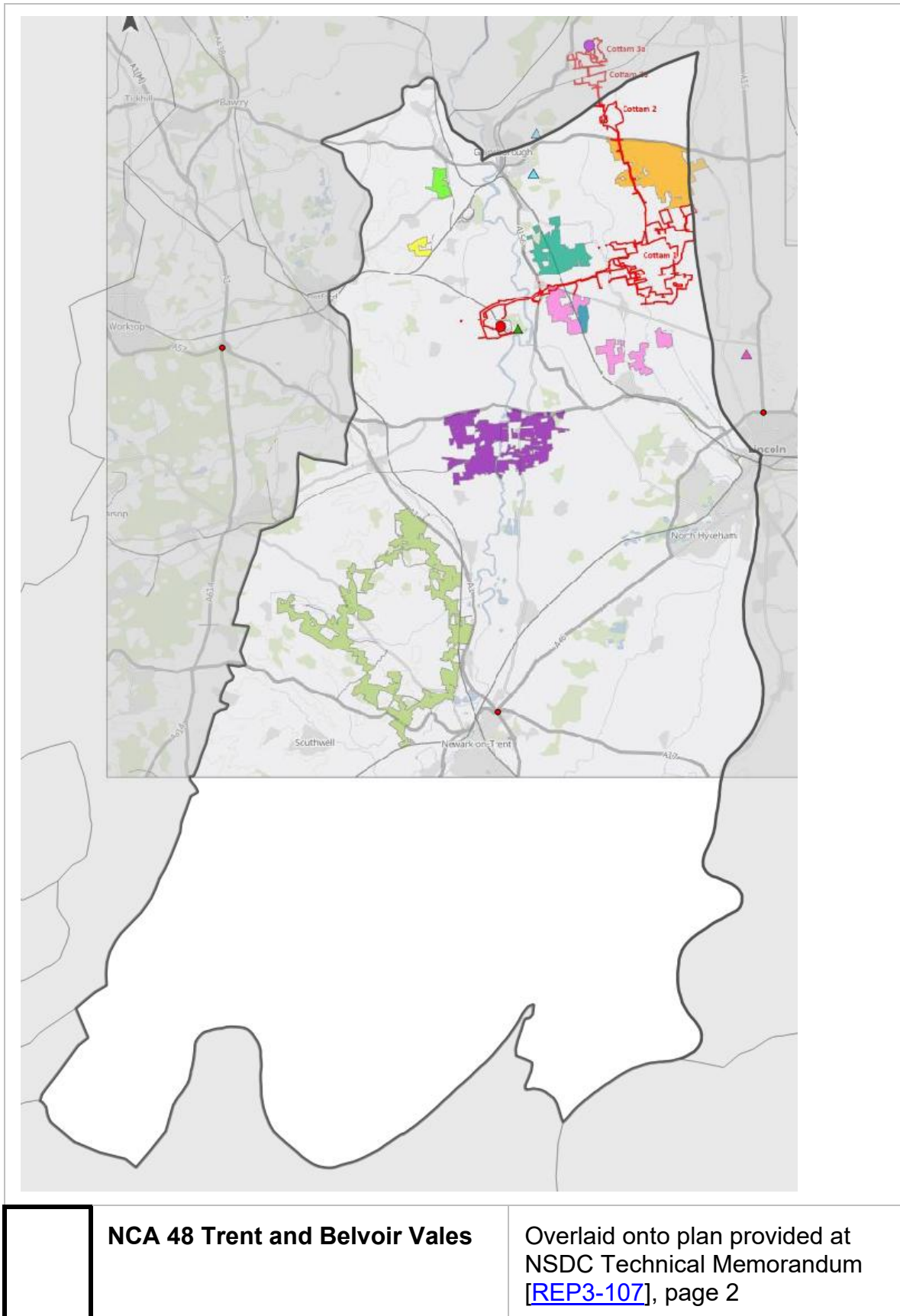
Ref.	Summary Position of Interested Party	Applicant’s Responses
Newark and Sherwood District Council		
	<p><i>for Energy Security and Net Zero, 14 July 2025 agreed with this argument (refer section 3.7.145. of this document), establishing this principle.”</i></p>	<p>“Landscape and visual harm, ... would be caused by the proposed development in isolation and when considered cumulatively with other development.”</p> <p>These are case specific judgements and do not indicate that the ExA agreed with any arguments made by the County Council in terms of the methods of assessment, nor do they establish a principle. The Applicant has previously provided a more detailed response in relation to the assessment of sequential effects for Tillbridge solar farm when this point was first raised by NSDC during ISH1 (see section 6 of Appendix 3 to the Applicant’s Written Summary of Oral Submissions from Issue Specific Hearing 1 and Responses to Action Points [EN010162/APP/8.19][REP1-068])</p>
Section 2	<p><i>“The combined extent of energy infrastructure development would: Adversely affect multiple published character areas across Nottinghamshire. Lead to the progressive alteration of the regional landscape character from predominantly agricultural to one that contains energy-infrastructure which we judge would become a key feature; and Result in an extensive area of land-use change, from agriculture to solar, and loss of perceived rural openness and tranquility.</i></p>	<p>In relation to cumulative landscape effects arising from multiple solar farms, it is not clear which projects are being referred to as causing these effects. The drawing referred to in this section of the report illustrates solar farms within an area measuring approximately 50km north to south based on the scale provided on that drawing, with the Proposed Development shown in the south of that area – i.e. the majority of the solar farms shown are not ‘in close proximity’ to the Site and the closest project beyond One Earth to the north is West Burton – located approx. 15km from the Site.</p> <p>When reviewing this drawing, it should be noted that the red line boundary is coloured in for each of the projects and the extent of solar arrays would be less than shown. This is particularly the case for the Proposed Development where the shaded areas reflect an older and more extensive layout design than that applied for.</p>

