



Great North Road Solar and Biodiversity Park

Draft Statement of Common Ground with Newark and Sherwood District Council

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Document reference – EN010162/APP/8.2B2CB

Revision number 43

March ~~February~~ 2026

EP Rule 8(1)(e) Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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Revision History

Revision	Revision Date	Authorised By	Position	Comment
Issue 1	6/08/25	ES	Head of Planning	1 st Draft for NSDC Review
Issue 2	25/11/25	ES	Head of Planning	2 nd Draft for NSDC Review
Issue 2	8/12/25	SB	Planning Officer	Comments on SoCG
Issue 3	9/12/25	ES	Head of Planning	D1 Draft for sign-off
Issue 4	14/01/26	ES	Head of Planning	D2 updates
Issue 5	2/02/26	ES	Head of Planning	Updates to reflect NSDC comments
Issue 6	11/02/26	ES	Head of Planning	Updates to reflect NSDC comments
Issue 6	16/02/26	SM	Planning Officer	Comments on SoCG
Issue 7	17/02/26	ES	Head of Planning	Updates to reflect NSDC comments
<u>Issue 8</u>	<u>18/03/26</u>	<u>ES</u>	<u>Head of Planning</u>	<u>D4 Draft</u>

1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support an application (the Application) for a Development Consent Order (DCO) from the Secretary of State (SoS) for Energy Security and Net Zero under Section 37 of the Planning Act 2008 (PA 2008) for the proposed Great North Road Solar and Biodiversity Park (the Development). The Application has been submitted by Elements Green Trent Limited (the Applicant).
- 1.1.2 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the Parties, and where agreement has not (yet) been reached.
- 1.1.3 SoCGs are an established means in the planning process of allowing all Parties to identify and focus on specific issues that may need to be addressed during the examination. This SoCG will be revised and updated as discussions between the Parties progress during the Examination.

1.2 PARTIES TO THIS STATEMENT OF COMMON GROUND

- 1.2.1 This SoCG has been prepared by (1) Elements Green Trent Limited as the Applicant and (2) Newark and Sherwood District Council (NSDC) (collectively, 'the Parties').
- 1.2.2 NSDC is the host Local Authority. The Development is wholly located within NSDC's administrative area. NSDC is listed as the local authority, in accordance with Section 42 of the PA 2008 and so has been consulted during the preparation of the Application and following its acceptance.

1.3 TERMINOLOGY

- 1.3.1 In the table in the Issues section of this SoCG:
- "Agreed" (Green) indicates where the issue has been resolved;
 - "Under discussion" (Amber) indicates where a matter is the subject of ongoing discussion; and
 - "Not Agreed" (Red) indicates a final position.

1.3.2 Where NSDC expresses agreement, it does so only in so far as it has considered the issue with regards to its statutory remit and on the basis of the information provided by the Applicant. Agreement is offered without prejudice to the submissions of other interested Parties who may have greater knowledge of technical or site-specific issues.

1.4 RECORD OF RELEVANT CORRESPONDENCE

1.4.1 The Applicant has undertaken consultation and engagement with NSDC throughout the development of the Application. The Applicant consulted NSDC in accordance with Section 42 of the PA 2008, about the Development and environmental impact assessment as part of the formal pre-application consultation and publicity procedures. This process afforded NSDC the opportunity to provide responses to the information provided at various stages of the pre-application process.

1.4.2 Appendix 1 sets out the discussions and correspondence that has taken place between the Parties to date.

1.4.3 It is agreed that this is an accurate record of the key meetings and consultation undertaken between the Parties in relation to the issues addressed in this SoCG.

2 CURRENT POSITION OF THE APPLICANT AND NSDC

2.1 PRINCIPLE OF THE DEVELOPMENT

Table 2-1 Principle of the Development

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.1.1	Section 42 Statutory Consultation in the Consultation Report	Principle of development	Noted.	The Parties agree that the Overarching National Policy Statement for Energy (NPS EN-1) and the National Policy Statement for Renewable Energy (NPS EN-3) form the relevant policy framework for the Development.	Agreed
2.1.2	RR	Planning Policy	<p>Current Position: NSDC further consider that they have highlighted and appraised all relevant policies within the emerging plan within the Local Impact Report for consideration by the ExA and the SoS.</p> <p>Deadline 1 Position: We consider that the Newark and Sherwood Amended Allocations and Development Management DPD (AADMDPD) is at an advanced stage of</p>	<p>Current Position: As noted in 3.6.6 of the Planning Statement [EN010162/APP/5.4C], [REP3-018], both Core Policy 10 and Policy DM4 relate to planning applications rather than development consent applications for NSIPs. In accordance with paragraph 4.1.16 of NPS EN-1 where there is a conflict between a Local Plan and an NPS, then the NPS prevails for the purpose of SoS</p>	Not Agreed

			<p>preparation and will continue to advance during the examination of this project. Accordingly, we consider that it will become increasingly relevant during the later stages of the examination and will likely carry more weight in this regard.</p> <p>At paragraph 6.7.8, reference is made to the 'Draft' Solar Energy SPD. The SPD is no longer in draft form and was adopted on the 10th June 2025. The adopted version of the SPD can be found here: Solar-Energy-SPD.pdf</p>	<p>decision making given the national significance of the infrastructure.</p> <p>Therefore, the Applicant considered that the publication of the AADMDPD during the examination would not affect the policy assessment of the Development against NPS policy.</p>	
<p>2.1.3 .1.3</p>	<p>RR</p>	<p>Other Matters – Planning Policy</p>	<p>Current Position: NSDC have reviewed the updated planning statement submitted at deadline 1 and whilst the relevant policies are identified, we do not consider that an appraisal of the policies is provided. Nonetheless, NSDC have highlighted and appraised all relevant policies within the emerging plan within the Local Impact Report for consideration by the ExA and the SoS.</p>	<p>The Planning Statement [EN010162/APP/5.4A] [REP1-018] (submitted at Deadline 1) sets out the relevant policy consideration in the Development Plan.</p> <p>While the primary basis for making decisions on applications for development consent is the relevant NPSs, the Planning Assessment identifies relevant local policy documents, including:</p> <ul style="list-style-type: none"> Newark and Sherwood Local Development Framework 	<p>Not Agreed</p>

			<p>Deadline 1 Position: NSDC notes that the Planning Statement does not contain an appraisal of NSDC local plan policies, with pages 177 – 188 of the Policy Compliance Document listing and considering in brief policies in the Development Plan. NSDC will identify all of the relevant local planning policy context at the point that it submits its LIR to the Examining Authority.</p>	<p>– Amended Core Strategy DPD (‘the Amended Core Strategy’) (2019)¹;</p> <ul style="list-style-type: none"> • Newark and Sherwood Local Development Framework – Allocations and Development Management DPD (the ‘ADMDDP’) (2013)²; • Identified the AADMPD as emerging development plan <p>Planning Statement [EN010162/APP/5.4B][REP2-017] considers the good design and the need for renewable energy principles as set out in the Development Plan.</p>	
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2.2 ALTERNATIVES AND DESIGN EVOLUTION

Table 2-2 Alternatives and Design Evolution

Ref	Relevant Documents	Description of Matter	NSDC’s Position	Applicant’s Position	Status
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¹ Newark and Sherwood Local Development Framework – Amended Core Strategy DPD (‘the Amended Core Strategy’) (2019). Newark & Sherwood District Council. Available at: <https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/planning-policy/local-development-framework/amended-core-strategy-dpd/amended-core-strategy-DPD.pdf>. Accessed by: 24 March 2026

² <https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/planning-policy/supplementary-planning-information/allocations-and-development-management-dpd/Allocations-and-Development-Management-Development-Plan-Document.pdf> Newark & Sherwood Local Development Framework – Allocations & Development Management Development Plan Document Adopted July 2013. Newark & Sherwood District Council. Available at: <https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/planning-policy/supplementary-planning-information/allocations-and-development-management-dpd/Allocations-and-Development-Management-Development-Plan-Document.pdf>. Accessed by: 24 March 2026

<p>2.2.1 .2.1</p>	<p>Section 42 Statutory Consultation in the Consultation Report</p>	<p>Site Selection and Alternatives</p>	<p>Current Position: NSDC provided feedback to the Applicant in the pre-submission stage (response to statutory consultation) and made similar points in our Relevant Reps about a lack of clarity on the spatial presentation of alternative areas of land considered, prior to the Order Limits being finalised. NSDC do not consider that it is within their remit to suggest alternate areas of land and that onus falls with the Applicant.</p> <p>Deadline 1 Position: Noted.</p>	<p>Whilst the Applicant notes that NSDC have stated that there have been a 'lack of clarity on the spatial presentation of alternative areas of land considered', NSDC have not suggested that any specific land or sites that should have been considered. feedback on this at any point during the pre-application process.</p> <p>As set out in EN-1 (paragraph 4.3.28) 'Alternative proposals which are vague or immature can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision'.</p> <p>Notwithstanding this, the Applicant considers that it has considered an appropriate number of potential alternatives and that the Development is located in a suitable location. Details of the overarching site selection process for the Development are provided in ES Volume 2, Chapter 4: Alternatives [EN010162/APP/6.2.4] [APP-047].</p>	<p>Not Agreed</p>
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<p>2.2.2 .2.2</p>	<p>Section 42 Statutory Consultation in the Consultation Report</p>	<p>Design Evolution</p>	<p>Noted.</p>	<p>The description of design evolution as set out in ES Volume 2, Chapter 4: Alternatives [EN010162/APP/6.2.4] [APP-047] has been carried out in a proportionate manner and is considered acceptable.</p> <p>Further details of the design evolution are provided in Design Approach Document [EN010162/APP/5.6A] ; [REP1-019], which demonstrates how a number of changes were made to the layout of the Development in response to Statutory Consultation feedback.</p>	<p>Agreed</p>
<p>2.2.3 .2.3</p>	<p>RR</p>	<p>Other Matters</p>	<p>The site selection and design evolution process should be clearly presented within Chapter 4, with more evidence of other sites considered. It would also be beneficial to the understanding of this topic area if the information were presented in plan form, which for example details alternative sites considered, within the context of environmental constraints and designations, in comparison to</p>	<p>Alternatives of the Development has been considered and assessed in ES Volume 2, Chapter 4: Alternatives [EN010162/APP/6.2.4] [APP-047]. Section 4.3 of the ES Chapter identifies potentially developable land with the considerations of physical, environmental and economic factors. Section 4.4 then details the iterative design process used to optimise the</p>	<p>Not Agreed</p>

			<p>the proposed development.</p>	<p>Development layout, which was informed by consultation. The layout has been refined to avoid high value agricultural land and avoid any landscape designated area as per paragraph 43 of ES Volume 2, Chapter 4: Alternatives [EN010162/APP/6.2.4] [APP-047]. Details of the alternatives considered as part of the Project’s design development process are set out in Design Approach Document [EN010162/APP/5.6A] [APP-047].</p> <p>Site suitability has been considered and assessed in ES Volume 2, Chapter 4: Alternatives [EN010162/APP/6.2.4] [APP-047] with supporting ES Volume 3, Figure 4.2: Site Selection – All Considerations [AS-030] showing a heat map to identify the most suitable and least suitable areas.</p> <p>The main reasons for its choice with regard to these influencing factors is described Section 4.3</p>	
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				<p>of ES Volume 2, Chapter 4: Alternatives [EN010162/APP/6.2.4] [APP-047]. The influencing factors are summarised below:</p> <ul style="list-style-type: none">• The availability of a grid connection, approximately 15km radius of the Staythorpe substation;• Suitable topography;• Low quality agricultural land;• Not subject to any international, national, landscape, ecological or geological designations, or to any housing allocations or heritage designations;• Low flood risk;• The ability to accommodate public rights of way crossing the Site;• Proximity to the main highway network;• Availability of land <p>Specific, individual sites, as alluded to in the representation, were not identified in the process. The aim was not to identify a number of specific</p>	
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				<p>sites then compare them, but to select areas for inclusion in the Development for which effects would be no worse than areas excluded from the Development. This led to the identification of more land than was necessary and hence a reduction in the area of the Development prior to submission of the application, as shown for example in Figure 4.9B, within Environmental Statement Volume 3, Figure 4.9b: Design Evolution Change from Preliminary Environmental Information Report to Environmental Statement [EN010162/APP/6.3.4A] [AS-031]</p>	
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2.3 LANDSCAPE AND VISUAL

Table 2-3 Landscape and Visual

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.3.1	Section 42 Statutory	Landscape Designations	Noted.	The Parties agree that there are no nationally and local	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
	Consultation in the Consultation Report			designated landscapes within the Study Area. The Development is also not considered to be a "valued landscape" as defined by NPS EN-1 paragraph 5.10.12 and paragraph 187a of the NPPF.	
2.3.2	Section 42 Statutory Consultation in the Consultation Report	Assessment Scope and Methodology	Noted.	With the exception of cumulative effects, (see 2.3.13) , the Parties agree that the scope and methodology used for assessment is acceptable, and is presented in the ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment (LVIA) [EN010162/APP/6.2.7] [APP-050] and ES Volume 4, Appendix 7.6: Residential Visual Amenity Assessment (RVAA) [EN010162/APP/6.4.7.6] [APP-213] .	Agreed
2.3.3	Section 42 Statutory Consultation in the Consultation Report	Assessment Scope (Study Area for the LVIA)	Noted.	The Parties agree that the 2km study area for the assessment as agreed in correspondence on 9 April 2025 is acceptable. The parties agree that all relevant landscape and visual	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				receptors are identified within Table 7.2 of ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment (LVIA) [EN010162/APP/6.2.7] [APP-050] .	
2.3.4	Section 42 Statutory Consultation in the Consultation Report	Assessment Scope (Study Area for the RVAA)	Noted.	The Parties agree that the 250m study area for the ES Volume 4, Technical Appendix A7.6: RVAA [EN010162/APP/6.4.7.6] [APP-213] is acceptable. The approach to the identification of the study area is presented in Section 7.6.2.1 of the ES Volume 4, Technical Appendix A7.6: RVAA [EN010162/APP/6.4.7.6] [APP-213] .	Agreed
2.3.5	Section 42 Statutory Consultation in the Consultation Report	Assessment Scope (LVIA Viewpoints)	Noted.	The Parties agree that the viewpoints included in the ES Volume 2, Chapter 7: LVIA [EN010162/APP/6.2.7] [APP-050] are agreed.	Agreed
2.3.6	RR / LIR (8.1 (LIR))	Assessment Significance Matrix	<u>Current Position:</u> Whilst the Major/moderate threshold for significant effects is accepted, NSDC do not	<u>Current Position:</u> <u>The Applicant has confirmed with NSDC that this point has now been agreed.</u>	<u>Agreed Under discussion</u>

