



Lime Down

Solar Park

Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 1 and Responses to Action Points

May 2026

Revision 1

Planning Inspectorate Reference: EN010168

Document Reference: EXAM/9.18

**The Infrastructure Planning (Examination Procedure) Rules 2010
Rules 8(1)(c)**



List of Contents

1	Summary of Oral Submissions at Issue Specific Hearing 1	1
2	List of Actions for the Applicant and Other Parties following Issue Specific Hearing	159

1 Summary of Oral Submissions at Issue Specific Hearing 1

Agenda item	Comment
<p>1. Welcome, opening remarks and introductions</p>	<p>The ExA introduced the hearing and made some preliminary remarks.</p>
<p>2. Purpose of Issue Specific Hearing 1</p>	<p>Purpose of the hearing is to address matters raised by the ExA following its consideration of the application documents.</p> <p>The following parties introduced themselves during ISH1:</p> <p>The Applicant:</p> <ul style="list-style-type: none"> • Claire Brodrick, Partner at Pinsent Masons LLP (solicitors for the Applicant) • Rosie Horton, Principal Town Planner at AECOM • William Barrett, Technical Director, Environment at AECOM • Simon Gillett, Director at Humbeat • Chris Jackson, Director of Landscape Architecture at Lanpro <p>Wiltshire Council</p> <ul style="list-style-type: none"> • Joel Semakula, Barrister at Landmark Chambers (Counsel for Wiltshire Council) • Frank Caden, solicitor at Wiltshire Council • Karen Jones, Strategic Planning Projects Lead at Wiltshire Council • Nic Thomas, Director of Planning at Wiltshire Council <p>National Highways</p> <ul style="list-style-type: none"> • Julie Russell, solicitor at Gowling WLG (solicitors for National Highways) • Simon Shapland, Spatial Planning Manager at National Highways

Agenda item	Comment
	<p>Stop Lime Down</p> <ul style="list-style-type: none"> • Daniel Kozelko, Barrister at 39 Essex Chambers (Counsel for Stop Lime Down) • Celia Reynolds, Barrister at 39 Essex Chambers (Counsel for Stop Lime Down)
<p>3. Scope of the Proposed Development</p>	<p>The ExA requested that the Applicant provide a summary of the nature of the proposed development.</p> <p>Claire Brodrick, on behalf of the Applicant, explained that the overview would describe the Order limits and the key components of the Scheme, provide a brief overview of the approach to site selection, and briefly explain how the application has demonstrated that the Scheme is compliant with the National Policy Statements (NPSs), noting that alternatives and some matters relating to site selection would be addressed later on the agenda.</p> <p>Ms Brodrick noted that the versions of the NPSs applicable to the Scheme are those designated in January 2024, in accordance with the transitional provisions of the NPSs designated in January 2026. The relevant NPSs are The Overarching National Policy Statement for Energy (EN-1), The National Policy Statement for Renewable Energy Infrastructure (EN-3) and The National Policy Statement for Electricity Networks Infrastructure (EN-5), which apply for the purposes of section 104 of the Planning Act 2008 (the PA 2008). The more recent energy NPSs designated in January 2026 were identified as important and relevant and would be referred to where relevant, although paragraph references to the NPSs would generally be to the 2024 versions unless stated otherwise.</p> <p>Ms Brodrick explained that Part 3 of NPS EN-1, in both the January 2024 version and the more recently designated version, sets out the urgent need for significant amounts of large-scale energy infrastructure to meet the Government's energy objectives. Ms Brodrick referred to paragraph 2.3.3 of EN-1, which explains that those objectives are to ensure that the supply of energy always remains secure, reliable and affordable, and consistent with meeting the UK's legally binding targets to meet Net Zero by 2050.</p> <p>Ms Brodrick added that the Government's Clean Power 2030 Action Plan established an aim to deliver a clean power system by 2030, and to keep it clean beyond 2030, as electricity demand</p>

Agenda item	Comment
	<p>increases due to the transition away from fossil fuels in traditionally non-electricity sectors such as transport, heat and industrial processes.</p> <p>Ms Brodrick explained that the NPSs were subsequently updated to reflect current energy policy, including the Clean Power Mission. The January 2026 version of EN-1 explains that solar energy is at the heart of the Clean Power 2030 Mission, and Ms Brodrick referred to paragraphs 2.10.5 and 2.10.6 of the January 2026 version of EN-3, which explain that solar is an established source of renewable electricity in the UK, the cheapest form of electricity generation, and capable of being built out quickly.</p> <p>Ms Brodrick also noted that the Government has concluded that there is a Critical National Priority for the provision of nationally significant low-carbon infrastructure such as the Scheme, as set out in paragraph 4.2.4 of EN-1. Ms Brodrick added that further detail on the need for the Scheme is set out in the Statement of Need [APP-266].</p> <p>Ms Brodrick then explained the key components of the Scheme. The Scheme comprises a solar photovoltaic electricity generating station and associated development, including a battery energy storage system (BESS), substations and grid connection infrastructure.</p> <p>Ms Brodrick noted that the Order limits for the Scheme cover an area of approximately 1,237 hectares (ha) of land, largely located in Wiltshire, with a small area in South Gloucestershire relating to highway works. Ms Brodrick explained that the extent of the Order limits is shown spatially on the Works Plans [APP-007] and constitutes all of the land required to construct, operate, maintain and decommission the Scheme.</p> <p>Ms Brodrick explained that the final Order limits are smaller than the areas previously consulted on at scoping and statutory consultation. She clarified that the Order limits include the Solar PV Sites, which comprise land for solar infrastructure, landscape and mitigation, covering an area of approximately 749 ha. Of that total, approximately 479 ha is land required for the installation of the solar panels, BESS and associated electrical infrastructure. The remaining 269.5 ha comprises areas of land dedicated to ecological mitigation, biodiversity net gain delivery, landscaping offsets and land that would be agriculturally managed for environmental enhancement and habitat creation. Ms Brodrick explained that these figures were provided to give clarity on the distinction between the total area within the Order limits and the areas that would be developed for solar infrastructure.</p>

Agenda item	Comment
	<p>Ms Brodrick noted that a detailed description of the Scheme is set out in Chapter 3: The Scheme [APP-055].</p> <p>Ms Brodrick then explained that the cable route corridor runs for approximately 22km from Lime Down D, where the 400 kV substation is to be located, to the National Grid substation at Melksham, covering an area of approximately 463.2 ha. Ms Brodrick explained that the cable route corridor has a typical width of 50m along the majority of its length, but that this width increases in certain locations to provide sufficient space for trenchless construction techniques, crossings of infrastructure such as roads and railways, temporary construction compounds, and to allow micro-siting around environmental features including trees, hedgerows and field boundaries.</p> <p>Ms Brodrick also explained that the Scheme includes highway improvement areas covering approximately 17.8 ha within the Order limits, comprising improvements to sections of the existing highway network to facilitate access to the Scheme. These include road edge improvements, traffic management, minor works to enable construction vehicle movements and the provision of visibility splays.</p> <p>Ms Brodrick noted that there is a highway improvement area located to the north of Grittleton which lies within the Cotswolds National Landscape (CNL). Ms Brodrick explained that this is the only element of the Scheme located within the CNL and that it covers an area of approximately 2.16 ha.</p> <p>Ms Brodrick explained that, in respect of construction traffic routing, the Heavy Goods Vehicle (HGV) construction traffic routes are shown on Figure 13-1 [APP-146] and Figure 13-2 [APP-147] of the Environmental Statement. She also noted that the Abnormal Indivisible Loads (AIL) routes are shown in the Outline Construction Traffic Management Plan [APP-287], at Appendix D. Ms Brodrick added that, in response to comments made at OFH1 regarding the distinction between HGV construction traffic routes and AIL construction traffic routes, the Applicant would submit an updated version of the Outline Construction Traffic Management Plan [APP-287] at Deadline 1A, which would include both the HGV routes and the AIL routes shown on separate plans, in order to make it clear which routes would be used by which types of vehicles.</p> <p><i>Post Hearing Note: An updated version of the Outline Construction Traffic Management Plan was submitted at Deadline 1 which included both the HGV and AIL routes on separate plans.</i></p>

Agenda item	Comment
	<p>Ms Brodrick then explained that design of the Scheme has evolved within a framework of a design vision and design principles, which in turn informed parameters which are secured by Requirement 5 (Detailed design approval) of the dDCO [APP-016]. The design evolution of the Scheme is described in the Design Approach Document [APP-268] and the parameters are set out in Design Principles and Parameters [APP-269].</p> <p>Ms Brodrick explained that the Applicant's approach to site selection is summarised in Chapter 4: Alternatives and Design Evolution [APP-056] and in the Site Selection Assessment Report [APP-185].</p> <p>Ms Brodrick explained that the site selection process is based on the requirements of planning policy, including the need to demonstrate how specific requirements such as the sequential test have been taken into account. Ms Brodrick noted that there is no prescribed approach to the way in which an applicant must undertake site selection and that this can vary from project to project, as recognised in NPS EN-3 at paragraph 2.3.2. She explained that the approach taken by the Applicant is not novel and is consistent with that taken by a number of made solar DCOs. Ms Brodrick added that the site selection process followed a six-stage approach.</p> <p>In relation to how the Scheme complies with the NPSs and other important and relevant matters, Ms Brodrick explained that the Applicant's planning case is set out in the Planning Statement [APP-267]. She explained that the appendices to the Planning Statement consider compliance with each of the NPSs and with local planning policy, these being Appendix A and Appendix B respectively.</p> <p>Ms Brodrick explained that Section 9 of the Planning Statement [APP-267] addresses the planning balance, including the positive impacts of the Scheme such as need, greenhouse gas emission savings, biodiversity enhancements, permissive paths, job creation and skills training, and balances these against the reported adverse impacts, including landscape and visual effects, impacts on public rights of way, best and most versatile agricultural land, and effects on tourism and recreation.</p> <p>Ms Brodrick added that the Planning Statement concludes that there are no adverse impacts of sufficient weight, either individually or cumulatively, that would justify refusal of the DCO, and that</p>

Agenda item	Comment
	<p>any adverse impacts identified are clearly outweighed by the substantial public benefits of the Scheme and the national need identified in NPS EN-1.</p> <p>The ExA asked for further clarification as to the height and width of the BESS and the base from which the height of 4.5m is measured.</p> <p>William Barrett, on behalf of the Applicant, explained that in relation to the dimensions of the BESS, a maximum area rather than a specific length and width has been defined. He explained that a 5.5ha area is specified for the BESS and that, as a result, the Design Principles and Parameters [APP-269] and Chapter 3: The Scheme [APP-055] do not specify a maximum length and width.</p> <p>Mr Barrett explained that the approach taken was to identify a maximum area for the BESS compound in order to allow flexibility for micro-siting at the detailed design stage. For the BESS, this maximum area is 5.5 ha. Mr Barrett explained that, for the purposes of the Environmental Impact Assessment, this maximum area has been confirmed and shown on the plans used for assessment, enabling all technical disciplines to undertake their assessment within a maximum design envelope.</p> <p>The ExA asked in relation to the implications of this approach from a landscape and visual perspective.</p> <p>Ms Brodrick explained that the BESS comprises individual container units and that, for the purposes of assessment, it has been assumed that those containers could be distributed across the entirety of the identified BESS area. She explained that this assumption underpinned how the environmental assessment had been undertaken.</p> <p>Ms Brodrick added that the specific dimensions of individual BESS containers are not currently known, as this will depend on what is available on the market at the time of procurement. She explained that, in order to ensure a robust worst-case assessment, including for landscape and visual effects, the Applicant had assumed that the BESS containers could be located anywhere within the full 5.5 ha BESS area identified. On that basis, the Applicant does not consider it necessary for the purposes of the DCO to prescribe a specific length and width for each individual BESS container at this stage, as the assessment has been carried out on the assumption that containers could be located across the entirety of the defined BESS area.</p>

Agenda item	Comment
	<p>The ExA asked about the number of BESS containers required for the Scheme.</p> <p>Ms Brodrick explained that the total number of BESS containers is not currently known. She noted that an approximate number of 270 containers has been included in the application documentation for the purposes of certain elements of the Environmental Impact Assessment, for example to calculate anticipated construction traffic movements, but that this figure is indicative only. Ms Brodrick explained that the specific dimensions and overall quantum of BESS units will depend on the detailed design.</p> <p>Ms Brodrick explained that, if a different type of BESS unit were to be proposed at the detailed design stage which could result in increased traffic movements, the Applicant would be required to demonstrate that there would be no materially new or materially different environmental impacts beyond those assessed in the Environmental Statement. Ms Brodrick confirmed that, whilst the Scheme allows a degree of flexibility, it would remain within the parameters and effects that have already been assessed.</p> <p>Post hearing note: <i>The Applicant's position is that the traffic movements assessed reflect the reasonable worst case scenario that is representative of typical BESS units currently available on the market.</i></p> <p>The ExA then sought clarification as to whether the 400kV substation would be air insulated or gas insulated.</p> <p>Mr Barrett confirmed that the substation would be air insulated.</p> <p>The ExA noted that air insulated substations typically have a larger footprint and, as such, sought clarification from the Applicant as to why this was selected for the Scheme.</p> <p>Mr Barrett confirmed that this relates to detailed design and that the Applicant would respond in writing.</p> <p>Post hearing note: <i>Please see the response to Action Point 2 below.</i></p>

Agenda item	Comment
	<p>The ExA then asked in relation to the dimensions of the 400kV substation and the 132kV substations.</p> <p>Mr Barrett explained that the parameters identified at this stage are intended to establish the maximum design scenario for the purposes of the initial concept design and to enable the environmental assessment to be undertaken. Mr Barrett noted that the maximum parameters have been developed by reference to the technology currently available on the market, whilst recognising that technology and design may change prior to construction.</p> <p>Mr Barrett added that the parameters set out, including heights, distances, widths, lengths and areas, represent maximum dimensions. He explained that, at the detailed design stage, following the grant of consent (if granted), all individual components of the Scheme would be designed to sit within the parameters that have been established.</p> <p>Ms Brodrick added that paragraph 1.3.2 of the Design Principles and Parameters [APP-269] document states that all heights referred to in the document are measured Above Ground Level (AGL) unless otherwise specified. Ms Brodrick also noted that the Applicant would clarify whether the AGL referred to existing ground level or ground level following any levelling works.</p> <p>Post Hearing Note: <i>The ground level is the height of the existing terrain within the Order Limits prior to construction of the Scheme as identified by the topographical surveys that were undertaken across the Solar PV Sites.</i></p> <p><i>Within the LVIA, the Solar PV Panels have been assessed on the basis that they will be aligned to follow the rolling land-form within the Order Limits. The Solar PV Panels have therefore been assessed as all being at the maximum height of 4.5m extrusion over the existing terrain (AGL) to comply with the Rochdale Envelope principles.</i></p> <p><i>For the purposes of the assessment, the 400 kV Substation, 132 kV Substation and the BESS have been assessed as being constructed to the maximum applicable height parameter on the highest elevation (AGL) within each corresponding Work No area as shown on the Works Plans [APP-007].</i></p>

