Lime Down
Solar Park

# Applicant's Response to Other Parties' Responses to Examining Authority's First Written Questions

**July 2026**

**Revision 1**

**Planning Inspectorate Reference: EN010168**

**Document Reference: EXAM/9.45**

**The Infrastructure Planning (Examination Procedure) Rules 2010**

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# 1 Introduction

## 1.1 Purpose of Document

1.1.1 This document provides the response of Lime Down Solar Park Limited (the Applicant) to other parties responses to the Examining Authority's (ExA's) First Written Questions that were submitted at Deadline 3 (15 June 2026) by Interested Parties (IPs).

1.1.2 A total of 23 IPs submitted responses to the ExA's First Written Questions and published on the Planning Inspectorate (PINS) website on 17 June 2026. The ExA subsequently exercised its discretion to accept three additional submissions, which were published on the PINS website on 18 June, 19 June and 29 June respectively.

1.1.3 Where IPs provided a response to comments made at Deadline 2, and a response to the ExA's First Written Questions in one document, the relevant information has been added to this document.

## 1.2 Structure of document

1.2.1 This document provides a response from the Applicant to the matters raised in the submissions and is structured as follows:

- **Table 1-1** sets out the list of acronyms used for management documents that form part of the Applicant's submission and may have been referred to by the Applicant in responding.
- **Table 2-1** to **Table 2-24** provide the Applicant's comments on other parties responses to the ExA's First Written Questions

1.2.2 References to the Application documentation are provided in accordance with the referencing system set out in the Planning Inspectorate's Lime Down Solar Park Examination Library.

1.2.3 Revision suffixes have also been attached to any documents which have been revised and resubmitted to the Planning Inspectorate during the Examination.

**Table 1-1 List of Acronyms**

| Acronym | Document |
|---|---|
| BESS | Battery Energy Storage System |
| BNG | Biodiversity Net Gain |
| BSMP | Battery Safety Management Plan |
| CEMP | Construction Environmental Management Plan |
| CNL | Cotswolds National Landscape |

| | |
|---|---|
| CR | Consultation Report |
| CTMP | Construction Traffic Management Plan |
| DCO | Development Consent Order |
| DS | Decommissioning Strategy |
| EIA | Environmental Impact Assessment |
| EPMP | Ecological Protection and Mitigation Plan |
| EPMS | Ecological Protection and Mitigation Strategy |
| EqIA | Equality Impact Assessment |
| ES | Environmental Statement |
| FRADS | Flood Risk Assessment and Drainage Strategy |
| FTE | Full Time Equivalent |
| GVA | Gross Value Added |
| LEMP | Landscape and Ecological Management Plan |
| OEMP | Operational Environmental Management Plan |
| PEIR | Preliminary Environmental Information Report |
| PROWPPMP | Public Rights of Way and Permissive Paths Management Plan |
| SRMP | Soil Resources Management Plan |
| SSCEP | Skills, Supply Chain and Employment Plan |
| SWMP | Site Waste Management Plan |
| WRS | Water Resources Strategy |

# 2 Applicant's Response to Other Parties' Responses to Examination Authority's Written Questions

## 2.1 Wiltshire Council

2.1.1 Wiltshire Council's responses to the Examining Authority's First Written Questions are shown in blue text throughout this table. The Applicant's responses address the comments provided by Wiltshire Council in that blue text.

**Table 2-1 Wiltshire Council**

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| **Air Quality and Emissions** | | | |
| AQ1.1 | The Applicant Wiltshire Council | **Battery Energy Storage System (BESS) Worst Case Scenario and Plume Modelling**<br><br><u>The Applicant:</u><br><br>The applicant is asked to advise how you have determined the worst-case scenario with respect to a single battery energy storage system (BESS) container catching fire. You are asked to detail how this has been informed and what makes it the worst-case scenario, especially as evidence submitted by IPs (too many to list) would suggest that this underplays the worst-case scenario. | The Applicant welcomes Wiltshire Council's agreement that the assessment methodology is appropriate and precautionary, and that the modelling demonstrates no significant adverse effects at receptors. |

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| | | Your reply should go beyond that set out in ES Appendix 15-2 [APP-239]<br>2) What assessments has the applicant carried out to ensure common mode failures do not occur which could lead to multiple containers catching fire simultaneously? Common mode failures could include, but are not limited to, external factors outside the control of the applicant.<br>3) Can the applicant list all the layers of protection the BESS would have in place to prevent a fire of a single container (and spread to other containers). From a quantitative risk assessment perspective, what assurances and/or numerical evidence can the applicant provide that the likelihood of such a scenario and that of multiple containers catching fire are both at a level low enough that would generally be considered acceptable.<br>4) Provide further explanation as to why the Lithium Iron Phosphate (LiFePO4) (known as 'LFP') technology is considered to be a reasonable worst case scenario for the purposes of the plume assessment and outline Battery | |

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| | | Safety Management Plan (oBSMP) [REP1-110]. Explain whether, and if so how, the approach to battery safety would differ if a different lithium-ion battery technology was used (such as Lithium-Nickel-Manganese-Cobalt-Oxide).<br><br><u>Wiltshire Council:</u><br>5) With respect to fire emissions and plume modelling, what is the Council's position regarding acceptance of the applicant's assessment methodology and conclusions, as detailed in [APP-239]. The council can reasonably conclude the methodology is acceptable because it reflects industry-standard modelling techniques, uses recognised input datasets, and provides a transparent, reproducible framework for assessment. As the modelling adopts precautionary assumptions and bounding scenarios, the council can be satisfied that the results are not understated. If impacts are acceptable under these assumptions, real-world impacts are likely to be equal or lower. | |

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| | | The council can therefore accept the conclusions because:<br>• The modelling demonstrates no significant adverse effects at receptors, and<br>• This outcome is supported by a precautionary modelling framework. | |
| AQ1.5 | The Applicant<br>Wiltshire Council<br>Natural England | **BESS Impacts on Wildlife, Livestock and Pets**<br><br>In the case of a thermal runaway event at the BESS, what effect is this likely to have on animals, including wildlife, livestock and pets? The applicant is specifically asked to include an assessment on horses in its response to take account of the potential effects on equine businesses.<br>In the case of a thermal runaway event at the BESS, what effect is this likely to have on animals, including wildlife, livestock and pets?<br>The applicant is specifically asked to include an assessment on horses in its response to take account of the potential effects on equine businesses. | The Applicant notes the Council's comments and refers to the Applicant's response to question AQ1.5 within **9.29 Applicant's Response to the Examining Authority's First Written Questions [REP3-128]** where these matters are addressed. |

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| | | This question goes beyond the council's areas of expertise. The remit of Wiltshire Council's ecology officer's response does not extend to the effects on livestock and pets and relates only to wildlife. The council considers it is for the Applicant to provide a comprehensive answer to the specific question regarding the impact of a thermal runaway on wildlife in the absence of sufficient information within the Environmental Statement (ES). If a thermal runaway event were to occur, the exothermic reaction process would generate large amounts of flammable and potentially toxic battery gas. This could lead to fires that are difficult to extinguish, potentially causing widespread damage. This could lead to the degradation and destruction of habitats, including ancient woodland, ancient species-rich hedgerows and 'important hedgerows' protected by the Hedgerow Regulations 1997, and other priority habitats / habitats of principal importance (HPI), that are high intrinsic ecological value, but which also support wildlife, including protected species, | |

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| | | species of principal importance (SPI) and species of conservation concern (SoCC). As well as damaging and destroying the habitat of faunal species, fire would likely result in injury to and killing of a wildlife.<br><br>The release of toxic battery gas and chemicals into the environment would contribute to pollution, thereby posing risk to wildlife and the habitat upon which they depend. The council does not have sufficient information or time available to attempt to estimate possible numbers of different species / species groups which could be affected by a thermal runaway event as this would be dependent upon the magnitude, duration and extent / area affected by such an incident. Nonetheless, it is considered that such an event could have a very significant adverse effect on fauna, flora and habitats. However, in general and with respect to livestock, the impact of a thermal runaway event will depend on a number of factors, including the distance from the event the livestock are located and the type of livestock. Domestic | |