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>necessarily agree that all effects identified as Moderate are not significant. <u>This is currently under review. Receptors that NSDC have indicated may receive significant effects are set out at 2.3.9 and 2.3.11 below.</u></p>	<p><u>Deadline 3 Position:</u> The Parties agree that the threshold for significant landscape and visual effects has been clearly defined at paragraph 36 of ES Volume 4, Appendix 7.2: LVIA Methodology [EN010162/APP/6.4.7.2] [APP-209].</p> <p>The parties agree that amending the threshold would not be helpful for the reasons set out in Applicant's Responses to ExA's First Written Questions Document Reference [EN010162/APP/8.22] [REP2-447],[REP2-117], see Q 11.1.1 – page 102.</p>	
2.3.7	RR	Effects of the Permissive routes and the Circular Walk	<p>The Permissive routes will only contribute during the operational life of the development (Table</p>	<p><u>Current Position:</u> <u>The Applicant has confirmed with NSDC that this point has now been agreed.</u></p>	Under DiscussionAgreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>7.4) and will be removed during the decommissioning stage.</p> <p><u>Current Position:</u> <u>Agreed.</u></p>	<p><u>Deadline 3 Position:</u></p> <p>Permissive routes included in the design are assessed in the ES on the basis that they will be removed when the Proposed Development is decommissioned. This is a 'worst case' scenario and future landowners may choose to retain those routes but this is not guaranteed as part of the Proposed Development; which is designed to be reversible.</p> <p>The parties agree that landscape and visual effects are assessed against the current and future baseline (i.e. without the proposed permissive routes). The removal of the permissive routes at decommissioning reverts to the baseline and on this basis there would be positive effects from their presence during operation and no change after decommissioning.</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.3.8	RR	Decommissioning	<p><u>Current Position:</u></p> <p>It is set out that locations where there is double sided hedgerow introduced on PRowWs, this will be removed at Decommissioning stage (7.1.4.16)" which "seems counterproductive.</p> <p>The Applicant should clarify how such new hedgerow planting will be managed and retained in the long term.</p>	<p><u>Current Position:</u></p> <p><u>The Applicant's position on this was set out in Action Point 2 of Written Summary of Oral Submissions from Issue Specific Hearing 3 and Response to Action Points [EN010162/APP/8.26] [REP3-101]. NSDC have not responded further on this point and the Applicant looks forward to NSDC confirming these matters.</u></p> <p><u>Deadline 3 Position:</u></p> <p>Paragraph 16 states the assumption that second hedges would be removed where they are alongside permissive routes, not PRowW. Given that decommissioning would remove the permissive routes, the separation between the route and the rest of the field it passes through would no longer be needed.</p> <p>Whilst the removal of those hedges would bring to an end</p>	Under Discussion

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>the beneficial landscape effects that would arise during operation, it would mitigate effects on agricultural land by enabling the land to return to agriculture rather than leaving the fields subdivided.</p> <p>As noted at 2.3.7 above, futureFuture landowners may choose to retain the permissive routes and their associated hedges, but the assessment has made a 'worst case' assumption that hedges would be removed. The process would also be subject to the detailed decommissioning plan and agreement with the relevant consultees at that time.</p>	
2.3.9	RR	Visual Impact on the surrounding environment during construction and operation	<p><u>Current Position:</u> TBC</p> <p><u>Deadline 3 position:</u> The significant effects on visual receptors as set out in ES Volume 2, Chapter 7: LVIA [EN010162/APP/6.2.7] [APP-050] are agreed with the</p>	<p><u>Current Position:</u> NSDC have not responded further in relation to effects on Group E road users and the Applicant looks forward to NSDC confirming these matters.</p>	<p>Under discussion</p>

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p><u>exception of effects on road users in 'Group E just north of Group F' (as described by NSDC during ISH3).</u></p>		
<p><u>2.3.92.</u></p>	<p>RR</p>	<p>Visual Impact on the surrounding environment during construction, operation and decommissioning</p>	<p>All visual receptors (Table 7.6) on PRoWs are judged as Large/medium, Major/Moderate and Adverse Effects at Operational and Decommissioning stage. All levels of effect reduce after Decommissioning. The LVIA sets out that the long-term changes from views which permanently change the view have been considered – for example where views of solar array are mitigated by hedgerow which results in the losses of long-distance views. In such a scenario this could result in no change to the effects identified at Operational and Decommissioning stage as the loss of the view remains. This will need careful review at the next stage.</p>	<p>The visual effects after decommissioning are presented in Section 7.10.5 of the ES Volume 2, Chapter 7: LVIA [EN010162/APP/6.2.7] [APP-050]. The visual effects after decommissioning have considered the more established hedges and new woodlands throughout the area, the continued enclosure of some rights of way within double hedges where views are currently open and the diversion of some rights of way along less visually open routes.</p>	<p>Agreed</p>

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.3.102	RR	Landscape Impact on the surrounding environment during construction, operation and decommissioning	<p>Current Position:</p> <p>Only Mid Nottinghamshire Farmlands/Village Farmlands with Ancient Woodlands LCT experience a Major/Moderate , Adverse effect, the others which are within the study area and likely to be effected, experience no more than Moderate Effects. A proposal of this scale is likely to have Significant effects across several character typologies and this will need careful review.(non-significant) Effects..</p> <p><u>There may also be significant effects on the Meadowlands LCT. (Still to be confirmed by NSDC).</u></p>	<p>Current Position:</p> <p>NSDC noted that they were yet to review the LVIA in full at the stage of making this comment. As shown by Figure 7.3, the Proposed Development would be substantially contained within one LCT and this, along with screening by vegetation and terrain would mitigate the effects on other nearby LCTs. The effects on landscape character types have been assessed in Section 7.7.4 of the ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment (LVIA) [EN010162/APP/6.2.7] [APP-050] and A7.5.2 of ES Volume 4, Appendix A7.5: Non-Significant Effects [EN010162/APP/6.4.7.2] [APP-212].</p>	Under discussion
2.3.112	RR	Other Matters – Queries relating to LVIA figures and visuals	<p>The Key on Figure 7.4 does not correspond with the names of the Character areas in the LVIA. The direction of the views is not labelled A, B, C & D to</p>	<p>As indicated on ES Volume 3, Figure 7.3 Landscape Character [EN010162/APP/6.3.7.3] [APP-100] and ES Volume 3, Figure 7.3 Landscape Character and</p>	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>correspond to viewpoint labelling</p>	<p>Visibility [EN010162/APP/6.3.7.3] [APP-101], the figures show the character types in colour, and the regional character areas as black/grey outlines.</p> <p>In ES Volume 2, Chapter 7: Landscape and Visual [EN010162/APP/6.2.7] [APP-050], the assessment considers the character types as set out at paragraph 70. These are referred to (for example in Table 7.2) by the Regional Character Area (e.g. 'Mid-Nottinghamshire Farmlands'), followed by the character type (e.g. 'Village Farmlands'), as character types with the same name are identified in more than one regional character area by the Newark & Sherwood Landscape Character Assessment SPD.</p> <p>The view direction letters (A, B, C, D) are for ease of reference when comparing the wireline views with photomontages and maintaining a left to right (or clockwise around the compass)</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>sequence for those viewpoints where there are multiple views. Each visualisation identifies which direction it faces in the 'Viewpoint information' where it indicates 'Direction of Centre of View'. The viewpoint covers are not intended as a key to the A-D lettering and the blue arc symbols simply denote which directions visualisations are provided for.</p>	
<p><u>2.3.13</u> -2 7 - 30</p>	LIR	Cumulative Effects	<p><u>Current Position:</u> The Cumulative Assessment does not assess the wider impacts on Landscape Character and Visual Amenity, it focuses on the immediate landscape character of the scheme and the study area which is not a 'wrong' approach but given the extent of schemes now being consented and the increase in NSIPS in the examination stages, there is the requirement for the assessment to expand to regional level and consider the impacts of the</p>	<p><u>Current Position:</u> The parties agree that the cumulative assessment provided within the LVIA meets the relevant guidance.</p> <p>It is further agreed that the<u>The following additional information could be beneficially was provided to supplement the assessment in agreement with NSDC:</u></p> <ul style="list-style-type: none"> • Sequential assessment for the main routes through the 	Under discussion

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>proposals in combination with the identified schemes on the wider landscape area.</p> <p>Renewable Energy is identified in the LCAs as having the potential to change the landscape character and previously it has been relatively well controlled so that the region's rural character, and the historic settlement pattern of small red brick villages, is still intact. However, this is now at risk.</p>	<p>LVIA study area (A1, East Coast Main Line, A616, A617, Robin Hood Way)-) <u>within ES Volume 4, Technical Appendix A7.5 – Non-Significant Effects [EN010162/APP/6.4.7.5A] [REP3-045].</u></p> <ul style="list-style-type: none"> A technical note outlining the differences in the landscape and visual effects of GNR that would arise should consented schemes included in the LVIA baseline not go ahead- <u>within Appendix A to the Applicant's Written Summary of Oral Submissions from Issue Specific Hearing 3 and Responses to Action Points [EN010162/APP/8.26] [REP3-101].</u> <p><u>A technical note considering sequential effects between Moorhouse and Skegby within Appendix A to the Applicant's Written Summary of Oral Submissions from Issue Specific Hearing 3 and Responses to Action Points</u></p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>[EN010162/APP/8.26] [REP3-101]</p> <p>Whilst NSDC may be concerned about landscape change at the regional level due to solar and BESS developments, the Applicant's position is that it is not the function of cumulative assessment for an individual project to provide an evaluation of such change. The purpose of cumulative assessment is to inform the decision to be made relating to the individual project, as set out within 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]. However, paragraph 141 of ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment (LVIA) [EN010162/APP/6.2.7] [APP-050] does provide a description of the cumulative changes to the</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>landscape character, including as a result of sequential views.</p> <p>The assessment provided in ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment (LVIA) [EN010162/APP/6.2.7] [APP-050] fully considers the effects arising from the Proposed Development with all relevant short-listed cumulative projects on the local LCTs, regional landscape character area (Mid-Nottinghamshire Farmland) and national landscape character area (NCA 46 Trent and Belvoir Vales). Given that the latter two areas extend beyond the 2km study area, the LVIA therefore already considers the effects of the Proposed Development on landscape character more widely than the 2km study area.</p> <p><u>The Applicant's consideration of regional landscape change is set out at page 48 of the</u></p>	

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				<u>Applicant's Written Summary of Oral Submissions from Issue Specific Hearing 3 and Responses to Action Points [EN010162/APP/8.26 [REP3-101], and in our Responses to Deadline 3 Submissions [EN010162/APP/8.29].</u> The Applicant notes that NSDC's response has been requested in <u>ExQ2.</u>	

2.4 ECOLOGY AND BIODIVERSITY

Table 2-4 Ecology and Biodiversity

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.4.1	Section 42 Statutory Consultation in the Consultation Report	Ongoing engagement and consultation	Noted and agreed.	The Applicant has sought to refine the proposals through ongoing and meaningful engagement with a wide range of Interested Parties, as set out above, and described in detail within the application.	Agreed
2.4.2	Section 42 Statutory	Assessment Scope	Methodology is considered within section 8.4 of Chapter 8	The scope for the ES Volume 2, Chapter 8: Ecology and	Agreed