Ref.	Summary Position of Interested Party	Applicant’s Responses
Newark and Sherwood District Council		
	<p><i>Over time, the cumulative impact would alter the character of the region, creating an emergent landscape type with energy infrastructure being a key feature, rather than its historic agricultural character.</i></p> <p><i>...This is particularly a concern when considered cumulatively alongside schemes in close proximity.”</i></p>	<p>As shown by Figure 1 below, the solar farms shown largely lie within NCA 48 Trent and Belvoir Vales and thus the national character area is the receptor which would be affected by the combined change, rather than a new ‘emergent landscape type’ being created as NSDC suggest.</p> <p>Energy infrastructure is already a ‘key feature’ of this landscape – with the list of key characteristics⁴ including “Immense coal-fired power stations in the north exert a visual influence over a wide area, not just because of their structures but also the plumes that rise from them and the pylons and power lines that are linked to them. The same applies to the gas-fired power station and sugar beet factory near Newark, albeit on a slightly smaller scale.”</p> <p>The change to character would be the type of energy infrastructure that exerts an influence over the northern part of the character area; changing from coal-fired power stations to solar farms as the Applicant noted in Appendix A to the Applicant’s Written Summary of Oral Submissions from Issue Specific Hearing 3 and Response to Action Points [EN010162/APP/8.26] [REP3-101]</p>
Section 3	<p><i>“Although individual schemes may be separated by some distance, the repeated presence of large-scale solar arrays along routes travelled by the public would:</i></p> <p><i>Increase the susceptibility of receptors to change due to visual fatigue.</i></p>	<p>In relation to cumulative visual effects, it should be noted that ‘visual fatigue’ is not a concept or term recognised in LVIA and the susceptibility of visual receptors is not dependent upon it. GLVIA3 paragraph 6.32 provides the following advice (underlining added):</p> <p>“The susceptibility of different visual receptors to changes in views and visual amenity is mainly a function of:</p>

⁴ Natural England (2026). Trent and Belvoir Vales - Key Characteristics. Available at: <https://nationalcharacterareas.co.uk/trent-and-belvoir-vales/key-characteristics/>. Accessed by: 17/03/2026.

Ref.	Summary Position of Interested Party	Applicant’s Responses
Newark and Sherwood District Council		
	<p><i>Create a progressive perception of landscape Industrialisation; and</i></p> <p><i>Erode the sense of rural character and tranquility across the wider area.</i></p> <p><i>.... These sequential cumulative visual effects are more likely to be experienced in conjunction with the One Earth Solar which is located north of the Great North Road.”</i></p>	<ul style="list-style-type: none"> • the occupation or activity of people experiencing the view at particular locations; and • the extent to which their attention or interest may therefore be focused on the views and the visual amenity they experience at particular locations.” <p>The presence or absence of other development affects the scale of change to the view (a component of magnitude), rather than changing the susceptibility of visual receptors.</p> <p>The other two bullet points refer to effects on landscape character rather than visual effects.</p> <p>An assessment of cumulative sequential effects has been provided within the LVIA and supplemented with further consideration of sequential effects in the area between the Proposed Development and One Earth Solar Farm in Appendix A to the Applicant’s Written Summary of Oral Submissions from Issue Specific Hearing 3 and Response to Action Points [EN010162/APP/8.26] [REP3-101].</p>
Section 3	<p><i>“Sequential effects would be experienced along multiple public routes in the wider landscape...When combined with road corridors such as the A1133 and A156, and associated lanes...”</i></p>	<p>The A1133 and A156 connect Newark on Trent and Gainsborough to the east of the Trent; 3.3km from the Proposed Development at the closest point. The Proposed Development is not likely to be visible from this route and would give rise to Negligible impacts on users of this route.</p> <p>See also the response to NSDC ISH3 Post-Hearing Submissions [REP3-106] Paragraph 7 above.</p>

FIGURE 1



APPENDIX 2: DRONE DEFENCE POSITION STATEMENT

1 INTRODUCTION

- 1.1.1 This Position Statement ('the Statement') provides the Applicant's responses to the submissions made by Drone Defence Services Ltd ('DDSL') [REP3-111] and Richard Gill [REP3-122] at Deadline 3. It is noted that the representations from both parties are identical. For clarity, this Statement refers to both parties collectively as the 'Interested Party' where appropriate.
- 1.1.2 The Interested Party has submitted six documents in support of their representation, which include:
- Response to the Applicant's Indicative Services Corridor Proposal (email of 30 January 2026)
 - Engineering Assessment
 - Legal Note from Counsel
 - Further Written Submissions from Groves Town Planning
 - Heritage Report (dated 29 November 2023)
 - Statement of Response to the Examining Authority's Questions
- 1.1.3 As many of the issues raised across the six documents overlap, the Applicant does not respond to each document individually. This Position Statement consolidates the issues raised into topics, and provides a consolidated response to cover the following matters:
- Legal Rights
 - DDSL'S Activities and Works: Planning Considerations
 - The need for plots 15/16, 15/17 and 16/1 for the Development
 - The Effect of the Order Powers Upon the Rights
 - The Compelling Case in the public interest
 - The Applicant's proposed services corridor
 - Environmental Impact on Caunton Lodge Farm

- 1.1.4 This Statement does not look to duplicate the Applicant's responses to the previous submissions at Deadlines 1 [[REP2-115](#)], 2 [[REP2-116](#)], 3 [[REP3-098](#)] or **Responses to ExA's First Written Questions [EN010162/APP/8.22A] [[REP3-096](#)]**. Where appropriate to avoid repetition the Applicant has sought to cross-refer back to responses provided in those documents, supplemented by additional information that has been entered into the Examination since those documents were prepared.
- 1.1.5 The Applicant has also had regard to the Examining Authority's questions at Question 10.2.1 in ExQ2 and refers back to its responses to those as appropriate, in the Responses to **Second Written Questions [EN010162/APP/8.30]**.

2 THE LEGAL RIGHTS

- 2.1.1 The Applicant does not dispute that the property known as Caunton Lodge Farm, being Lot 4 as referred to in the 1998 Deed, has the benefit of rights to install and retain Service Installations across neighbouring land to serve Lot 4, and for the free passage of services through those Service Installations ("the Rights").
- 2.1.2 The Applicant provided a plan at Appendix 1 of the **Responses to Deadline 1 Submissions [EN010162/APP/8.21] [[REP2-116](#)]**, at page 401, to show the land which benefits from the Rights and the land burdened by the Rights. The Interested Party has not disputed the accuracy of this plan. The Applicant accepts the position noted in the Interested Party's Legal Note¹ that the Rights are not expressly limited to being exercisable only in a particular location or confined to a particular corridor.
- 2.1.3 It is further accepted by the Applicant that the Rights may be exercised by the owners and occupiers for the time being of Lot 4 and that there is no express reference in the terms of the Rights which requires Lot 4 to be in residential use in order to benefit from the Rights.
- 2.1.4 Lot 4 has the benefit of the Rights over a vast area of land of approximately 873,000 sqm (216 acres). This includes the land shown shaded yellow (being Lot 3) on the Applicant's plan appended to the Written Summary of Oral Submissions from **Compulsory Acquisition Hearing 1 and Response to Action Points [EN010162/APP/8.25] [[REP3-100](#)]**. It also includes the land to the south within Title NT341887 which is shown edged red on the Deed Plan at Annex A to this Position Statement. The latter plan derives from a Deed dated 30 September 1998 which grants rights for the benefit of Lot 4 over the land within Lots 1 and 2. Those rights, which the Applicant has copied into Appendix to this Position Statement are equivalent to those which burden the Order Land. They are relevant to the Interested Party's intention to deliver a 25m wide services corridor from Lot 4, which was raised for the first time by the Interested Party in its Deadline 3 submissions.