Agenda item	Comment
	<p><i>This approach results in a maximum parameter that maintains a consistent level from the highest elevation of each of the corresponding areas within the various 400 kV, 132kV and BESS sites.</i></p> <p><i>For example, the height of the 400 kV Substation has a 13m maximum parameter, which is measured from the highest point AGL within the 400 kV substation site (Work No. 3A). This then extends level across the whole of the 400 kV site, even where the topography drops away, resulting in a level top to the box, and a greater height where the landform falls away ensuring an assessment of the reasonable worst case to comply with the Rochdale Envelope principles.</i></p> <p><i>The Applicant has submitted an updated version of Design Principles and Parameters [APP-269] at Deadline 1A to clarify the position. In addition, the Applicant has updated Appendix 8-1 Landscape and Visual Impact Assessment Methodology to clarify the explanatory text on this matter.</i></p> <p>Ms Brodrick explained that, for the purposes of the environmental assessment, the precise configuration of the substations has not yet been determined. She explained that, from a landscape and visual assessment perspective, the substations have therefore been assessed as a simple 'box' form, on the basis that the highest elements of the infrastructure could be located anywhere within that notional box. Ms Brodrick explained that this approach reflects a reasonable worst-case assessment, in which the tallest elements of both the 132 kV and 400 kV substations could be located anywhere within the relevant Work No. as shown on the Works Plan [APP-007]. Ms Brodrick explained that, on this basis, the Applicant considers that the assessment has adopted a reasonable worst-case scenario.</p> <p>The ExA referenced Appendix 3-3 Illustrative Drawings [APP-184] and asked that the Applicant resubmit this document in a higher resolution and with clear dimensions, and to show the proposed fencing for the 400 kV substation.</p> <p>Post Hearing Note: <i>Please see the response to Action Point 1 below.</i></p> <p>The ExA then asked whether lightning conductors are included within the maximum design envelope for the substations.</p>

Agenda item	Comment
	<p>Ms Brodrick noted that the Applicant would confirm whether lightning conductors are included in the design for the substation but that, if they were, they would fall within the maximum design parameters discussed.</p> <p>Post Hearing Note: <i>Please see the response to Action Point 3 below.</i></p> <p>In respect of food security, the ExA asked how the Applicant had sought to avoid best and most versatile (BMV) agricultural land during its site selection.</p> <p>Rosie Horton, on behalf of the Applicant, explained that the Applicant adopted a staged approach to site selection, as set out in the Site Selection Assessment Report [APP-185]. She explained that, as part of this staged approach, agricultural land classification was considered in accordance with relevant policy requirements relating to the protection of agricultural land and the requirement to seek to use lower-grade agricultural land or brownfield land in preference to higher-grade BMV land.</p> <p>Ms Horton explained that, at an early stage in the site selection process, land classified as Agricultural Land Classification grades 1, 2 and 3 was excluded from the area of search in order to avoid focussing the initial assessment on BMV land. Ms Horton explained that this resulted in four potential development areas being identified at Stage 3 of the assessment. However, she explained that none of those areas were considered appropriate or available for the Scheme due to other constraints, including site size, heritage assets, and existing or proposed built development.</p> <p>Ms Horton explained that it was only at a later stage that the search area was revisited and broadened to include land classified as Grade 3 agricultural land. She explained that, in this way, the Applicant applied a sequential approach to site selection in order to protect BMV agricultural land as part of the site selection process.</p> <p>The ExA sought clarification in relation to the highway improvement areas proposed by the Applicant.</p>

Agenda item	Comment
	<p>Ms Brodrick confirmed that these were improvements to the highway to facilitate construction traffic or potentially operational traffic for the Scheme as opposed to improvement to Wiltshire's roads more generally.</p> <p>The ExA then requested input from Interested Parties (IPs).</p> <p>Daniel Kozelko, on behalf of Stop Lime Down, requested that the Applicant provide an updated version of the Design Principles and Parameters [APP-269] with updates made to paragraph 1.3.2 clarifying the base from which the AGL is measured.</p> <p>Ms Brodrick confirmed that clarificatory text would be added to paragraph 1.3.2 of the Design Principles and Parameters [APP-269].</p> <p>Post Hearing Note: <i>The Applicant has submitted an updated version of Design Principles and Parameters at Deadline 1A.</i></p> <p>Mr Kozelko then queried the Applicant's approach at Stage 5 of the Site Selection Assessment Report [APP-185], where site selection was undertaken by reference to Grade 3 agricultural land rather than distinguishing between Grade 3a and Grade 3b land.</p> <p>Ms Brodrick, in relation to the grading of agricultural land, added that the approach taken was influenced by the data available at the relevant stages of the site selection process. The initial high-level mapping used to inform the site selection exercise did not distinguish between Grade 3a and Grade 3b agricultural land. As a result, the early mapping exercise excluded all Grade 3 land, as this was the level of detail available at that stage. It was explained that more detailed information became available and was used at later stages of the site selection process, allowing further refinement of the assessment.</p> <p>Ms Horton added that the approach taken was driven by the availability and coverage of agricultural land classification data. She explained that the Applicant sought to assess the entirety of the search</p>

Agenda item	Comment
	<p>area and that the provisional agricultural land classification mapping from the 1970s provided a broad dataset across the full 20 km search area. Ms Horton explained that the more detailed 1988 agricultural land classification mapping has much more limited coverage across the search area and did not provide sufficiently comprehensive data to enable a reasonable assessment of all potential sites at the initial stage. For that reason, it was not relied upon in the initial site search.</p> <p>Ms Horton explained that the Applicant has subsequently reviewed the 1988 mapping data to consider whether reliance on that dataset would have altered the approach taken when identifying the first four potential development areas (PDAs). She explained that the available 1988 data is sporadic across the search area, with limited coverage in areas around Chippenham and Melksham, and that it would not have materially affected the overall areas of the first four PDAs that were assessed.</p> <p>Ms Horton further explained that, in any event, the first four PDAs were discounted for reasons unrelated to agricultural land classification, including other constraints affecting those sites. She explained that, as a result, it is unlikely that the use of the 1988 agricultural land classification data would have altered the conclusions reached in relation to those initial PDAs.</p>
<p>4. The draft Development Consent Order (dDCO)</p>	
<p>4.1 The Applicant shall take up to 10 minutes to provide an overview of each part of the dDCO [APP-016] and explain the approach taken to include/explain the extent of the associated development and how this is defined and meets with the guidance for associated development. The ExA is likely to ask questions in respect of Articles, Schedules and Requirements of the dDCO.</p>	<p>The ExA requested that the Applicant provide a summary of the content of the dDCO [APP-016].</p> <p>Ms Brodrick, on behalf of the Applicant, explained that the dDCO [APP-016] is the statutory instrument which controls how the Scheme will be constructed, operated and decommissioned, should development consent be granted by the Secretary of State. Ms Brodrick explained that the dDCO [APP-016] differs from a planning permission under the Town and Country Planning Act 1990 regime in that it both grants development consent and contains a wide range of statutory powers, including compulsory acquisition powers. She explained that this reflects the PA 2008 “one-stop shop” approach, whereby, with some limited exceptions, all consents required for the Scheme are contained within a single document. She explained that, within the dDCO [APP-016], the Applicant is referred to as the “undertaker” and the Scheme is referred to as the “authorised development”.</p>

Agenda item	Comment
	<p>Ms Brodrick explained that the dDCO [APP-016] is more akin to an outline planning permission in that the detailed design of the Scheme will be undertaken post-consent and approved by the relevant local planning authority, which in this case will primarily be Wiltshire Council.</p> <p>Ms Brodrick explained that the purpose of each provision within the dDCO is explained in the Explanatory Memorandum [APP-017]. Ms Brodrick explained that the dDCO [APP-016], Explanatory Memorandum [APP-017] and associated documents are live documents which will be amended and updated during the examination, including to reflect ongoing discussions with statutory bodies. Ms Brodrick noted that Deadline 1 iteration of the dDCO would include protective provisions for Wiltshire Council in its capacity as highway authority.</p> <p><i>Post Hearing Note: The Applicant confirms that draft protective provisions for the benefit of Wiltshire Council as highways authority have been sent to Wiltshire Council for comment and will be included in the draft DCO submitted at Deadline 2.</i></p> <p>Ms Brodrick explained that the dDCO [APP-016] has been drafted having regard to government guidance on Development Consent Orders, PINS Advice Note 15, and the practice and precedents established in other made DCOs, in particular solar and other energy DCOs. She explained that the Explanatory Memorandum [APP-017] identifies where similar drafting has been used in other made DCOs.</p> <p>Ms Brodrick explained that the dDCO contains a number of articles, grouped into six Parts, together with a number of Schedules which are given effect by those articles. She emphasised that, whilst the dDCO includes a broad range of powers, the exercise of those powers is controlled through the Requirements contained in Schedule 2, including compliance with the management plans secured under the dDCO [APP-016]. She explained that failure to comply with any provision of the DCO, or with any management plan secured under it, would constitute an offence.</p> <p>The ExA referred to the lifespan of the Scheme contained within Requirement 20 of Schedule 2 to the dDCO [APP-016] being 60 years from the date of final commissioning and queried whether there would be a single final commissioning date for all solar sites within the Scheme, or whether commissioning would take place on a phased basis.</p>

Agenda item	Comment
	<p>Ms Brodrick explained that the Applicant intends to update Requirement 20 of the dDCO [APP-016] at Deadline 1 to clarify how the requirement applies. She explained that the requirement will be amended to make clear that it relates to any part of Work No. 1. Ms Brodrick explained that this would ensure that, where individual solar sites are brought forward and commissioned independently of others, the 60-year period would apply from the date of final commissioning of that particular part of the authorised development, such that decommissioning would take place no later than 60 years from the date of final commissioning of each relevant part. Ms Brodrick added that it has not yet been determined whether the Scheme would be commissioned in phases however the drafting of Requirement 20 is intended to allow for a phased approach to commissioning should that occur.</p> <p>Post Hearing Note: <i>The Applicant confirms that an updated version of Requirement 20 has been incorporated into the version of the dDCO submitted at Deadline 1.</i></p> <p>Ms Brodrick provided further clarification on how the decommissioning obligation would apply where infrastructure is shared between different parts of the Scheme. She explained that, while this was not being suggested as a likely scenario, the drafting of Requirement 20 is intended to provide clarity in circumstances where solar panel infrastructure at one site is decommissioned but other infrastructure within that site continues to serve another part of the Scheme which remain operational. In such circumstances, she explained that the obligation to decommission would apply to those elements once they are no longer required in connection with any operational part of the authorised development.</p> <p>Ms Brodrick added that the Applicant is also reviewing recent DCO decisions and would reflect any drafting updates within the version of the dDCO submitted at Deadline 1.</p> <p>Post Hearing Note: <i>The Applicant confirms that an updated version of the dDCO was submitted at Deadline 1 that includes various amendments to reflect the most recent DCO decisions. The Schedule of Changes to the Draft Development Consent Order also submitted at Deadline 1 sets out the reasoning for any amendments.</i></p> <p>The ExA asked for submissions from IPs.</p>

Agenda item	Comment
	<p>Joel Semakula, on behalf of Wiltshire Council, said that Wiltshire Council supported greater clarity within the drafting of Requirement 20.</p> <p>Mr Kozelko, on behalf of Stop Lime Down, queried how the decommissioning provisions might interact with the definition of “commence” contained within Article 2(1) and the relevant period for commencement of the authorised development, which he noted is five years. He suggested that, if decommissioning obligations were applied by reference to individual parts of the Scheme being built out and commissioned at different times, this could result in a situation where one part of the Scheme is decommissioned significantly later than others.</p> <p>The ExA confirmed that, potentially, the timeframe between commencement of the authorised development and final commissioning could extend beyond 60 years, particularly where there are delays in the delivery of grid connections. The ExA noted that, in such circumstances, works could commence without reaching final commissioning for a prolonged period, and that the absence of a backstop date could have the effect of pushing the date of final decommissioning further into the future. The ExA then sought clarification from the Applicant.</p> <p>Ms Brodrick noted that this point had been discussed previously with Wiltshire Council and confirmed that the Applicant would provide an updated dDCO [APP-016] at Deadline 1 containing wording ensuring that a written scheme setting out the phase or phases of construction of the authorised development, as well as a timetable for the construction of those phases, shall be submitted to the relevant planning authority prior to the commencement of the authorised development.</p> <p>Post Hearing Note: <i>The Applicant confirms that an updated version of the dDCO was submitted at Deadline 1 that includes amendments to Requirement 2 to include an obligation to submit a written scheme setting out the phase or phases of construction.</i></p> <p>Ms Brodrick added that the inclusion of a phasing approach would assist in providing clarity regarding the anticipated duration of the construction period and the point at which commissioning is expected to occur. She explained that this would provide transparency as to when the relevant operational time periods would begin to apply.</p>

Agenda item	Comment
	<p>Ms Brodrick acknowledged that there are a range of reasons why the commencement of construction or the construction programme could be delayed, including factors such as supply chain issues, and explained that a degree of flexibility is therefore required at this stage of the process. She explained, however, that a phasing requirement of this nature has been used in other draft and made DCOs in order to provide greater clarity as to when timeframes would begin to run, the anticipated construction period, and how construction of different parts of a scheme would be sequenced over time.</p>
<p>4.2 Applicant to explain how it has identified land needed for the proposed development, the different powers of acquisition and possession of land included in the dDCO and how the Applicant expects the dDCO to provide them with the powers needed to secure the delivery of the proposed development.</p>	<p>The ExA then moved to agenda items 4.2 and 4.3 noting that these would be addressed together. The ExA then requested that the Applicant provide a summary in respect of the powers of acquisition and temporary use contained within the dDCO [APP-016].</p> <p>Ms Brodrick, on behalf of the Applicant, explained that the dDCO [APP-016] includes powers for compulsory acquisition of land and rights, as well as powers for the temporary use of land. She explained that sections 120 and 122 of the PA 2008 provide the statutory basis for the inclusion of compulsory acquisition powers within a DCO, and that, before such powers can be granted, the Secretary of State must be satisfied that there is a compelling case in the public interest.</p>
<p>4.3 Applicant to explain how the rights of statutory undertakers and potentially affected person(s) and with a registered legal interest in the land, or any part of the land, affected by the application, have been considered.</p>	<p>Ms Brodrick explained that Article 21 of the dDCO [APP-016] provides powers for the compulsory acquisition of freehold land, which is shown edged black and shaded pink on the Land Plan [APP-006]. She explained that the permanent acquisition of new rights, including the imposition of restrictions, is provided for under Article 24, with the relevant land shown edged black and shaded blue on the Land Plan [APP-006].</p> <p>Ms Brodrick explained that powers for the temporary use of land for construction or maintenance purposes are set out in Articles 31 and 32 of the dDCO [APP-016]. The land subject to those temporary possession powers is shown edged black and shaded yellow on the Land Plan [APP-006], and she noted that temporary possession powers also apply over land shown shaded pink and blue.</p> <p>Ms Brodrick explained that the reason for seeking temporary possession powers across Order land is to allow the Applicant, where voluntary agreements have not been reached, to enter land in order to carry out preparatory or enabling works in advance of confirming the precise extent of land required for the duration of the Scheme. She explained that this approach allows the Applicant to</p>