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| | | livestock on the whole are reasonably docile but an event like a fire with associated noise from emergency services will cause them stress and in some circumstances panic, resulting in a 'stampede' to get away from the event, breaking through fences and gates in the case of cattle and sheep trying to get out any way they can, which can result in death due to entanglement in the fence. In both cattle and sheep, should the animals be pregnant, an event such as this could cause abortions. Horses, and in particular thoroughbreds, are much more prone to stress than cattle or sheep and likely to respond in a more extreme manner than described above, potentially causing injury and death. | |
| **Compulsory Acquisition and Land Rights (CA)** | | | |
| CA1.17 | Any Affected Person Interested Parties | **Accuracy of the Book of Reference, Land Plans and Points of Clarification Q2**<br>The Book of Reference (BoR) [REP1-011] identifies on a plot by plot basis, all parties who own or occupy land and/or have an interest in or right over the land affected by the proposal, and/or who may be entitled to make a 'relevant | **Unregistered land adjacent to the public highway (Plots 01-007, 01-008, 03-059, 03-064, 04-010, 04-011, 04-015, 06-024, 08-001, 11-012, 11-013, 15-002, 15-004, 15-005 and 15-020).**<br><br>In response to Wiltshire Council's query, the Applicant confirms that comprehensive land referencing due diligence has been undertaken across the Project. Where land remains unregistered and ownership cannot be |

<table>
<tr><th>ExQ1</th><th>Question to:</th><th>Question:</th><th>Applicant's Response</th></tr>
<tr><td></td><td></td><td>claim', as defined in section 57 of the Planning Act 2008. Are any Affected Persons or Interested Parties aware of any inaccuracies in the BoR, in the SoR [APP-018] or Land Plans [REP1-004]? If so, please set out what these are and provide the correct details.<br><br>
<table>
<tr><th>Plot Number</th><th>Rights Claimed</th><th>Nature of Rights</th><th>Interested / Affected Party</th></tr>
<tr><td>01-007</td><td>Acquire right to use / carry out works</td><td>Temporary and Permanent Rights (land shaded blue on the Land Plan)</td><td>This is an unregistered strip of land adjacent to highway and is not shown as part of the Wiltshire Council maintainable highway record. The BoR identifies Wiltshire</td></tr>
</table></td><td>definitively established, the Applicant has adopted a precautionary approach by including adjacent landowners. This reflects standard land referencing practice, recognising that ownership of unregistered land is inherently uncertain.<br><br>Given the close proximity of Wiltshire Council's highway interests, the Council has been included in respect of unregistered verges and land adjoining the public highway. This ensures that all potential interests are appropriately captured and notified.<br><br>Plot 02-011<br>In response to Wiltshire Council's query, the Applicant confirms that Wiltshire Council has been included solely in respect of Public Footpath NORT1. The Book of Reference does not identify Wiltshire Council as highway authority for this plot.<br><br>Plots 02-012, 03-061 and 15-003<br>The Applicant confirms that Wiltshire Council has been included in the Book of Reference in its capacity as highway authority. This reflects data made available to the Applicant by the respondent which indicates that Wiltshire Council maintains the relevant sections of public highway within these plots.</td></tr>
</table>

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | Council as "reputed owner" and occupier. The council has no record of ownership of this land. | The inclusion of the Council is therefore considered appropriate and proportionate.<br><br>**Plots 03-004, 03-007 and 03-009**<br><br>In response to Wiltshire Council's query, the Applicant confirms that the available data identifies Public Footpath SHER18 as running to the south of these plots. Accordingly, SHER18 is not located within the queried plots but has been correctly attributed to plots 01-042, 03-001, 03-006 and 03-008, as presented in the Book of Reference (Document 4.3) and subsequent revisions.<br><br>The Applicant is therefore satisfied that the alignment of SHER18 has been accurately represented within the land referencing documentation.<br><br>**Plot 03-049**<br>In response to Wiltshire Council's concern regarding the accuracy of the Book of Reference, the Applicant confirms that Wiltshire Council has been included in respect of plot 03-049 on the basis that available data indicates that Public Byway LUCK57 crosses the northern extent of the plot.<br><br>The inclusion of Wiltshire Council reflects its role as the relevant authority in respect of this recorded public right of way. This approach has been applied consistently within |
| | | | 01-008 | Temporary Possession | Temporary (shading is unclear on the Land Plan but may be linked to plot 01-011) | This is an unregistered strip of land adjacent to highway, but it is difficult to ascertain precisely as the strip is very small/narrow. Note that Plot 01-011 is part of the same adjacent strip and referred to in the Book of |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | Reference (BoR) - Part 1 as "unknown". The BoR identifies Wiltshire Council as "reputed owner" and "occupier". The council has no record of ownership of this land. | the Book of Reference (Document 4.3) and all subsequent updates. |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | 02-011 | Freehold Acquisition | Compulsory Purchase of Freehold (shaded pink on the Land Plan) | Not shown as part of the Wiltshire Council maintainable highway record. Wiltshire Council rights are only in respect of footpath NORT1 which crosses part of this land. | |
| | | 02-012 | Freehold Acquisition | Compulsory Purchase of Freehold (shaded pink on the Land Plan) | Not shown as part of the Wiltshire Council maintainable highway record. The BoR incorrectly identifies Wiltshire | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | Council as owner or reputed owner as highways authority, and occupier (as highways authority). | |
| | | 03-004 | Freehold Acquisition | Compulsory Purchase of Freehold (shaded pink on the Land Plan) | Wiltshire Council is occupier as highway authority (part only) as regards footpath SHER18. Wiltshire Council's interest / public rights in the footpath are not mentioned in the Book | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | of Reference – any acquisition will take subject to the existing footpath. | |
| | | 03-007 | Freehold Acquisition | Compulsory Purchase of Freehold (shaded pink on the Land Plan) | Wiltshire Council is occupier as highway authority (part only) as regards footpath SHER18. Wiltshire Council's interest / public rights in the footpath are not mentioned in the Book of Reference – | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | any acquisition will take subject to the existing footpath. | |
| | | 03-009 | Freehold Acquisition | Compulsory Purchase of Freehold (shaded pink on the Land Plan) | Wiltshire Council is occupier as highway authority (part only) as regards footpath SHER18. Wiltshire Council's interest / public rights in the footpath are not mentioned in the Book of Reference – any acquisition | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | will take subject to the existing footpath. | |
| | | 03-049 | Freehold Acquisition | Compulsory Purchase of Freehold (shaded pink on the Land Plan) | This plot is not shown as part of the Wiltshire Council maintainable highway record. Potentially part of railway and in ownership of Network Rail. The BoR gives Wiltshire Council as occupier in respect of public byway LUCK57. | |
| | | 03-059 | Freehol | Compulsory | This land is an | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | d Acquisition | Purchase of Freehold (shaded pink on the Land Plan) | unregistered strip adjacent to the public highway, but part may be within maintained highway. The BoR gives Wiltshire Council as reputed owner and occupier but at least part of the subsoil may be in ownership of East Dunley Farm. | |
| | | 03-061 | Acquire right to use | Temporary and Permanent Rights (shaded | This plot is not shown as part of the Wiltshire Council | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | / carry out works | blue on the Land Plan) | maintainable highway record. The BoR gives Wiltshire Council as reputed owner and occupier as highway authority, but the council has no record of ownership. | |
| | | 03-064 | Acquire right to use / carry out works | Temporary and Permanent Rights (shaded blue on the Land Plan) | This land is an unregistered strip of land adjacent to the public highway and is not shown as part of the Wiltshire Council maintainable highway | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | record. The BoR gives Wiltshire Council as reputed owner and occupier as highway authority, but the council has no record of ownership. | |
| | | 04-010 | Freehold Acquisition | Compulsory Purchase of Freehold (shaded pink on the Land Plan) | This land is an unregistered strip of land adjacent to the public highway and is not shown as part of the Wiltshire Council maintainable highway record. The BoR gives | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | Wiltshire Council as reputed owner and occupier as highway authority, but the council has no record of ownership. | |
| | | 04-011 | Freehold Acquisition | Compulsory Purchase of Freehold (shaded pink on the Land Plan) | Mainly unregistered strip adjacent to highway but bottom end may be within maintainable highway. The BoR gives Wiltshire Council as reputed owner and occupier as | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | highway authority, but the council has no record of ownership. | |
| | | 04-015 | Freehold Acquisition | Compulsory Purchase of Freehold (shaded pink on the Land Plan) | This land is an unregistered strip of land adjacent to the public highway and is not shown as part of the Wiltshire Council maintainable highway record. The BoR gives Wiltshire Council as reputed owner and occupier as highway authority, | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | but the council has no record of ownership. | |
| | | 06-024 | Freehold Acquisition | Compulsory Purchase of Freehold (shaded pink on the Land Plan) | This land is an unregistered strip of land adjacent to the public highway and is not shown as part of the Wiltshire Council maintainable highway record. The BoR gives Wiltshire Council as reputed owner and occupier as highway authority, but the council has | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | no record of ownership. | |
| | | 08-001 | Acquire right to use / carry out works | Permanent Rights (shaded blue on the Land Plan) | This plot is not showing as part of the Wiltshire Council maintainable highway record and appears to be a pond / drainage feature adjacent the public highway. The BoR gives Wiltshire Council as reputed owner and occupier as highway authority, but the council has | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | no record of ownership. | |
| | | 11-012 | Temporary Possession | Temporary (shaded yellow on the Land Plan) | This land is an unregistered strip of land adjacent to the public highway and is not shown as part of the Wiltshire Council maintainable highway record. The BoR gives Wiltshire Council as reputed owner and occupier as highway authority, but the council has no record of ownership. | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | 11-013 | Acquire right to use / carry out works | Possibly both (shaded blue on the Land Plan) | This land is an unregistered strip of land adjacent to the public highway and is not shown as part of the Wiltshire Council maintainable highway record. The BoR gives Wiltshire Council as reputed owner and occupier as highway authority, but the council has no record of ownership. | |
| | | 15-002 | Tempora | Temporary | Not shown as part of | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | ry Possession | (shaded yellow on the Land Plan) | the Wiltshire Council maintainable highway record. The BoR gives Wiltshire Council as reputed owner and occupier as highway authority, but the council has no record of ownership. | |
| | | 15-003 | Permanent Rights | Permanent Rights (shaded blue on the Land Plan) | Not shown as part of the Wiltshire Council maintainable highway record. The BoR gives Wiltshire Council as reputed | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | | | | owner and occupier as highway authority, but the council has no record of ownership. | |
| | | 15-004 | Temporary Possession | Temporary (shaded yellow on the Land Plan) | Not shown as part of the Wiltshire Council maintainable highway record. The BoR gives Wiltshire Council as reputed owner and occupier as highway authority, but the council has no record of ownership. | |