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	Consultation in the Consultation Report		of the ES and within the accompanying Technical Appendices. At this stage, because the detail of some elements is not fixed a worst-case scenario approach has been taken, and we agree with this approach. Noted and agreed.	Biodiversity [EN010162/APP/6.2.8] [APP-051] was discussed with statutory consultees and the Planning Inspectorate. ES Volume 4, Appendix 8.1: Ecology and Biodiversity Consultation [EN010162/APP/6.4.8.1] [APP-214] provides a summary of the responses to the issues raised in relation to the scoping report.	
2.4.3	RR	Assessment Methodology – Operational Period	Risks to sensitive ecological features will be mitigated through measures outlined in the final OEMP, consistent with those in the Construction Ecological Management Plan (CEcMP). We request that any planned upgrades be incorporated into the final OEMP, along with more detailed information on any necessary remedial actions such as licensing requirements in relation to protected species. Noted and agreed.	Ecological mitigation during the operation of the Development is outlined in Table A5.5.2 of ES Volume 4, Appendix 5.5: Outline Operation Environmental Management Plan (OEMP) [EN010162/APP/6.4.5.5A] -[REP1-034] . Planned infrastructure upgrades will be incorporated into the final OEMP, along with more detailed information on any necessary remedial actions such as licensing requirements in relation to protected species.	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				Requirement 13 in Schedule 2 to the Draft DCO [EN010162/APP/3.1B] Development Consent Order [EN010162/APP/3.1B] [REP1-005] secures that no phase of the authorised development may commence until a written operational environmental management plan has been submitted to and approved by Newark and Sherwood District Council. This must be in accordance with ES Volume 4, Appendix 5A5.5: Outline Operation Environmental Management Plan (OEMP) [EN010162/APP/6.4.5.5A] 5D] .	
2.4.4	RR	Assessment Methodology – Arboricultural Survey	Section 8.12.1.3 of Technical Appendix (TA) A8.12 Section 8.12.1.3 of ES Volume 4, Appendix A8.12: Arboricultural Impact Assessment (AIA) [EN010162/APP/6.4.8.12] [APP-225] refers to the need for	The Arboricultural Impact Assessment is provided in ES Volume 4, Appendix 8.12: Arboricultural Impact Assessment (AIA) [EN010162/APP/6.4.8.12] [APP-225] .	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>further targeted surveys to inform the final detailed design. However, it remains unclear how the findings from these additional surveys will be made available for further review.</p> <p>Noted and agreed that updated CEMP & AIA document will be submitted to the LPA for review.</p>	<p>The results of the further targeted surveys, which will be undertaken post-consent, specified in section 8.12.1.3 of the AIA will be presented in a revised AIA which in turn is a key requirement specified in section A5.3.11.3.2.1 of ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3A] ;[REP1-030]. The CEMP and AIA will be available for review by Newark and Sherwood District Council through Requirement 12 in Schedule 2 of the Draft DCO [EN010162/APP/3.1B] ;Development Consent Order [EN010162/APP/3.1B][REP1-005], which secures that no phase of the authorised development may commence until a construction environmental management plan for that phase has been submitted to and approved by Newark and Sherwood District Council. This must be prepared</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				in accordance with the ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3A] -[REP1-030] .	
2.4.5	RR	Assessment Methodology – Habitats and Vegetation	<p>The revised ES Volume 4, Appendix A8.13: Biodiversity Net Gain assessment (BNG) Assessment [EN010162/APP/6.4.8.13A-13B] [REP3-048] now includes a Figure that clearly identifies the areas subjected to detailed Habitat Condition Assessments. Although only a small proportion of the areas requiring assessment have been evaluated in detail, it is acknowledged that additional assessments at this stage are unlikely to meaningfully alter the baseline habitat values or overall outcome of the assessment.</p> <p>We are satisfied with the commitment to undertake updated habitat condition</p>	<p>Section A8.13.2.2 and Table A8.13.1 in ES Volume 4, Appendix 8.13: Biodiversity Net Gain (BNG) Assessment [EN010162/APP/6.4.8.13] [APP-226] presents a summary of the habitat sampling approach.</p> <p>The sampling approach was a proportionate approach to providing the necessary data to inform the BNG Assessment. Habitat surveys were initiated across much of the study area before UKHab methods became accepted good practice and before the prevailing Defra biodiversity metric (to calculate BNG), including its condition assessments and reliance on the UKHab method, was released. Consequently, due to the long duration of the</p>	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>assessments post-consent as part of Requirement 8 of the draft DCO and that update survey methodology will be designed in consultation with NSDC.</p>	<p>Development's pre-submission phase, the habitat surveys were undertaken against a backdrop of changing methods and guidance, and it should be noted that there is not yet any guidance for BNG in relation to Nationally Significant Infrastructure Projects, which remain exempt from mandatory BNG.</p> <p>The approach taken to the habitat surveys and BNG has attempted to address changing guidance and provides a robust baseline. This approach is consistent with a number of recently made DCOs, and the Applicant would be keen to discuss this matter further with NSDC.</p> <p>Further information about the sampling approach has been provided in the revised Biodiversity Net Gain (BNG) Assessment [EN010162/APP/6.4.8.13A] [IRE P2-058] and in the 'User</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>Comments' in accompanying statutory metric.</p> <p>The BNG Assessment is based on an illustrative design which, following consent, will be developed into a final design. Consequently, the BNG calculation will be updated to reflect the final design.</p> <p>Additional habitat surveys and condition assessments will also be undertaken post-consent to provide reliable and up-to-date baseline data. The survey methods will be informed by emerging NSIP BNG guidance and in consultation with Newark and Sherwood District Council.</p> <p>Requirement 8 in Schedule 2 to the Draft DCO [EN010162/APP/3.1B] Development Consent Order [EN010162/APP/3.1B][REP1-005] secures that no phase of the authorised development may commence until a written landscape and ecological management plan for that phase has been submitted to and</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				approved by Newark and Sherwood District Council. This must be in accordance with ES Volume 4, Appendix 5.1: Outline Landscape and Ecological Management Plan (LEMP) [EN010162/APP/6.4.5.1A] (LEMP) [EN010162/APP/6.4.5.1A] [REP 1-025] and must be implemented as approved. The LEMP must include details of the extent to which the relevant phase contributes to ensuring that the authorised development overall achieves a minimum biodiversity net gain.	
2.4.6	RR	Assessment Methodology – Hedgerow Assessment	If it was not possible to survey every hedgerow, a clearer justification should be provided outlining the methodology used to identify which hedgerows were considered species-rich. Position noted and agreed.	All hedgerows were surveyed and classified to a habitat-type based on either Phase 1 habitat survey methods or, latterly, UKHab methods. Species-rich hedgerows were defined as those containing five or more native woody species. Only a sample of hedgerows were subject to Condition Assessment (to inform BNG),	Agreed

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				<p>the results of which were extrapolated to the total habitat resource.</p> <p>Part 2, clause 8 (3) of the Draft DCO [EN010162/APP/3.1B] Development Consent Order [EN010162/APP/3.1B][REP1-005] modifies Regulation 6 of the Hedgerows Regulations 1997(h) so as to read for the purposes of the Order only as if there were inserted after paragraph (1)(j) the following— “or (k) for carrying out development which has been authorised by an order granting development consent pursuant to the Planning Act 2008.” Consequently, the Hedgerow Regulations do not apply to the consented Development.</p>	
2.4.7	RR	Baseline Conditions	<p>Baseline Conditions Drawing number EN01062-APP-2.7 is titled 'Habitats and Protected Species Plan'. While it effectively illustrates all Priority Habitats identified within the Order Limits (OL) through the</p>	<p>The Habitats and Protected Species Plan [EN010162/APP/2.7] [APP-023] provides an overview of the potentially most important habitats.</p>	Agreed

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			<p>desk study, the title is misleading as it does not show the locations of any protected species.</p> <p>Above comment considered still to be valid as Drawing EN01062 does not illustrate the locations of protected species. However agree that this data is available within species-specific appendices so position agreed.</p>	<p>The locations of statutory and non-statutory designated sites are provided ES Volume 4, Appendix A8.2: Ecology and Biodiversity Designated Sites Baseline [EN010162/APP/6.4.8.2] [APP-215].</p> <p>The locations of habitats are provided in ES Volume 4, Appendix 8.3: Habitats and Vegetation Baseline [EN010162/APP/6.4.8.3] [APP-216].</p> <p>The locations of notable and protected species are then provided in ES Volume 4, Appendix 8.4 to 8.11 [EN010162/APP/6.4.8.4-11], [APP-217], [APP-218], [APP-219], [APP-220], [APP-221], [APP-222], [APP-223], [APP-224].</p> <p>This approach is consistent with how the matter is addressed in other DCO applications and the Applicant considers that this is an appropriate response. The</p>	

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				Applicant therefore considers that the necessary information has been provided and no change is proposed.	
2.4.8	RR	Baseline Conditions – Habitats and Vegetation	<p>Figure A8.3.1 is currently absent from ES Volume 4, Appendix 8.3: Habitats and Vegetation Baseline [EN010162/APP/6.4.8.3A] but we agree that this will not change the overall conclusions of the Chapter 8 of the ES.</p> <p>We are satisfied with the further clarification provided on arable field margins and rare arable plants, noting that none of the arable plants identified through the desk study were identified during the field surveys.</p>	<p>Figure A8.3.1 has been updated to show watercourses in ES Volume 4, Appendix 8.3: Habitats and Vegetation Baseline [EN010162/APP/6.4.8.3A] [EN010162/APP/6.4.8.3C] [REP3-046] This update does not change the conclusions of ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8] [APP-051].</p> <p>Watercourses may also be viewed in the following:</p> <p>Water Bodies in a River Basin Management Plan [EN010162/APP/2.6A] [AS-006]</p> <p>ES Volume 3, Figure 9.4: Watercourses within CSA [EN010162/APP/6.3.9A] [AS-041]</p> <p>ES Volume 3, Figure 9.5: WFD Classifications</p>	Agreed

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				<p>[EN010162/APP/6.3.9A] [AS-041][AS-041] ES Volume 3, Figure 9.6: IDB Maintained Watercourses [EN010162/APP/6.3.9A] [AS-041] Arable field margins are addressed in Table 8.8 in ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8] [APP-051]. Further clarification about field margins and rare arable plants has been added to ES Volume 4, Appendix 8.3: Habitats and Vegetation Baseline [EN010162/APP/6.4.8.3A] and ES Volume 4, Appendix 8.13: Biodiversity Net Gain (BNG) Assessment [EN010162/APP/6.4.8.13A]. [R EP2-058].</p>	
2.4.9	RR	Baseline Conditions - Habitat Condition Assessment	We are satisfied that wet woodland was not recorded within the site and that minor discrepancies between the metric and what is reported	<p><u>The Applicant has provided all requested information and understands that the matter has been agreed.</u></p>	Under Discussion Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>within the accompanying technical appendices will be corrected.</p> <p>The 'User comments' box of the updated statutory metric do provide clarifications about condition assessments, but there are still some inconsistencies.</p> <p>Some habitat condition assessments have been provided within the updated TA & <u>ES Volume 4, Appendix A8.13: Biodiversity Net Gain (BNG) Assessment [EN010162/APP/6.4.8.13]:13B]</u> <u>[REP3-048]</u></p> <p>Additional conditional assessments, specifically in relation to water courses, are expected to be provided at a later deadline.</p>	<p>Wet woodland was not recorded during baseline surveys and therefore is not reported in ES Volume 4, Appendix 8.3: Habitats and Vegetation Baseline <u>[EN010162/APP/6.4.8.3]</u> <u>[APP-216]</u>.</p> <p>Hedgerow lengths are reported in ES Volume 4, Appendix 8.3: Habitats and Vegetation Baseline <u>[EN010162/APP/6.4.8.3]</u> <u>[APP-216]</u> and ES Volume 4, Appendix 8.13: Biodiversity Net Gain (BNG) Assessment <u>[EN010162/APP/6.4.8.13]</u> <u>[APP-226]</u>. The BNG Assessment and the associated Defra metric also include details of hedgerow conditions. There are minor discrepancies between the values cited in the two appendices, attributable to the complexities of extracting data for use in the Defra metric for a very large area and complex Development design. Over the large extent of the</p>	

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			<p>Additional information in relation to those provided has also been requested during direct correspondence with the project's lead ecologist on 27/01/26.</p> <p>Until this additional information has been reviewed this is still under discussion.</p>	<p>Order Limits, these discrepancies are extremely unlikely to result in substantive changes to the metric outputs.</p> <p>ES Volume 4, Appendix 8.13: Biodiversity Net Gain (BNG) Assessment</p> <p>[EN010162/APP/6.4.8.13A][AP P-226] and the accompanying 'User Comments' in the statutory metric provide clarifications about condition assessments and assumptions.</p> <p>Requirement 8 in Schedule 2 to the Draft DCO</p> <p>[EN010162/APP/3.1B]Development Consent Order</p> <p>[EN010162/APP/3.1B][REP1-005] secures that no phase of the authorised development may commence until a written landscape and ecological management plan for that phase has been submitted to and approved by Newark and Sherwood District Council. This must be in accordance with ES Volume 4, Appendix 5.1: Outline LEMP</p>	

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				[EN010162/APP/6.4.5.1A] [REP1-025] and must be implemented as approved. The LEMP must include details of the extent to which the relevant phase contributes to ensuring that the authorised development overall achieves a minimum biodiversity net gain.	
2.4.10	RR	Assessment of Likely Effects	<p><u>Current Position:</u> <u>NSDC has reviewed the further information and is now content with this position.</u></p> <p><u>Deadline 3 Position:</u> Further discussions with the applicant are ongoing. We agree with the approach taken and aim for the assessment to be easily understood by a wide range of target audiences and understand the aim avoid repetition to provide a concise document.</p> <p>Although the assessment accounts for embedded</p>	<p><u>Current Position:</u> <u>The Applicant has provided all requested information and notes that the matter has been agreed.</u></p> <p><u>Deadline 3 Position:</u> ES Volume 2, Chapter 2: Environmental Impact Assessment (EIA) [EN010162/APP/6.2.2][APP-045] states that some chapters may use different methodologies from those set out in Chapter 2. The assessment methods in ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8][APP-</p>	Under discussion Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>mitigation within the design prior to evaluating impacts, we consider that, in some cases—particularly regarding farmland birds—the measures described as embedded should be more accurately considered as additional mitigation.</p> <p>Whilst it is acceptable to view avoidance measures, such as the retention of large, open arable compartments outside of the fenced PV areas, establishing species-rich grassland and rough margins as part of the landscape design and incorporating seasonal work windows (avoiding the breeding season), we consider some aspects should be viewed as additional mitigation. This would include the provision of skylark & lapwing plots and supplementary winter feeding, which should be viewed as compensation, as well as the commitment to post-consent monitoring and adaptive management. Furthermore, the</p>	<p>051] follow the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Ecological Impact Assessment. This method is consistent with EIA methods but does not include the use of a matrix.</p> <p>A detailed response on this matter is provided in the Responses to Deadline 1 Submissions [EN010162/APP/8.21], [REP2-116], Table 3-2, items 9.1–9.2.</p>	