¹ Legal Note from Counsel, paragraph 9 [[REP3-111](#)]

- 2.1.5 Having regard to the submissions of the Interested Party at Deadline 3, the Applicant makes the following additional points regarding the Rights:
- 2.1.6 The purpose of the Rights is to serve and connect to Lot 4.
- 2.1.7 Lot 4 formed part of a wider estate which was divided into lots and sold in 1998. The transfers made provision for land to have the benefit of rights to ensure that the various lots could retain existing connections and make new services connections to their land across the wider former estate. Access rights were also granted along the access road that runs from Lot 4 down to the adopted highway at Mill Lane.
- 2.1.8 The Interested Party's Legal Note² confirms that Lot 4 itself is entirely 'off-grid' and therefore there are no existing Service Installations which serve Lot 4 pursuant to the Rights that could be affected by the Applicant's Proposed Development. It is wholly at the discretion of the owner of Lot 4 as to whether to maintain the off-grid status of the property. If the owner wishes to connect the property to mains services in due course they will be able to do so pursuant to the Rights that benefit the property. Whilst a route that follows the access road to Mill Lane is likely to be the most pragmatic option for domestic services, such connections could still be made through the Order Land if reasonably required as demonstrated on the Applicant's plan appended to the Written Summary of Oral Submissions from **Compulsory Acquisition Hearing 1 and Response to Action Points [EN010162/APP/8.25] [REP3-100]**.
- 2.1.9 As explained in response to Question 10.2.1 d in the **Responses to ExA's Second Written Questions [EN010162/APP/8.30]** – the corridor shown on the plan is approximately 5m in width which is more than sufficient for services that may typically be required to serve a domestic property. It should be noted though, as explained in response to Question 10.2.1e in the **Responses to ExA's Second Written Questions [EN010162/APP/8.30]**, that there is no reason why domestic services would need to follow that route. This allegedly 'narrow, indirect services corridor'³ is only under consideration because of the request to connect apparatus belonging to DDSL. The options available to the owner of Lot 4 to connect main services to the property would not be constrained by the location of the existing DDSL apparatus and could take a more direct route through Lots 1, 2 and 3 as appropriate to arrive at Lot 4.
- 2.1.10 DDSL are not seeking to connect Lot 4 to mains services pursuant to the purposes of the Rights. As acknowledged in their Legal Note⁴, the proposed electricity cable connection, which is said to require a 25m wide corridor, is not to provide mains power to Lot 4 but is to provide a power connection from Lot 4 to a services cabinet and radar and monitoring equipment constructed by DDSL for a use which has no direct relationship with Lot 4.

² Legal Note from Counsel, paragraph 10 [REP3-111]

³ Legal Note from Counsel, paragraph 17 [REP3-111]

⁴ Legal Note from Counsel, paragraph 16 [REP3-111]

- 2.1.11 DDSL's proposed 25m corridor⁵ will cut across the Order Land to the services cabinet that has been constructed to the south of and outside of the Order Land on Lot 2 of the Deed Plan at Annex A to this Position Statement, and then continue south through Lots 2 and 1 to the adopted highway in Mill Lane. The requested 25m corridor serves no other purpose beyond DDSL's business, and it is not proposed to be used to connect mains services to Lot 4. The Interested Party's submissions do not address why they consider this proposal to lawfully fall within the scope and purpose of the Rights.
- 2.1.12 The Rights to lay new services installations are not absolute or unrestricted.
- 2.1.13 The Interested Party's submissions assert that the Rights are absolute and that the Applicant is seeking to convert the Rights into a discretionary arrangement. This is incorrect and it ignores the fact that the Rights prescribe that the laying of new Service Installations should be done: *'causing as little damage as possible and making good to the reasonable satisfaction of the Purchaser any damage caused'*.
- 2.1.14 It follows that the exercise of the Rights by the owners/occupiers of Lot 4 is not unfettered and the persons exercising them must reasonably have regard to the damage that may be caused to the burdened land and to the accompanying remediation requirements. Insofar as the Interested Party wants to lay a cable through the land within Plots 15/16, 15/17 and 16/1 of the Order Land, this necessarily requires consideration of the potential for conflict with and/or damage to the physical features on or in the burdened land and the occupation and use of the land.
- 2.1.15 The Interested Party has given no such consideration to the impact of its proposals on either the current or proposed use of the Order Land or to whether this could be mitigated by an alternative route through other land which is already burdened by the Rights in order to mitigate any damage that may be caused to the Order Land.
- 2.1.16 Contrary to the Interested Party's submissions in paragraph 5.11 and 5.12 of the Engineering Report, and paragraph 7.2 of the Groves Planning Report, the Applicant is not suggesting that other land should be subject to a new burden. Rather, the Applicant is pointing out that the owner/occupier of Lot 4 has the benefit of existing rights over other land and is asking why such land could not be used. This is a legitimate question when reviewing potential impacts on land rights, particularly when there is an express duty on the person exercising the rights to cause as little damage as possible. Furthermore, an unreasonable failure of a claimant to mitigate loss would be relevant in the event of a compensation dispute arising from the exercise of the powers in the **Draft Development Consent Order [EN010162/APP/3.1E]** in respect of the Rights.