| ExQ1 | Question to: | Question: | | | | Applicant's Response |
|---|---|---|---|---|---|---|
| | | 15-005 | Temporary Possession | Temporary (shaded yellow on the Land Plan) | Not shown as part of the Wiltshire Council maintainable highway record. The BoR gives Wiltshire Council as reputed owner and occupier as highway authority, but the council has no record of ownership. | |
| | | 15-020 | Acquire right to use / carry out | Temporary and Permanent (shaded blue on the Land Plan) | Not shown as part of the Wiltshire Council maintainable highway record. The BoR gives Wiltshire | |

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| | | works Council as reputed owner and occupier as highway authority, but the council has no record of ownership. | |
| **Climate Change (CC)** | | | |
| CC1.4 | The Applicant Wiltshire Council | **Carbon Cost of Subsequent Food Imports**<br>Wiltshire Council's Local Impact Report (LIR) [REP1-137] details that the loss of Best and Most Versatile (BMV) agricultural land associated with the site equates to approximately 5,000 tonnes of crops/year. Over a period of 60 years this equates to some 300,000 tonnes during the operation of the proposed development. This does not include construction, decommissioning or other periods where the land is left fallow because of the development.<br>The Applicant:<br>You are asked whether replacement food importation should be considered in | The Applicant is producing a Farming and Food Security Technical Note for submission at Deadline 4 that addresses concerns about food security. The Applicant does not consider that the Scheme will directly result in a need for additional food importation. This will be explored in the Farming and Food Security Technical Note.<br><br>The Applicant does not consider that the inclusion of replacement food imports within the lifecycle GHG assessment would be appropriate. Please refer to response CC1.4 in **[REP3-128]** |

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| | | ES Chapter 7 [APP-059] as it would appear to be additional carbon emissions as a direct result of the development. If so, please provide these additional details. If not, provide an explanation.<br>Wiltshire Council:<br>You are asked whether this should be considered in ES Chapter 7 [APP-059]. Please explain your answer and provide reasoning.<br>Research indicates that the carbon footprint of each tonne imported cereal ranges from 250kg – 550kg of carbon dioxide, depending on the type of cereal, how it is produced and where it comes from. Ocean shipping contributes 10 – 30kg of carbon dioxide per tonne, or an extra 150t of CO2/year. However, other than the shipping element this is comparable to home produced cereal production. | |
| **Cultural Heritage (CH)** | | | |
| CH1.2 | The Applicant<br>Historic England | **Heritage Visualisations 1**<br>Paragraph 4.5.1 of ES Appendix 12-1 (Heritage Statement) [APP-219] states that heritage visualisations were agreed with Wiltshire Council on January 2024 | The applicant understood from an email from WC dated the 28th January 2025 that the location of heritage-based viewpoints were agreed with WC. |

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| | Wiltshire Council | (Annex E). However, Annex E only provides a list of heritage viewpoints. Can the applicant please direct the ExA to where the visualisations for these viewpoints are provided? If they have not been provided with the application material, then these are to be provided in response to this ExQ. Historic England and Wiltshire Council are also invited to suggest additional visualisations which they consider should be provided by the applicant to assist the examination, and may find the following documents helpful to inform their consideration – ES Figure 8-10 [APP-099] and ES Figure 12-1 [APP-143]. The applicant is subsequently requested to provide the additional visualisations or justification as to why not.<br>Wiltshire Council has suggested that additional visualisations would be helpful in its Built Heritage section of its Relevant Representation [RR-4934]. It would be helpful if these included a viewpoint looking west from Farleaze Farm towards Site C, where it has been | The Applicant considers the heritage viewpoints to be sufficient to inform **ES Volume 1, Chapter 12: Cultural Heritage [REP3-017]** and would like to enquire as to reasoning for this additional viewpoint to that previously agreed. |

| ExQ1 | Question to: | Question: | Applicant's Response |
|---|---|---|---|
| | | noted that there was limited assessment. | |
| CH1.6 | Historic England<br>Wiltshire Council | Magnitude of Effects<br>Can Historic England and Wiltshire Council confirm if they are satisfied with the applicant's methodology for assessing the impact of the proposed development on heritage assets, particularly the criteria for determining the magnitude of effects, as set out in Table 12-4 of ES Chapter 12 [APP-064]? Wiltshire Council can confirm that it is satisfied from both an archaeological and built heritage perspective. | The Applicant notes this comment and that the Wiltshire Council are satisfied with the applicant's methodology for assessing the impact of the proposed development on heritage assets. |
| CH1.9 | The Applicant<br>Historic England<br>Wiltshire Council | Duration of Harm<br>The applicant states that the proposed development has the potential to indirectly impact heritage assets, but any such effects would be reversible following decommissioning of the proposal. The ExA is concerned about the inference that because the proposal has a capped 60 year duration, the ensuing harm to heritage assets is somehow nullified. The issue around whether a 60 year use is 'temporary' cuts across most topic areas, however, specifically for heritage, the ExA requires | As stated in **9.29 Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**, the duration of the Scheme has not been a factor in identifying the potential for harm to heritage assets. The Applicant notes WC comment regarding construction impacts associated with the cable routes and that this element of the Scheme has the potential to cause at most a low level of harm. |

| ExQ1 | Question to: | Question: | Applicant's Response |
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| | | a clear position from the applicant on the weight they have ascribed to a time capped DCO when assessing the level of harm to heritage assets.<br>Historic England and Wiltshire Council may also wish to comment on this matter.<br>Wiltshire Council can confirm that it has not factored in or replied upon the temporary duration (60 years) of the main installation as a mitigating factor within their assessment of the levels of harm caused to built heritage assets. However, it considers that in the case of the construction impacts associated with the cable routes, the much shorter-term nature of the impacts is a more legitimate mitigation which does factor in to an extent in the already low levels of harm. | |
| CH1.14 | Wiltshire Council<br>The Applicant | **Non-intrusive Construction Methodology**<br>Paragraph 12.9.10 of ES Chapter 12 [APP-064] identifies the field parcels where non-intrusive construction methodology is proposed to protect identified buried archaeological remains. However, the paragraph seemingly | Please see the Applicants response to CH1.14 in **9.29 Applicant's Response to the Examining Authority's First Written Questions [REP3-128].**<br><br>The Applicant respectfully disagrees with WC and believes the OAMS has been prepared in accordance with the principles and intent of the Standard, recognising that it is an outline document appropriate to the DCO stage |