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			<p>provision of some of these features will be quite distant from the areas impacted by construction.</p> <p>It is not clear within section 8.7 as to whether this is the case as both embedded and additional mitigation appears to have been lumped together. Table 8.12 further implies this because no mitigation is stated as being required for all IEFs.</p> <p>Therefore, the current assessment does have the potential to have underestimated the impacts and distort the significance effect.</p> <p>Following further discussion it is understood that Table 8.12 may be updated to provide further clarification regarding the mitigation provided.</p>		
2.4.11	RR	Biodiversity Net Gain	<p><u>Current Position:</u> <u>NSDC has sought to clarify the assumed quality of grassland</u></p>	<p><u>Current Position:</u> <u>The Applicant has provided additional information and</u></p>	Under Discussion

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			<p><u>beneath the panels and is awaiting confirmation from the Applicant.</u></p> <p><u>Deadline 3 Position:</u> We are satisfied with the way temporary impacts have been addressed.</p> <p>The updated TA 8<u>ES Volume 4, Appendix A8.13: Biodiversity Net Gain (BNG) Assessment [EN010162/APP/6.4.8.13A] 13B [REP3-048]</u> provided at deadline 2 provides clarification on the assessment of encroachment to ditches.</p> <p>Following further discussion with the applicant it is understood at this stage that assumptions have also been made in relation to proposed watercourse crossings as final locations and details of associated infrastructure will not be</p>	<p><u>NSDC have requested further information which is being prepared. The Applicant is hopefully that this matter will be resolved at D5.</u></p> <p><u>Deadline 3 Position:</u> Temporary impacts are implicitly addressed in ES Volume 4, Appendix 8.13: Biodiversity Net Gain (BNG) Assessment [EN010162/APP/6.4.8.13] [APP-226]. A habitat is not recorded in the Defra metric as lost when there are temporary impacts to it and it can be restored to baseline habitat type and conditions within two years of the initial impact. Such habitats are recorded in the metric as 'enhanced' if there is action to enhance the habitat above its baseline type and condition, which is the case for the habitats subject to temporary impacts from the Development.</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>available until the detailed design stage post-consent.</p> <p>Until TA 8.13 is further updated with the detailed results of the watercourse surveys this point should remain under discussion.</p>	<p>The construction compound areas are wholly within Work No. 1 Solar PV and so will be converted to new (enhanced) habitats. Other habitats subject to temporary impacts, such as some areas of Work No. 2 Cables, are entered into the metric as either retained (i.e., reinstated to their baseline habitat) or created habitats (if they are converted to a new habitat).</p> <p>ES Volume 4, Appendix 8.13: Biodiversity Net Gain (BNG) Assessment [EN010162/APP/6.4.8.13A]. [IRE P2-058] and the accompanying 'User Comments' in the statutory metric provide clarifications about encroachment.</p>	
2.4.12	Section 42 Statutory Consultation in the Consultation Report	Habitat buffers	The inclusion of embedded buffers to hedgerows, trees, woodlands, and watercourse is appreciated. It should be clarified if 10m bank top buffer to watercourses is extended to	A buffer distance of 5 m from non-IDB (Internal Drainage Board) ditches is specified in ES Volume 4, Technical Appendix A5.3: Outline CEMP [EN010162/APP/6.4.5.3A]. [IRE	Agreed

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			<p>ditches. NSDC suggest a 5m buffer to this habitat is appropriate.</p> <p>Noted and agreed.</p>	<p>P1-030. Further details are presented in ES Volume 4, Technical Appendix A8.12: Arboricultural Impact Assessment [EN010162/APP/6.4.8.12] [APP-225]. It is considered that a 5m buffer from ditches is acceptable.</p>	
2.4.13	Section 42 Statutory Consultation in the Consultation Report	Water crossings	<p><u>Current Position:</u>NSDC has reviewed the further information and is now content with this position.</p> <p><u>Deadline 3 Position:</u></p> <p>Following discussions with projects lead ecologist it was confirmed that at this stage in the design process that to extent of upgrades to existing culverts was unknown. TA 8<u>ES Volume 4, Appendix A8.13: Biodiversity Net Gain (BNG) Assessment [EN010162/APP/6.4.8.13A] 13B [REP3-048]</u> confirms a precautionary approach to</p>	<p><u>Current Position:</u></p> <p>The Applicant has provided all requested information and notes that the matter has been agreed.</p> <p><u>Deadline 3 Position:</u></p> <p>The ecological effects of watercourse crossings are assessed in ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8] [][APP-051].</p> <p>Details of watercourse crossing designs are provided in ES Volume 4, Technical Appendix</p>	Under Discussion Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>evaluating existing culverts by mapping as part of the ditch or watercourse and therefore attributing a baseline value. This is considered to be an acceptable approach.</p> <p>Still under discussion until the BNG metric is updated and 'User Comments' section of the watercourse module is completed.</p>	<p>A5.3: Outline Construction Environmental Management Plan [EN010162/APP/6.4.5.3A]-[IRE P1-030].</p> <p>ES Volume 4, Appendix 8.13: Biodiversity Net Gain (BNG) Assessment [EN010162/APP/6.4.8.13A][IRE P2-058] and the accompanying 'User Comments' in statutory metric provide clarifications about culverts.</p>	
2.4.14	Section 42 Statutory Consultation in the Consultation Report	Water	Noted and agreed.	Further details of watercourse crossings and more detailed fish mitigation, including pre-construction surveys, are included in ES Volume 4, Technical Appendix A5.3: Outline CEMP [EN010162/APP/6.4.5.3A]-[IREP1-030].	Agreed
2.4.15	RR	Assessment of likely significant effects on Great crested newts	<p>We are satisfied with the updates to Figure A8.7.1.</p> <p>With regards to justification for not using the NE rapid risk assessment this is valid,</p>	Figure A8.7.1 has been updated to more clearly show ponds in ES Volume 4, Appendix A8.7: Great Crested Newt Baseline [EN10162/APP/6.4.8.7A]-[IREP 2-056].	Agreed

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			<p>however this would have been appropriate to use for a precautionary approach where access to ponds was not feasible.</p> <p>Upon further review of the data it is accepted that the risk of committing an offence whilst implementing reasonable avoidance measures would be very low.</p>	<p>The effects of construction on great crested newt are assessed in section 8.8.10.2 of ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8] [APP-051] which also includes justification for Reasonable Avoidance Measures. The baseline surveys undertaken to date are sufficient to inform the assessment of effects and likely mitigation requirements.</p> <p>Paragraphs 164 to 166 of ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3A] [REP 1-030] 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.</p> <p>Natural England's 'rapid risk assessment' is included in the Great Crested Nest Method</p>	

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				<p>Statement for EPS Licence Application'. The corresponding guidance notes clearly state that the tool is for guidance only and is 'not substitute for a site-specific risk assessment informed by surveysurvey, and goes on to list many factors not adequately addressed by the tool, many of which are relevant to the Development. Consequently, the tool was not considered appropriate for inclusion.</p>	
2.4.16	RR	Assessment of likely significant effects on reptiles	<p>While Section 8.9.2.2.3 of Technical Appendix A8.9 acknowledges the limitations of walkover surveys, we remain concerned about the rationale behind the selection of the six survey areas. It is unclear why other potentially suitable habitats, such as the grasslands surrounding Maplebeck, were not included.</p> <p>Nevertheless, we agree that through the mitigation outlined</p>	<p>Section 8.9.2.2.1 of ES Volume 4, Appendix A8.: Other Notable and Protected Species [EN010162/APP/6.4.8.9] [APP-222] includes a rationale for the reptile survey methods and locations. As confirmed by NSDC, there will be no adverse effects to reptiles.</p> <p>ES Volume 4, Appendix A5.6: Outline Decommissioning and Restoration Plan (DRP)</p>	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>within the oCEMP there would be no negative impacts to these species.</p> <p>The outline Decommissioning Management Plan (oDEMP) makes reference to the production of Method Statements within the final DEcMP and it is recommended that a method statement is produced for reptiles detailing mitigation requirements.</p> <p>Noted and agreed.</p>	<p>[EN010162/APP/6.4.5.6A] [REP1-036] includes a commitment in section A5.6.6.13.6 to include method statements for ecological features in the final version.</p>	
2.4.17	RR	Assessment of likely significant effects on bats	<p>Whilst Chapter 8 and the oCEMP and ooCEMP do have regard to lighting impacts in relation to bats and other nocturnal fauna, we consider this has not been addressed sufficiently in relation to light sensitive species, in particular barbastelle. NSDC recommend that more detail is provided within the final CEMP documents to ensure that this species is not negatively impacted. Lux levels should be</p>	<p>More detail about lighting in relation to bats will be included in the final versions of ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3A], [REP1-030] and ES Volume 4, Appendix A5.6: Outline Decommissioning and Restoration Plan (DRP) [EN010162/APP/6.4.5.6A], [REP1-036].</p>	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>below 1 along habitats confirmed to be used by this species during the activity surveys such as the woodland edges both within and adjacent to the site.</p> <p>It is also suggested that further desktop study information is sought from the Nottinghamshire Bat Group to provide more in-depth picture of its distribution across the OL and wider landscape and identify any additional important commuting corridors.</p> <p>Noted and agreed.</p>	<p>The potential importance of the local area to barbastelle bats was recognised at an early stage in the Development, resulting in the species-specific surveys described in section A8.6.2.2.4 of ES Volume 4, Appendix A8.6: Bats Baseline [EN010162/APP/6.4.8.6] [APP-219]. These surveys were undertaken by a local specialist involved in the Nottinghamshire Barbastelle Project and in combination with the more general bat surveys provided detailed information about the species' local distribution. Additional desk study information is extremely unlikely to change the conclusions of the assessment in ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8] [APP-051].</p>	
2.4.18	RR	Assessment of likely significant effects on birds	Agreed that there was a nocturnal element to the breeding bird surveys.	Dusk surveys were not part of the methods described in ES Volume 4, Appendix 8.4: Breeding Birds Baseline	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>See response to 2.4.10 in relation to farmland birds. However, it is acknowledged that an impact has been identified, even if not explicitly stated within Chapter 8 and given the extent of embedded and additional mitigation it is agreed this impact would unlikely be significant.</p>	<p>[EN010162/APP/6.4.8.4] [APP-217], although paragraph 29 notes that anecdotal observations of birds were made during the course of the other surveys, (notably during dusk and nighttime as part of the bat surveys described in ES Volume 4, Appendix A8.6: Bats Baseline [EN010162/APP/6.4.8.6] [APP-219].</p> <p>The qualifying features of the Sherwood Forest Special Protection Area (ppSPA), breeding nightjar and woodlark, are very unlikely to occur in the Order Limits because of the absence of suitable habitats and desk study records. The potential effects on these species is addressed in the context of the ppSPA in section 8.8.3 of ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8] [APP-051], and this is elaborated in the Habitats Regulations Screening Report</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>[EN010162/APP/5.3A] [IAS-020].</p> <p>ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8A], [REP2-024], paragraph 308, concludes that the effects on breeding birds during construction are predicted to be localised (Site level), temporary and reversible over the short term, due to the mitigation implemented before and during construction. This mitigation includes the creation of 363 ha of arable and grassland with a high degree of conservation management for farmland birds. Consequently, no significant effects are predicted. ES Volume 4, Appendix A5.1: Outline Landscape and Ecological Management Plan (LEMP) [EN010162/APP/6.4.5.1A] [REP 1-025] includes bespoke bird monitoring for certain habitats and this will be developed in consultation with NSDC.</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.4.19	RR	Assessment of likely significant effects on fish, riparian mammals (otter and water vole)	<p>We consider that our concerns previously raised regarding the level of survey effort and mitigation requirement for fish species, water vole and otter have been adequately addressed within the ES chapter.</p> <p>It is requested that the applicant clarifies proposed contribution to the Nottinghamshire Water Vole Recovery Project will be secured.</p> <p>Noted and agreed. Suggest inclusion of contribution to be secured within the s106.</p>	<p>Section 22 in Table A5.1.5 of ES Volume 4, Appendix A5.1: Outline Landscape and Ecological Management Plan (LEMP) [EN010162/APP/6.4.5.1A] [REP1-026] states that Nottinghamshire Wildlife Trust's Water Vole Recovery Programme will inform the management of the Riparian Corridors. The details of this will be included in the final version of the LEMP, secured by Requirement 8 in Schedule 2 to the Draft DCO [EN010162/APP/3.1B] -Development Consent Order [EN010162/APP/3.1B][REP1-005].</p>	Agreed
2.4.20	RR	oLEMP	<p>For the areas of proposed woodland we considered that there should be further consideration for to establishment of woodland ground-flora.</p> <p>It is suggested that further detailed information is provided</p>	<p>The management of existing and proposed woodland is described by items 1 and 2 in Table A5.1.3 of ES Volume 4, Appendix 5.1: Outline Landscape and Ecological Management Plan (LEMP) [EN010162/APP/6.4.5.1A]</p>	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>within the finalised LEMP in relation to the type and location of the proposed boxes, and details for fixing them into place, with their locations clearly marked on a plan. The oCEMP should also include contingency actions should a bat roost be identified and the provision requirements for compensatory bat boxes to fulfil mitigation.</p> <p>Noted and agreed.</p>	<p>REP1-026. Consideration of the establishment of ground flora in these habitats will be specified in the final CEMP. Bat and bird boxes are specified by item 14 in Table A5.1.3 in the Outline LEMP. An increased number and range of bat and bird boxes will be specified in the final LEMP and will be agreed in advance with Nottinghamshire County Council and Newark and Sherwood District Council.</p> <p>Requirement 8 in Schedule 2 to the Draft DCO EN010162/APP/3.1B Development Consent Order EN010162/APP/3.1B REP1-005 secures that no phase of the authorised development may commence until a written landscape and ecological management plan for that phase has been submitted to and approved by Newark and Sherwood District Council. This</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				must be in accordance with ES Volume 4, Appendix 5.1: Outline LEMP [EN010162/APP/6.4.5.1A][REP 1-026] . and must be implemented as approved.	
2.4.21	RR	oCEMP	<p>NSDC are satisfied with the updates to TA 5.3 oCEMP.</p> <p>NSDC are satisfied with the updates to ES Volume 4, Technical Appendix A5.3: Outline CEMP [EN010162/APP/6.4.5.3A][REP 1-030]</p>	<p>ES Volume 4, Technical Appendix A5.3: Outline CEMP [EN010162/APP/6.4.5.3A][REP 1-030] includes a section on relevant legislation in Section A5.3.11.1.3.</p> <p>Section A5.3.11.1.4, paragraph 168 of ES Volume 4, Appendix A5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3A][REP 1-030] summarises the approach to protected species licencing and correctly states that draft licence applications have not been submitted. However, paragraph 170 incorrectly states that draft licence draft licence applications for water vole have been submitted with the DCO.</p>	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				Water vole mitigation will be undertaken under a CL31 displacement class licence (as per section A5.3.11.8.3 of the CEMP) for which site-specific licence applications to Natural England are not required and so a LoNI will not be issued. This matter is agreed with Natural England and the wording of the Outline CEMP has been updated accordingly.	