⁵ Engineering Assessment, Annex 1 [REP3-111]

- 2.1.17 It is clear from the Deed Plan at Annex A to this Position Statement that the Rights are exercisable over a vast area of land. The alternative route proposed by the Applicant at Appendix A to **Written Summary of Oral Submissions from Compulsory Acquisition Hearing 1 and Responses to Action Points [EN010149/APP/8.25] [REP3-100]**, which runs parallel to the access road and to field boundaries, is entirely suitable for an electricity cable. This route would cause as little damage as possible to the Order Land in accordance with the express terms of the Rights. Furthermore, the Applicant's reasonable mitigation requests, summarised in the Applicant's response to Action 2 in the **Written Summary of Oral Submissions from Compulsory Acquisition Hearing 1 and Responses to Action Points [EN010149/APP/8.25] [REP3-100]**, do not constrain or add an extra burden upon the Interested Party's exercise of the Rights as alleged in Interested Party's submission⁶. The requirement to cause as little damage as possible and to make good any damage caused to the reasonable satisfaction of the landowner is already a requirement of the Rights. The Applicant is simply being clear as to its reasonable expectations of what that would involve.
- 2.1.18 The Applicant also notes from the Interested Party's submission⁷ that an existing landowner has challenged the Interested Party's proposed exercise of the Rights and that there is an ongoing dispute in the Court. The Applicant has no involvement in that litigation but would point out that it reinforces the Applicant's position that there are checks and balances upon the exercise of the Rights.
- 2.1.19 There is no evidence that DDSL is entitled to exercise the Rights.
- 2.1.20 The Applicant notes that the Interested Party has now been asked by the ExA to evidence that DDSL is in lawful occupation of Lot 4 to entitle it to benefit from the Rights. The Applicant therefore reserves its ability to comment further when it has seen the Interested Party's response to Question 10.2.2 in ExQ2.
- 2.1.21 The Interested Party has no legal right to control the development or use of the Order Land.
- 2.1.22 There is no restrictive covenant over Plots 15/16, 15/17 or 16/1 or such other right to prevent development upon the land burdened by the Rights, nor to limit the use of the land. The Interested Party's assertions regarding the absolute nature of the Rights appear to assume that the burdened land must be forever kept vacant, undeveloped and/or unused so as to enable Service Installations to be laid anywhere without encountering a physical constraint. This is plainly not the case.

⁶ Further Written Submissions from Gove Town Planning, paragraph 7.4 [REP3-111]

⁷ Further Written Submissions from Gove Town Planning, paragraph 7.3 [REP3-111]

2.1.23 The Rights do not constrain development and/or the use of the land, whether by the current owners or their successors in title. The owners of the land for the time being are entitled to use or develop their land as they see fit (subject to appropriate planning controls and other consents) regardless of whether or not this interferes with DDSL's activities. The potential for the current landowners to interfere with a visual line of sight from Lot 4 exists now regardless the Applicant's proposals. As does the potential for the owners to erect apparatus on the land that might interfere with radio frequency signals from the monitoring equipment/services cabinet should that ever become operational.

2.1.24 Accordingly, even if it can be demonstrated that DDSL is a lawful occupier of Lot 4, there is no legal basis for the Interested Party to claim that any interference by the Applicant's proposed Development with DDSL's activities would be in breach of the Rights and this risk has no bearing on the compelling case in the public interest for the inclusion by the Applicant of powers to interfere with private rights the **Draft Development Consent Order [EN010162/APP/3.1E]**.

2.1.25 Clearly, this diminishes the relevance of the Interested Party's submissions which proceed on the assumption that:

- DDSL has the benefit of the Rights,
- the scope of the Rights extends to powering up the services cabinet and monitoring equipment for DDSL's purposes,
- the Rights are absolute and permit DDSL to install a 25m services corridor wherever it wishes without reasonable regard to available alternative locations, to the damage that it would cause or to the mitigation and remediation measures that would be needed,
- the Rights permit unfettered flying over the land and/or restrict development or use of the land in a manner which would interfere with DDSL's drone flying or research activities, and the Applicant's proposed Development will breach those Rights.

2.1.26 For the reasons explained below, the Applicant does not accept that its proposed development or use of the Order Land will prevent DDSL from carrying out those activities.

3 DDSL'S ACTIVITIES AND WORKS: PLANNING CONSIDERATIONS

3.1.1 Despite repeated requests from the Applicant, DDSL has not demonstrated that:

- its business use of Lot 4 is a lawful planning use;
- the installation of the services cabinet and radio/monitoring equipment was lawfully undertaken pursuant to a planning permission or comprised permitted development (and if so which part of the Town and Country Planning (General Permitted Development) (England) Order 2015 ("GDPO") is relied upon); or
- it has secured all necessary planning consents for the installation of the proposed electricity cable infrastructure between Lot 4 and the highway at Mill Lane.

- 3.1.2 The permitted planning use of Lot 4 is that of a residential dwelling, and, as explained by the Applicant in its **Responses to Deadline 1 Submissions [EN010162/APP/8.21]** [\[REP2-116\]](#) and **Responses to Deadline 2 Submissions [EN010162/APP/8.23]** [\[REP3-098\]](#), the local planning authority as part of its recent grant of planning permission for a home office at the property sought express assurances that the property was not to be used for business use.
- 3.1.3 There are a number of inconsistencies in the Interested Party's submissions to the ExA. On the one hand, the Interested Party in its D3 submissions relies heavily on DDSL's ability to carry out its research and development activities from the property as a factor that it contends should weigh heavily against the compelling need for the proposed Development. Yet on the other hand, the Legal Note⁸ seeks to downplay DDSL's use of Lot 4 as a 'matter of convenience' and suggests it is part of the existing residential use of the property.
- 3.1.4 The Applicant is unable to be definitive as to whether DDSL's business use is lawful in planning terms, and it is not known whether the local planning authority has inspected the land, has full knowledge of DDSL's operations, is aware of the erection of the DDSL apparatus, or is aware of its proposed engineering works to install a lengthy underground cable. The Applicant has serious concerns that the extensive research and development activities said to be undertaken by DDSL have materially altered the nature and character of the residential use so as to require planning permission for a change of use.
- 3.1.5 The Applicant has not identified any permitted development rights which DDSL could rely upon for the erection of the services cabinet and monitoring equipment, or for the proposed underground cable. Despite being on notice of the Applicant's requests for planning information, and despite the Interested Party submitting a lengthy planning report from Groves Planning at D3, it is notable that the Interested Party has failed to disclose a relevant express planning permission or lawful development certificate or prior approval for these works. Nor has it identified the relevant part of the GDPO insofar as it relies upon permitted development to authorise the works.
- 3.1.6 In the absence of any such confirmation, the Applicant draws the conclusion that the existing installed apparatus comprises unlawful development and that the proposed underground cable would require planning permission.
- 3.1.7 Accordingly, even if DDSL benefits from the Rights, and even if there is a prospect of those Rights being breached by the Applicant, the weight if any that should be applied to the alleged impact when weighing up the compelling case in the public interest, is severely limited in circumstances where the alleged impact is upon an unlawful planning use and/or unlawful development or engineering works.