Agenda item	Comment
	<p>limit the permanent compulsory acquisition of land or rights to the minimum area necessary. By way of example, she explained that installation of the cable route may be carried out under temporary possession powers across the working width of the cable corridor, with permanent rights being acquired only in respect of the installed cable itself, thereby reducing the spatial extent of compulsory acquisition.</p> <p>Ms Brodrick explained that the Applicant's approach to compulsory acquisition is intended to be proportionate, with lesser powers used where possible. She confirmed that the Applicant has sought to secure land and rights by voluntary agreement. Ms Brodrick referred to the Land and Rights Negotiations Tracker [APP-021], which she explained is a live document throughout the examination and records the current status of negotiations with landowners. Ms Brodrick explained that, in relation to the solar PV sites, the Applicant has option agreements with the relevant landowners, and that the Land and Rights Negotiations Tracker [APP-021] primarily relates to discussions with landowners along the cable route corridor.</p> <p>Ms Brodrick referred to the Statement of Reasons [APP-018], which she explained sets out in greater detail the justification for the inclusion of compulsory acquisition powers and the nature of the rights being sought. She explained that the Land and Rights Negotiations Tracker [APP-021] also includes an update on discussions with statutory undertakers, and noted that additional statutory tests apply under the PA 2008 where apparatus or rights belonging to statutory undertakers may be affected.</p> <p>Ms Brodrick explained that the Applicant's position is that the Scheme will not cause serious detriment to statutory undertakers or their apparatus, on the basis that the protective provisions included at Schedule 15 to the dDCO [APP-016] provide appropriate safeguards and approval mechanisms for the detailed design of the works. Ms Brodrick confirmed that negotiations with statutory undertakers are ongoing and that further agreed amendments to the protective provisions will be included in the updated dDCO [APP-016] to be submitted at Deadline 1. She stated that the Applicant is confident that protective provisions will be agreed with statutory undertakers before the close of the examination.</p> <p>Ms Brodrick explained that a number of the statutory undertakers affected by the Scheme were also affected by the Green Hill Solar Farm [EN010170] also promoted by Island Green Power, for which examination had recently closed. She explained that, where appropriate and subject to any</p>

Agenda item	Comment
	<p>locational differences, the intention is to carry across the agreed protective provisions and side agreements from that scheme, noting that progress on protective provisions for the current Scheme had been influenced by the timing of those discussions. She concluded by explaining that a more substantive update on these matters would be provided at Deadline 1.</p> <p>Post Hearing Note: <i>The Applicant has set out the current status of negotiations with statutory undertakers in the updated Land and Rights Negotiations Tracker submitted at Deadline 1.</i></p> <p>The ExA queried the nature of the Green Hill Solar Farm and whether this was a DCO or development under the Town and Country Planning Act 1990.</p> <p>Ms Brodrick confirmed that the Green Hill Solar Farm [EN010170] is a DCO project in Northamptonshire promoted by another entity within the Island Green Power group. She explained that discussions with statutory undertakings have therefore been undertaken on a cross-project basis. Ms Brodrick added that Island Green Power is progressing a number of DCO projects, including one due to enter examination shortly and another currently at the pre-examination stage. She explained that, as a result, there is a desire to achieve an element of consistency with statutory undertakers in relation to generic protective provisions across those projects. Ms Brodrick explained that, where site-specific or location-specific requirements arise, those matters are being addressed and agreed separately in relation to each individual scheme.</p> <p>The ExA referred to the definition of “order land” in Article 2(1) of the dDCO [APP-016], noting that it includes land shown coloured pink or blue on the Land Plan [APP-006] which is required for or is required to facilitate or is incidental to the authorised development, and which falls within the limits of land to be acquired or used as described in the Book of Reference [APP-020]. The ExA asked the Applicant to clarify what is meant by land being “incidental” to the authorised development in this context.</p> <p>Ms Brodrick explained that the wording used in the definition is standard DCOs and mirrors the wording of section 122 of the PA 2008. She explained that it reflects the statutory purposes for which compulsory acquisition powers may be sought. Ms Brodrick added that “incidental” is not a defined term for the purposes of the PA 2008. She explained that, in practice, it allows property rights to be acquired even where there is no associated physical element of construction for which development consent is being sought. By way of example, she explained that this could include the acquisition of</p>

Agenda item	Comment
	<p>a property right for access across land, without seeking development consent to construct a physical access road. Ms Brodrick noted that this provision allows compulsory acquisition powers to be exercised even where there is no physical development directly associated with that right.</p> <p>The ExA then turned to Article 24 in respect of the compulsory acquisition of rights. Referring to Article 24(1), the ExA noted that the provision appears to enable the compulsory acquisition of new rights over the entirety of the Order land. The ExA then referred to Article 24(2), which limits the exercise of compulsory acquisition powers in respect of defined plots to the specific rights listed in Schedule 9.</p> <p>The ExA said that, while Article 24(2) appears to constrain the acquisition of rights in those defined plots, it does not appear to prevent new rights from being compulsorily acquired over other parts of the Order land pursuant to Article 24(1). The ExA sought comment from the Applicant.</p> <p>Ms Brodrick explained that Article 24 enables the compulsory acquisition of rights over land shown coloured pink on the Land Plan [APP-006]. She explained that, while the pink land is land over which compulsory acquisition of the freehold may be sought, the dDCO [APP-016] also permits the use of a lesser power, namely the compulsory acquisition of rights, where that is sufficient.</p> <p>Ms Brodrick explained that this provides flexibility where, for example, voluntary agreements are no longer in place and the detailed design of infrastructure such as a substation has been micro-sited. In such circumstances, it may be necessary to acquire land for the substation itself, but not the wider area originally identified, such that only rights are required for elements such as cabling to connect to the substation. She explained that Article 24 does not oblige the Applicant to compulsorily acquire the freehold of land where that is not necessary, and instead allows the acquisition of rights over any part of the pink land. Ms Brodrick confirmed that, in all cases, the acquisition of rights would need to be for the purposes of the authorised development.</p> <p>The ExA noted that at the current stage, the rights capable of being acquired under Article 24(1) are not fully defined. The ExA added, as a result, there may be persons with an interest in Order land who are not identified in Schedule 9 but who could nonetheless be affected by the exercise of those powers. The ExA therefore asked what evidence the Applicant could provide to demonstrate that persons with an interest in any part of the Order land were aware that such undefined new rights could potentially be sought over their land.</p>

Agenda item	Comment
	<p>Ms Brodrick clarified that the provisions in Article 24 apply only to land shown coloured pink on the Land Plan [APP-006]. She explained that land shown coloured blue is subject only to the compulsory acquisition of rights as identified in the relevant sub-paragraph, and that land shown coloured yellow is subject only to temporary possession powers. Ms Brodrick explained that, in spatial terms, the only landowners who could potentially be subject to the acquisition of rights under Article 24(1) are those whose land is already identified as being subject to compulsory acquisition of the freehold.</p> <p>Ms Brodrick added that the provision reflects the Applicant's obligation to act proportionately and to acquire only the land and rights that are required for the purposes of the Scheme. She explained that Article 24 therefore enables the Applicant, where appropriate, to acquire a lesser right rather than the freehold, but that any such right must be sought for the purposes of the authorised development. Ms Brodrick confirmed that the power cannot be exercised to acquire rights for purposes unconnected with the Scheme, as the scope of the power is expressly limited in that way.</p> <p>The ExA then asked, in respect of Article 24(1), what types of restrictive covenants the Applicant may impose.</p> <p>Ms Brodrick explained that the types of restrictive covenants which may be imposed are those identified in Schedule 9 to the dDCO [APP-016]. She explained that these include restrictions on activities such as the erection of buildings, alterations to ground levels and the planting of trees, where such activities would interfere with the exercise of the acquired rights or could damage the authorised development.</p> <p>Ms Brodrick explained that such restrictions are necessary, for example, following the installation of the cable route, in order to protect the integrity of that infrastructure. She clarified that while the intention is to allow ongoing agricultural operations to continue, there would be restrictions preventing activities such as constructing buildings over the cable route corridor or planting trees whose roots could damage the cables.</p> <p>Ms Brodrick explained that the rationale for the imposition of these restrictions is set out in the Statement of Reasons [APP-018], and that the restrictions are limited to those activities which would interfere with the exercise of the rights or cause damage to the authorised development.</p>

Agenda item	Comment
	<p>The ExA noted that Article 24(2) expressly refers to Schedule 9 and therefore limits the compulsory acquisition of rights in defined plots to the specific rights listed in that Schedule.</p> <p>However, the ExA then observed that Article 24(1) enables the imposition of restrictive covenants across the Order land without an express cross-reference to Schedule 9. The ExA explained that this distinction was the reason for seeking clarity, as the restrictive covenants capable of being imposed under Article 24(1) are not explicitly captured or defined by reference to Schedule 9, notwithstanding that they may apply more broadly across the Order limits.</p> <p>Ms Brodrick clarified that the ability to impose restrictive covenants under Article 24(1) applies only to land shown coloured pink on the Land Plan [APP-006]. She explained that, where the Applicant acquires the freehold of land, it would not be necessary to impose restrictive covenants, as the Applicant would be the landowner. Ms Brodrick added that the restrictive covenants would instead apply only in circumstances where the Applicant does not acquire the freehold of the land but instead seeks the compulsory acquisition of lesser rights. By way of example, she referred again to the cable route corridor, explaining that restrictions may be required to protect installed apparatus where only rights, rather than the freehold, are acquired.</p> <p>Ms Brodrick explained that the practical effect of the power is therefore limited, and that restrictive covenants would not be imposed over land where the Applicant has acquired the freehold as it would not impose restrictions on itself as landowner.</p> <p>The ExA then moved to Article 25 in respect of private rights. In relation to Article 25(9) the ExA noted that this extends the definition of private rights to include “any right of way, trust, incident, restrictive covenant, easement, liberty, privilege, right or advantage annexed to land and adversely affecting other land, including any natural right to support; and include restrictions as to the user of land arising by virtue of a contract, agreement or undertaking having that effect.” The ExA asked how the Applicant had consulted with relevant parties in relation to this approach.</p> <p>Ms Brodrick explained that the purpose of the provision relating to interference with private rights is to ensure that there is no impediment to the delivery of the Scheme. She explained that the Book of Reference [APP-020] identifies all known private rights following the Applicant's diligent inquiry, and that all persons with identified interests have been consulted through the pre-application</p>

Agenda item	Comment
	<p>process, either as statutory consultees under section 44 of the PA 2008 or through the service of section 56 notices following acceptance of the DCO application.</p> <p>Ms Brodrick explained that, in relation to those known private rights, the Applicant has consulted with the relevant persons. However, she explained that the relevant provision is also intended to capture any unknown interests which have not been identified through diligent inquiry. She explained that the drafting therefore needs to be sufficiently broad to encompass any private rights which could interfere with delivery of the Scheme. She explained that the breadth of the definition reflects the possibility of unknown rights and the importance of ensuring delivery of NSIPs by their required grid connection dates.</p> <p>Ms Brodrick added that, notwithstanding the breadth of the power, the provision includes compensation safeguards. She explained that any person with a private right who was not identified during the consultation process but whose right is subsequently interfered with would be entitled to compensation on the same basis as any other affected party.</p> <p>Ms Brodrick further clarified that the powers to interfere with private rights apply only to the extent that those rights are inconsistent with, or interfere with, the authorised development. She explained that the Applicant is not seeking to extinguish or remove private rights as a matter of course, and would not seek to interfere with any right that can coexist with the Scheme. She explained that interference would occur only where a private right is incompatible with delivery of the authorised development, in which case compensation would be payable to any person who suffers loss as a result.</p> <p>The ExA then turned to Article 31, with regard to the temporary use of land for constructing the authorised development. The ExA asked whether the landowners potentially affected by Article 31 understand that temporary possession could apply to any part of the relevant land. The ExA sought confirmation as to the nature of the Applicant's engagement with those landowners and sought clarification as to how the Applicant has addressed the element of uncertainty that Article 31 may create for those whose land could be affected.</p> <p>Ms Brodrick confirmed that it has been made clear to affected landowners that the cable route may be micro-sited anywhere within the area shown coloured blue on the Land Plan [APP-006]. She</p>

Agenda item	Comment
	<p>explained that this flexibility is required and has been communicated as part of discussions with landowners.</p> <p>Ms Brodrick explained that there are ongoing, site-specific discussions with certain landowners as to whether further work can be undertaken to provide greater clarity regarding the final location of the cable route. However, she explained that, at this stage, flexibility remains necessary because additional surveys will be required post-consent, including surveys to assess ground conditions along the cable route corridor, which may inform detailed micro-siting.</p> <p>Ms Brodrick explained that further detail could be provided at any subsequent compulsory acquisition hearing, including by the Applicant's land agents. She confirmed that, nonetheless, the requirement for the cable route to be micro-sited within the defined corridor has been explained to affected landowners.</p> <p>The ExA then invited responses from IPs.</p> <p>Mr Semakula, on behalf of Wiltshire Council, noted that Wiltshire Council would provide comments on the Book of Reference [APP-020] and that engagement with the Applicant in respect of the dDCO [APP-016] was ongoing but that the council had certain concerns remaining.</p> <p>Mr Kozelko, on behalf of Stop Lime Down, sought clarification as to whether the option agreements referred to by the Applicant would be in place for the entire duration of the Scheme.</p> <p>Ms Brodrick explained that the details of the individual lease terms were confidential. She confirmed that some of the leases do not run for the full 60-year operational period of the Scheme. Ms Brodrick explained that, in circumstances where the Applicant is unable to extend the term of a lease by agreement, the relevant part of the Scheme would be required to be decommissioned earlier than the maximum 60-year lifespan. Ms Brodrick added that, compulsory acquisition powers sought in the DCO are time limited and therefore in such circumstances, the relevant part of the Scheme would need to be decommissioned.</p> <p>Ms Brodrick noted that it is important to distinguish between the operational lifetime of the Scheme from a planning perspective and the land rights currently held by the Applicant. She explained that,</p>

Agenda item	Comment
	<p>while land interests and lease arrangements are a commercial matter for the Applicant, the Scheme has been assessed on the basis of a 60-year operational period.</p> <p>Ms Brodrick explained that the Applicant does not consider there to be any planning reason to impose a shorter operational lifespan, noting that a 60-year period has been granted in other DCOs. She clarified that any difference between the 60-year assessed lifespan of the Scheme and shorter lease terms currently in place represents a commercial risk for the Applicant, rather than a matter which justifies a reduced operational period from a planning perspective.</p> <p>The ExA queried how this might impact the benefits proposed by the Scheme and how information about areas that may be decommissioned earlier than others would be captured, so as to determine which parcels of land are likely to be affected by earlier decommissioning. The ExA noted that this may be relevant to the planning balance.</p> <p>Ms Brodrick confirmed that the Applicant would respond in writing. Ms Brodrick reiterated that the terms of the relevant option agreements are confidential and that the Applicant would therefore need to liaise with the affected landowners to determine what information could be provided into the examination regarding those matters.</p> <p>Post Hearing Note: <i>The terms of the Option Agreements are confidential and the Applicant cannot provide details without the landowner's consent. However, as an example, the Applicant has the landowner's consent to confirm that the Option Agreement dated 21 February 2023 in respect of Site E is for a maximum term of 40 years and therefore any extension to 60 years would be by agreement.</i></p> <p><i>In response to the Examining Authority's queries relating to the planning balance, the Applicant notes that Requirement 20 provides a maximum time period during which the Scheme can operate. There is no obligation on the Applicant to operate the generating station for a prescribed or minimum amount of time and this is consistent with the approach taken in made solar DCOs to date.</i></p> <p><i>For the purposes of assessment, the Applicant considers that assessing a 60-year operational period represents the reasonable worst case as it takes into account the GHG emissions during the maximum operational period which includes emissions associated with replacement activities. If a</i></p>