2.5 GROUND CONDITIONS

Table 2-5 Ground Conditions

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.5.1	RR	General	A 'Discovery Strategy' protocol is recommended for contamination and NSDC note that at present there is a draft requirement (17) to capture the additional work to be undertaken. We would wish to make further representations on	The Applicant considers ES Volume 2, Chapter 10: Ground Conditions and Land Contamination [EN010162/APP/6.2.10] [APP-053] is acceptable, supported by the Preliminary Risk Assessment Groundsure Data	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>the wording of this condition as currently drafted in due course, to ensure the usual validation/verification process is captured to demonstrate any necessary remediation has been successfully implemented. Furthermore, any contamination identified should require all phases of investigation, remediation and verification as stipulated in the EA LCRM guidance.</p>	<p>- Parts 1 to 11 [EN010162/APP/6.4.10.11.1 to EN010162/APP/6.4.10.11.11] [APP-230], [APP-231], [APP-232], [APP-233], [APP-234], [APP-235], [APP-236], [APP-237], which reports for study areas 1-8. This has been prepared to follow current guidance including EA's Land Contamination Risk Management (LCRM). The Applicant has included flexibility in the Works Plans [EN010162/APP/2.3A] [AS-005] to relocate Development elements if required to avoid increased risk of land instability that may be identified during geotechnical ground investigation works.</p> <p>Requirement 16 in Schedule 2 to the Draft DCO Development Consent Order [EN010162/APP/3.1B] [R EP1-005] provides that no phase of the authorised development may commence until a written strategy in relation</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				to the identification and remediation of any risks associated with contamination for that phase detailed in any desk top study and/or preliminary risk assessment and which has been identified as more than a low level of risk has been submitted to and approved by the planning authority.	

2.6 CULTURAL HERITAGE

Table 2-6 Cultural Heritage

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.6.1	Section 42 Statutory Consultation in the Consultation Report	-Assessment Scope and Methodology	Noted.	The Parties confirm that the scope of the cultural heritage assessment as set out in Section 11.4 of the ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11] [APP-054] is agreed. A detailed description of the factors considered in the scoping	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				exercise is provided in ES Volume 4, Technical Appendix A11.2 Heritage Settings Assessment Scoping Exercise [EN010162/APP/6.4.11.2] [APP-255] .	
2.6.2	RR	Scoping of Heritage Assets	<p>Current Position: <u>TBC[Added by the Applicant] E-mail from NSDC Conservation officer, 11th February 2026 confirms that, following a site visit and discussion with the Applicant on 30th January, NSDC are happy that the heritage assets previously of concern are no longer a concern and there would not likely be an impact on their significance.</u></p> <p>Deadline 3 Position: <u>Following site visits, the list of heritage assets that NSDC would suggest require further justification has reduced to seven, since previous comments.</u></p>	<p>Current Position: It is our understanding, following a meeting on 30th January, that NSDC are now satisfied that there will not be any significant effects on the significance of these listed assets (having undertaken their own visits to these locations). NSDC have confirmed this and this matter is now agreed (email dated 11th February). Further justification for the scoping exercise has been included in section A11.2.6 of the Settings Assessment ES Volume 4, Technical Appendix A11.2 Heritage Settings Assessment Scoping Exercise [EN010162/APP/6.4.11.2] [APP-255]-Rev 3 [EN010162/APP/6.4.11.2B]</p>	Under Discussion

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>Deadline 1 Position: NSDC requested for a more detailed justification for scoping out the remaining heritage assets listed below. If clear and convincing justification for scoping out this asset cannot be provided, a more detailed assessment of the heritage asset should be undertaken.</p> <ol style="list-style-type: none"> 1. Church Farmhouse (1045632) 2. Park Lidget (1045962) 3. Beesthorpe Hall, Stable and parkland (1045977 and 1045978) 4. Edgefield House Hotel and Boundary Wall (1369986) 5. Coach house and wall at Edgefield House Hotel (1045947) 	<p><u>[REP3-053]</u>. This clarifies the selection exercise, but also provides specific consideration of the named assets, and concludes that the original selection exercise was valid and appropriate. No likely significant effect was predicted to occur. NSDC confirmed that they no longer have any concerns about these assets in an email dated 11th February.</p> <p>Deadline 1 Position: The assets listed at point 1 were reviewed following NSDC comment at PEIR. It was considered that the initial scoping assessment was correct and that there was no reason to take them forward to detailed assessment where appropriate the scoping assessment text was amended or expanded to make the reasoning clearer.</p>	
2.6.3	RR	Grouping of Heritage Assets	<p><u>Current Position:</u> <u>TBC</u></p>	<p>Current Position: <u>We note NSDC's position that the methodology applied was broadly</u></p>	Under Discussion

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p><u>Deadline 3 Position:</u></p> <p>It is noted that the response to these comments' states "the baseline study has been amended to specifically address the settings of Grade I and II* assets where these have been grouped with Grade II assets." However, this does not appear to be the case as the Grade I and Grade II* assets have still been grouped with the Grade II assets and Conservation Areas.</p> <p>it is acknowledged that there is the potential for intervisibility between the heritage assets and the proposal, which could impact their significance. NSDC would therefore suggest that further assessment of these heritage assets is conducted to ensure that the potential impact is assessed.</p> <p>As previously acknowledged, NSDC consider that the significance of Grade I and II*</p>	<p><u>acceptable. The submission made at Deadline 3 (ES Volume 4, Appendix A11.2 Heritage Settings Assessment Scoping Exercise [EN010162/APP/6.4.11.2B] [REP3-053]) highlights where the more highly designated assets contribute to the significance of the wider group without undertaking an individual assessment of each asset within that group. Our understanding is that NSDC agrees with this approach.</u></p> <p><u>Deadline 3 Position:</u></p> <p>The applicant has updated the Settings Assessment (ES Volume 4, Appendix A11.2 Heritage Settings Assessment Scoping Exercise [EN010162/APP/6.4.11.2B]) [REP3-053] at Section A11.2.7 to clarify how grouping of assets was considered, and how the decision as to which individual assets required detailed</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>are higher than that of Grade II and Conservation Areas. However, in terms of a methodology for assessing the impact of the proposed development on such assets, NSDC are satisfied that grouping the two higher grades, together with the lower grades within individual Conservation Areas, can be agreed as acceptable approach for the settings assessment, but in full recognition that the Conservation Area will contain individual buildings of higher grade within them.</p>	<p>assessment was taken, and to show how professional judgment was used in such decision-making. Examples relating to Maplebeck, Beesthorpe Hall and St. Mary's, Carlton are provided to show the process. The Applicant considers that the grouping approach and the selection exercise reported in the Settings Assessment is an appropriate means of addressing the scoping exercise required by the relevant Historic England guidance.</p> <p>Deadline 2 Position: In the initial scoping assessment the settings of LBI and II* assets were reviewed and expanded in order to clarify how those settings differed, if at all, from those of the assets with which they were grouped. It was not considered proportionate or necessary to split them out from the asset groups in which they had been placed</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>The assessment of the assets which are intervisible with the BESS concluded that their settings did not extend sufficiently far (being confined to the immediate vicinity) and as a result the construction and operation of the BESS would not have an impact on that element of their significance derived from their setting.</p>	
2.6.4	RR	Embedded Mitigation and Enhancement Measures	<p><u>Current Position:</u> <u>TBC</u></p> <p><u>Deadline 3 Position:</u> NSDC note that mitigation measures have been considered for the heritage assets scoped in for further assessment where there is the potential for impact. However, we would wish to see more detailed proposals for mitigation of any potential harm caused by the proposals.</p>	<p><u>Current Position:</u> <u>The Applicant's understanding is that NSDC do not consider that there is any harm to the settings of any asset (see point 2.6.2 above, and NSDC's e-mail of 11th February 2026). Therefore, there is no need for any further discussion of mitigation.</u></p> <p><u>Deadline 3 Position:</u> The Applicant was made aware by NSDC that there was a specific concern to the east/south-east of Kersall (in a meeting with NSDC on 30th</p>	Under Discussion

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>January). The Applicant notes that the Landscape Masterplan (Appendix 1 to the Outline LEMP) ES Volume 4, Appendix A5.1: Outline Landscape and Ecological Management Plan (LEMP) [EN010162/APP/6.4.5.1D] includes proposed hedgerow planting along this boundary. The Outline LEMP states that this would be maintained at a width of 2 m and a minimum height of 3 m. This would be detailed in the Detailed LEMP and is secured by Requirement 8 of the Draft DCO Development Consent Order [EN010162/APP/3.1E].</p> <p>Deadline 2 Response:</p> <p>The embedded design mitigation is presented in Table 11.5 in Section 11.7 of the ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11] [APP-054]. The Applicant considers that these are appropriate and reduce the effects of the Development on the</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				archaeological remains, designated heritage assets and settings to an acceptable level.	
2.6.5		Assessment of Effects (Heritage Assets)	<p>TBC Current Position: NSDC agreed with the applicant regarding the heritage assets scoped in for further assessment and NSDC are happy that the potential impact would not likely harm the significance of heritage assets. NSDC's Local Impact Report [REP1-075] defers consideration of archaeology to Nottinghamshire County Council.</p>	<p>Current Position: As set out in Section 11.8 of the ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11] [APP-054], the assessment has not reported any significant physical effects to heritage assets following the implementation of appropriate mitigation measures.</p>	Under discussion
2.6.6		Assessment of Effects (Setting of the heritage assets)	<p>TBC Current Position: E-mail from NSDC Conservation officer, 11th February 2026 confirms that, following a site visit and discussion with the Applicant on 30th January, NSDC are happy that the heritage assets previously of concern are no longer a concern and there</p>	<p>No significant effects to heritage assets arising from change within their setting leading to a reduction in significance have been identified as part of the ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11] [APP-054].</p>	Under discussion

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p><u>would not likely be an impact on their significance.</u></p>	<p>Given the above, the Development is considered to be in accordance with NPS EN-3.</p>	
2.6.7	RR	Historic Landscapes and Historic Park and Gardens	<p><u>Current Position:</u> <u>TBC</u></p> <p><u>Deadline 3 Position:</u> NSDC noted that Park at Carlton Hall, Park at Ossington Hall, Kelham Hall historic parkland, and Beesthorpe Hall unregistered park and garden are missing from Figure 11.1.2. Winkburn Park not on Figure 11.1.2 also not included as a NDHA. No assessment of the impact of the arrays within the boundary of the historic park and garden at Averham or the proximity of the arrays on the setting of the remaining historic park and garden. The impact of the solar panels on views and the experience of Newark Castle Gardens has also not been assessed.</p>	<p>Current Position: It is our understanding following a meeting with NSDC on 30th January, that NSDC (having undertaken their own site visits) no longer have any concerns regarding these named assets, and that there is unlikely to be any significant adverse effect on their heritage significance. Further clarification and justification have been included in section A11.2.6 and A 11.2.7 of the Settings Assessment (ES Volume 4, Appendix A11.2 Heritage Settings Assessment Scoping Exercise [EN010162/APP/6.4.11.2B]-1 [REP3-053]). This concludes that no likely significant effect would be predicted at these locations, and confirms Applicants view on the validity of the initial</p>	Under Discussion

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>assessment and selection exercise.</p> <p>The Applicant notes that NSDC have confirmed (e-mailed dated 11th February) that they consider they is no likely significant effect at any of the named assets, having undertaken their own visits.</p> <p>Deadline 2 Position:</p> <p>Averham Park direct impacts assessed as Minor Adverse in table 11.6 in ES Volume 2, Chapter 11: Cultural Heritage and Archaeology [EN010162/APP/6.2.11] [APP-054] . Winkburn Park is included as an NDHA in ES Volume 4, Appendix A11.2 Heritage Settings Assessment Scoping Exercise [EN010162/APP/6.4.11.2] [APP-255] where it is excluded from further assessment as the setting of the asset does not extend to the OL. Figure 11.1.2 will be updated at Deadline 1.</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>In response to the impact of the Development on Newark Castle Garden – this asset is more than 2km from the Order limits and is therefore outside of the 2km study area. Therefore, since it is not a Grade I or II* RPG (it is in fact not designated), it does not require assessment, as it is not expected to be harmed by the Development.</p>	
2.6.8	RR	Other Matters – Historic Environment Plan	<p><u>Current Position:</u> <u>TBC</u></p> <p><u>Deadline 1 Position:</u> There are a number of Conservation Areas and Listed Buildings missing from the plan. There are 17 Conservation Areas which fall within study area, of which 8 are depicted on the plan. There are 56 Listed Buildings shown on the plan, when 227 are identified within the 2km study area.</p>	<p>The Historic Environment Plan was updated at Deadline 1, and we are seeking to discuss this point further with NSDC.</p> <p><u>Current Position:</u> <u>The Historic Environment Plan shows assets within the Plan area, which is cropped relatively close to the Order Limit. The full set of assets considered in the assessment are shown on Figures 11.2.1A-D in Settings Assessment (ES Volume 4, Appendix A11.2 Heritage Settings Assessment Scoping Exercise</u></p>	Under discussion

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				[EN010162/APP/6.4.11.2B] [REP3-053] .	