⁸ Legal Note from Counsel, paragraph 15 [REP3-111]

4 THE NEED FOR PLOTS 15/16, 15/17 AND 16/1 FOR THE PROPOSED DEVELOPMENT

- 4.1.1 The applicant has responded to Questions 10.2.1 a, b and c in the **Responses to ExA's Second Written Questions [EN010162/APP/8.30]** in this regard and does not repeat those points here.

5 THE EFFECT OF THE ORDER POWERS UPON THE RIGHTS

- 5.1.1 The Applicant has responded to Question 10.2.1 g in the **Responses to ExA's Second Written Questions [EN010162/APP/8.30]**, with regards the effect of the **Draft Development Consent Order [EN010162/APP/3.1E]** on the rights and does not repeat those points here.

6 THE COMPELLING CASE IN THE PUBLIC INTEREST

- 6.1.1 For the purposes of section 122(2)(a) of the Planning Act 2008, the Applicant has explained why plots 15/16, 15/17 and 16/1 are required for the proposed Development and why alternative locations for the development would be inappropriate. It has also explained the impact upon the proposed Development, its generating capacity and the benefits that the project will realise in the event that this land is excluded from the **Draft Development Consent Order [EN010162/APP/3.1E]**.
- 6.1.2 The Applicant requires exclusive possession and control of this land. The option agreement which the Applicant has concluded with the freehold owner of the land is an option for a lease, but it is not possible to create a new lease by compulsory acquisition therefore full acquisition powers are sought over these land parcels in the **Draft Development Consent Order [EN010162/APP/3.1E]**. New rights only would be insufficient and would risk conflicting development, occupation and use of the land by others. This could for example cause damage to the infrastructure; lead to the removal of essential mitigation measures; have safety implications and ultimately prejudice the construction or operation of the proposed Development. In turn, this would undermine the ability to realise the overwhelming public benefits that the proposed Development will bring in line with national policy objectives.
- 6.1.3 The Interested Party does not own any of the land in plots 15/16, 15/17 or 16/1 yet it is seeking its exclusion from the **Draft Development Consent Order [EN010162/APP/3.1E]** notwithstanding that the Applicant has concluded an option agreement for the land. This is a wholly unjustified and disproportionate request particularly as the exercise of compulsory acquisition powers sought over the land pursuant to Article 22 of the **Draft Development Consent Order [EN010162/APP/3.1E]** has no impact on the Rights. It is the powers in Articles 25 and 28 of the **Draft Development Consent Order [EN010162/APP/3.1E]** that have the potential to interfere with the Rights, but the operation of these powers is not dependent on the exercise of compulsory acquisition powers in any way.

- 6.1.4 The Applicant has explained in response to Question 10.2.1 in the Responses to **ExA's Second Written Questions [EN010162/APP/8.30]** the potential effect (if any) of Articles 25 and 28 on the Rights. If there is an interference with the Rights pursuant to those Articles, it will only be because there is a conflict with the proposed Development. Any such interference with private rights would be for a legitimate purpose, in accordance with national policy which recognises the national significance of the proposed Development.
- 6.1.5 The Applicant has also sought to provide a potential solution to the Interested Party's request to power the DDSL services cabinet. The Applicant does not assert that this is the only services corridor that may be available through the land burdened by the Rights but it has sought to have regard to DDSL's request to route through the Order Land to a particular location. Plot 15/16 where the PV is to be situated is approximately 46,800 sqm (11.6 acres) and makes up only approximately 5.4% of the total land area burdened by the Rights. The Applicant considers that there are many alternatives available to the Interested Party, whether to provide domestic services to Lot 4, or to power the services cabinet, but the Interested Party is solely concerned with DDSL's existing unpowered apparatus.
- 6.1.6 The Applicant has explained why DDSL does not have a property right to constrain the use or development of land that could impact on DDSL's flying activities and why there would be no interference with such activities pursuant to Article 25 or 28 of the **Draft Development Consent Order [EN010162/APP/3.1E]**. Insofar as DDSL does benefit from the Rights to install services, and this right is interfered with pursuant to Articles 25 and 28, when assessing the impact of those provisions on the Rights, weight should not attach to any consequential impact on an unlawful planning use, or to unlawful development.
- 6.1.7 Such an impact could not outweigh the need for the proposed Development and its benefits, for which there is a compelling case in the public interest.

7 THE APPLICANT'S PROPOSED SERVICE CORRIDOR

- 7.1.1 The Applicant has responded to Questions 10.2.1 d, e and f in the **Responses to ExA's Second Written Questions [EN010162/APP/8.30]** regarding the adequacy of the Applicant's corridor, the alternatives considered, and the proposal for a 25m corridor. The Applicant does not repeat those points here.

- 7.1.2 The Applicant notes that the author of the Interested Party's Engineering Assessment has not been identified, nor their professional qualifications. This assessment repeats many points in the Interested Party's other submissions, including assertions regarding the nature of the existing rights and the alleged impact of the proposed Development and the **Draft Development Consent Order [EN010162/APP/3.1E]** on the Rights. The Applicant also notes that the engineering report focusses upon providing a continuous route from lot 4 to Mill Lane via the non-operational services cabinet. It also ignores the possibility of a more direct route down or in parallel with the access road and makes no attempt to explain why that would not be feasible.
- 7.1.3 The Applicant refers to its comments set out in Section 2 of this Position Statement regarding the legal rights pursuant to which the interested party seeks to install the corridor and their spatial extent which extends way beyond the order land and the applicant's proposed corridor.
- 7.1.4 With regards to the technical design of the Applicant's proposed corridor⁹, the Applicant refers to **Environmental Statement Volume 2 Chapter 5 Development Description [EN010162/APP/6.2.5]** where the Applicant has committed to maintaining a 10m distance from watercourses and the **Outline Construction Environmental Management Plan (oCEMP) [EN010162/APP/6.4.5.3C]**, through the implementation of which a minimum buffer zone distance of 5m from non-IDB drainage ditches and 10m from IDB drainage ditches for all infrastructure during construction will be maintained. Similarly, the Construction Ecological Management Plan which is referred to within the oCEMP provides details of the measures which will be put in place to safeguard ecological features during construction and to avoid or reduce any impacts on such features. Furthermore, **Environmental Statement Volume 2 Chapter 10 Ground Conditions and Land Contamination [EN010162/APP/6.2.10]** confirms the Applicant's commitment to undertaking ground investigations at detailed design stage in the absence of available site-specific geological and geotechnical data.