Agenda item	Comment
	<p><i>40-year operational period were assessed instead then the calculations in Chapter 7: Climate Change [APP-059] would differ. In a 40-year scenario, the total GHG emissions are predicted to be lower as it is assumed that full replacement of the panels would not take place during the operational phase (total emissions estimated to be 736,869 tCO₂e instead of 933,140 tCO₂e). However, there would also be less renewable energy generated during the operational life of the Scheme and this would reduce the net saving over the Scheme's lifetime from 253,839 tCO₂e to 14,256 tCO₂e using the methodology set out in Chapter 7: Climate Change [APP-059].</i></p> <p>The ExA asked if there were any further questions.</p> <p>Matthew Hood sought clarification in relation to the Applicant's description of the solar panel areas as constituting the NSIP element of the Scheme. He asked whether this means that other elements of the Scheme fall outside the NSIP planning application, or whether all components of the Scheme are covered by the NSIP regime and afforded the same planning status.</p> <p>Ms Brodrick explained that certain types of development must be consented by way of a DCO under the PA 2008, including electricity generating stations over 100MW. She explained that the solar generating station therefore requires consent via a DCO, but that the PA 2008 also allows other development that is required for, or associated with, that generating station to be authorised through the same DCO.</p> <p>Ms Brodrick explained that this is why a distinction is sometimes made between the generating station itself and what is referred to as associated development. She clarified that national policy support for energy generating stations extends to all of the elements required to enable the generating station to function and operate, including matters such as energy storage and substations providing connection to the national grid. She noted that different policies may apply to different components of the Scheme, for example in relation to the design of substations as compared with the design of the generating station itself. However, she explained that the suite of relevant NPSs is supportive of energy generation as a whole, including all components required to make the generating station operational.</p>

Agenda item	Comment
	<p>Ms Brodrick concluded by explaining that the distinction is a technical one which is reflected in the drafting of Schedule 1 to the dDCO [APP-016].</p>
<p>5. Alternatives</p> <p>The Applicant shall take up to 10 minutes to provide an overview of how reasonable alternatives, including locations and alternative technologies, have been considered and how these have informed and shaped the proposed development.</p>	<p>The ExA asked the Applicant to provide a summary of how of how reasonable alternatives, including locations and alternative technologies, have been considered and how these have informed and shaped the proposed development.</p> <p>Ms Horton, on behalf of the Applicant, explained that there is no general requirement in the relevant NPSs to consider alternatives or to demonstrate that a proposed project represents the best option from a policy perspective. She referred to paragraph 4.3.9 of NPS EN-1 in this regard. However, Ms Horton explained that Regulation 14(2)(d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires an applicant to provide a description of the reasonable alternatives studied and an indication of the main reasons for the options chosen, and that the Applicant's consideration of alternatives has been focussed on meeting this requirement.</p> <p>Ms Horton explained that there are specific circumstances under the NPSs where alternatives must be considered, including the application of the sequential and exception tests, and confirmed that where those circumstances apply, the relevant tests have been addressed within the application documents. She explained that the Applicant has undertaken a proportionate assessment of alternatives, consistent with paragraph 4.3.22 of NPS EN-1.</p> <p>In relation to alternative locations, Ms Horton explained that these are set out in the Site Selection Assessment Report [APP-185]. She explained that a total of 12 potential development areas (PDAs) were assessed against standardised criteria, including PDA 10, which forms the proposed solar PV sites for the Scheme. She explained that major constraints were identified for all PDAs except PDA 10, with the constraints affecting the other PDAs including matters such as nearby heritage assets, flood risk and site size, as detailed in Annex D of the Site Selection Assessment Report [APP-185] (p82).</p> <p>Ms Horton explained that the assessment of PDA 10 did not reveal any major constraints against the site selection criteria applied. She noted that there are areas of Flood Zone 3 near Corston and Fosse Farm, as well as small areas at risk of surface water flooding, and that PDA 10 is</p>

Agenda item	Comment
	<p>predominantly agricultural land classified as Grade 3, with some smaller sections of Grade 2. Overall, she explained that PDA 10 is considered suitable for the Scheme.</p> <p>Ms Horton further explained that, in addition to the PDAs assessed, the Applicant undertook two high-level “check and balance” exercises across the wider 20km search area to consider whether any other potentially suitable land existed. She confirmed that none of the areas identified through those exercises were considered suitable for further assessment.</p> <p>Ms Horton explained that the conclusion of the site selection process is that there are no more suitable and available locations within 20km of the Melksham substation than the proposed site, based on the criteria applied for assessment. She explained that the Scheme's location is therefore considered suitable for the scale of solar development proposed and that the Applicant has appropriately met its obligations to consider alternatives in relation to site selection.</p> <p>Turning to alternative cable route corridors, Ms Horton explained that these have been considered and reported in Section 4.6 of Chapter 4: Alternatives and Design Evolution [APP-056]. She explained that four cable route corridors were identified at the scoping stage, and that one route was taken forward to the DCO submission, having been refined through consultation feedback and consideration of potential effects on constraints such as landscape and visual receptors, cultural heritage and residential receptors.</p> <p>Ms Horton explained that the location of the BESS at Lime Down D was informed by design development, environmental survey and assessment work, and statutory and non-statutory consultation feedback. She explained that design evolution and alternative BESS locations considered are set out in Section 4.7 of Chapter 4: Alternatives and Design Evolution [APP-056]. Ms Horton explained that land at Lime Down D provides a location for the BESS that is in close proximity to the solar PV sites and the on-site substation and represents the option with the least overall effects.</p> <p>Ms Horton then addressed alternative technologies, explaining that these were considered in a proportionate manner as set out in Section 4.10 of Chapter 4: Alternatives and Design Evolution [APP-056]. She explained that consideration has been given to why other technologies, such as</p>

Agenda item	Comment
	<p>nuclear and wind, are not considered to be alternatives for the Scheme. She explained that the Applicant is a solar developer and considers the site to be suitable and available for large-scale solar development.</p> <p>Ms Horton explained that it is the Government's view that new schemes across a wide range of technologies will be required to deliver a secure and low-carbon electricity system. On that basis, she explained that the Applicant does not consider that a different scheme in a different location using a different technology could be regarded as an alternative to this Scheme, as multiple schemes may be required to meet energy objectives.</p> <p>The ExA asked the Applicant to explain why a 20km search radius was considered acceptable in this case, and whether, or how, the viability of the proposed development is affected by increased transmission losses and increased installation costs associated with distance from the point of connection.</p> <p>Ms Horton explained that, as set out in the Site Selection Assessment Report [APP-185] at paragraph 2.2.7, the Applicant adopted a search area within a 20km radius of the point of connection at the existing National Grid Melksham Substation. She explained that this followed an initial assessment of a 5km radius, which was then incrementally expanded because a high-level review did not identify any suitable or available sites closer to the point of connection.</p> <p>Ms Horton explained that a 20km search radius is considered by the Applicant to be viable and suitable for a solar project of this scale, and that this reflects the likelihood that the cable route required would be longer than the straight-line distance between the Solar PV Sites and the substation, due to the need to route around environmental and physical constraints. She explained that the cable route corridor for the Scheme is approximately 22km in length because it must wind around constraints along the route.</p> <p>Ms Horton explained that a cable route length of approximately 22km is considered viable for a project of this type and scale because the electrical connection remains viable at that distance. She explained that this is particularly the case because the Solar PV Sites are close together, which enables the Applicant to utilise cables capable of carrying electricity at higher voltages between the</p>

Agenda item	Comment
	<p>sites and the point of connection. She explained that the use of higher-voltage cables reduces electrical current and, in turn, reduces transmission losses, allowing efficient bulk transfer of electricity over greater distances.</p> <p>Ms Horton clarified that this does not mean that a 20km radius would be appropriate in all cases, nor that a shorter distance would not be preferable elsewhere. However, she explained that in this instance the 20km search radius, and the resulting cable route length, are considered appropriate and viable from a cabling perspective.</p> <p>Ms Horton concluded by emphasising that the Applicant did not begin site selection by looking at a 20km radius. She explained that sites within the initial 5km radius were prioritised, but that, once all relevant constraints were considered, including matters beyond grid connection alone, those nearer sites were found to be unsuitable or unavailable, which led to expansion of the search area. She confirmed that this does not render the eventual cable connection unviable from an electrical or cabling perspective.</p> <p>The ExA queried whether the adoption of a 20km search radius is considered acceptable because of the scale of the proposed development. The ExA made reference to the Helios Renewable Energy Project [EN010140] and the assertion that transmission losses become unviable over 5km. The ExA asked whether, in this case, the scale of the solar generating station allows for transmission losses of a level that make a cable route of approximately 22km acceptable.</p> <p>Simon Gillett, on behalf of the Applicant, explained that, for this Scheme in particular, the solar PV areas are clustered, meaning that electricity generated from the various solar PV sites is gathered at the 400kV substation then routed along a single connection to the Melksham substation. He explained that the Scheme allows for the use of a single 400 kV circuit between the solar PV areas and the Melksham substation.</p> <p>Mr Gillett explained that the use of 400 kV cables enables electricity to be transmitted with minimal losses over the length of the cable route. He confirmed that this is a particular characteristic of the Scheme and that, as a result, the scale of the solar generating station, combined with the ability to</p>

Agenda item	Comment
	<p>transmit power via a single high-voltage connection, supports the overall viability of the Scheme despite the length of the cable route.</p> <p>Ms Brodrick added that, in relation to the Helios Renewable Energy Project [EN010140] decision, a 132kV cable was used as opposed to 400kV on Lime Down. Ms Brodrick noted that while the distances between the solar sites and the point of connection for Lime Down are slightly greater, they are broadly comparable to a number of other projects, including Island Green Power's consented DCOs for the Cottam Solar Project and West Burton Solar Project. She explained that those schemes involved cable corridors of just under 20km and, in those cases, the electrical configuration included 400 kV substations with 400 kV cable corridors connecting to the point of connection at existing power stations.</p> <p>Ms Brodrick explained that it is therefore important to consider whether schemes are directly comparable in terms of their electrical configuration when assessing matters such as transmission losses over distance.</p> <p>The ExA asked in relation to specific percentages of transmission losses.</p> <p>Mr Gillett confirmed that this would be provided in writing.</p> <p>Post Hearing Note: <i>Please see the response to Action Point 4 below.</i></p> <p>The ExA then asked whether the Scheme is viable specifically because it proposes to use a 400 kV cable for the grid connection. The ExA queried whether, if a lower-voltage connection such as a 132 kV cable were proposed over the same distance, the Scheme would no longer be viable.</p> <p>Mr Gillett explained that transmission losses increase over longer distances and that higher voltages reduce those losses. He explained that the Scheme connects into a 400 kV part of the electricity transmission system and that the design of the Scheme has therefore been to connect at 400 kV in order to minimise transmission losses.</p>

Agenda item	Comment
	<p>Mr Gillett explained that using a 132 kV cable for this scheme would make the Scheme less viable but he could not comment on whether or not the Scheme would be viable or unviable on an absolute basis in this case. He explained that transmission losses would be higher if a 132 kV cable were used between the solar PV sites and the Melksham substation than if a 400 kV connection were used.</p> <p>Ms Brodrick provided further clarification in relation to the use of a 400 kV grid connection. She explained that, in order to connect into the existing 400 kV substation at Melksham, the Scheme must include the necessary equipment to step up the electricity generated to 400 kV. Ms Brodrick explained that this means a 400kV substation and 400kV cabling is required to facilitate that voltage conversion as part of the Scheme.</p> <p>The ExA queried whether viability was connected to the overall scale and extent of the Scheme, including the number of solar panels and the extent of land required.</p> <p>Ms Brodrick explained that the Applicant obtained a grid connection offer of 500MW and that, as a result, the site selection process focused on identifying a scheme of sufficient scale to utilise that grid connection capacity. She explained that a number of other DCOs have smaller grid connection offers and are therefore designed at a smaller scale to match those connections.</p> <p>Ms Brodrick explained that the Applicant did not approach site selection on the basis of whether a smaller scheme could be delivered, but rather on the basis of identifying sufficient land to deliver a scheme appropriate to the 500MW grid connection offer that was available. She explained that this approach informed the site selection process and the consideration of alternatives.</p> <p>The ExA confirmed that this point was raised to better understand what makes the Scheme viable or unviable, and noted that matters relating to the grid connection offer would be explored further later in the Examination.</p> <p>The ExA asked the Applicant to explain the rationale behind the site layout comprising a central BESS and 400 kV substation serving all sites alongside distributed 132 kV substations.</p>

Agenda item	Comment
	<p>Mr Barrett, on behalf of the Applicant, explained that there are several factors which inform the Applicant's approach to the layout. He identified two broad considerations in particular: first, environmental considerations and matters arising through consultation; and secondly, how those considerations interact with the overall scheme design, including the relationship between the distributed 132 kV substations and the central 400 kV substation and BESS.</p> <p>Mr Barrett explained that a key objective of the design process was to identify opportunities to minimise the overall effects of the larger components of the Scheme, in particular the substations, BESS and the 400 kV cable. Mr Barrett explained that one of the core principles guiding the design is the application of the mitigation hierarchy, with a primary emphasis on avoidance. He explained that, from a footprint perspective, this involves avoiding designated areas, protected habitats, sensitive watercourses and other environmental constraints. He explained that these considerations fed directly into the development of the overall layout.</p> <p>Mr Barrett explained that the outcome of this process is reflected in the Design Principles and Parameters [APP-269]. He explained that statutory consultation, and in particular the production of the Preliminary Environmental Information Report (PEIR), played an important role in refining those areas identified for avoidance, as it captured input from both statutory and non-statutory consultees. He explained that, from an environmental standpoint, the design process enabled the Applicant to identify specific areas of land which offered greater opportunities to minimise effects, for example through existing screening or favourable topography in the case of the 400 kV elements. He explained that these characteristics informed the conceptual layout of the Scheme by identifying areas where effects could be reduced.</p> <p>Mr Gillett added that a key design principle is to adopt an efficient and deliverable approach which makes the most effective use of the infrastructure required to support the Scheme. He explained that the solar PV areas and associated works areas need to be connected in a coherent way in order to function as a single generating station, and that cables are required to transport electricity from the individual solar PV sites to the grid.</p> <p>Mr Gillett explained that the appropriate engineering solution for connecting the different solar PV areas depends on a number of factors, including the layout of the solar PV sites, their size, the</p>