2.7 NOISE AND VIBRATION

Table 2-7 Noise and Vibration

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.7.1	Section 42 Statutory Consultation in the Consultation Report	Assessment Scope and Methodology	Noted.	The Parties agree that the scope, methodology and assessment criteria as presented in ES Volume 2, Chapter 12: Noise and Vibration [EN010162/APP/6.2.12] [APP-055] are acceptable.	Agreed
2.7.2	Section 42 Statutory Consultation in the Consultation Report	Mitigation and Enhancement Measures (Construction Noise)	Noted.	The Parties agree that the measures to control noise and vibration during construction and decommissioning activities are acceptable. This is set out in the Construction Noise Management Plan (CNMP), which has been provided within ES Volume 4, Technical	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>Appendix A5.3: Outline CEMP [EN010162/APP/6.4.5.3A] [[REP1-030]. The Construction Noise Management Plan (CNMP) stating under A5.3.5 states that: 'The CNMP will be submitted to NSDC for approval as part of the final CEMP, as part of the DCO Requirements, prior to commencement of construction.' The measures set out are then secured through Requirement 12 of the Draft DCO [EN010162/APP/3.1B]. [[REP1-005].</p>	
2.7.3	TBC	Assessment of Effects	TBC	<p>As set out in Section 12.7 of the ES Volume 2, Chapter 12: Noise and Vibration [EN010162/APP/6.2.12] [APP-055], the effects of noise and vibration during the construction / decommissioning phases are predicted to be Negligible to Minor Adverse and are therefore not significant.</p> <p>Based on the illustrative design, operational significant adverse effects have been avoided. As</p>	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>such, no additional mitigation measures are required, and Residual effects are therefore not significant.</p> <p>As such, the Applicant considers the Development is fully in compliance with the policies set out in both NPS EN-1 and NPS EN-3.</p>	

2.8 SOCIOECONOMICS, RECREATION AND TOURISM

Table 2-8 Socioeconomics, Recreation and Tourism

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.8.1		Assessment Scope	Noted.	The Applicant considers that the scope and methodology used for assessment is appropriate, and is presented in Section 13.4 of ES Volume 2, Chapter 13: Socio-Economics and Tourism [EN010162/APP/6.2.13] [APP-056].	Agreed
2.8.2		Mitigation Measures	Noted.	The Applicant considers that the mitigation measures, as summarised in Table 13.13	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				(Proposed Control/Enhancement Measures) and Table 13.14 (Beneficial Measures to be Adopted as part of the Development) in the ES Volume 2, Chapter 13: Socio-Economics and Tourism [EN010162/APP/6.2.13] [APP-056] are acceptable.	
2.8.3		Assessment of effects	Noted.	Table 13.29 in the ES Volume 2, Chapter 13: Socio-Economics and Tourism [EN010162/APP/6.2.13] [APP-056] presents a summary of the potential impacts and residual effects in respect to socioeconomics. Based on a worst-case scenario and on the information currently available there will be no significant adverse effects on socioeconomics during the construction, operation and maintenance or decommissioning phases of the Development. There will be significant beneficial effects upon economic output (all	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>phases) and employment (construction).</p> <p>The residual beneficial effect on education and skills during construction and operation would be commensurate with the significance of effect during construction and operation as ES Volume 4, Appendix 13.2: Outline Skills, Supply Chain and Employment Plan (OSSCEP) [EN010162/APP/6.4.13.2] [APP-274] will be effectively implemented and secured through Requirement 17 in Schedule 2 of the Draft DCO [EN010162/APP/3.1B]-][REP1-005].</p> <p>As such, the Applicant considers the Development is fully in compliance with the policies set out in both NPS EN-1 and NPS EN-3.</p>	
2.8.4	RR	Job creation and Economic Benefits	<p><u>Current Position:</u> <u>TBC</u></p> <p><u>Deadline 3 Position:</u></p>	<p><u>Current Position:</u> As noted below, ES Volume 4, Appendix A13.2A: Outline Skills, Supply Chain and Employment Plan (OSSCEP) [EN010162/APP/6.4.13.2A] [REP3-</p>	Under discussion.

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>NSDC are seeking further discussion on how job creation and direct and indirect economic benefits [delivered by the Outline Skills, Supply Chain and Employment Plan] for the district can be maximised with more specific and tangible proposals.</p> <p>NSDC agree that these areas offer potential benefits, but our representations thus far have highlighted concerns around the delivery of these benefits, so that this can be considered in more detail during the examination stage, without placing an overreliance on the use of requirements within the Draft DCO Development Consent Order [EN010162/APP/3.1E]</p>	<p>058] was updated at Deadline 3 to reflect verbal feedback received. The Applicant is awaiting for a response from NSDC.</p> <p>Deadline 3 Position: ES Volume 2, Chapter 13: Socio-Economics and Tourism [EN010162/APP/6.2.13] [APP-056] sets out that an average of 120 local net direct construction full time equivalent (FTE) jobs and 60 local net direct manufacturing FTE jobs could be supported over the full two-year construction phase. It is anticipated that there will be a gain in employment equivalent to 1,204 direct local person years.</p> <p>The proposed measures are set out in ES Volume 4, Appendix 13.2: Outline SSCEP [EN010162/APP/6.4.13.2] [APP-274], and the detailed OSSCEP is then secured in Requirement 17 of the Draft DCO [EN010162/APP/3.1B] [REP1-005].</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>The Applicant has noted that NSDC have verbally requested updates to the ES Volume 4, Appendix A13.2A: Outline SSCEP Skills, Supply Chain and Employment Plan (OSSCEP) [EN010162/APP/6.4.13.2A] [REP3-058] and these have been submitted at Deadline 3.</p>	
2.8.5	RR	Permissive routes and the Circular Walk	<p><u>Current Position:</u> NSDC have responded to the Applicant on this matter, as set out in Row 2.3.7.</p> <p><u>Deadline 3 Position:</u> NSDC sought to clarify on how locations of proposed Permissive paths have been evidenced. The Permissive routes will only contribute during the operational life of the development (Table 7.4) and will be removed during the decommissioning stage. Therefore, it can be assumed that the Circular Walk will not be a permanent enhancement</p>	<p><u>Current Position:</u> The Applicant welcomes NSDC's revised position on this matter.</p> <p><u>Deadline 3 Position:</u> The Applicant understands that NSDC consider that the beneficial effects of the permissive routes cannot be considered as they are not permanent. The Applicant does not agree with this point, as it is clear that a beneficial effect lasting for 40 years is just as relevant as an adverse effect lasting for the same time period.</p> <p><u>Deadline 1 Position:</u></p>	Not Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>measure of the scheme. The rationale behind the Circular Walk is not clear, given that it will only offer an enhancement for 25 years: there are locations where it clearly offers a connection between currently unlinked public routes but also locations where it doesn't appear to provide genuine enhancement above simply a new route with no evidence to support an identified need.</p>	<p>New permissive routes have been proposed to enhance the existing connectivity of the area, as described in ES Volume 2, Chapter 18: Recreation [EN010162/APP/6.2.18] [APP-061] and can be viewed in Public Rights of Way Diversions and Permissive Routes Plan [EN010162/APP/2.4] [APP-020]. Twenty-seven new permissive routes have been proposed to enhance connectivity between existing footpaths and the broader network, while also reducing road walking and improving overall safety. This includes 21 permissive footpaths and six permissive bridleways. A new long-distance circular recreational route has been proposed, covering 50.6 km, including 38.1 km of existing paths and 12.5 km of new permissive route. It is proposed that all new permissive routes will be created during the construction phase so that they are open for use during the operational phase.</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>ES Volume 4, Appendix A18.1: Outline RRMP [EN010162/APP/6.4.18.1] [APP-295] provides measures to manage closures, diversions, and new permissive routes. The management plan has sought to ensure continued recreational use of the PRowS during construction, operation and decommissioning of the Development. ES Volume 4, Appendix A5.6: Outline DRP [EN010162/APP/6.4.5.6] [APP-207] sets out that the Applicant will undertake a review of PRow within the Order Limits prior to decommissioning, and in the final DRP will set out any proposals for changing PRow at that time. This could include reverting the routes of diverted PRow back to their current routes. The final DRP will be submitted to NSDC for approval prior to commencement of decommissioning.</p> <p>As set out in the ES Volume 4, Appendix A5.6: Outline Decommissioning and Restoration Plan (DRP)</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>[EN010162/APP/6.4.5.6A] ;[REP1-036], permissive paths that are to be created as part of the Development may be retained only if the landowner(s) at that time permit it. The Applicant will discuss each permissive path with the landowners, and present the outcome of this in the final DRP. Permissive routes included in the design would be removed when the Proposed Development is decommissioned but these routes do not currently exist. Landscape and visual effects are assessed against the current and future baseline (i.e. without the proposed permissive routes). The removal of the permissive routes at decommissioning reverts to the baseline and on this basis there would be positive effects from their presence during operation and no change after decommissioning.</p>	

2.9 CLIMATE CHANGE AND SUSTAINABILITY

Table 2-9 Climate Change and Sustainability

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.10.1	RR	Carbon Reduction	<p><u>Current Position:</u> <u>TBC</u></p> <p><u>Deadline 1 Position:</u> Whilst noting that the proposed development is not at detailed design stage, the Applicant has previously presented options for further carbon reduction at statutory consultation stage and as such NSDC would wish to see a greater commitment to carbon reduction measures, particularly where localised economic benefits would be enhanced as part of the delivery of these options. It is noted at Paragraph 15.5 (Mitigation Measures and Residual Effects) that the Applicant is considering various measures to further reduce possible carbon emissions. This includes</p>	<p>Current Position: <u>The Applicant is awaiting a response from NSDC on this matter and would welcome further clarification on the outstanding matter.</u></p> <p><u>Deadline 3 Position:</u> The ES Volume 4, Appendix A13.2A: Outline Skills, Supply Chain and Employment Plan (OSSCEP) [EN010162/APP/6.4.13.2A] [REP3-058] sets out the commitments made by the Applicant in relation to the promotion of local socio economic effects. These are secured by Requirement 17 of the Draft Development Consent Order [EN010162/APP/3.1D] [REP3-004]. The Applicant considers that these provide an appropriate set of controls for the Development, having regard to NPS policy.</p>	Under Discussion.

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>sourcing steel for the solar PV mounting structures UK based suppliers, including those that use electrical arc furnaces rather than fossil fuel fired furnaces, amongst other potential measures. Such possible measures are welcomed, but details of how the Applicant would commit to and deliver such additional measures are required, including how they would be secured as part of the DCO. Further to this, NSDC would also encourage the applicant to consider how the above-mentioned mitigation measures, could link to the potential socioeconomic benefits of the proposed development in respect of FTE jobs (directly and indirectly created) during the construction phase of the proposed development, so as to maximise localised job and related economic benefits to</p>	<p>Deadline 1 Position: The possible impacts of the Development on the climate throughout its construction, operation, and decommissioning phases has been assessed and the assessment is provided in ES Volume 2, Chapter 15: Climate Change [EN010162/APP/6.2.15] [APP-058], with a further detail provided within ES Volume 4, Appendix A15.1: Lifecycle Greenhouse Gas Evaluation [EN010162/APP/6.4.15.1] [APP-285]. The assessment presents the worst-case scenario for carbon emissions. It has been assumed within ES Volume 2, Chapter 15: Climate Change [EN010162/APP/6.2.15] [APP-058] that the Development components, e.g. solar PV framework will be produced in China using blast furnaces and delivered via sea from China, to ensure a worst case scenario is presented.</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			the advantage of the NSDC area and its community.		