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| | | reserves the right to employ strip, map and sample in those fields instead. This is repeated in paragraph 4.1.1 of ES Appendix 12-6 (Outline Archaeological Mitigation Strategy) [APP-230].<br>Wiltshire Council:<br>Wiltshire Council is asked whether their agreement to this potential alternative method should be sought and secured through the Outline Archaeological Mitigation Strategy or the DCO. Wiltshire Council's agreement to this potential change in mitigation method should be secured through the DCO requirement, not left as narrative in the Outline Archaeological Mitigation Strategy. Any departure from non-intrusive methodology in sensitive fields should require the relevant planning authority's approval, following consultation with the council's Archaeologist, through the written scheme of investigation (WSI) and / or detailed archaeological mitigation strategy (DAMS). Requirement 12 should be amended to state that any intrusive alternative to identified non-intrusive construction methodology must | rather than a fully detailed, site-specific written scheme of investigation.<br><br>Where possible there will be a preference to conserve archaeological remains in situ. Where this is not achievable, the Applicant considers mitigation by record to also form appropriate approach to archaeological mitigation (i.e. through archaeological excavation and/or monitoring).<br><br>The Applicant will continue to discuss the approach to mitigation with WC and update the archaeological mitigation strategy where appropriate. |

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| | | be expressly identified in the WSI / DAMS and approved by the relevant planning authority after consultation with the council's Archaeologist before works in the relevant field parcel commence.<br>The applicant:<br>If the applicant considers that consultation with and consent of the Local Authority to this potential alternative method is already secured, please direct the ExA to the particular control document or dDCO provision(s) in question. | |
| CH1.15 | The Applicant | **Draft Development Consent Order - Requirement 12**<br>The applicant is asked to explain, with reference to the wording of Requirement 12 in the dDCO [REP1-007], how the relevant planning authority and Historic England would be involved in determining the scope for any subsequent archaeological work and additional mitigation measures in the detailed design, as a result of the archaeological investigation referenced in Requirement 12(1).<br>Whilst it is acknowledged that this question was posed to the Applicant, the | The Applicant respectfully disagrees with WC and considers the mechanisms are already in place in Requirement 12.<br>Archaeological investigation in accordance with the Outline Archaeological Mitigation Strategy is secured by Requirement 12, under which site-specific WSIs, setting out the mitigation required, need to be substantially in accordance with and approved by WC.<br><br>The Applicant considers this to be sufficient to mitigate archaeological features and provide WC adequate governance of the scope and execution of mitigation works. |

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| | | council considers that the scope of further work should be set out in a Detailed Archaeological Mitigation Strategy, which needs to be secured via a Requirement (condition) linked to any grant of consent. | |
| CH1.16 | Wiltshire Council | **Grittleton House**<br>The SoCG between the applicant and Wiltshire Council [REP2-025] records that Wiltshire Council considers there may be a need for additional mitigation for Grittleton House in relation to the temporary construction compound and cable route works within its setting. Wiltshire Council is asked to expand on what additional mitigation measures it considers would be necessary.<br>The council considers that the Applicant should work with Grittleton House's owners to identify additional and more robust and effective management proposals to be incorporated in the outline management plans which could assist in mitigating the impact from the scheme on the business and hence on the future viability and conservation of the asset. These could include measures such as the consideration of | Grittleton House (NHLE 1022310) is considered within ES Volume 3, Appendix 12-1: Heritage Statement [APP-219], which assesses its significance, setting and historic relationship with parts of the wider Grittleton Estate. The assessment concludes that, whilst the asset has a historic association with some land within the Scheme, it no longer maintains a relationship with those lands and there would be no harm to its significance or setting arising from the Scheme.<br><br>The Applicant is open to establishing dialogue between the Applicant and owners or business operators of Grittleton House to ensure information around the extent and timing of construction works on the Cable Route Corridor, and the use of the proposed construction compound, can be effectively communicated. Measures relating to construction timing, working practices, remediation and reinstatement are secured through the **Outline CEMP [REP3-092]** by Requirement 13 of Schedule 2 to the **Draft DCO [REP3-005]**. The Applicant will continue to discuss this topic with WC. |

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| | | alternative sites for the construction compound, limited the area of construction served by this particular compound to reduce the time during which it is in use, providing greater certainty over the timing and / or length of the construction of the section of the cable route directly within the field of view from the house and during which the compound will be active. In the council's opinion, the only mitigation that would prevent material harm to the business that operates at Grittleton House would be for the compound to be located at a different location where it could not be seen or heard from the house. | |
| **Cumulative Effects (CE)** | | | |
| CE1.2 | All Local Authorities | List of Cumulative Projects<br>The applicant considered a long list of projects when assessing cumulative effects. Are there any updates or comments regarding any of those applications identified, or have any new applications come to light that are significant enough to require consideration cumulatively with the proposed development? Your response | The Applicant acknowledges this comment and looks forward to hearing the position of Wiltshire Council on this matter at Deadline 4. |

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| | | should consider the D1A submission by Community Action: Whitley and Shaw (CAWS) Annex A Energy and Enabling Schemes in Shaw, Whitley and the Wider Melksham Substation Area [REP1A-019].<br>The council has been unable to provide a response to this question in the time available due to the need to cross-reference data across a variety of sources. Wiltshire Council would politely request that it can provide its response to this question at Deadline 4. | |
| **Draft Development Consent Order (dDCO)** | | | |
| **Questions within this section refer to the dDCO updated at Deadline 1 [REP1-007] (clean version)/ [REP1-008] (tracked version)** | | | |
| DCO1.3 | The Applicant | Article 2(1) (Interpretation) Q3<br>The definition of "maintain" is very broad, such that removal, reconstruction or replacement of the whole of the authorised development could be possible without review of the environmental consequences of those activities. The ExA suggests that the definition is amended as follows with the inserted bold text in subsequent versions of the dDCO: | The Applicant notes this comment. Please refer to the Applicant's response to this question in **[REP3-128]**, and the Applicant's submissions made during Issue Specific Hearing 4 under agenda item 2.1, as summarised in the Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 4 and Responses to Action Points **[EN010168/EXAM/9.51].** The Applicant is confident that the definition of "maintain" is appropriate, noting that it must be read in context with article 5 of the draft DCO. The Applicant notes that the Council has an action to suggest wording in relation to this definition at Deadline 4 and will respond to any drafting proposed. |

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| | | "*maintain" includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any part of, but not remove, reconstruct or replace the whole of the authorised development, and "maintenance" and "maintaining" are to be construed accordingly;*<br>If the applicant disagrees with this recommended revised definition, it is required to explain why.<br>Whilst it is acknowledged that this question was posed to the Applicant, Wiltshire Council agrees with the ExA that the definition of "maintain" is very broad. The council supports the ExA's suggested wording to narrow the Applicant's powers. | |
| | | **Article 2(1) (Interpretation) Q6**<br>The definition of "permitted preliminary works" (PPW) is a broad list. The ExA understands that PPW sit outside the scope of commencement and could be carried out prior to the discharge of the requirements contained in Schedule 2 of the DCO and the approvals required therein. However, there is no associated control document(s) or DCO | The Applicant agrees that PPW sits outside "commencement" but disagrees that the definition is too wide. As referred to in answer DCO1.5 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]** the Applicant considers that use of a management plan for PPW will provide clarity for all parties that the carrying out of such works will not give rise to new or materially different environmental effects, by securing compliance with the relevant embedded mitigations. |

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| | | requirement to govern the scale and extent of PPW, or how the applicant should report any environmental impacts or potential environmental impacts encountered while carrying out PPW.<br>The Applicant:<br>2) The ExA refers the applicant to Requirement 4(1) of the A122 (Lower Thames Crossing) DCO 2025, which required preliminary works to be carried out in accordance with a preliminary works environment management plan. [REP9-190] in the Lower Thames Crossing DCO Examination Library provides the final draft version of the preliminary works environment management plan that fed into Requirement 4(1). The ExA asks the applicant whether it would consider taking a similar approach to the Lower Thames Crossing DCO?<br>2) If not, the applicant is required to explain and justify why PPW seem to be uncontrolled, particularly when they are able to | The Applicant is preparing a permitted preliminary works environmental management plan. This will set out the methodology to be used for any permitted preliminary works, including any restrictions, for example to avoid ecological impacts from site clearance. The new management plan is intended to be submitted at a future deadline. |