Agenda item	Comment
	<p>amount of power they can generate, and the distances between them. He explained that these factors guide engineers in determining an appropriate electrical layout which complements the environmental and consultation-led considerations previously described.</p> <p>Mr Gillett explained that the design approach seeks to ensure that the transmission infrastructure is able to perform its function efficiently, without occupying more land than necessary or being oversized beyond what is required to deliver the Scheme's objectives. He explained that one option would be for each solar PV area to have its own substation, but that this would result in additional land being taken up by substations in each area, reducing the land available for solar panels. He explained that substations do not generate electricity (but in this case up-rate voltage prior for onward transmission), whereas solar panels do, and that this needs to be carefully balanced.</p> <p>Mr Gillett explained that the benefit of including substations to uprate voltage is that power can be transferred more efficiently between different solar PV areas and then onwards to the grid connection, without undue electrical losses. He explained that selecting the layout therefore involves balancing the efficient transfer of electricity against minimising the land taken by non-generating infrastructure.</p> <p>Mr Gillett also explained that an alternative approach, where no substations are provided within the individual solar PV areas and all power is transmitted at a lower voltage to a central substation, could reduce the amount of land taken up by substations within the solar PV sites. However, he explained that this would result in increased electrical losses associated with transmitting power over longer distances at lower voltages.</p> <p>Mr Gillett acknowledged that this involves a balance rather than a simple, quantitative answer, explaining that the chosen layout reflects the need for the Scheme to be electrically efficient, given the distribution of the solar PV sites, while also maximising the effective use of the infrastructure installed to facilitate the transfer of electricity from the solar PV panels to the grid.</p> <p>The Examining Authority asked the Applicant to explain how Lime Down B operates in practice without its own substation, specifically whether electricity generated at that site is transferred at 33 kV to another 132 kV substation, or whether it connects directly into the central 400 kV substation.</p>

Agenda item	Comment
	<p>Ms Brodrick confirmed that Lime Down B has been designed to connect directly into the central 400 kV substation, rather than via its own 132 kV substation. She explained that, on the basis of electrical efficiency and the most efficient configuration for the Scheme, electricity generated at Lime Down B would be transmitted at 33 kV directly into the 400 kV substation. Ms Brodrick added that a significant amount of work has been undertaken to develop an electrically efficient scheme, and that the inclusion of individual site substations is typical for clustered, non-contiguous schemes where cabling is required between separate solar PV areas. She explained that many other DCO-scale schemes include 132 kV substations within solar PV areas to collect electricity and transmit it onwards at 132 kV to a central 400 kV substation.</p> <p>Ms Brodrick explained that the electrical design configuration for the Scheme has been developed for the purposes of the DCO application, but that it remains an evolving process. She explained that the final detailed design will continue to refine the Scheme in order to deliver the most electrically efficient configuration.</p> <p>The ExA referred to the Site Selection Assessment Report [APP-185], which identifies a minimum individual site size of 40 ha for an individual site to be viable. The ExA asked the Applicant to explain the rationale for that minimum site size.</p> <p>The ExA further asked whether smaller sites within the Scheme, including Lime Down B, are less economical or less efficient than the other solar sites that make up the Scheme. In particular, given that electricity from that site is transferred at a lower voltage, resulting in comparatively higher transmission losses.</p> <p>Mr Gillett explained that the Applicant is bringing forward a large-scale, transmission-connected infrastructure project with a total generation capacity in the multi-hundred MW range. He explained that delivery of such a scheme may involve multiple land parcels, but that, as a matter of principle, connecting a smaller number of larger parcels is more efficient than connecting a larger number of smaller parcels in the context of a scheme of this scale.</p> <p>Mr Gillett acknowledged that solar developments exist at a much smaller scale, including sites below 40 ha and domestic rooftop installations. However, he explained that the minimum individual site</p>

Agenda item	Comment
	<p>size referred to in the Site Selection Assessment Report [APP-185] relates specifically to the context of delivering a large-scale, grid-connected solar project. He explained that, within that context, the Applicant prioritised larger solar PV areas, and therefore initially focused on sites greater than 40 ha, in order to deliver the scale of generation required for the Scheme.</p> <p>Mr Gillett explained that the Applicant's site selection process was therefore driven by the need to identify sufficiently large solar PV areas capable of contributing effectively to a large, transmission-connected scheme, rather than seeking to assemble a greater number of smaller parcels.</p> <p>The ExA asked the Applicant to comment on whether consideration had been given to the potential for a more dispersed layout to give rise to greater overall landscape and visual effects, on the basis that development spread across a wider area could be visible over a greater extent, as compared with a more compact or confined site layout.</p> <p>Chris Jackson, on behalf of the Applicant, explained that the Applicant considers one of the benefits of a dispersed scheme to be that it enables the development to sit within the landscape rather than presenting as a single, large consolidated solar array. He explained that, by distributing the development across a number of separate sites, the Scheme is able to make effective use of existing terrain, topography and landscape features to provide screening, mitigation and spatial separation between the different solar sites.</p> <p>Mr Jackson explained that the five solar sites are physically separated and not contiguous, which allows the Scheme to utilise the existing landscape fabric and framework across the area. He explained that this approach enables the development to be absorbed more effectively into the receiving landscape, rather than introducing a single, visually dominant block of development.</p> <p>Mr Jackson explained that the dispersed layout also supports the application of the mitigation hierarchy, including avoiding parallel infrastructure within the Order limits and enabling targeted mitigation through landscape interventions. He explained that such mitigation includes planting, enhancement of existing hedgerows, and infilling or augmentation with new tree planting. He further explained that this approach allows for a significant increase in vegetation across the Scheme and enables mitigation design to be informed by existing landscape character assessments, nature</p>

Agenda item	Comment
	<p>recovery plans and other relevant landscape evidence. Mr Jackson explained that the overall objective of the mitigation strategy is to ensure that the Scheme can be accommodated within its receiving landscape by using existing features wherever possible to provide screening and visual absorption.</p> <p>The ExA then turned to the Applicant's selection of solar PV technology and asked the Applicant to clarify whether single-axis tracker panels or fixed panels would generate more energy initially.</p> <p>Mr Gillett explained that, at an individual panel level, a fixed south-facing panel typically achieves a lower load factor than a comparable single-axis tracker panel, because a tracker panel follows the sun for a greater proportion of the day. He explained that a single-axis tracker panel is therefore more productive at an individual panel level.</p> <p>Mr Gillett explained, however, that when considering a fixed area of land, the overall outcome differs. He explained that efficient layouts of single-axis tracker panels require greater spacing and therefore result in a lower total installed megawatt capacity within a given area than an efficient layout of fixed south-facing panels. He explained that, by contrast, fixed-tilt panels can be installed at a higher density, allowing a greater total installed capacity within the same land area.</p> <p>Mr Gillett explained that the Applicant has prepared indicative layouts based on these assumptions, and that those layouts have informed both the assessment of benefits and the environmental assessments.</p> <p>The ExA asked the Applicant to explain why single-axis tracker panels are being proposed, given that tracker panels are taller than fixed south-facing panels and therefore have the potential to give rise to greater visual effects.</p> <p>Mr Gillett explained that, as part of applying a Rochdale Envelope approach, the Applicant has assessed the effects of the largest plausible panel configurations, including tracker panels, and confirmed that assessment of those physical effects would be addressed through the landscape and visual assessment.</p>

Agenda item	Comment
	<p>In relation to energy generation, Mr Gillett explained that the indicative layouts informing the application have been based on technology that is currently available on the market, together with reasonable assumptions about layouts achievable using that technology. He explained that those assumptions have informed the indicative designs used for the benefits and environmental assessments.</p> <p>Mr Gillett explained that the Applicant considers that ongoing product development between the present stage and eventual procurement and installation post-consent means that further iterations of the design at the detailed design stage could yield increased output from single-axis tracker panels. He explained that, on that basis, single-axis trackers are identified as the preferred option, but not the only option available within the Scheme's parameters.</p> <p>The ExA asked when the Applicant would expect construction of the Scheme to commence, and at what point electricity would be commissioned and exported to the grid.</p> <p>Mr Gillett confirmed that the Scheme has a grid connection agreement which has secured reprioritisation within National Grid's connections reform process. He explained that this provides for a grid connection to be delivered before the end of 2030.</p> <p>Ms Brodrick added that, assuming development consent is granted within the anticipated examination and decision timeframes, the earliest point at which construction would commence would be later in 2027. She confirmed that the Applicant anticipates a construction programme of approximately two years.</p> <p>Ms Brodrick explained that the precise date for commissioning electricity to the grid is not currently known. She explained that this is because the final commissioning date is dependent on NESO's re-prioritisation process related to wider system upgrades and other scheme connections, and that the Applicant does not yet have confirmation of the firm grid connection date.</p> <p>The ExA then queried the extent to which the technology in respect of single-axis tracker panels will develop prior to the procurement of the solar PVs in advance of construction and whether these will be more productive in practice.</p>

Agenda item	Comment
	<p>Ms Brodrick explained that, when considering technological advances, there are two distinct but related factors: the existence of technology and the availability of that technology at scale within the supply chain. She explained that while certain panel technologies may be available in principle, they may not yet be available at the scale required to deliver a project of this size. As such, the Applicant must consider not only technological capability but also supply chain maturity.</p> <p>Ms Brodrick explained that advances in technology relate both to improvements in the panels themselves and to whether those panels can be reliably procured and deployed at scale. She explained that these considerations form part of the Applicant's assessment when determining which technology to proceed with at the detailed design stage.</p> <p>Ms Brodrick further explained that productivity is not assessed solely by reference to the total amount of energy generated over the lifetime of the Scheme, but also by how electricity generation is distributed throughout the day. She explained that one of the benefits of single-axis tracker panels is the extended period during which electricity can be generated, as the panels are able to follow the sun and capture energy over a longer portion of the day.</p> <p>Ms Brodrick explained that, accordingly, the comparison between tracker panels and fixed panels is more nuanced than simply comparing total lifetime generation. Factors such as daily generation profiles and the duration of electricity export to the grid are also taken into account when assessing productivity and informing the Applicant's final choice of technology at the detailed design stage.</p> <p>In respect of landscape and visual impact, Mr Jackson referred to the Design Principles and Parameters [APP-269], which sets out the parameters for the panel infrastructure. He explained that fixed-tilt panels are identified with a maximum height of 3.5m, whereas single-axis tracker panels have a maximum height of 4.5m when at full tilt.</p> <p>Mr Jackson explained that tracker panels rotate around a central axis positioned at approximately 2.5m above ground level. He explained that, as the panels track the sun, their height varies throughout the day, such that there are periods when the panels are closer to 2.5m in height and periods when they reach the maximum height of 4.5m. He contrasted this with fixed-tilt panels, which remain at a constant height of 3.5m at their highest edge.</p>

Agenda item	Comment
	<p>Mr Jackson explained that the panel layout also incorporates a minimum separation distance of 2.5m between rows of panels. He confirmed that these dimensional parameters are set out in the Design Principles and Parameters [APP-269].</p> <p>Mr Jackson explained that the landscape and visual impact assessment has been undertaken on a Rochdale Envelope basis, assessing the reasonable worst-case scenario for panel height. He confirmed that this includes assessment of the tracker panels at their maximum height of 4.5m when at full tilt.</p> <p>The ExA asked how the Applicant has considered the temporal variation in visual effects arising from the use of single-axis tracker panels throughout the day. In particular how tracker panels are at their greatest height in the mornings and evenings, which may coincide with times when people are more likely to experience the landscape, for example when commuting to and from work.</p> <p>Mr Jackson explained that an additional factor in assessing visual effects is seasonality. He explained that levels of sunlight and the height and path of the sun vary significantly between summer and winter months, with the sun being higher in the sky during summer. He explained that, during the summer months, the sun rises earlier and is higher in the sky during typical morning and evening commuting periods.</p> <p>Mr Jackson explained that, as a result, during summer commuting hours (for example between 8–9am and 5–6pm), the tracker panels will already have begun tracking the sun's arc and will typically be at a lower height than the maximum 4.5m. He explained that the tracker panels are therefore not necessarily at their maximum height during these peak viewing times.</p> <p>Mr Jackson explained that, in applying the Rochdale Envelope, the Applicant has nevertheless assessed the reasonable worst-case scenario, including the tracker panels at their maximum height of 4.5m. He explained that mitigation has been designed to address this worst-case scenario through the application of the mitigation hierarchy.</p>

Agenda item	Comment
	<p>Mr Jackson explained that mitigation is contained within the Outline Landscape and Ecological Management Plan [APP-283], which is secured by Requirement 7 of Schedule 2 of the dDCO [APP-016]. He explained that this includes measures such as allowing hedgerows to grow to heights of up to 4.5m in order to provide enclosure and screening sufficient to mitigate the assessed worst-case visual effects associated with tracker panels at full tilt.</p> <p>The ExA noted that Chapter 8: Landscape and Visual [APP-060] lists the height of fixed solar panels as 4.5m as opposed to 3.5m listed elsewhere. The ExA sought confirmation as to whether this was an error.</p> <p>Mr Jackson confirmed that this was an error and that Chapter 8: Landscape and Visual [APP-060] would be corrected at Deadline 1.</p> <p><i>Post Hearing Note: As this is a typographical error, the Applicant does not propose to update and resubmit ES Volume 1 Chapter 8 LVIA [APP-060] now. However, should any substantive amendments be required to this document at a later stage in the Examination, the Applicant will correct this error at that time.</i></p> <p>In relation to flood risk and the water environment, the ExA asked to explain what alternative locations or proposals were considered to avoid all areas of medium and high flood risk from all sources.</p> <p>Ms Horton explained that flood risk was taken into account as part of the Site Selection Assessment Report [APP-185]. She referred to Annex D of that report, beginning at page 82, which sets out a Red-Amber-Green (RAG) assessment of each PDA against a range of environmental factors, including flood risk.</p> <p>Ms Horton explained that, in addition to the Site Selection Assessment Report [APP-185], the Applicant carried out a sequential and exception tests, which is provided at Annex C of the Planning Statement [APP-267]. She explained that this assessment considers flood risk in greater detail and addresses all sources of flooding, rather than being limited to fluvial and surface water flooding as assessed at the site selection stage.</p>

Agenda item	Comment
	<p>Ms Horton explained that the conclusions of the sequential and exception tests did not alter the conclusions reached in the Site Selection Assessment Report [APP-185] in relation to flood risk. She explained that, in relation to groundwater, artificial and other additional sources of flooding not previously assessed in site selection, the conclusions of the more detailed assessment were neutral, and therefore did not undermine the earlier site selection conclusions.</p> <p>Ms Horton explained that, of all the PDAs assessed, none performed better than PDA 10 in relation to flood risk, with the exception of PDA 12, which demonstrated lower levels of river and surface water flood risk. However, she explained that PDA 12 was discounted from further consideration due to other constraints, in particular site size and the presence of a scheduled monument within its boundaries.</p> <p>Ms Horton explained that, on this basis, PDA 10 was considered appropriate from a flood risk perspective and did not pose any greater flood risk than other PDAs assessed as part of the site selection process.</p> <p>The ExA noted that the Applicant has undertaken a Flood Risk Assessment [APP-210 to APP-218] and asked how the findings of that assessment informed the overall design of the Scheme. In particular, the ExA queried how flood risk considerations influenced decisions on land take and the layout of the proposed development within the Order limits.</p> <p>Ms Brodrick explained that Ms Horton could address the identification and placement of elements within the site, but noted that the author of the Flood Risk Assessment [APP-210 to APP-218] was not present at the hearing. She noted however that the Applicant could provide an overview of how flood risk considerations informed the placement of different elements of the Scheme within the Order limits.</p> <p>Ms Horton referred to the sequential and exception tests contained at Annex C of the Planning Statement [APP-267]. She explained that section 4 of that document applies the sequential test to the solar PV sites and draws together the findings of the Flood Risk Assessment [APP-210 to APP-218] in order to ensure that the Scheme's design is appropriate in the context of flood risk across the site.</p>