2.10 AIR QUALITY

Table 2-10 Air Quality

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.10.2	Section 42 Statutory Consultation in the Consultation Report	Policy and Guidance Compliance	Noted.	The Parties agree that the appropriate guidance has been used to draft ES Volume 4, Technical Appendix A5.3: Outline CEMP [EN010162/APP/6.4.5.3A] [REP1-030] , on which the detailed CEMP would be based on as presented in ES Volume 2, Chapter 16: Miscellaneous Issues [EN010162/APP/6.2.16] [APP-059] . The detailed CEMP is secured by Requirement 12 in Schedule 2 of the Draft DCODevelopment Consent Order [EN010162/APP/3.1B] [REP1-005]	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p>ES Volume 4, Technical Appendix A5.3: Outline Construction Environmental Management Plan [EN010162/APP/6.4.5.3A][REP 1-030] has been prepared in line with the Institute of Air Quality Management's (IAQM) guidance for assessing effects from construction.</p>	
2.10.3	RR	Mitigation Measures	<p>The assessment appropriately uses IAQM methodology to consider dust impact risks. Dust mitigation measures are proposed in the outline CEMP. A detailed dust risk assessment and mitigation plan should be required and submitted for approval prior to construction by use of condition once the final layout is confirmed.</p> <p>The applicant should ensure that any NRMM used complies with the latest EA requirements for such plant.</p>	<p>ES Volume 4, Technical Appendix A5.3: Outline Construction Environmental Management Plan [EN010162/APP/6.4.5.3A][REP1-030] includes the measures of dust control and the use of non-road mobile machinery. The measures are considered acceptable.</p>	Agreed

2.11 AGRICULTURAL LAND AND SOILS

Table 2-11 Agricultural Land and Soils

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.11.1	Section 42 Statutory Consultation in the Consultation Report	Scope of the ALC Assessment	Noted.	The Parties agree the scope of ES Volume 4, Appendix 17.1: ALC Survey [EN010162/APP/6.4.17.1] [APP-288] [APP-289] is acceptable.	Agreed
2.11.2	Section 42 Statutory Consultation in the Consultation Report	Methodology of the ALC Assessment	Noted.	ES Volume 4, Appendix 17.1: ALC Survey [EN010162/APP/6.4.17.1] [APP-288] [APP-289] has been carried out at a density of 1 auger per hectare, with an appropriate number of pits completed, as set out in ES Volume 2, Chapter 17: Agricultural Land [EN010162/APP/6.2.17] [APP-060] . Therefore the methodology of the ALC Assessment is considered acceptable.	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.11.3	Section 42 Statutory Consultation in the Consultation Report	Mitigation Measures (Soil Management Plan)	Noted.	An outline Soil Management Plan (oSMP) is provided in ES Volume 4, Technical Appendix A17.2: Outline Soil Management Plan [EN010162/APP/6.4.17.2] [APP-290] [APP-291] [APP-292] [APP-293] , setting out the principles. A final SMP will be secured by Requirement 20 in Schedule 2 of the Draft DCO [EN010162/APP/3.1B]. Development Consent Order [EN010162/APP/3.1B][REP1-005] .	Agreed
2.11.4	RR	Effects on BMV Land (Site Selection)	Current Position: We remain concerned on the effects of the proposed development on BMV land and do not agree as a matter of general principle regarding the significance of the effects as assessed. NSDC maintain that at a local level, the impacts of the proposed development are 'significant' from the perspective of the proposed development and also with regard to cumulative	The cumulative effect on BMV land has been considered in ES Volume 2, Chapter 17: Agricultural Land [EN010162/APP/6.2.17] [APP-060] . This includes assessments of national and regional availability of land of BMV quality. The cumulative schemes involve the use of approximately 2,350 ha of BMV land within Nottinghamshire and	Not agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>effects. As noted below, NSDC also consider that the Applicant has failed to rule out that alternative areas of lower value BMV land that could have been utilised, as discussed during ISH1. NSDC also note that during ISH1 errors were identified in BMV calculations and cumulative schemes assessed and therefore we look forward to reviewing the Applicant's D2 submissions in due course.</p> <p>Given that the proposed development involves the loss of a high proportion of BMV land, over a long term period, there is no suitable mitigation that can be provided from a land use perspective, which will mitigate for the extent of this loss of BMV from active agricultural use, for the operational period of the proposed development. As discussed during ISH1, NSDC consider that the Applicant has failed to demonstrate that it has appropriately applied the</p>	<p>Lincolnshire. They are principally solar scheme proposals and accordingly will be wholly or mostly reversible, and accordingly they will represent a temporary impact, which is a low magnitude impact on a resource of high sensitivity, which results in a low magnitude effect, which is not significant.</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>mitigation hierarchy, with particular regard to the first step of 'avoidance' as detailed within Paragraph 4.1.5 of the Overarching National Policy Statement for Energy (EN-1).</p> <p>The economic value (of the BMV land) would comprise of the loss of cereals and other crops grown set against any income/value achieved from sheep grazing, if any. The proposed development consists of a significant area of BMV land to be lost for 60 years. Once the panels are in place it would be difficult and expensive to remove them to return the land to agricultural use at short notice, effectively locking flexible land out of cropping for the duration. Grassland in the UK is plentiful (there is an excess) and other climate change measures suggest that consumers should reduce their red meat consumption. Low intensity ecological based sheep grazing is therefore no substitute for the lost BMV and other land. The BMV</p>		

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>land is the most flexible and therefore the effects of this loss would be felt most significantly in this respect.</p> <p>Deadline 1 Position:</p> <p>NSDC suggest that the Applicant demonstrate how other areas of land have been considered that may have involved a lower degree of BMV land. NSDC particularly take the view that loss of Grade 2 (Very Good Agricultural Land) land should be avoided. As such, NSDC consider that only Grade 3a and Grade 3b (or lower grade quality) should be utilised, on the basis of the long-term loss of such valuable land for food production purposes.</p> <p>Further to this, we consider the Applicant should set out to what extent (perhaps as part of the ongoing maintenance programme) any of the PV areas could be scaled back over the operational life of the proposed development, reflecting</p>		

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>continuing improvements in technology, which presents potential to return high value BMV land to agricultural use and brings additional benefits in scaling back the impacts of the proposed development.</p>		
2.11.5	Section 42 Statutory Consultation in the Consultation Report	Decommissioning	Noted.	<p>The land will be returned to farming use on completion of decommissioning barring woodland and hedgerow, see ES Volume 2, Chapter 17: Agricultural Land [EN010162/APP/6.2.17] [APP-060] and ES Volume 4, Technical Appendix A5.6: Outline Decommissioning and Restoration Plan [EN010162/APP/6.4.5.6A] -[REP1-036]. Grassland mixes have been selected to suit land conditions.</p> <p>A final Decommissioning and Restoration Plan ('DRP') will be secured through Requirement 19 in Schedule 2 of the Draft DCO [EN010162/APP/3.1B], Development Consent Order</p>	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				<p><u>[EN010162/APP/3.1B][REP1-005]</u>, which provides that the final DRP must be submitted to the planning authority for its approval, in consultation with NCC prior to commencement of any decommissioning works for any part of the Project. Given that the Development is temporary, the agricultural land, including BMV, would not be permanently lost.</p>	

2.12 CUMULATIVE SCHEMES

Table 2-12 Cumulative Schemes

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.12.1	Section 42 Statutory Consultation in the Consultation Report	Assessment scope and methodology	<p>Current <u>Position:</u> <u>TBC</u></p> <p><u>Deadline 3 Position:</u> NSDC can confirm that they agree with the long list that has</p>	<p><u>Current Position:</u> <u>The Applicant is awaiting further clarification from NSDC on which schemes, or topcis are not agreed.</u></p> <p><u>Deadline 3 Position:</u></p>	Under discussion

			<p>been presented by the Applicant and the list of developments that have been short listed for further assessment. However, we do not necessarily agree in all cases with the conclusions of those schemes that have been assessed for potential cumulative effects.</p> <p>Deadline 1 Position: NSDC have provided detailed comments on the Stage 1 and 2 long list, along with feedback on the Stage 3 and 4 schemes taken forward for assessment, noting that the Applicant should confirm if the One Earth DCO has been taken into account in respect of agricultural land, landscape and biodiversity. -</p>	<p>As set out in Appendix 1: Record of Correspondence, the Parties agree to the long list and short listed cumulative sites (set out in ES Volume 4, Appendix 2.1: Cumulative Assessment Stages 1 and 2 [EN010162/APP/6.4.2.1B]-[REP2-042]).</p> <p>The Applicant has reviewed the additional feedback received from NSDC on 9th January, and has updated ES Volume 4, Appendix 2.1: Cumulative Assessment Stages 1 and 2 [EN010162/APP/6.4.2.1B]-[REP2-042]. The Applicant has confirmed to NSDC the following:</p> <ul style="list-style-type: none"> • ES Volume 2, Chapter 7: Landscape and Visual Impact Assessment (LVIA) [EN010162/APP/6.2.7A]-[REP2-022]: already includes One Earth in the cumulative assessment; • ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8A]-[REP2-024]: has been updated to respond to this point; 	
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				<ul style="list-style-type: none"> ES Volume 2, Chapter 17: Agricultural Land [EN010162/APP/6.2.17A] [REP2-032]: has been updated to respond to this point. 	
2.12.2	TBC	Assessment of Effects	<p><u>Current Position:</u> <u>TBC</u></p> <p><u>Deadline 3 Position:</u> NSDC can confirm that they agree with the long list that has been presented by the Applicant and the list of developments that have been short listed for further assessment. However, we do not necessarily agree in all cases with the conclusions of those schemes that have been assessed for potential cumulative effects.</p>	<p><u>Current Position:</u> <u>As above.</u></p> <p><u>Deadline 3 Position:</u> As summarised in Section 19.4 of the ES Volume 2, Chapter 19: Interrelationships [EN010162/APP/6.2.19] [APP-062], potential in-combination effects of the Development on local people have been assessed as negligible, in almost all cases, and as a worst-case minor, which is not significant in terms of the EIA Regulations.</p>	Under discussion

2.13 DRAFT DCO

Table 2-13 Draft dDCO

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.13.1	RR	Part 6, Article 39 – Trees and Removal of Hedgerows	<p>Current SH2 Position: TBG <u>NSDC expressed concerned regarding Article 39 and queried how 'near' is defined an how is 'reasonably necessary to do so' defined. NSDC confirmed its view that these terms are imprecise and vague...</u> <u>NSDC referred to the fact that it had seen other examples of DCOs whereby a notification period was afforded to the LPA in such circumstances and suggested that this may be appropriate in this case, to allow for scrutiny of proposed works to a removal of a TPO tree before works are undertaken. NSDC confirmed that it would provide examples of other DCOs where such wording has been utilised and this is provided below. 17. In this regard, NSDC would refer</u></p>	<p>Current Position: The Applicant has confirmed <u>notes that this matter was agreed at Deadline 2, but NSDC have since change their position. The Applicant maintains</u> that the powers sought in the DCO have been taken into account as part of the EIA. The powers set out in Articles 39 and 40 follow well established precedent. The powers are considered both necessary and proportionate for an NSIP and the Applicant sees no reason why the Undertaker should not have the benefit of such powers.</p> <p>Deadline 1 Response: Article 39 in Part 6 of the Draft DCO [EN010162/APP/3.1B] <u>[REP1-005]</u> sets out necessary operational powers in relation to matters of felling or lopping of trees and removal of hedgerows.</p>	<p><u>Under discussion</u> Agreed ee</p>

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p><u>to Article 81(3) of the Sizewell C made Order 20222 which states:</u></p> <p><u>' (3) The approval of East Suffolk Council (not to be unreasonably withheld or delayed) must be obtained before the undertaker may exercise the power in paragraph (1) in respect of any tree outside the Order limits.'</u></p> <p>Deadline 1 Response:</p> <p>As the Draft DCO is developed, the Applicant should make it clear that all of the general powers sought in relation to the DCO are informed by a detailed understanding of the impacts of the proposed development, based on the design proposals and environmental assessment work.</p> <p>For example Article 39 (Felling and Lopping of Trees and Removal of Hedgerows) and Article 40 (Trees Subject to a Tree Preservation Order) currently rely on far reaching</p>	<p>ES Volume 4, Technical Appendix A8.12: Arboricultural Impact Assessment [EN010162/APP/6.4.8.12] [APP-225] includes detailed consideration of trees and hedgerows.</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>general powers to undertake works or fell trees where 'it reasonably believes it to be necessary to do so in order to prevent the tree from obstructing or interfering with the construction, maintenance, operation or decommissioning of the authorised development.'</p>		
2.13.2	RR	Schedule 14(2) - Procedure for Discharging Requirements	<p>Current Position: <u>TBC</u></p> <p>Deadline 3 Position: NSDC note that the One Earth Draft DCO includes a 12 week period and whilst we did not consider that period sufficient it is longer than the currently proposed 10 weeks for Great North Road.</p> <p>Deadline 1 Response: NSDC consider that notification of a decision within 10 weeks as a standard approach is insufficient. NSDC are particularly concerned with the</p>	<p>Current Position: The Applicant notes that the Helios DCO includes a period of 8 weeks, which reflects the urgent need for the project. The Applicant is keen to discuss this matter with NSDC to understand is agreement can be reached. As set out in the Deadline 3 version of the Draft Development Consent Order [EN010162/APP/3.1E] , the Applicant has adopted the approach taken at Helios, which assumes 8 weeks.</p> <p>Deadline 1 Response: Schedule 14(2) of the Draft DCO [EN010162/APP/3.1B] [[REP1-</p>	<p>Under Discussion <u>Not agreed</u></p>

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>resourcing of such requirements and therefore consider that a more appropriate default period equating to Major EIA development for a planning application of 16 weeks is more appropriate.</p> <p>Whilst NSDC note that Part 2(c) includes for the ability to agree an alternate period, the expectation for 10 weeks would be set by its inclusion in the standard wording. To afford an extra 2 weeks beyond the normal discharge of condition application period for an LPA is not considered sufficient. The project is significant in size and scale and the information submitted for many of the requirements is likely to involve a significant amount of information and an appropriate time period must be afforded for NSDC to consider this.</p>	<p>0051 sets out the procedure for discharge of requirements. Once an application is submitted for such an approval, the authority must respond within a period of 10 weeks beginning with the day immediately following that on which the application is received by the relevant authority.</p> <p>The Applicant considers that a period of 10 weeks for the consideration of discharge of requirements is appropriate.</p>	
2.13.3	RR	Schedule 14(5) - Fees	<p>Current Position: NSDC also reaffirmed its view that the fees associated with the</p>	<p>Current Position: The Applicant notes that the Helios DCO includes fees from</p>	Not Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p><u>discharge of requirements was considered to be insufficient and did not reflect a realistic output of officer time. NSDC referred to a worked example, which is presented below is considered to represent a conservative assessment of time spent.</u></p> <p><u>Detailed design approval (Requirement 6). This is linked to phases of the development, but the number of phases is unknown.</u></p> <p><u>Standard published planning officer rate of £98.00 p/hr1:</u></p> <p><u>Time Estimate</u></p> <p><u>Site visit – 1 day (depending on phases).</u></p> <p><u>Review of plans and associated information – 2 days</u></p> <p><u>Consultee review and advice – heritage, ecology, EHO etc. – 2 days.</u></p> <p><u>Queries and clarification, plus meetings – 1 day –</u></p>	<p>the TCPA regime to discharge planning conditions, and so this precedent would suggest the Secretary of State considers such to be appropriate. The Applicant is keen to discuss this matter with NSDC to understand if agreement can be reached.</p> <p>Deadline 1 Response:</p> <p>The Applicant has included proposed fees, which are considered fair and reasonable, and which are consistent with recently made DCOs.</p>	