8 IMPACTS ON DDSL'S FLYING ACTIVITIES

- 8.1.1 The Interested Party's submission¹⁰ proceeds on the assumption that DDSL has the benefit of rights that will be interfered with pursuant to the **Draft Development Consent Order [EN010162/APP/3.1E]**, giving rise to an impact upon a lawful business use.
- 8.1.2 The Applicant refers to its comments above regarding planning matters, the lack of any rights to protect DDSL's flying activities, and the lack of evidence that DDSL benefits from the Rights to lay services installations or that its proposed exercise of those rights falls within their scope.
- 8.1.3 The Applicant also refers to its response on CAA regulatory matters in **Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116]**.
- 8.1.4 The Applicant additionally comments as follows regarding the alleged impact of the proposed Development upon DDSL's activities the opportunities to mitigate any such impact:

- As DDSL have no control over the existing agricultural use of the land, there is already a risk that the activities of uninformed persons could impact on the ability to over-fly the land.
- There may be impacts upon drone over-flying during the construction of the proposed Development, albeit this could be mitigated when the Applicant controls the site through appropriate training and notification measures.
- There will be minimal personnel on site when the works have completed and the site is operational. It is anticipated that the Ground Risk Class would be the same as it would for an agricultural site with no adverse effect upon the ability to over-fly the land.
- The Applicant is unable to comment upon the alleged interference between PV fields and the DDSL services cabinet and RF apparatus but would note that drones are regularly used to inspect solar farms. The Applicant also queries the relevance of comparison between DDSL's activities and those of an operational airport.
- The Applicant has previously asked the Interested Party, including at the CAH, why the apparatus needs to be situated in that location and/or why drone flying could not be undertaken over other land. Nor has the Interested Party explained why the radar could not be relocated to another area on the site or be mobile or powered via other means (Solar/Generator). As the RF apparatus is not actually connected or operational there would appear to be an opportunity to relocate it. The Interested Party has not answered these matters and a failure to do so is not justified on the basis of commercial sensitivity.
- As summarised at paragraph 1.6.36 of the **Written Summary of Oral Submissions from Compulsory Acquisition Hearing 1 and Response to Action Points [EN010162/APP/8.25] [REP3-100]**, on page 12, the Applicant's drone expert (Mr Jim Ixer – Drone Pilot Academy Limited) considers that the drone operations could be reconfigured. For example, the area to the north west of Lot 4 would be more suitable for the type of operations which DDSL claim they wish to undertake in the future such as BVLOS. Furthermore, he would expect tests to detect drones to involve detecting drones from differing approaches, directions, speeds, height etc. A mobile device would give greater flexibility and scope for a wider range of testing.
- The report expresses concern that the proposed Development would affect DDSL's ability to get permission for an AAE. An AAE is airspace where the likelihood of encountering another aircraft is minimal and therefore would have the lowest Air Risk Class of ARC-A. Furthermore, any flights in an AAE must have a NOTAM submitted which will make all other air users aware of DDSL's activity. A NOTAM submission takes 5 days and therefore allows plenty of time to notify the users of land.
- However, in Mr Ixer's experience it will be difficult for DDSL obtain a SORA based Atypical Air Environment (AAE) approval as activities would be too near to areas such as the access road which is not wholly in the Interested Party's control. Other parties have rights over the access road and the CAA would also consider delivery drivers and other visitors to the property. Nor does the Interested Party own the land being used for drone flying so they can never have control of this area. DDSL may struggle to gain an AAE approval whether the land is in agricultural use or used for the proposed Development.
- Regulations do not prohibit overflight of the solar farm infrastructure. Only overflight of uninformed persons is prohibited with drones over 250g.

- DDSL want to operate in the A3 Open Category. Flights in the A3 Open category would need to maintain a minimum of 50m away from uninvolved persons. Or if flown higher than 50m then the distance increases to match the height being flown. Therefore, drones would need to keep that distance away from the permissive footpath. The new footpath would reduce the operating area slightly but there is a vast alternate area to use.
- If Mr Gill (who personally undertakes the flying from Lot 4 (see paragraph 6.1.3) undertakes the next level of qualification called the GVC (General Visual Line of Sight) or RPC - Level 1 (Remote Pilot Competency) then he can operate closer to uninvolved persons when flying visual line of sight. One cannot plan to overfly uninvolved persons but one can fly closer to them. This is a 3-day course and so is not onerous. This would remove the hard 50m avoidance buffer.

8.1.5 Accordingly, the Applicant does not accept that its proposed Development or use of the Order Land will prevent DDSL from carrying out its existing or future planned drone flying activities.

9 ENVIRONMENTAL IMPACT ON CAUNTON LODGE FARM

- 9.1.1 The Interested Party expressed concern regarding the Applicant's approach to good design and the application of mitigation hierarchy¹¹. They asserted that design of the scheme in this location is wholly disproportionate and would prejudice an NSIP given that the Development would provide a marginal generating contribution¹². The Interested Party requested the ExA to scrutinise whether avoidance through layout redesign of W18.3, W18.1 and the permissive route was reasonably achievable and necessary.
- 9.1.2 The Applicant has responded to DDSL at Deadline 1 in the **Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115]**, at page 335 to 336, that a reduced scale proposal to the Development is not considered by the Applicant to be a reasonable alternative.
- 9.1.3 Paragraph 5.10.26 of NPS EN-1 identifies that reducing the scale of a project can help to mitigate the visual and landscape impacts of a proposed project but could result in a reduction in function, for example electricity generation output. It goes on to recognise there may be exceptional circumstances where mitigation could have a very significant benefit and warrant a small reduction in function such that the landscape and/or visual effects may outweigh the marginal loss of function.
- 9.1.4 In this context, a reduction to the scale of the Development is not one of the exceptional circumstances anticipated by the NPS, or considered to be a reasonable alternative, given the objective of maximising the energy generation potential of the Project and making best use of the Applicant's grid connection offer. The Applicant does not consider that a reduction in scale in this case would reduce the magnitude of any identified effect, or have a significant benefit in terms of reducing visual and landscape impacts. Further, the associated loss in function would be more than a "marginal loss". Accordingly, paragraph 5.10.26 of NPS EN-1 does not support reducing the scale of the Project.
- 9.1.5 The Applicant's responses below therefore maintain the position that the design of the Development has minimised visual impacts as far as reasonably possible, and that the proposed approach to the permissive path is acceptable and would not give rise to privacy intrusion.