Agenda item	Comment
	<p>Ms Horton explained that parts of the solar PV sites located within Flood Zones 2 and 3 have been used for solar panel development and biodiversity enhancement areas, as these uses are considered compatible with flooding. In contrast, more vulnerable elements of the Scheme, including the BESS and substations, have been located within Flood Zone 1, where flood risk is lower, because these elements are more sensitive to flooding.</p> <p>Ms Horton explained that, except where archaeological protection measures are required, the solar PV panels will typically be supported on driven metal posts, installed to a depth of approximately 1.5m to 4m. She explained that this form of construction assists with resilience in areas at risk of flooding.</p> <p>Ms Horton further explained that all sensitive and electrical equipment associated with the solar PV panels will be elevated above ground level. She explained that there will be a minimum clearance such that equipment is no less than 0.4m, and typically no less than 0.6m, above the 0.1% annual exceedance probability flood level, in order to ensure that equipment remains safe during flood events. She also explained that integrated conversion units, sub-distribution switch rooms and other associated infrastructure will similarly be elevated using mounting structures so that they are positioned no less than 0.6m above the 0.1% annual exceedance probability flood level, or otherwise as high as practicable where that standard cannot be achieved.</p> <p>Ms Horton explained that buffers have also been applied in relation to watercourses, with an 8m buffer maintained around watercourses within which no built development is proposed. She explained that this has been incorporated into the Scheme design in order to mitigate flood risk effects.</p> <p>Ms Horton concluded by explaining that these measures represent examples of how the findings of the Flood Risk Assessment [APP-210 to APP-218] have been incorporated into the Scheme design and land take within the Order limits.</p> <p>The ExA asked the Applicant to confirm that it considers the exception test to have been met.</p> <p>Ms Horton confirmed that it did.</p>

Agenda item	Comment
	<p>The ExA asked Wiltshire Council whether any flood investigations had been undertaken in respect of Gauze Brook.</p> <p>Mr Semakula confirmed that the Council's hydrologist was not present and that the question would be responded to in writing.</p> <p>The ExA asked the Applicant to explain how the presence of drinking water supply aquifers was taken into account during the site selection process. In particular, the ExA asked whether any potential sites were discounted specifically due to the presence of aquifers, in order to avoid potential risks to drinking water supplies.</p> <p>Ms Brodrick explained that, at the high-level site selection stage, as described by Ms Horton, the presence of drinking water supply aquifers was not a specific factor considered. She explained that the high-level site selection exercise was informed by the environmental constraints assessed through the RAG rating process referred to by Ms Horton, which addressed those factors typically understood to be constraints for solar developments, taking into account the nature of solar infrastructure and typical construction methods.</p> <p>Ms Brodrick explained that, in relation to the detailed assessment of impacts on drinking water supply aquifers, she was not in a position to provide a technical response at the hearing, as the relevant technical specialist was not present. She explained that consideration of such impacts would require input from the appropriate technical expert.</p> <p>Ms Brodrick confirmed that the high-level site selection exercise focussed on the standard constraints applicable to solar development, given the type of infrastructure proposed and the typical construction methodologies involved.</p> <p>The ExA then turned to BMV land and asked the Applicant to explain what efforts were made to avoid BMV agricultural land during site selection. The ExA also asked at what stage the Applicant sought to distinguish between Grades 3a and 3b agricultural land.</p> <p>Ms Horton explained that the Applicant adopted a sequential approach to agricultural land quality as part of the site selection methodology. She explained that, at stages two and three of the site selection assessment, all areas of Grade 1, Grade 2 and Grade 3 agricultural land were initially</p>

Agenda item	Comment
	<p>excluded, in order to focus the search on lower-grade agricultural land in accordance with national policy.</p> <p>Ms Horton explained that this initial approach identified four PDAs, which were assessed at stage four. She explained that those areas were subsequently discounted for reasons unrelated to agricultural land classification. As a result, at stage five of the site selection assessment, the Applicant reintroduced Grade 3 agricultural land into the assessment criteria and continued the search for suitable potential development areas.</p> <p>Ms Horton explained that this process identified PDAs 5 to 9, and at stage six PDAs 11 and 12, all of which were located on Grade 3 agricultural land. She explained that, for the purposes of site selection, no distinction was made between Grade 3a and Grade 3b land. Instead, the Applicant relied on the 1970s provisional Agricultural Land Classification dataset, which provides wider geographic coverage across the search area, rather than the 1988 dataset which distinguishes between Grades 3a and 3b.</p> <p>Post Hearing Note: <i>The Applicant wishes to clarify that together with Flood Zones 2 and 3, Grade 3 agricultural land was reintroduced for consideration at Stage 5 of the site selection assessment and PDAs 5-10 (and thereafter PDAs 11 and 12 at stage 6) were assessed. As acknowledged in the Site Selection Assessment Report [APP-185] at paragraph 2.6.3, it should be noted that, in places, the PDAs encroach into areas of Grade 2 agricultural land that would not have been considered applying the Stage 2 and 3 selection criteria. In order to incorporate entire land parcels suggested by land agents, these areas have not been excluded from the PDAs, but have been considered and rated accordingly in the assessment at Annex D of the Site Selection Assessment Report.]</i></p> <p>Ms Horton explained that the RAG assessment at Annex D of the Site Selection Assessment Report [APP-185] therefore refers to Grade 3 or Grade 2 land only, rather than differentiating between BMV sub-grades. She gave an example of this approach, explaining that PDA 5 contained approximately 20% Grade 2 agricultural land, whereas PDA 10 contained approximately 5% Grade 2 agricultural land.</p>

Agenda item	Comment
	<p>Ms Horton explained that, on this basis, the Applicant focused its search on areas with the lowest proportion of higher-quality agricultural land, so that only the minimum amount of such land necessary would be used. She confirmed that brownfield land was also considered as part of this sequential approach, noting that relevant policy also expresses a preference for the use of previously developed land.</p> <p>Ms Horton explained that the brownfield sites considered are listed in Table 2-2 of the Site Selection Assessment Report [APP-185]. However, she explained that none of those sites were considered suitable, as they were significantly below the minimum site size of 40 ha, were currently in use, or had existing allocations or extant planning permissions, meaning they were not available for the Scheme.</p> <p>Ms Horton explained that, having regard to the site selection process as a whole, the Applicant considers that it has focused on areas that minimise the use of agricultural land, including through consideration of brownfield opportunities, and that the agricultural land ultimately identified for the Scheme is therefore necessary. She emphasised that agricultural land quality was one of several criteria considered in site selection, and that the final outcome reflects a balance against other environmental and technical assessment factors.</p> <p>The ExA queried the stage at which the distinction between Grades 3a and 3b was factored into the design of the Scheme.</p> <p>Ms Horton explained that once the preferred site had been identified and design evolution commenced, detailed Agricultural Land Classification (ALC) surveys were undertaken as part of the application submission. Ms Horton explained that the detailed ALC surveys provided a more accurate understanding of the specific agricultural land grades present across the proposed solar development sites. She explained that this more detailed information informed subsequent design iterations. Ms Horton explained that, as a result of the design evolution process, some areas of higher-quality agricultural land were removed from the Scheme, including changes made around Lime Down E. She explained that the proportion of Grade 2 agricultural land within the Scheme has therefore reduced, noting that the current figure is approximately 4%, compared with the previously</p>

Agenda item	Comment
	<p>cited figure of 5%. Ms Horton explained that the detailed ALC grading was therefore identified and taken into account during the design evolution stage, following site selection.</p> <p>The ExA then queried the term “necessary” in relation to the use of BMV land. The ExA asked whether, in this context, the use of agricultural land was considered necessary primarily because the Applicant was seeking to deliver a Scheme with a capacity of approximately 500 MW, and because sufficient landowner willingness was available to enable a Scheme of that scale to come forward.</p> <p>Ms Brodrick explained that the Applicant’s assessment of what land was necessary involved a combination of factors. She explained that the Scheme required a site of sufficient scale to match the 500 MW grid connection agreement secured by the Applicant, and that this capacity requirement formed part of the assessment of necessity.</p> <p>Ms Brodrick further explained that the Applicant also considered how suitable particular land parcels were for solar development, including whether land could be used for other purposes within the Scheme, such as continued agricultural use or mitigation. She explained that necessity was therefore considered both in terms of whether land needed to be included within the Order limits at all, and the purpose to which that land would be put within the Scheme.</p> <p>Ms Brodrick explained that discussions were held with landowners, including discussions about how land was currently used and which parcels landowners were willing to put forward for solar development.</p> <p>Ms Brodrick explained that the agricultural land classification within individual fields was often mixed, with areas of Grade 3a and Grade 3b interspersed rather than whole fields falling within a single grade. She explained that this was taken into account when determining which fields were necessary to include within the Scheme.</p> <p>Ms Brodrick further explained that the Applicant had undertaken agricultural land classification surveys of land identified as suitable for the Scheme, and that it would not have been proportionate to undertake detailed surveys over a much wider area simply to distinguish the proportion of 3a and 3b land beyond the site identified.</p>

Agenda item	Comment
	<p>Ms Brodrick concluded by explaining that the Applicant's approach to necessity reflects both the balance of policy considerations and the practical realities of site availability, scale, land use and agricultural land quality.</p> <p>The ExA asked whether, through discussions with landowners, the Applicant would have received information about agricultural yields or similar indicators which might have provided an initial understanding of agricultural land quality.</p> <p>Ms Brodrick explained that the Applicant did not have the author of the land use and agricultural chapter present to provide a technical response to that specific question. She explained that how land is farmed, the yields obtained, or the purposes to which land is currently put are not necessarily directly reflective of the formal ALC grading, which is based on scientific assessment.</p> <p>Ms Brodrick explained that this is particularly relevant where individual fields contain mixed areas of differing land quality, noting that farming practices may reflect the dominant characteristics of a field rather than smaller pockets of higher-quality land identified through ALC assessment. She explained that informal indications such as yields would therefore not provide a reliable substitute for formal ALC surveys.</p> <p>Ms Brodrick noted that the Applicant relied on wider provisional ALC mapping, as previously described by Ms Horton, which shows a high proportion of Grade 3 land across the wider area, including land used for elements such as the cable route corridor.</p> <p>The ExA asked the Applicant to explain what role the identification of BMV agricultural land played when identifying and selecting locations for biodiversity mitigation sites within the Scheme.</p> <p>Mr Jackson explained that the design of a large-scale ground mounted solar scheme is not undertaken by considering individual technical disciplines in isolation. He explained that the Scheme has been developed through a multidisciplinary design process, drawing on expertise from all technical disciplines involved on the project including landscape and visual impact, agricultural land classification, hydrology, heritage and archaeology, and ecology.</p> <p>Mr Jackson explained that, through this iterative design process, the Applicant identifies and layers the various constraints and opportunities present across the site, including the presence of BMV</p>

Agenda item	Comment
	<p>land, and then determines where different elements of the Scheme can be most appropriately located. He explained that this approach informs both the placement of solar infrastructure and the identification of areas suitable for biodiversity mitigation.</p> <p>Mr Jackson explained that, in the context of large-scale solar development, ecological mitigation and biodiversity net gain are typically delivered both within the solar panel areas and on land within the Order limits that lies outside the panels. He explained that such areas are commonly used for measures such as habitat creation, replacement and ground-nesting bird mitigation.</p> <p>Mr Jackson gave the example of land along the western boundary of Site C, adjacent to the CNL, where infrastructure has been avoided and the land brought forward instead as ecological mitigation for ground-nesting birds. He explained that similar approaches have been applied elsewhere across the Scheme, where land has been retained within the Order limits but used to deliver ecological benefits rather than solar infrastructure.</p> <p>Mr Jackson explained that, by applying the mitigation hierarchy and working iteratively across disciplines, the Applicant seeks to use areas constrained by factors such as BMV land or landscape sensitivity to provide opportunities for biodiversity mitigation, thereby balancing agricultural, ecological and other environmental considerations within the overall Scheme design.</p> <p>The ExA queried whether, absent landowner willingness, the Scheme could have been designed so as to avoid BMV land entirely, including in the context of both solar infrastructure and biodiversity mitigation.</p> <p>Ms Brodrick explained that the Applicant has taken a holistic approach to Scheme design rather than assessing BMV land in isolation. She explained that, while the Applicant is mindful of the policy preference to utilise lower-quality agricultural land, where other environmental disciplines require mitigation to be delivered within the Scheme, the inclusion of land to secure that mitigation is considered necessary.</p> <p>Ms Brodrick explained that the Applicant's position is not that there could not be land elsewhere in proximity to the Scheme which, if subject to ALC testing, might prove to be of lower quality. However, she explained that the Applicant has taken a proportionate approach and has not undertaken wide-ranging agricultural land surveys beyond the land identified through the site selection process.</p>

Agenda item	Comment
	<p>Ms Brodrick explained that this approach is typical for solar projects of this scale. She explained that the Applicant identified a broad area through the site selection process, carried out detailed surveys within that area, and then refined the Scheme through design evolution, determining which areas were suitable for solar panels and which areas were more appropriate for delivering mitigation.</p> <p>Ms Brodrick explained that the Applicant's assessment of necessity therefore considers the Scheme in the round, taking into account a combination of agricultural land quality, environmental mitigation requirements, technical considerations and overall Scheme design. She confirmed that the Applicant does not have a more detailed breakdown comparing every potential parcel of land beyond the Order limits, as such an exercise does not form part of the application documents and would not be proportionate.</p> <p>Ms Brodrick concluded by explaining that BMV land has not been considered in isolation, but rather as one of multiple factors informing the development of the Scheme as a whole.</p> <p>The ExA asked the Applicant to explain when field ecological surveys were undertaken across the Order limits. The ExA asked that the explanation cover both the solar PV sites and the cable route corridor, and sought clarification as to how and at what stages ecological surveys informed the design of the Order limits for the placement of solar panels and the routing of the cable corridor.</p> <p>Ms Brodrick explained that the Applicant has identified a wider cable route corridor within which the detailed working width of the cable will be micro-sited. Ms Brodrick explained that, at the stage of defining the cable route corridor, the Applicant was able to draw on desktop datasets and baseline information to inform route selection. She explained that certain constraints can be identified at that stage, while other matters can only be confirmed through detailed field surveys undertaken later.</p> <p>Ms Brodrick explained that the Applicant has secured a series of commitments relating to how the cable route will be constructed, including avoidance of sensitive features and the use of alternative construction techniques where ecological receptors are present. She explained that the Applicant's position is that the corridor is of sufficient width to enable the cable to be micro-sited to avoid identified constraints once further survey information becomes available. Ms Brodrick explained that it is therefore not necessary for all detailed ecological surveys to be completed before defining a wide cable route corridor, because sufficient flexibility exists within that corridor to accommodate</p>