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| | | occur anywhere within the Order limits, at any time after the DCO comes into effect, and without any reporting mechanisms to or oversight from a consenting authority, such as Wiltshire Council, the Environment Agency, Natural England or similar.<br>Wiltshire Council:<br>The Council is asked:<br>2) If the definition of PPW is too widely drawn;<br>2) Whether greater control over PPW should be included within the dDCO; and if so<br>What information the Council requires to be provided and when (for example during the examination and in a dDCO Requirement or just in a dDCO Requirement for their approval post consent, but prior to any PPW taking place)?<br>Permitted Preliminary Works (PPW) is currently defined broadly and sits outside "commencement". The definition is too wide, particularly site clearance, intrusive archaeological / geotechnical works, diversion / laying of apparatus | |

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| | | and temporary facilities. The council's requested requirement below follows the approach in Requirement 4 of the A122 (Lower Thames Crossing) Development Consent Order 2025 and Requirement 4 of the A303 (Amesbury to Berwick Down) Development Consent Order 2023, adapted for a solar DCO context. Recent solar DCO's, including Oaklands Farm, Heckington Fen and Gate Burton, also support the principle that permitted preliminary works / site-preparation works should not proceed uncontrolled where they may give rise to environmental, highways, drainage, ecological, arboricultural, archaeological or amenity effects.<br>A requirement should be added that no PPW may be carried out until a Preliminary Works Environmental Plan for the relevant land has been approved in writing by the relevant planning authority, following consultation with relevant consultees. The plan should cover location / extent, access, working hours, ecological / arboricultural / archaeological controls, drainage / pollution prevention, traffic / PRoW | |

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| | | controls, reinstatement, complaints and reporting. | |
| DCO1.6 | The Applicant | **Article 2(1) (Interpretation) Q7**<br>The ExA queries the definition of "public right of way" in Article 2(1), and whether it should be broadened to include any public right of way which is already on the definitive map and which is not extinguished by the Order? The ExA is unclear why the definition as drafted only refers to public rights of way that are added to the definitive map and statement after the making of the Order, particularly when Article 12 for example, relates to temporary closure, restriction or prohibition of use of streets and [existing] public rights of way. In that light, the definition of public right of way in Article 2(1) seems incorrect.<br>The applicant is required to review. Whilst it is acknowledged that this question was posed to the Applicant, from a legal perspective, the council takes the view that the broadening of the definition does not cause any concern as it would make sense that it covers all public rights of way as opposed to new ones. | As outlined in response DCO1.6 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]** the definition of "public right of way" takes the ordinary meaning of public right of way and states that, for the purposes of the Order, it should be read as having both that meaning and also that it includes any public right of way that is added to the definitive map and statement after the Order is made. As the definition covers existing and new public rights of way the Applicant considers this matter to be resolved. |

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| DCO1.13 | The Applicant Wiltshire Council South Gloucestershire Council | **Article 9 – Application of Highway Authority Permit Schemes**<br>Article 9(2)(a) provides that conditions attached to a permit cannot amount to a moratoria. A moratoria under sections 58 and 58A of the New Roads and Street Works Act 1991 is where the highways authority can prohibit further road works to the street following 'substantial road works' by providing notice to stakeholders. The EM sets out that the intention of this is 'ensuring that the permit schemes are not an impediment to the delivery of the authorised development'.<br>The Applicant:<br>Explain<br>What precedent(s) exist for this type of power benefitting the undertaker.<br>If this aim could still be achieved if the powers were limited to use only on certain roads / prior to the date of final commissioning / during decommissioning.<br>Why the applicant needs to apply the appeal process in Schedule 16 of the dDCO, given the imposition of Article 9(2)(b), which already states that a | The reasoning behind Article 9 and its powers is outlined in response DCO1.13 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. The Applicant disagrees with Wiltshire Council's proposed drafting and considers that Schedule 16 is an appropriate mechanism for resolving permit-scheme disputes. Paragraph 4(2)(b) of Schedule 16 confirms that the Secretary of State must appoint a person to determine the appeal, and the nature of the appeal will form part of the consideration as to who is appointed. The ability to make an appeal under Schedule 16 provides a consistent mechanism for determining disputes arising under the DCO. It is noted that nothing in article 9 restricts the Council from imposing conditions under the permit scheme, including as to the timing of works, provided only that such conditions do not amount to imposition of a moratoria or conditions that would lead to the Applicant being in breach of the DCO.<br><br>This is considered an appropriate restriction on the Council's discretion as a moratoria would be an unwarranted impediment to the delivery of the Scheme.<br><br>The appeal process under Schedule 16 provides a certain mechanism to resolve any dispute over whether conditions do amount to a moratoria. Any existing dispute resolution mechanism provided for by the permit scheme itself can still be utilised; however, it is noted that whilst |

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| | | permit may not be granted subject to conditions where compliance with those conditions would constitute a breach of this Order or where the undertaker would be unable to comply with those conditions pursuant to the powers conferred by this Order.<br>The Councils:<br>The ExA would welcome the views of the Councils with regard to how they think this Article would work in practice in its currently drafted form, and whether the ExA's alternative suggestion of restricting the power to use only on certain roads / prior to the date of final commissioning / during decommissioning would be a more suitable outcome.<br>In practice, Article 9 as currently drafted would constrain the council's ordinary permit-scheme controls by preventing refusal of a permit, or the imposition of permit conditions, where those controls amount to the application of restrictions under sections 58 or 58A of the 1991 Act. Wiltshire Council is pragmatic in relation to those provisions and does not anticipate relying on them unreasonably. | the Wiltshire Council Permit Scheme does provide for adjudication, the decision of the adjudicator will only be final if the parties agree to this. It is therefore considered necessary to incorporate a binding appeal mechanism to enable disputes to be finally determined.<br><br>We note that disputes under the Protective Provisions for the benefit of Wiltshire Council as local highway authority are proposed to be resolved by Expert Determination and the Applicant has agreed to this. |

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| | | However, the council does not consider that the undertaker has justified a blanket restriction on the council's ability to rely on those provisions where necessary for highway asset protection, network co-ordination or public safety. The council agrees with the ExA's alternative suggestion that any relaxation of the permit scheme should be restricted. Any relaxation of restrictions under sections 58 or 58A should be limited to specified Article 8 street works, on specified streets, where reasonably necessary for construction or decommissioning and where the undertaker has demonstrated that there is no reasonably practicable alternative programme. The Council's wider concern is with Article 9(3). The Council does not consider that Schedule 16 is an appropriate mechanism for resolving ordinary permit-scheme disputes. Permit decisions involve highway safety, timing, traffic management, network management, co-ordination, apparatus protection and road-space management. Those matters should remain subject to the ordinary permit-scheme framework | |

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| | | and should not be recast as DCO requirement-discharge disputes. The Council therefore requests Art 9 be replaced as follows:<br>*9.—(1) The permit schemes apply with the modifications set out in this article to street works carried out under the power conferred by article 8 (street works). (2) Paragraph (3) applies only to street works carried out under article 8 in the streets specified in Schedule 4 where— (a) the works are reasonably necessary for the construction or decommissioning of the authorised development; (b) the undertaker has demonstrated to the relevant permit authority that there is no reasonably practicable alternative programme for those works which would avoid the restriction referred to in paragraph (3); and (c) the relevant permit authority is satisfied that the works can be carried out without unacceptable adverse effects on highway safety, traffic management, network management, emergency access, the structural integrity of the highway, the protection or placing of apparatus, public rights of way, or the* | |

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| | | *co-ordination of works in the street. (3) Where paragraph (2) applies, a permit may not be refused, or granted subject to conditions, solely on the basis that the permit authority has imposed restrictions under section 58 (restrictions on works following substantial road works) or section 58A (restrictions on works following substantial street works) of the 1991 Act. (4) Nothing in paragraph (3) prevents the relevant permit authority from refusing a permit or granting a permit subject to conditions where it considers this necessary or appropriate in the interests of highway safety, traffic management, network management, emergency access, the structural integrity of the highway, the protection or placing of apparatus, public rights of way, or the co-ordination of works in the street. (5) Schedule 16 (procedure for discharge of requirements) does not apply to any decision to refuse a permit, grant a permit subject to conditions, vary a permit, or to any other decision, consent, approval, certificate, notice, permit, dispute or other matter arising under or in connection with— (a) a* | |