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p><u>Report write up and review – 1 day.</u> <u>7 business working days = 98*7.5*7 = £5,145.00.</u></p> <p><u>Deadline 2 Position</u> NSDC do not have any further comments to add. NSDC have highlighted that the same matter at One Earth was not agreed, and it is therefore unlikely that an agreement on this will be reached.</p> <p><u>Deadline 1 Response:</u> NSDC consider that the fee level proposed by the Applicant is insufficient.</p> <p>The fee structure includes an initial fixed fee of £2,535.00 for the first application for the discharge of some of the requirements, then a downward sliding scale of £578.00 per submission for other requirements and then £145.00 for any requirement not listed.</p> <p>Whilst NSDC note that the Applicant may consider such provision reasonable under</p>		

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
			<p>'precedent drafting' we consider it unlikely reflects the reality of the resourcing of such requests, particularly where such requests were linked to the phasing, possibly involving multiple submissions for the different phases, with a fee budget that continues to fall.</p> <p>NSDC would welcome the opportunity to discuss this further with the Applicant so an appropriate fee level can be set and/or a mechanism for negotiating an appropriate fee, should permission be forthcoming.</p>		

2.14 SCHEDULE 2 REQUIREMENTS

Table 2-14 Schedule 2 Requirement

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.14.1	Section 42 Statutory	Schedule 2(1) - Interpretation	Schedule 2 (Pages 38 – 43) Part 1 (Interpretation).	Requirement 1 (Interpretation) refers to Nottinghamshire County	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
	Consultation in the Consultation Report		<p>Definition of authorities, as the draft DCO <u>Draft Development Consent Order [EN010162/APP/3.1E]</u></p> <p>document is developed and revised, it defines which authority (NSDC or NCC) is the responsible planning authority, for the discharge of which specific requirement. Need further requirements to include a Community Liaison Group.</p>	<p>Council as the county authority for the authorised development; and Newark and Sherwood District Council as the planning authority for the authorised development.</p> <p>Requirement 21 of Draft DCO [EN010162/APP/3.1B] makes provision of the community liaison management plan.</p>	
2.14.2	Section 42 Statutory Consultation in the Consultation Report	Schedule 2(3) – Phasing	Noted	<p>Requirement 3 (Phasing) provides that the Development will be delivered in minimum of two phases of construction. As stated in Section 2.3.4 of ES Volume 2, Chapter 2: EIA [EN010162/APP/6.2.2] [APP-045], the technical assessments within the EIA have been prepared to provide the prediction of likely effects of the Development during pre-construction, construction, operation and decommissioning.</p>	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
				Requirement 3 also provides that the Development must not commence until a written scheme setting out the phases of construction of the authorised development has been submitted to and approved by the planning authority. The Development must be carried out in accordance with the approved phasing scheme.	
2.14.3	Section 42 Statutory Consultation in the Consultation Report	Schedule 2(8) - Landscape and ecological management plan	Noted	Requirement 8 (LEMP) of the Draft DCO [EN010162/APP/3.1B] <u>[REP1-005]</u> provides that the Development must not commence until a LEMP has been submitted to and approved by the local planning authority, such approval to be in consultation with NSDC. It also provides that no phase of the Development may commence until a Landscape and Ecological Management Plan ('LEMP') covering that phase has been submitted to and approved by the local planning authority.	Agreed

Ref	Relevant Documents	Description of Matter	NSDC's Position	Applicant's Position	Status
2.14.4		Schedule 2(10) – Operational Noise	<p><u>Current Position:</u> <u>TBC</u></p> <p>-</p> <p><u>Deadline 3 Position:</u> NSDC have noted that the revised wording is an improvement and will provide the Applicant with detailed comments in advance of Deadline 4.</p>	<p><u>Current Position:</u> <u>The Applicant has updated the Requirement to reflect feedback from the ExA. We await any feedback from NSDC.</u></p> <p><u>Deadline 3 Position:</u> The Applicant noted that NSDC made submissions at ISH2 in relation to the adequacy of Requirement 10.</p> <p>The revised version of the Requirement wording was shared with NSDC on the 11th February and no comments have been received. The Applicant looks forward to receiving feedback from NSDC in due course. .</p>	Under discussion

3 SIGNATURES

3.1.1 The above SoCG is agreed between the Applicant and Newark and Sherwood District Council, as specified below.

Duly authorised for and on behalf of Elements Green Trent Ltd	Name
	Job Title
	Date
	Signature

Duly authorised for and on behalf of Newark and Sherwood District Council	Name
	Job Title
	Date
	Signature

Appendix 1: Record of Correspondence

Date	Type (meeting, etc.)	Topic
12/10/2023	Email	Applicant to NSDC: Request for introduction meeting.
13/12/2023	Email	Applicant to NSDC: NG+ workshop invite.
11/01/2024	Email	Applicant to NSDC: Phase one consultation - invite to briefing.
16/01/2024	Email	Applicant to NSDC: Phase One Consultation launch.
29/01/2024	Email	Applicant to NSDC: Phase One Consultation events invite (first week).
05/02/2024	Email	Applicant to NSDC: Phase One Consultation events invite (second week).
29/02/2024	Email	Applicant to NSDC: Close of Phase One Consultation.
28/03/2024	Email	Applicant to NSDC: Visual amenity changes update.
26/04/2024	Email	Applicant to NSDC: Solar Farm Open Day - Save the date.
22/07/2024	Virtual Meeting	A meeting to discuss the draft Statement of Community Consultation.
24/07/2024	Virtual Meeting	Agenda included: Introductions Planning Performance Agreement Update on Community and Stakeholder Engagement
30/07/2024	Email	Applicant to NSDC: Draft SoCC Consultation.
31/07/2024	Email	Applicant to NSDC: Email including previous meeting notes and extracts from the project consultation and engagement trackers.
06/08/2024	Email	Applicant to NSDC Phase One Consultation Summary Report publication update.
06/08/2024	Email	Applicant to NSDC: Email introducing GNR landscaping team.
03/10/2024	In person	Meeting Agenda: Development Progress Updates Consultation and Engagement Updates

Date	Type (meeting, etc.)	Topic
		Engagement with NSDC Technical Consultees Socioeconomics NG+ Flood Alleviation Measures & other initiatives Invoicing and Finance AOB
18/10/2024	Email	Applicant to NSDC: Phase Two Timescale Update.
24/10/2024	Email	Meeting notes from previous meeting, draft Development Programme Document, summary of proactive communications, interim masterplan with NSDC biodiversity annotations.
04/11/2024	In person	A meeting in relation to the following: Development Progress Engagement Overview Consultation with NSDC incl. 3 rd party contractors Flood Alleviation Measures – We have a short presentation on this topic AOB
07/11/2024	Virtual Meeting	GNR biodiversity steering group Introductory Meeting. Agenda: <ul style="list-style-type: none"> • Introductions • Meeting Objectives • Development Overview • Introduction to the Development LEMP • Role of the LEMP Steering Group • Feedback and AOB
20/11/2024	Email	Applicant to NSDC – Arranging members briefing.
27/11/2024	Email	Applicant to NSDC informing about the Development name change and partnerships with the RSPB, Sherwood Forest Trust, Nottinghamshire Wildlife Trust, and The Trent Rivers Trust.
02/12/2024	Email	Applicant to NSDC – provision of landscape architect’s contact details and suggestion for landscaping meeting.
04/12/2024	Email	Applicant to NSDC – including summary notes from previous meeting, EIA communications log, SoCG template.

Date	Type (meeting, etc.)	Topic
05/12/2024	Email	Applicant to NSDC: Formal notification of the Development name change to GNR Solar and Biodiversity Park.
09/12/2024	In person	Joint meeting with NSDC and NCC. Agenda: <ul style="list-style-type: none"> • Introductions • Development Progress Update • Statutory Consultation • Upcoming members briefing • Biodiversity Steering Group • AOB
18/12/2024	Email	Applicant to NSDC: Members Briefing Presentation.
19/12/2024	Email	Applicant to NSDC: Phase Two Consultation SoCC Comms.
19/12/2024	Email	Applicant to NSDC: Updated Development Document and publication of SoCC.
18/12/2024	In person	Applicant briefing to NSDC officers and members in relation to the upcoming statutory consultation launch.
07/01/2025	Email	Phase Two Consultation Pre-Event Briefing Invites
09/01/2025	Email	Phase Two Consultation S.42 Emails
09/01/2025	Email	Phase Two Consultation Launch
28/01/2025	Email	Invite to a meeting to discuss Ecology and Arboriculture.
19/02/2025	Email	Applicant to NSDC: Offering a meeting to discussed Noise matters if required. Email Accompanied with a noise clarification note responding to feedback to statutory consultation.
20/02/2025	Email	Receipt of NSDC Consultation Responses
25/02/2025	Email	Applicant to NSDC: Close of Phase Two Consultation.
26/02/2025	Email	Applicant to NSDC: Early Adequacy of Consultation Milestone Document shared for review and comment
05/03/2025	Email	Applicant to NSDC: email with programme of agreed post-consultation meeting series in relation to Landscape, Ecology, Planning, Cumulative Effects and Heritage.

Date	Type (meeting, etc.)	Topic
13/03/2025	Virtual Meeting	A meeting to discuss Ecology and Biodiversity following statutory consultation. Topics included survey efforts, discussion in relation to approach to Biodiversity Net Gain.
13/03/2025	Virtual Meeting	A meeting to discuss Conservation and Heritage following statutory consultation. Topics included updated viewpoints and approach to assessment of listed buildings and conservation areas.
17/03/2025	In person meeting	Agenda: <ul style="list-style-type: none"> • Cumulative Effects - Approach to long list and short list • List of relevant planning policies to be assessed in the planning statement • Approach to policy interpretation and where to include planning policies in the ES chapters • Any other relevant material considerations • Local Impact Report • Any other considerations
19/03/2025	In person meeting	GNR Development progress meeting with NCC and NSDC including: <ul style="list-style-type: none"> • Development Progress Update • Timeline to submission • Update on Engagement with Consultees since end of statutory consultation • Approach to Statements of Common Ground • Draft DCO Session • Main Issues for Examination Document • Any other documents to be reviewed by NCC and NSDC before submission • Planning Performance Agreements & Resourcing • AOB
20/03/2025	Email	Applicant to NSDC: a landscaping note setting out the post-consultation changes, and seeking to agree updated viewpoints and study area.
25/03/2025	Email	Applicant to NSDC: Flood Management Update Newsletter.

Date	Type (meeting, etc.)	Topic
24/03/2025	Virtual Meeting	A meeting to discuss and seek agreement on the Landscape and Visual Scope, including viewpoints and study area.
25/03/2025	Email	Applicant to NSDC: summarising the landscape meeting outcome and seeking confirmation.
04/04/2025	Email	Response from NSDC in relation to Cumulative Sites confirming long and short list and approach to assessment
07/04/2025	Email	NSDC Response to Early Adequacy of Consultation Milestone Document
09/04/2025	Email	NSDC to Applicant: Agreement of 2km Study Area for LVIA, agreed viewpoints. Agreed scope of photomontages and wirelines.
09/04/2025	Email	Applicant to NSDC: Update on revised consultation date; Update on Programme Document; Acknowledgement of agreed viewpoints.
10/04/2025	Virtual Meeting	Virtual meeting in relation to draft Development Consent Order Schedules, Powers and Requirements including the Applicant's legal team, NSDC Officers, and NSDC Officers.
02/05/2025	Email	Applicant to NSDC: Targeted Consultation Guidance Note
02/05/2025	Email	Applicant to NSDC: email with proposed updated viewpoints following scheme amendments.
08/05/2025	Email	Targeted Consultation Launch Emails
19/05/2025	Meeting	Discussion in relation to NG+ Flood Alleviation Measures and planning approach.
06/06/2025	Email	NSDC response to Targeted Consultation.
29/05/2025	Email	NSDC response indicating agreement with proposed updated viewpoints.
18/07/2025	Virtual Meeting	Development progress update and outline discussion of SoCG principles and resourcing. Agreed that the Applicant will manage the drafting of the SoCG.
11/9/25	Virtual Meeting	Discussions on the first draft SoCG and timescales.
13/11/25	Virtual Meeting	Discussion on how to update the SoCG with the NSDC Relevant Rep. Agreed to share SoCG in advance of Preliminary meeting.

Date	Type (meeting, etc.)	Topic
25/11/25	Email	Issued updated SoCG for comment
8/12/25	Email	NSDC comments on SoCG
9/01/26	Email	NSDC provide detailed comments on cumulative schemes
14/01/26	Email	Updates from Applicant to reflect NSDC comments (issued on 9/01/26)
27/01/26	Meeting	With NSDC Planning Officer to discuss SoCG
30/01/26	Meeting	With NSDC and their landscape advisor to discuss outstanding LVIA matters.
11/2/26	Email	Updates from Applicant to reflect D3 Updates
16/2/26	Email	NSDC Comments on draft SoCG
17/2/26	Email	NSDC ecology comments on draft SoCG
17/2/26	Email	Applicant issued draft D3 SoCG for sign off
18/2/26	Email	NSDC signed off the draft D3 SoCG, subject to changes to 2.13.2 and 2.14.4, which are included in this version.
<u>19/3/26</u>	<u>Email</u>	<u>Applicant issued updated SoCG to NSDC for input</u>
<u>23/3/26</u>	<u>Email</u>	<u>Applicant issued comments on cumulative effects for NSDC response.</u>
<u>23/3/26</u>	<u>Email</u>	<u>NSDC issued response to the Applicant on wording for Requirement 15.</u>