Agenda item	Comment
	<p>avoidance through micro-siting once detailed survey results are known. She further explained that additional surveys will also be undertaken pre-construction, recognising that ecological conditions can change over time.</p> <p>Ms Brodrick explained that, while the DCO could theoretically be implemented up to five years after consent, further pre-construction survey work would ensure that the detailed alignment of the cable remains suitable and within the parameters of the effects assessed in the Environmental Statement. Ms Brodrick explained that for underground cable infrastructure, a wide range of established mitigation measures are available, and that there is a high degree of confidence in their deliverability. She explained that this contrasts with other elements of the Scheme, such as solar PV sites, where more detailed survey information is required at an earlier stage to inform design decisions.</p> <p>Ms Brodrick confirmed that ecological survey work has been ongoing, noting that some surveys are subject to seasonal constraints, which can limit completion prior to application submission. She explained that when further survey information is submitted, the Applicant will confirm whether it affects the conclusions of the Environmental Statement, which may have relied on reasonable worst case assumptions where survey information was outstanding.</p> <p>Ms Brodrick concluded by explaining that, at the point the cable route corridor was defined, the Applicant had sufficient information available to identify an appropriate corridor, with further survey work intended to inform subsequent micro-siting within it.</p> <p>Mr Jackson added that that the Applicant's approach to ecology, habitats and biodiversity is set out in Chapter 9: Ecology and Biodiversity [APP-061], as well as within the Landscape and Visual Impact Assessment [APP-060]. He explained that the design principles for the Scheme include the establishment of a series of buffers and offsets to identify and protect onsite features from the very beginning of the design process.</p> <p>Mr Jackson explained that these buffers and offsets apply to features such as hedgerows, woodlands, ditches, watercourses, individual trees and ancient woodland. He also explained that precautionary or "primitive" buffers have been applied in relation to ecological receptors that may be identified through subsequent surveys, including bat roosts and Schedule 1 bird species.</p>

Agenda item	Comment
	<p>Mr Jackson explained that these buffers and offsets are embedded into the Scheme design from the outset, so that additional survey information can then be used to refine layouts within those parameters as surveys become available. He explained that this approach allows the Applicant to respond to further ecological information through micro-siting and design refinement, while remaining within the scope of the environmental effects assessed.</p> <p>The ExA requested that the Applicant provide a list of outstanding surveys in respect of the cable route corridor at Deadline 1A.</p> <p>Post Hearing Note: Please see the response to Action Point 6 below.</p> <p>In respect of surveys undertaken in relation to the solar PV sites, Ms Brodrick explained that the site selection exercise was a high-level, desk-based assessment of PDAs. She explained that this exercise was intended to identify suitable areas in principle and did not involve undertaking field-based ecological surveys across all potential development areas that were considered and subsequently discounted.</p> <p>Ms Brodrick explained that field surveys were undertaken at the stage where the design of the actual Scheme was being developed, rather than during the earlier strategic site selection stage. She explained that this approach is typical for developments of this nature, as it would not be proportionate to undertake detailed ecological surveys across all locations that are rejected at the site selection stage.</p> <p>Ms Brodrick clarified that detailed ecological survey effort is therefore focused on land that is taken forward as part of the proposed development, rather than on alternative sites that are discounted as unsuitable earlier in the process.</p> <p>The ExA then sought clarification on how specific surveys had informed the design process.</p> <p>Mr Jackson explained that the Applicant's approach includes the use of embedded buffers and offsets applied from the outset of the Scheme's design. He explained that these include offsets from identified features such as watercourses, bat roosts, trees, ancient woodland, and other ecological receptors, as well as the use of non-panelled areas within the Order limits.</p>

Agenda item	Comment
	<p>Mr Jackson explained that, as ecological surveys are undertaken and results become available, the Applicant assesses what habitat mitigation may be required and then considers where, within the Order limits, suitable areas exist to accommodate those ecological requirements. He explained that this process involves layering opportunities within the Scheme to identify appropriate locations for habitat provision or species-specific mitigation.</p> <p>Mr Jackson emphasised that the starting point for this process is always the buffers and offsets which are “locked in” or embedded into the design at the earliest design stage. He explained that the Scheme then evolves through an iterative design process, using additional survey data and input from other technical disciplines, to refine layouts and mitigation proposals as the Scheme progresses.</p> <p>The ExA then invited responses from IPs.</p> <p>Mr Semakula sought clarification as to whether (i) a 132 kV scheme would have resulted in lower environmental and construction impacts in comparison to the 400kV approach; and (ii) whether construction phasing could be aligned with the grid connection timetable so as to minimise disruption to residents and reduce potential impacts. Mr Semakula also welcomed the submission of a list of outstanding surveys by the Applicant.</p> <p>Mr Kozelko sought clarification as to whether (i) transmission loss calculations provided by the Applicant would include losses associated with both export and import, given the 500 MW export and 250 MW import grid connection; (ii) the use of tracker panels complies with the mitigation hierarchy, including whether fixed south-facing panels—said to have lower environmental impacts—should instead be preferred or secured through the DCO; and (iii) whether construction phasing could be aligned more closely with the grid connection date to minimise disruption and potential impacts.</p> <p>Mark Judge sought clarification as to whether (i) the stated 4.5m height for tracker panels refers to the overall height of the panel at full tilt or the height to the panel edge above a 2.5m pivot point, and whether panels could in practice exceed 4.5m when vertical; (ii) whether panel heights would</p>

Agenda item	Comment
	<p>be further increased in floodplain areas to avoid contact with floodwater; and (iii) whether the proposed 400 kV substation would be located on land subject to a 40-year or 60-year lease.</p> <p>An Interested Party raised concerns relating to surface water runoff from the BESS and the 400 kV substation and the potential for impacts on the railway line to the south (noting that there had been historic flooding and closures of the South Wales Main Line) or to a drainage ditch to the north which ultimately discharges onto a road between Norton and Hullavington that already experiences flooding.</p> <p>Ms Brodrick confirmed that, due to time constraints, the Applicant would respond to the points raised by IPs in writing noting however that the terms of the option agreements are confidential.</p> <p>Post Hearing Note: Please see the response to Action Point 8 below.</p> <p>Mr Kozelko queried the Applicant's reference to commercial confidentiality in respect of the option agreements.</p> <p>Ms Brodrick clarified that the Applicant is subject to contractual confidentiality obligations which prevent disclosure of the terms of relevant commercial agreements without consent from the other party. She explained that this is distinct from relying on "commercial sensitivity" as such, and that providing further details would require the consent of the landowner. Ms Brodrick acknowledged the point made that the Applicant relies on a 60-year operational period to demonstrate Scheme benefits, but noted that any reduction in the contractual term (for example to 30 or 40 years) would correspondingly reduce the benefits relied upon.</p> <p>In response to comments made by the IP the ExA confirmed that flooding would be addressed in further detail at later hearings.</p>

Agenda item	Comment
6. Electricity Generation and Grid Connection	
<p>6.1 Applicant to provide an explanation of the status of the grid connection agreement, with evidence of timing, future consents or licences and any detail of any potential impediments to connection, or the timing of delivery/ completion.</p>	<p>Post Hearing Note: <i>The Applicant notes that this agenda item was not covered in the hearing. To assist the Examining Authority, the Applicant has set out a summary of its responses to the agenda item below.</i></p> <p><i>The Applicant has accepted a connection offer to the National Electricity Transmission System (NETS) at National Grid's existing Melksham 400kV substation. The agreement is for 500MW (AC) of export and 250MW (AC) of import. As part of NESO's connection reform activities, the solar element of the Scheme has been re-prioritised as Gate 2 Phase 1 (a window of 2030 or earlier). The BESS element of the Scheme has been re-prioritised as Gate 1 (as yet unconfirmed indicative connection date). NESO will inform the Applicant of the details of their revised grid connection agreements as part of their Connection Reform processes, with the Solar component details anticipated to be communicated in summer 2026 and the BESS component details communicated separately.</i></p> <p><i>The Applicant is not aware of any specific impediments to connection, or the timing of delivery / completion of the Scheme. Necessary energy market consents and licences have either already been secured or will be secured at the appropriate point in Scheme development.</i></p>
<p>6.2 Applicant to provide information with regard to:</p> <ul style="list-style-type: none"> • the capacity of the local grid connection • the lower and upper limits of solar panel output • the proportion of the solar panel areas that is attributable to overplanting • likely generating capacity over time • likely solar panel efficiency over time • details of panel replacement over the course of the operation up to final decommissioning 	<p>Post Hearing Note: <i>The Applicant notes that this agenda item was not covered in the hearing. To assist the Examining Authority, the Applicant has set out a summary of its responses to the agenda topics below.</i></p> <p>Capacity of the local grid connection.</p> <p><i>Section 7.4 of the Statement of Need [APP-266] sets out the suitability of National Grid's Melksham substation and the surrounding NETS for connection of the Scheme to the grid. The key points are:</i></p> <ul style="list-style-type: none"> • <i>The transmission grid around Melksham provides sufficient capacity to flow power to and from the Scheme (as evidenced by the existing grid connection agreement) and provides defence-in-depth for system security;</i> • <i>Significant network constraints in the transmission grid around Melksham are not foreseen during normal conditions. The BESS proposed as associated development to the Scheme</i>

Agenda item	Comment
	<p><i>provides additional support to the operation of the solar if any significant network constraints did occur; and</i></p> <ul style="list-style-type: none"> <i>The Scheme will be able to displace more expensive and carbon intensive power generated in southern England, to the benefit of electricity system decarbonisation and consumer cost locally and nationally.</i> <p>The lower and upper limits of solar panel output</p> <p><i>Each day, solar irradiance enables solar panels to generate electricity. The output from each panel will range from zero overnight, to its full rated power when incident solar irradiance on the panel is at its highest. The power rating of individual solar panels available on the market has increased year on year for two main reasons. Firstly because panels can now be manufactured with larger dimensions than previously possible; so individual panels can now generate more power than could previously be generated. The second reason, is efficiency: panel efficiency has increased and is expected to increase in the future (see Figure 19 of Statement of Need [APP-266]). More efficient panels have higher power ratings than less efficient panels, for the same size panel.</i></p> <p><i>The aggregate instantaneous output of the solar panels which are part of the Scheme will therefore range between 0MW (at night) and the installed capacity of the as-delivered design.</i></p> <p><i>Panel orientation affects the pattern of electricity generation through the course of each day.. Single Axis Tracker panels generate more strongly earlier in the day; achieve maximum daily output earlier and for longer; and continue stronger generation later in the day.</i></p> <p><i>At any point in time, the panels at the Scheme will therefore generate between 0MW(DC) and the aggregated installed capacity (DC) of the delivered Scheme. At any point in time, the Scheme will export between 0MW (AC) and 500MW (AC) to the grid (because the Grid Connection Agreement caps the export of power to the Grid at any one time, at the export capacity agreed).</i></p> <p><i>At the detailed design stage, the Applicant will consider the characteristics of panels available to the Scheme (including power and efficiency) and optimise the orientation (Fixed South Facing or Single Axis Tracker) and detailed layout of the panels across the Solar PV Sites, while remaining compliant with the DCO control parameters.</i></p>

	<p>The proportion of the solar panel areas that is attributable to overplanting</p> <p><i>The Scheme does not propose significant overplanting, but the level of overplanting delivered will be confirmed at the detailed design stage. As an illustration however, if the Scheme delivered 10% overplanting, i.e. a 550MWp installation, it would be reasonable to assume that approximately 10% of the solar panel area would be attributable to overplanting. However no single land parcel, or part of a land parcel, could be designated as 'the overplanted element' of the Scheme. Based on the current indicative design, the Applicant considers that the maximum installed capacity of the Scheme would be within the guide range of 2-4 acres / MW provided in paragraph 2.10.17 of NPS EN-3 (2023).</i></p> <p>Generating capacity and panel efficiency over time</p> <p><i>The generating capacity of the Scheme would not change over time, however as panels degrade, the output from those panels will reduce. The Climate Change Chapter [APP-059] accounts for efficiency losses of the Solar PV Panels over time based on an initial 2% degradation in the first year and 0.45% for every additional year for a typical <u>panel</u> lifespan of 40 years. Degradation can be thought of as a reduction in the panel's ability to convert incident sunlight into electrical power, i.e. a reduction in panel efficiency. Degradation means that the effective capacity of the Scheme, after 40 years of operation, is still expected to be circa 80% of its initial installed capacity. It is for this reason that, over the 60-year operational life proposed for the Scheme, the Applicant has included and assessed the option to replace all of the panels once.</i></p> <p><i>Section 6.8 and Figure 19 of the Statement of Need [APP-266] describes historical and current solar panel efficiency, and provides evidence that solar panel efficiency has increased historically broadly linearly each year. This supports the Applicant's reasonable assumption that panel efficiency is likely to increase at best linearly over the 2020s, which is a key reason why the Applicant proposes flexibility in the DCO to be able to use new technology, not yet widely available, to optimise the benefits deriving from the Scheme, while complying with the maximum and minimum parameters secured in the DCO.</i></p> <p>Panel replacement</p> <p><i>The Scheme is designed for an operational lifespan of 60 years. With panel efficiency still expected to be at around 80% after 40 years, the Applicant anticipates a staged programme for replacement of equipment across the Scheme. However, Chapter 3: The Scheme of the Environmental Statement [APP-055] explains that each chapter of the ES has considered a relevant worst case scenario for equipment replacement. The worst case scenario is set out in Chapter 3: The Scheme</i></p>
--	---

Agenda item	Comment
	<p><i>[APP-055] at paragraph 3.5.34 and considers principally panel and BESS cell replacement during the operational and maintenance period of the Scheme.</i></p>
<p>6.3 Applicant to explain the role of the storage capacity of the Battery Energy Storage System (BESS) and its relationship with the generating station (solar farm), importation of electricity from the grid to the BESS (such as for grid balancing purposes), and any connection limitation to the grid.</p>	<p>Post Hearing Note: <i>The Applicant notes that this agenda item was not covered in the hearing. To assist the Examining Authority, the Applicant has set out a summary of its responses to the agenda topics below.</i></p> <p>Role of storage capacity of the BESS and its relationship with the generating station <i>Paragraph 3.3.25 of NPS EN-1 (2023) explains that energy storage has a key role to play in achieving net zero and providing flexibility to the energy system. Paragraph 3.3.6 of EN-3 (2023) goes on to explain that energy storage can provide flexibility, meaning that less of the output of a generation station is wasted as it can either be stored or exported when there is excess production. Storage can also supply electricity when domestic demand is higher than generation, supporting security of supply. This means that the total amount of generating plant capacity required to meet peak demand is reduced, bringing significant system savings alongside demand side response. Storage can also reduce the need for new network infrastructure.</i></p> <p>Section 6.10 of the Statement of Need [APP-266] <i>states that “The inclusion of a BESS as associated development to the main solar scheme will support the operation of the main solar scheme and will be able to store energy generated by the main solar scheme and export it to the NETS when it is needed.”</i></p> <p>Importation of electricity from the grid to the BESS <i>Further, Section 6.9 of the Statement of Need [APP-266] describes that “when the BESS is not supporting the operation of the principal solar site, it may be useful for the BESS to support the national supply and demand balance by importing directly from the grid rather than from the co-located solar” as illustrated by Figures 20 & 21 of the Statement of Need.</i></p> <p>Table 2 of the Statement of Need [APP-266] <i>lists some of the grid balancing functions which may be undertaken by the Scheme through its operational life, from either the solar and more flexibly from the BESS.</i></p>