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| | | *permit scheme; or (b) Part [X] of Schedule 15 (protective provisions for the protection of Wiltshire Council as local highway authority). (6) Nothing in this article limits, excludes or modifies Part [X] of Schedule 15, and the grant of a permit under a permit scheme does not constitute an approval under Part [X] of Schedule 15 unless Wiltshire Council expressly confirms in writing that it is to have that effect.* | |
| DCO1.14 | The Applicant | **Article 10 - Power to alter layout, etc., of streets**<br>The power in Article 10 authorises alteration etc. of any street within and beyond the Order limits. The EM [REP1-009] does not explain why both the specific and the general power are needed, and reliance on the use of the same provisions in other DCOs is not sufficient justification.<br>The applicant is required to explain why it requires power to alter any street, including ones outside the Order limits, rather than just those streets identified in the relevant schedules (for example Schedule 4 (streets subject to street works)/ Article 8; Schedule 5 (alteration | The reasoning behind Article 10 and its powers is outlined in response DCO1.14 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. As noted during agenda item 2.3 during Issue Specific Hearing 4, the Council's request for further works to the highway outside of the Order Limits, as discussed during Issue Specific Hearing 3, would be one example of unforeseen works beyond the Order Limits. The purpose of these provisions is to ensure that no other statutory consent is required for the works, such that everything required can be carried out under the powers in the DCO. Please also refer to the summary of the Applicant's submissions at agenda item 2.3 in the Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 4 and Responses to Action Points **[EN010168/EXAM/9.51].** |

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| | | of streets) / Articles 10 and 11; and Schedule 7 (access to works) / Article 14)?<br>Although there is a requirement to obtain the street authority's consent in Article 10(4), the ExA note that this is subject to the provisions in Article 47 (Procedure in relation to certain approvals etc.), and the deemed consent provision if the consent application is not determined in 6 weeks. The applicant is required to justify the applicability of a deemed consent provision in this instance.<br>Whilst it is acknowledged that this question was posed to the Applicant, Wiltshire Council's Highways Development Management (HDM) is similarly concerned as to why it is deemed necessary for Article 10 of the DCO to confer powers under (2) to "alter the layout of any street", so not just the streets identified with the Work Area plans and within the DCO Order Limits. Whilst Article 10(4) requires the Applicant to consult with the street authority, with the consent process to be in a form reasonably required by the street authority, the 6-week limit for | Article 15 of the draft DCO provides that agreements may be entered into with street authorities, including the highway authority.<br><br>Whilst the Applicant recognises the Council's preference for protective provisions, it also notes that it remains open to the Council to enter into an agreement, akin to a section 278 agreement, pursuant to article 15. The agreement would be made under article 15 as the DCO is the source of the Applicant's streets powers, and not the Highways Act 1980 (under which section 278 agreements are entered into). |

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| | | determination / approval under Article 47(4) is a real concern as the council will have no idea as to the scale or complexity of any highway works outside the DCO Order Limits which the Applicant may seek to propose in the future. As such, the council see no reason why the Applicant should not follow the standard Wiltshire Council s278 Agreement process for developers works to the highway where the works duly required and proposed are outside of the DCO Order Limits. It is implied from Article 10 that works identified under (1) are not subject to the same consent or approval requirements given under (3) and (4). This has been a significant area of contention in the DCO drafting from the start and, to this extent, Wiltshire Council is seeking the insertion of 'Protective Provisions' in Schedule 15 to protect its interest where works to the public highway are concerned. However, these provisions as currently drafted would relate on to defined 'Roadworks' or 'Cable Works' within the Order Limits of the DCO, and specifically to Works Area Nos 8A and 8B indicated within the | |

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| | | Works Plans. In other words, they would provide the authority with no protection in respect of works which the Applicant may propose outside the Order Limits. As such, and as stated above, this must be controlled using the standard s278 Agreement process, and so DCO powers under Article 10(2) waived for highway works which the Applicant 'may' propose or seek outside the Order Limits. | |
| DCO1.15 | The Applicant<br>Wiltshire Council<br>South Gloucestershire Council | **Article 11 - Construction and maintenance of altered streets**<br>The Applicant:<br>As construction is set to last at least 2 years, does Article 11(1)(b)(ii) mean that a street altered in the early construction phase would need to be maintained at the Council's expense for the second year of the construction period and thereafter?<br>On the basis that some (if not all) of the altered streets would continue to be used by construction vehicles for the duration of the construction period (and indeed during the maintenance period), is it not feasible that there is potential for damage or degradation of those streets | Article 11(1)(a) requires that the alterations to the street must be completed to the reasonable satisfaction of the street authority. The issue of a provisional certificate is the mechanism used by highway authorities to confirm that works have been completed to their reasonable satisfaction.<br><br>Article 11(1)(b) then provides for maintenance responsibility to revert to the street authority following the expiry of 12 months from the works being completed to the authority's reasonable satisfaction. Article 11(2) recognises that action may be taken against the undertaker in the event of a failure to maintain a street under article 11. This enables the highway authority to recover any additional costs that it may incur should the Applicant fail to maintain an altered highway during the 12 month period referred to in article 12(b). |

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| | | to occur as a result of construction vehicle usage beyond the period of 12 months from the date the alteration of that street is completed? In that regard the timing of the Council becoming liable for the maintenance and expense of such streets as imposed by Article 11(1)(b)(ii) is required to be justified.<br>The Councils:<br>Please comment on whether it would be more reasonable to amend Article 11(1)(b)(i) to require the undertaker to maintain the streets it alters for the entire duration of the construction period and for a subsequent 12 months before the Council becomes responsible for ongoing maintenance.<br>Under the s278 Agreement process that would otherwise generally apply, the highway works when completed and deemed satisfactory would be issued with a Provisional Certificate of Completion. At this point a 12-month 'Defects' or 'Maintenance' period would ensue with the developer retaining responsibility for maintenance during this time. Following a further inspection at the end of this period, the council | The Applicant does not accept that construction of the Scheme will require any extraordinary trafficking. It remains open to the Council to recover any excess expenses that it can demonstrate are a consequence of the Scheme under section 59 of the Highways Act 1980.<br><br>The Applicant does not anticipate any such claim, noting that the outline Construction Traffic Management Plan **[REP3-108]** requires road condition surveys to be carried out and damage attributable to the Scheme to be repaired.<br><br>The Applicant has prepared protective provisions for the protection of the Local Highway Authority.<br><br>Negotiations on these protective provisions between the Applicant and Wiltshire Council are ongoing. The Applicant intends to include the current version of the protective provisions in the **Draft Development Consent Order [REP3-005]** at Deadline 4. |

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| | | would take-over maintenance. This is the way Article 11(1)(b) is drafted at present, but the point about the risk of consequent damage by construction trafficking to highway works completed early in the construction phase is a good one. As the council is mindful that construction damage to the narrow rural roads being proposed for HGV construction access could be far more widespread than subsequent damage to completed areas under works, the council is seeking a formal s59 Agreement (Highway Act 1980) within the DCO to cover potential damage to this wider network caused by extraordinary trafficking. If this is in place, then it would potentially cover damage defects liability for included road lengths which have been subject to works beyond the 12-month period. Alternatively, the council considers that the issue is best addressed by making Article 11 expressly subject to the Wiltshire highway protective provisions (as amended by Wiltshire Council). Those protective provisions require the undertaker to maintain the relevant road | |

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| | | networks until the local highway authority issues the final certificate(s). The final certificate mechanism is preferable to a date tied to final commissioning because it is linked to highway completion, condition surveys, remedial works, defects, as-built information and the council's inspection and certification process. Wiltshire Council therefore requests that Article 11(1)(b) be replaced as follows: (b) unless otherwise agreed with the street authority and subject to Part [X] of Schedule 15, be maintained by and at the expense of—<br>(i) the undertaker— (aa) for a period of 12 months from the date the alteration of that street is completed; or (bb) where the street forms part of the local road network and the alteration constitutes or forms part of road works or cable works to which Part [X] of Schedule 15 applies, until the final certificate has been issued under that Part, Whichever is the later; and (ii) the street authority, from the expiry of the period referred to in sub-paragraph (i). | |