¹¹Further Written Submissions from Gove Town Planning, paragraphs 1.1 to 2.3 [REP3-111]

¹² Further Written Submissions from Gove Town Planning, paragraphs 8.1 to 9.2 [REP3-111]

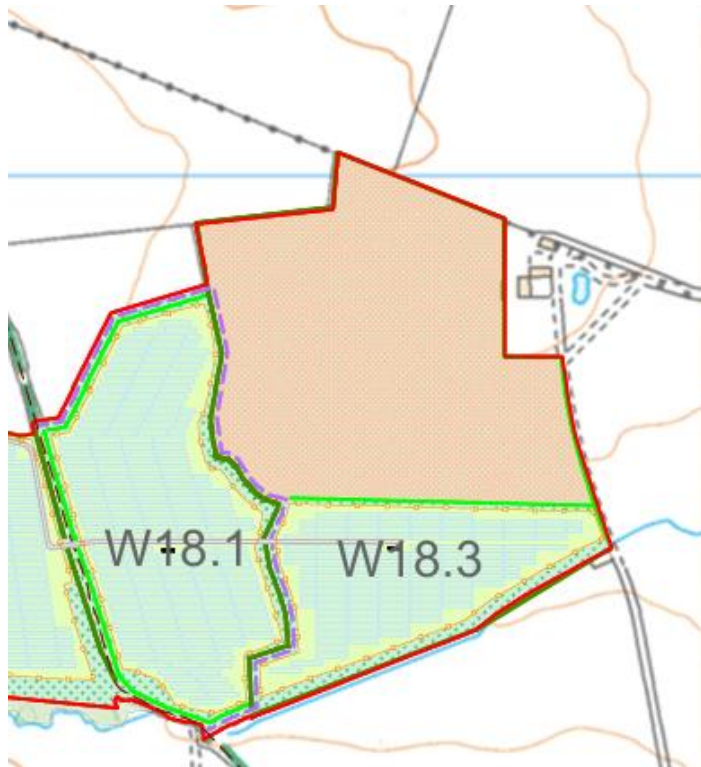
Landscape and Visual Matters

- 9.1.6 The Interested Party expressed concerns regarding the RVAA’s baseline, which states that “The Residential Visual Amenity Assessment (“RVAA”) for CLF is materially undermined by a baseline error. The Applicant’s documentation depicts an “existing hedgerow” on the southern boundary of CLF, but no such hedgerow exists; the boundary is open agricultural land, as verifiable on-site and supported by aerial imagery in the Hutton + Rostron report.”¹³
- 9.1.7 The Applicant notes that page 9 of the **ES Volume 4, Appendix A7.6: Residential Visual Amenity Assessment (RVAA)** [EN010162/APP/6.4.7.6] [APP-213] describes Caunton Lodge Farm. Neither the annotated photograph or the text refer to a hedge along the southern boundary of the property. The only reference to hedges around the property boundary is in relation to hedges to the north and west (“The property is set within a large, open garden that has hedgerows along the northern boundary and half of the western boundary.[...]”) and the only reference only reference to screening of southward facing views is in relation to the small garden area close to the house (“[...] Views from the main south-facing façade and small formal garden directly south of the house would be filtered through garden vegetation, but still relatively open, particularly in winter.[...]”)
- 9.1.8 The Interested Party suggests that “EN-3 specifically requires Landscape and Visual Impact Assessments (LVIA) with photomontages for sensitive receptors like residential properties (paras 2.10.85–2.10.87...”¹⁴. The Applicant notes that EN-3 paragraph 2.10.89 indicates that “photomontages may be required” to represent effects from “residential areas” as part of an LVIA (which assesses effects on public views), but that does not extend to necessitating photomontages from individual homes as part of an RVAA.
- 9.1.9 The Interested Party then further expressed concerns regarding the visual impact on CLF and openness, and stated that the proposed hedgerow “is designed without safeguarded working strip between the planting line and the residential boundary”¹⁵. As shown by the extract provided below from sheet 3 of the **Landscape Masterplan** [EN010162/APP/2.11] [APP-030], there is a retained arable field (shown in a tan colour) between the property boundary (red-line to the northeast) and the proposed hedge (bright green line north of W18.3). Given the distance beyond the property boundary (more than 150m) the proposed planting would not be close enough to cause shading and would be a very limited change in terms of openness. Please also refer to the Applicant’s responses to Richard Gill in the **Responses to Relevant Representations** [EN010162/APP/8.16A] [REP2-115], at page 214.

¹³ Further Written Submissions from Gove Town Planning, at paragraph 3.1 [REP3-111]

¹⁴ Further Written Submissions from Gove Town Planning, at paragraph 3.2 [REP3-111]

¹⁵ Further Written Submissions from Gove Town Planning, at paragraph 3.2 and at paragraphs 4.1 to 4.2 [REP3-111]



9.1.10 The Interested Party asserted that the RVAA appears to treat the receptor as a limited viewpoint rather than the residential curtilage as a whole.¹⁶ The Applicant notes that page 9 of the **ES Volume 4, Appendix A7.6: Residential Visual Amenity Assessment (RVAA)** [EN010162/APP/6.4.7.6] [APP-213] clearly describes the potential changes to views from the house, garden and approach to the property and describes the effects as arising for a “*Wide extent*” of the property.

Permissive Route

9.1.11 The Interested Party expressed concern regarding the proposed permissive route, which suggests that the proposed permissive route would allege privacy intrusion and asserts the relevance to Article 8 of the Human Rights Act¹⁷.

9.1.12 The proposed route is being referred to the proposed permissive bridleway 5, which is described in Table A18.1.3 of the **ES Volume 4, Appendix A18.1: Outline Recreational Routes Management Plan (oRRMP)** [EN010162/APP/6.4.18.1B] [REP2-082]. Permissive bridleway 5 is proposed following the feedback from local residents, which would pass through Work no.1 solar PV for 250 m of the 875 m route. The path would contribute to the 875 m of new pathway and represents an important link in strengthening connectivity of the existing network.