Agenda item	Comment
	<p><i>Connection limitation to the grid</i> <i>The connection status of the BESS is described in the response to agenda item 6.1 above.</i></p>
<p>7. Review of the issues and actions arising</p>	<p>The actions are listed below.</p>
<p>8. Close of Hearing</p>	<p>The ExA closed the hearing.</p>

2 List of Actions for the Applicant and Other Parties following Issue Specific Hearing 1

No.	Party	Action	Submission deadline	Applicant's response / commentary
1	Applicant	Resubmission of document Appendix 3-3 Illustrative Drawings [APP-184] at a higher resolution so that the dimensions shown on the substation compound and substation elevation plans are readable. In addition, applicant to include in updated [APP-184] a plan of the 400kV substation with fence (if applicable); and a plan of a 4.5m single access tracker panel with dimensions.	Deadline 1A	The Applicant has submitted higher resolution versions of Appendix 3-3 Illustrative Drawings at Deadline 1A. These include substation side elevations at page 3 that show with and without a fence, and a plan of a 4.5m single access tracker panel at page 16.
2	Applicant	To confirm why air insulated substations are proposed instead of gas insulated substations considering the larger footprint of air insulated substations.	Deadline 1A	<p>An Air Insulated Substation (AIS) has been selected by the Applicant in preference to a Gas Insulated Substation (GIS) for the proposed 400kV Substation following consideration of technical, environmental and operational factors.</p> <p>While GIS systems can offer a smaller physical footprint, this benefit is typically most useful in constrained locations where land availability is restricted. In this case, the Scheme can accommodate an AIS layout within the Order Limits and therefore the spatial advantage of GIS is materially reduced.</p> <p>AIS technology is generally simpler in design, easier to inspect, maintain and modify over the operational life of the Scheme.</p> <p>AIS also avoids reliance on the use of insulating gases, thereby reducing potential greenhouse gas emissions.</p>

No.	Party	Action	Submission deadline	Applicant's response / commentary
3	Applicant	To confirm whether lightning conductors are included on substations and if so, whether these are contained within the overall height parameters assessed in the ES.	Deadline 1A	<p>The Applicant confirms that the proposed 132kV and 400kV Substations will be cable-fed installations, with no incoming or outgoing overhead line connections. The maximum height of the outdoor equipment is 13m to the top of the busbars for the 400 kV Substation.</p> <p>Lightning and transient overvoltage protection is an important design consideration for all substations. However, the requirement for dedicated lightning conductors is not determined by voltage level alone. It depends on the overall site arrangement, the presence of overhead line connections, the height and exposure of the equipment, the earthing design, the surge protection strategy, and the outcome of the project lightning risk assessment.</p> <p>As the Substations will be connected solely by underground cables, the principal lightning exposure normally associated with overhead line-fed substations is not present. Underground cables are not directly exposed to lightning strikes in the same way as overhead conductors, and any residual lightning or transient overvoltage risk is normally managed through insulation coordination, cable sheath bonding and earthing, and suitably located surge arresters.</p> <p>The maximum busbar height of 13m does mean that the outdoor equipment has some exposure to direct lightning attachment. However, this height alone does not create an automatic requirement for dedicated lightning rods or shielding masts.</p> <p>The primary means of protecting the electrical plant at the Substations will therefore be the appropriate application of:</p> <ul style="list-style-type: none"> • Surge Arrestors, particularly at transformer HV terminals and cable terminations. Designed to Comply with BS EN 60099-4. • Insulation coordination in accordance with the relevant standards; IEC 60071 • Suitable lightning impulse testing which meets the specification requirements of levels for the 400 kV equipment to IEC 60060 High Voltage Test Techniques, IEC 60071 Insulation Coordination, IEC 60076, Insulation levels

No.	Party	Action	Submission deadline	Applicant's response / commentary
				<p>and dielectric tests IEC 62271, IEEE C37.09, IEEE C57.12.90, IEEE Std 1313.1 Insulation Coordination.</p> <ul style="list-style-type: none"> • Adherence to Electrical Safety Distances as defined in IEC 61936, IEC 61472, BS EN 61936-1, BS EN 50110-1 • Earthing system design and installed to comply with BS EN 50522 Earthing of Power Installations exceeding 1kV AC EA TS 41-24 and BS 7430. • Correct bonding of cable sheaths, structures, and metallic equipment to IEC 60050, EA TS 41-24, EN 50522 <p>On this basis, dedicated lightning conductors, lightning rods, or shielding masts are not currently considered necessary for the 132kV or 400 kV Substations for the Scheme on the basis that the installation is cable-fed, has no overhead line interfaces and the measures set out above will be applied.</p>
4	Applicant	To clarify the percentage transmission losses associated with the length of the cable route. Include the export and import losses.	Deadline 1A	The Applicant has calculated that the transmission losses associated with the 400kV single circuit cable between the 400kV Substation and the Existing National Grid Melksham Substation would be circa 0.1% or lower, depending on the cable material used. The loss percentage would be the same for electricity flows in either direction (import or export).
5	Wiltshire Council - LLFA	To confirm and submit any Section 19 flooding investigation reports in relation to flooding within the Gauze Brook catchment area, specifically in relation to flooding events in Corston and Rodbourne.	Deadline 1A	N/A
6	Applicant	To submit a list of outstanding ecological surveys for the cable route corridor.	Deadline 1A	The Applicant acknowledges that some areas within the Cable Route Corridor had not been subject to ecological survey at the point of finalising the ES Volume 1, Chapter 9: Ecology and Biodiversity [APP-061] . Since the preparation of ES Volume 1, Chapter 9: Ecology and Biodiversity [APP-061] , additional habitat surveys of previously un-surveyed land have been conducted, and all baseline ecological surveys within the Cable Route Corridor have now been completed. The survey methodology applied was consistent with that reported in ES Volume 3,

No.	Party	Action	Submission deadline	Applicant's response / commentary
				<p>Appendix 9-1: Ecological Baseline Report [APP-198] for the rest of the Cable Route Corridor.</p> <p>The Applicant has updated ES Volume 1, Chapter 9: Ecology and Biodiversity [APP-061] and ES Volume 3, Appendix 9-1: Ecological Baseline Report [APP-198] and revised versions have been submitted at Deadline 1 with the findings of these surveys. It is considered these do not materially change the assessment of likely significant effects presented in the chapter.</p>
7	Applicant	To respond to Wiltshire Council's submission made at the end of Item 5 (Alternatives) on the ISH1 agenda, regarding any differences of impacts from a 132kV vs 400kV connection.	Deadline 1A	<p>The Applicant has secured entry capacity to the National Electricity Transmission Network System (NETS) at 400kV so must provide the relevant infrastructure to export the electricity generated by the Scheme at this voltage. This is commonplace for NETS-connected generators and reflects the secured grid connection rather than a design choice.</p> <p>The use of a 400kV circuit between the 400kV substation at Lime Down D and the point of connection at the Existing 400kV Melksham Substation allows for the Scheme to export the full 500MW of generation, and import up to 250MW of power, using a single circuit with negligible efficiency losses as set out in response to Action Point 4 above. As set out in Table 3-1 of ES Volume 1, Chapter 3 The Scheme [APP-055] under "Grid Connection Cables", the cable infrastructure can be installed within a single trench with an approximate width of 1.7m.</p> <p>By way of comparison, more than one 132kV circuit would be required to deliver the Scheme's connection, resulting in an increase in width of the overall trench, or require multiple trenches, in order to install the cabling, thus increasing the land temporarily disturbed along the Cable Route Corridor.</p> <p>In addition, the use of a 132kV circuits would materially reduce transmission efficiency around nine times greater than for a 400kV circuit, increasing losses to 0.9%.</p>

No.	Party	Action	Submission deadline	Applicant's response / commentary
				Furthermore, the use of 132kV circuits would also require further infrastructure and land take to step up voltage from 132kV to 400kV (e.g. an additional substation) before connecting into the Existing Melksham 400kV Substation, because the secured grid entry point remains at 400kV.
8	Applicant	To respond to all other comments raised by IPs at the end of Item 5 (Alternatives) on the ISH1 agenda. 1A	Deadline 1A	<p>In response to comments made on behalf of Stop Lime Down:</p> <ul style="list-style-type: none"> (i) Please see the response to Action Point 4 above. (ii) The Applicant continually reviews and iterates possible designs for the Scheme based on currently available technologies and those which are anticipated to be available at the point of procurement and construction, as well as optimised layout configurations within the DCO parameters. The Applicant considers that at the detailed design stage, the combination of available technologies and enhanced site layouts may support a greater benefit from tracker panels vs. fixed panels, supporting the need for flexibility in the Scheme design for both layouts. <p>There are a number of benefits to tracker panels including:</p> <ul style="list-style-type: none"> • More effective than fixed panels as tracker panels track the sun throughout the day keeping the panels at an optimal angle for irradiation capture. • Extends generation window at dawn and dusk due to the ability to tilt up to 60 degrees, which allows for high yields at the beginning and end of the daylight hours • Has higher bifacial gains due to panels being at lower tilt angles during middle of the day, giving a more uniform irradiance and allows more light to reach the back of module.

No.	Party	Action	Submission deadline	Applicant's response / commentary
				<ul style="list-style-type: none"> • Lower interrow shading during highest irradiance parts of the day which leads to higher yields and less losses. <p>It should be noted that tracker panels can also act as a form of embedded mitigation for Glint and Glare effects (ES Volume 1, Chapter 20: Other Environmental Matters, Section 20.5 [APP-072]). For example, for a 0.3km section of railway in field C14, solar reflections were predicted to occur within a train driver's primary field-of-view for fixed south facing panels and single axis tracking panels (at normal operation). To mitigate this, the Applicant has committed not to implement fixed south facing panels in the affected area in field C14 and implementing a resting angle of 5° to the single-axis tracking panels, which would be sufficient to mitigate any impacts.</p> <p>(iii) The Applicant seeks to deliver a scheme which maximises lifetime generation through the available grid connection and has therefore proposed a construction program with sufficient flexibility to minimise the elapsed time between the installation of panels and the ability to export their output to the grid. This has been balanced with the opposite consideration, of having a fully available grid connection but nothing connected to it (i.e. no exports) during construction. The Applicant has included a phasing requirement in the draft DCO submitted at Deadline 1 so that details of the construction programme and proposed date of final commissioning are known prior to construction commencing.</p> <p>In response to the comments made by Mark Judge:</p> <ul style="list-style-type: none"> (i) The maximum 4.5m height for tracker panels refers to the overall height of the top edge of the panel when at maximum tilt of 60 degrees above ground level. The overall height of the panels could therefore not in practice exceed 4.5m above ground level in any achievable orientation.

No.	Party	Action	Submission deadline	Applicant's response / commentary
				<p>(ii) Based on the assessment undertaken to date, the Applicant does not currently anticipate that Solar PV Panel heights would need to be increased above the standard panel mounting arrangement in the limited areas where panels may be located within the flood extent at Lime Down D and Lime Down E2. The Applicant has applied a sequential approach to the siting of Solar PV Panels in areas of fluvial flood risk. The majority of the Scheme is located outside the flood extent, with only limited areas of Solar PV Panels within Lime Down D and Lime Down E2 potentially located within the flood extent.</p> <p>The embedded mitigation set out in ES Volume 3, Appendix 11-1: Flood Risk Assessment and Drainage Strategy – Covering Report [APP-210] is that non-flood sensitive infrastructure, including Solar PV Panels and cabling, will be located outside the 1% AEP plus climate change flood extent where practicable. Where this is not practicable, Solar PV Panels will be restricted to areas where predicted flood depths are less than 1 m during that event. Equipment and components sensitive to flood water will be set no less than 0.6 m above the modelled design flood level, being the predicted maximum flood water level during the 1% AEP plus climate change event.</p> <p>The relevant flood depth information indicates that flood depths within the affected panel areas are generally shallow and capable of being accommodated within the standard panel design parameters assessed in ES Volume 1, Chapter 3: The Scheme [APP-055] and secured through the Design Principles and Parameters [APP-269]. The assessed parameters include a maximum height of 4.5 m above ground level for tracking Solar PV Panels at maximum tilt and a minimum clearance of 0.4 m above ground level.</p>

No.	Party	Action	Submission deadline	Applicant's response / commentary
				<p>The final panel arrangement in any affected areas will be checked against the relevant modelled design flood level. Where required, the detailed design may adjust the mounting arrangement within the maximum design parameters assessed in the Environmental Statement to maintain the stated flood freeboard. Where the required freeboard could not be achieved within the assessed design parameters, the panel layout would be amended to avoid those areas. This approach ensures the Scheme remains consistent with the embedded mitigation and does not increase flood risk elsewhere.</p> <p>(iii) Please see the Post Hearing Note for Agenda Item 4.3 above.</p> <p>In response to comments relating to flooding and the BESS and 400kV substation, the Applicant confirms that surface water runoff from the BESS Area and 400 kV substation would not be allowed to drain uncontrolled either south towards the railway line or north towards the existing ditch and highway drainage network.</p> <p>The BESS Area and 400 kV substation form part of Lime Down D. As set out in ES Volume 3, Appendix 11-1: Flood Risk Assessment and Drainage Strategy – Covering Report [APP-210], site-specific drainage strategies have been prepared for Lime Down D, including the 132 kV and 400 kV substations and the BESS Area. Surface water runoff rates and attenuation volumes for Lime Down D have been calculated using Environment Agency peak rainfall intensity allowances to account for climate change.</p> <p>The drainage strategy for Lime Down D is set out in ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy – Lime Down D / BESS [APP-215]. The proposed BESS Area and substations are located within Flood Zone 1, and the drainage strategy recognises that the increase in hardstanding would increase runoff rates and volumes if unmanaged. The strategy therefore requires</p>

No.	Party	Action	Submission deadline	Applicant's response / commentary
				<p>surface water discharge from Lime Down D to be controlled so that the Scheme does not increase flood risk elsewhere.</p> <p>Where formal drainage is required, including the BESS Area and substations, runoff would be intercepted, attenuated and discharged at a controlled rate. The final outfall arrangement will be confirmed at detailed design stage, but it must remain consistent with the assessed drainage principles and would be subject to the necessary detailed approvals. The drainage design would therefore not rely on uncontrolled overland runoff towards Network Rail land, the South Wales Main Line, the existing ditch to the north, or the road between Norton and Hullavington.</p> <p>On this basis, the Scheme would not increase surface water flood risk to the railway line, the existing ditch network, or the local highway network.</p> <p>In response to the comments made in relation to flooding and the solar PV, the Applicant confirms that the Scheme would not result in a loss of absorption capacity from the two fields that would increase flood risk on the road between Norton and Hullavington.</p> <p>The majority of the land within the relevant fields would remain permeable and vegetated. Solar PV Panels would be raised above ground on mounting structures and would drain to the existing ground beneath and between the panel rows. The panelled areas would not be converted into impermeable hardstanding and would not be connected to a positive drainage system that would collect and discharge runoff towards the road.</p> <p>The risk of increased runoff from construction-related soil compaction is also controlled through embedded mitigation, including soil management, defined construction routes, use of appropriate plant, temporary drainage controls and restoration of disturbed ground. These measures are secured through the Outline</p>

No.	Party	Action	Submission deadline	Applicant's response / commentary
				<p>Construction Environmental Management Plan [APP-277] and Outline Soil Resources Management Plan [APP-280].</p> <p>On that basis, the Scheme would not increase flood risk on the road between Norton and Hullavington.</p>