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| DCO1.16 | The Applicant | **Article 12 - Temporary closure, restriction or prohibition of use of streets and public rights of way Q1**<br>Article 12(1)(b) authorises the use of motor vehicles on public rights of way (PRoW) and Article 12(1)(c) authorises excluding all pedestrians 'for any reasonable time'. The ExA note that the EM [REP1-009] at paragraph 4.3.8 explains the need for motor vehicles on PRoW, but it does not cover 12(1)(c). The applicant is requested to update the EM to justify the inclusion of Article 12(1)(c).<br>The applicant is also requested to explain what it means by the words 'for any reasonable time' in Article 12(1), as those words are not defined or qualified. Should the drafting be changed to limit this power?<br>Whilst it is acknowledged that this question was posed to the Applicant, from a legal perspective, the council would agree that a reasonable time needs to be expressly stated to avoid possible conflicts. It is suggested that this could be amended to cover just the | The Applicant explains what it considers to be a 'reasonable time' in response DCO1.14 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. In summary, will depend on the circumstances of that closure and any relevant health and safety requirements. The use of 'reasonable time' ensures that the closure cannot be for longer than is actually necessary to achieve the purposes of the closure.<br><br>What is 'reasonable' in the circumstances will be controlled by the detailed Construction Traffic Management Plan (in respect of highways) and the detailed Public Rights of Way and Permissive Paths Management Plan, all of which must be approved by the relevant planning authority. |

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| | | period of construction at that specific part of the Lime Down development. | |
| DCO1.17 | The Applicant | **Article 12 - Temporary closure, restriction or prohibition of use of streets and public rights of way Q2**<br>Article 12(2) provides that the undertaker must '*provide reasonable access for pedestrians going to or from premises abutting a street or public right of way affected by the temporary alteration, diversion, prohibition or, restriction, of a street or public right of way under this article if there would otherwise be no such access.'*<br>The ExA queries why this provision (where it relates to PRoW) is confined to pedestrians only and not other users of PRoW, noting that some PRoW are also open to cyclists and horse riders?<br>The ExA also queries what provisions are in place for people who require vehicular access to/ from a street where there would otherwise be no such access?<br>Whilst it is acknowledged that this question was posed to the Applicant, a Temporary Traffic Regulation Order (TTRO) in most cases restricts the | In response DCO1.17 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]** the Applicant explains that Article 12(2) mirrors section 14 of the Road Traffic Regulations Act 1984 and the power under the DCO must be exercised in the same way as the equivalent restriction issued under the Road Traffic Regulations Act 1984, which is where the power to create TTROs originates. The temporary closure will be taking place to facilitate the construction of works on or near the road or PRoW and it is appropriate that any exceptions whereby members of the public may nevertheless utilise the road (which will be within a construction site) are kept to a minimum. |

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| | | movement of vehicles and pedestrians are exempt unless specifically restricted. Any TTRO should state "reasonable access" to properties affected – this means access (including vehicular) from one end of the closure or the other, but access through the work site may not be possible. Access provision should also allow for cyclists and equestrians to leave their home or field, although it is acknowledged that this may only apply in a few locations. | |
| DCO1.20 | Wiltshire Council South Gloucestershire Council | **Article 16 - Traffic regulation measures**<br>The Applicant:<br>Can the applicant explain why this Article appears to apply to any road within and outwith the Order limits?<br>The Councils:<br>Before exercising the power of Article 16(1), which relates to matters such as varying traffic speed, stopping/ waiting/ loading restrictions, restricting the use of a road and so on, Article 16(5)(b) requires the undertaker to publish its intention to make the provision not less than 7 days beforehand in one or more newspapers circulating in the area in | The Applicant considers the timescales in Article 16(5)(a) and Article 16(5)(b) to be appropriate. These provide that 4 weeks notice must be given to the chief officer of police and the traffic authority, and a newspaper notice must be published at least 7 days before the traffic management measure takes effect.<br>The outline Construction Traffic Management Plan [REF] contains provisions relating to traffic management including a requirement for any signs or signals to be submitted to and approved by the relevant authority. The timescales within article 16 therefore represent the minimums, but do not account for the fact that the highway authority would have been aware of the works as they would be approved as part of the detailed CTMP. |

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| | | which any road to which the provision relates is situated.<br>The Councils are asked to advise whether the minimum notice publication period of 7 days is sufficient, and whether the notice needs to be extended to digital publication and/or on-site notification?<br>Wiltshire Council believes the timeframes in Article 16(5)(a) and (5)(b) should be 8 weeks and 2 weeks respectively to allow time for full consultation and advertising twice. This aligns with industry best practice and will not unduly add strain on existing resources. Digital publication will probably become statutory during the lifetime of the DCO and therefore the article should accommodate this. On-site publication for temporary Traffic Regulation Orders (TRO) are not prescribed, so the council does not do on-site notices. | The Applicant is confident that the timescales in article 16 reflect appropriate minimum notice periods. The timescales in relation to the making of temporary traffic regulation orders (TTRO) are found in the Road Traffic (Temporary Restrictions) Procedure Regulations 1992 (the Procedure Regulations). Regulation 3 confirms that, for TTRO made under section 14 of the Road Traffic Regulation Act 1984, "not less than 7 days before making an order, the traffic authority shall publish notice… in one or more newspapers circulating in the area…". Regulation 3 also provides that the chief officer of the police must be notified only "on or before the day on which the order is made".<br><br>Article 16 mandates the minimum timescales, which align with or are more generous than the standard procedure for making TTROs. It remains open to the Applicant to provide greater notice periods should this be appropriate, and considers this to be a matter to be managed through the detailed CTMP as greater or lesser notice may be appropriate depending on the exact traffic regulation measures proposed. |
| DCO1.26 | The Applicant | **Article 40 - Felling or lopping of trees and removal of hedgerows Q1**<br>Article 40 includes broad provisions to lop trees and shrubs anywhere '*near*' the authorised development, and not just | Please refer to the Applicant's response to DCO1.26 in **[REP3-128]**. In order to have the power to lop a tree or shrub, the Applicant must reasonably believe it necessary to do so because of obstruction or interference with the construction, maintenance or operation of the authorised |

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| | | within the order limits or encroaching the order limits.<br>Explain what is meant by 'near'.<br>Should Article 40(1) be updated to include the following words in **bold** *'…near* any part of the authorised development ***within the Order limits*** *or* ***encroaching upon the Order limits****, or cut back its roots …."*?<br>Should Article 40(1) include a requirement to consult/seek agreement from Wiltshire Council for felling, lopping or removing, before it invokes the power?<br>Whilst it is acknowledged that this question was posed to the Applicant, the council's Arboricultural Officers feel that the current wording is ambiguous and could result in excessive and / or unnecessary works or felling of trees. Therefore, the council agrees that Article 40(1) should include a requirement to consult and seek approval from Wiltshire Council for felling, lopping or removing, before this power is invoked. Furthermore, the council considers that the Article should be limited to "within the Order limits" rather than "near". | development, is a danger to persons using the authorised development, or obstructs construction vehicles. The tree must therefore be of such proximity to the Order Limits that it is causing such an interference and would therefore only apply to trees that are effectively adjacent to the Order Limits. Please also refer to the Applicant's response to Action Point 3 in [ISH4 Actions REF] which confirms the Applicant's existing powers in relation to tree felling as a licence holder under the Electicity Act 1989.<br><br>The Applicant considers that a requirement to seek separate approval from the Council for felling, lopping or removal of trees within the Order limits would not be appropriate.<br><br>To the extent works to trees are required for the construction of the Scheme, the Order contains appropriate safeguards, within the Outline CEMP **(EN010168/APP/7.12)** including the production of an Arboricultural Method Statement, which secure the manner in which such works are undertaken. The detailed CEMP must be approved by the relevant planning authority,<br>On that basis, works to trees within (or encroaching into) the Order limits should be treated as authorised development and are already subject to appropriate approval and oversight through approval of the detailed CEMP. |

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| DCO1.27 | The Applicant | **Article 40 - Felling or lopping of trees and removal of hedgerows Q2**<br>Article 40(4) states that 'the undertaker may, for the purposes of the authorised development or in connection with the authorised development and subject to paragraph (2), remove the hedgerows specified in the table in Part 1 and the table in Part 2 of Schedule 12 (hedgerows to be removed) to the extent set out in the ecological protection and mitigation strategy approved pursuant to requirement 8 in Schedule 2 (requirements).' However, when describing the extent and location of hedgerow removal in Schedule 12, the applicant refers instead to the 'hedgerows plan'.<br>The ExA assumes that this reference should actually be to the Tree Protection Order (TPO) and Hedgerow Plan [APP-011], but in any event, the ExA questions why the extent of hedgerow removal set out in figures within Annex A of the ecological protection and mitigation strategy [REP1-106] cannot simply be | The Applicant notes the Council's comments and refers to the Applicant's response to question DCO1.27 within the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. |