¹⁶ Further Written Submissions from Gove Town Planning, at paragraph 3.3 [REP3-111]

¹⁷ Further Written Submissions from Gove Town Planning, at paragraphs 6.1 to 6.2 [REP3-111]

9.1.13 The Applicant's responses on this matter are provided in Table 3-26 in **Responses to Relevant Representations [EN010162/APP/8.16A] [REP2-115]**, at page 216. It was elaborated within Table 4-20 in the **Responses to Deadline 1 Submissions [EN010162/APP/8.21] [REP2-116]**, page 328 to 329, which has explained that the impact on the residential property is minimal for the following reasons:

- The diverted permissive bridleway is located approximately 330 metres southwest of the nearest building at CLF. The proposed permissive bridleway is therefore not immediately adjacent to the boundary of the site.
- There is an existing bridleway (NT|Caunton|BW13) approximately 550 m southwest of the property. The proposed permissive route lies in the same direction, further demonstrating that public activity is a pre-existing feature of the local setting.
- The presence of both existing and proposed hedgerow planting along the CLF boundary, ensures that the potential for overlooking is minimal.
- The permissive route is not a statutory Public Right of Way, which indicates that it will not attract the level of use typically associated with dedicated PRowS, thereby further reducing the likelihood of privacy intrusion

9.1.14 The Applicant considers that the proposal represents a proportionate balance between providing public recreational benefit and protecting residential amenity.

Effects on non-designated heritage asset

9.1.15 The Heritage Report suggests that Caunton Lodge Farm is recognised as a non-designated heritage asset¹⁸. The Applicant acknowledges that Caunton Lodge qualifies as a Non-designated Heritage Asset (NDHA), and it is registered on the HER as a modern farmstead (MNT 25375). **ES Volume 4, Appendix A11.2 Heritage Settings Assessment Scoping Exercise [EN010162/APP/6.4.11.2B] [REP3-053]** was not proposed to assess every asset in detail, and in particular it excludes non-designated heritage assets (NDHAs) with some exceptions. The NDHAs that were scoped into this assessment were selected at the request of statutory consultees at the Scoping Stage, and these relate only to non-designated designed landscapes – former parkland. Caunton Lodge was not selected as an NDHA to be included in the assessment based on the agreement with the statutory bodies at the Scoping Stage.

9.1.16 The Heritage Report¹⁹ suggests that the significance of Caunton Lodge Farm is derived from its architectural and historic interest, and that its rural landscape setting is intrinsic to the heritage interest of CLF. The Applicant does not agree with the statement of heritage interest and significance of this property and its setting, and considers that the statement does not adequately meet the process set out in the Historic England's The Settings of Heritage Assets: Good Practice Advice in Planning Note 3 (second edition 2017). The Applicant considers that the statement has not explicitly

¹⁸ Heritage Report prepared by Hutton+Rostron, in Section 6, at paragraphs 1 to 3 [REP3-111]

¹⁹ Heritage Report prepared by Hutton+Rostron, in Section 3 [REP3-111]

characterised the interests from which the significance of the lodge is derived, nor specifically identified how the setting contributes to those interests/that significance.

- 9.1.17 Also, the Report states “This impact would cause substantial harm to the setting of this NDHA”. The Applicant does not agree with the findings of the heritage assessment, and notes that the heritage assessment does not articulate the expression of harm with respect the specific interests from which the heritage significance of the Lodge is derived (as these are not identified), but relies on simple intervisibility as somehow contributing to significance.
- 9.1.18 The Applicant draws attention to Historic England’s guidance which makes it clear that setting is not a designation and that the importance of setting lies in its contribution to the significance of a given asset (in accordance with *The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* para 9). As per the methodology used to assess potential effects on significance as set out in **ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11] [APP-054]**, simple intervisibility is not considered to be harm in and of itself – there needs to be a specific effect on one or more of the interests from which significance is derived.
- 9.1.19 The finding of “substantial harm to the setting” is incorrectly put and overstate; the correct test is whether the significance of the asset is harmed through a diminishment in the contribution made by setting to that significance. In any case, the relevant policy test in the NPPF for a non-designated heritage asset is set out in paragraph 216 and reflected in para. 5.9.34 of NPS-EN 1, which does not refer to harm substantial or otherwise, but state that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 9.1.20 The Applicant considers the significance of this NDHA is derived from its limited historic and architectural interests, and notes that:
- In respect of the architectural interests, this is best appreciated, in terms of layout, form and detail in close proximity to the asset. The architectural interest of the asset as an example of vernacular agricultural building has been diminished by heavy modification (noting that the remaining heritage elements are noticeable only at close range).
 - It also has historic interest as an example of a post-medieval agricultural complex (a role it no longer performs). The enclosure within which is set has been fundamentally changed by the introduction of hedging and fences, PV cells and wind turbine as well as the reorientation of the access route (historically from the south now from the northeast) to such an extent that it does not contribute to the significance of the asset.
 - Whilst the record of evolution inherent in its fabric is of interest, this is again best appreciated in close proximity, and does not rely on any contribution made by its setting. As such, the rural landscape setting makes a slight contribution to its significance.

- 9.1.21 In conclusion, the Applicant does not accept the heritage report's findings and considers that there is no harm to the interest from which this non-designated asset's significance is derived, as the current setting beyond the immediate curtilage does not contribute significantly to how those interests can be understood and appreciated.
- 9.1.22 With the secured mitigation, the scale of visual harm on the NDHA is minimised and justified, and that the asset's significance is not sufficient to warrant inclusion in the setting assessment. The Applicant considers that the design approach to CLF is proportionate to its importance as an NDHA, and that sufficient information has been provided to understand the potential impact of the proposal on its significance. The Development therefore meets the policy requirements.

ANNEX A: DEED PLAN AND RIGHTS

Plan and Rights referred to in the 30 September 1998 Deed of Transfer

(a) The right for the owners and occupiers for the time being of the land edged blue and green on the plan annexed hereto with or without vehicles and for all purposes to pass and re-pass over the roadway marked with a black dotted line on the plan (of no lesser width than the current width) insofar as that roadway is within the land hereby transferred in common with the Transferors and all persons

authorised by the Transferors subject to payment of a fair proportion of the cost incurred in maintaining and repairing the land used in common

(b) The right for the owners and occupiers for the time being of the land edged green to the free passage and running of water, soil, gas, electricity and other services through the Service Installations now or at any time within the Perpetuity Period laid or constructed on, under or through or which belong to the property and which serve the land edged green subject to payment of a fair proportion of the cost incurred in cleaning, maintaining, repairing and renewing those used in common

(c) the right for the owners and occupiers for the time being of the land edged green at any time within the Perpetuity Period to enter after giving reasonable notice upon the property to lay or construct Service Installations on, under or through the property or to make connection to Service Installations now or within the Perpetuity Period laid or constructed on, under or through or which belong to the property causing as little damage as possible and making good to the reasonable satisfaction of the Transferees any damage caused