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| | | shown on the TPO and Hedgerow Plan [APP-011] instead.<br>The ExA considers that there is unnecessary confusion built into the drafting of Article 40(4) and its corresponding Schedule 12, which should be resolved and simplified.<br>In addition, in relation to updating Schedule 12 with the correct plan name, please also re-order the hedgerow ID column into numerical order.<br>Wiltshire Council welcomes this question from the ExA as it goes directly to concerns raised in previous council responses. | |
| DCO1.28 | The Applicant<br>Wiltshire Council | **Article 41 - Trees subject to tree preservation orders (TPOs)**<br>Article 41 gives deemed consent for the applicant to fell or lop or cut back the roots of any tree that is subject to a tree preservation order in Part 4 of Schedule 12 and shown on the TPO and hedgerow plan, or that is within or overhanging land within the Order limits and the relevant tree preservation order was made after the date of the Lime Down Order.<br>The Applicant: | The Applicant refers to its response at DCO1.28 within the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**, and its response to Action Points 3 and 4 in [ISH4 Action Points Ref].<br><br>The Applicant, as a licence holder under the Electricity Act 1989, benefits from existing powers to fell trees and this activity, in relation to TPO trees, is excepted from the requirement to obtain prior consent from the planning authority. |

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| | | There is no Part 4 in Schedule 12. The ExA believes the reference in Article 41 should be to Part 3. Please review and amend accordingly.<br>The ExA note that only two TPOs are included in Part 3 – N/TPO8 and N/TPO42. In the TPO and hedgerow plan [APP-011], N/TPO8 is shown as a considerable area covering most of Grittleton. The applicant is requested to confirm that this is correct and provide a copy of the Council's TPO record(s)/ plan(s) for the trees in question. With regard to N/TP042, there are 9 separate areas shown with this reference number in the TPO and hedgerow plan; again the applicant is requested to confirm that this is correct and provide a copy of the Council's TPO record(s)/ plan(s) for the trees in question.<br>Wiltshire Council:<br>Given the importance of trees subject to TPOs, should the applicant be required to consult/ seek agreement from the Council to fell or lop or cut back the roots of any tree that is subject to a TPO during the maintenance, operation or decommissioning stages? | Notwithstanding this, the Applicant has updated the draft DCO **[REP3-005]** to include a requirement to notify the relevant planning authority of any works to be carried out to protected trees. |

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| | | Further, following the submission from the applicant of the relevant TPO records/ plans referred to in Part 3 of Schedule 12 and required by EXQ1 DCO1.28 (2) above, the Council may wish to comment further at D4 on the appropriateness of the deemed consent provisions over these trees/ groups of trees.<br>Given that all works to trees, including individual, groups and woodlands, that are protected by a Tree Preservation Order require consent from the LPA, even when proposing works to their own trees, it is appropriate that the Applicant should be required to consult and seek approval from the council to fell or lop or cut back the roots of any tree that is subject to a TPO during the maintenance, operation or decommissioning stages.<br>Therefore, the council would require prior written approval to works to TPO trees outside the construction works specifically assessed and authorised. Deemed consent should not operate as a blanket long-term permission for future operational / maintenance / | |

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| | | decommissioning works. The Local Authority is under a statutory duty to act reasonably and the DCO could have provision in that any approval by the Council (a) must not be unreasonably withheld; (b) must be given in writing; and (c) may be subject to any conditions as the Council considers necessary. Article 41 should be amended so TPO works during maintenance, operation or decommissioning require prior written approval of the relevant planning authority / tree offer, except in emergency. | |
| **Schedule 2 – Requirements** | | | |
| DCO1.35 | The Applicant | **The use of the word 'substantially'** The ExA note that Requirements 6 to 20 which require approval of detailed documents, employ the phrase *'must be substantially in accordance with…'* [the outline version of the said document]. The ExA is concerned that inclusion of the word 'substantially' provides flexibility that is not justified. The ExA also notes that the Environment Agency has also commented on this issue [REP1-151] in relation to Requirements 6, 11 13, 14 and 20, stating that the | The reasoning behind the use of the word 'substantially' is outlined in response DCO1.35 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. In summary, the Applicant considers the use of the word appropriate and provides necessary flexibility for the detailed design of the Scheme without watering down the environmental protection provided by the Requirements and the management plans. As discussed during Issue Specific Hearing 4, a targeted approach has been taken to identifying Requirements where a detailed management plan should be 'substantially in accordance' with the outline plan, and where elements such as the design should simply be 'in |

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| | | inclusion of the word may erode the environmental protections put in place, that the overarching plans provide a large scope for the detail to come later, and the Rochdale envelope applies, such that flexibility is built into the process.<br>Delete the word 'substantially' in the wording of Requirements 6 to 20 or provide reason and justification for its inclusion in each of the Requirements.<br>Whilst it is noted that this question is posed to the Applicant, Wiltshire Council shares the ExA's concerns regarding the inclusion of the word "substantially", as this word is considered too nebulous.<br>The council considers that "substantially" should be deleted from Requirements 6 to 20. | accordance with' the design parameters. The Applicant notes that the Council has an action to identify any specific Requirements where the use of 'substantially in accordance with' should be further justified and will respond to this in due course. Please also refer to Applicant's submissions under agenda item 2.9 in the Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 4 and Responses to Action Points **[EN010168/EXAM/9.51].** |
| DCO1.36 | The Applicant | **Approvals process**<br>The ExA note that a large number of Requirements which require submission of documents for approval by the planning authority do not specify that approval is to be provided in writing. Schedule 16 also does not confirm that approvals or refusals are to be provided in writing. The ExA note that Article 47 | As outlined in response DCO1.36 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**, the Applicant has updated paragraph 2(2) of Schedule 16 to require that the relevant planning authority must "give notice in writing to the undertaker of its decision". Please see the updated **Draft Development Consent Order [REP3-005]** submitted at Deadline 3. |

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| | | includes an obligation that any consent, agreement or approval to be validly given, must be given in writing, but specifically excludes this obligation for Requirements. The applicant is asked to explain that exclusion in Article 47.<br>The applicant is also asked to consider making changes to the Requirements and Schedule 16 to specify that all decisions relating to the discharge of Requirements are required to be made in writing, or explain why that is not necessary.<br>Whilst it is noted that this question is posed to the Applicant, Wiltshire Council agrees with the ExA and considers that any approval from the relevant planning authority on Requirements must be given in writing. The council supports this inclusion and requests that the relevant wording be updated accordingly. | |
| DCO1.37 | The Applicant<br>Wiltshire Council | **Requirement 5 - Detailed design approval**<br>The Applicant:<br>Requirement 5 is missing a '— *(1)'.*<br>Please insert at next iteration of the dDCO. | The Applicant has responded to this comment in its response DCO1.37 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128].** |

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| | | Both Parties:<br>On the basis that Work Nos 1, 2 and 3 would include some form of fencing, gates, boundary treatment, other means of enclosure, signs, and CCTV and lighting columns, the ExA considers that this detail may need to form part of the detailed design approval, and thus may need to be included as a new sub point 5(1)(h).<br>Both parties are asked to comment on that suggestion.<br>In addition, both parties are asked to comment on whether the following tailpiece in **bold** text should be added to Requirement 5(2):<br>*(2) The details submitted must accord with Table 2-1, Table 2-2 and Table 2-3 (as applicable) of the design principles and parameters,* ***and the relevant planning authority must be*** **satisfied that there would be no materially new or materially different environmental effects to those identified in the environmental statement.**<br><br>Wiltshire Council agrees with the ExA's proposed amendments, as those | The elements listed are already subject to approval under other Requirements, and the additional wording is unnecessary and would be a potentially unclear duplication of an existing restriction. The Applicant is producing a document to signpost to where design and mitigation measures are contained within the various management plans, and this will be provided at Deadline 5. The Applicant further refers to its submissions under agenda item 2.9 in the Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 4 and Responses to Action Points **[EN010168/EXAM/9.51].** |

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| | | elements are capable of materially affecting landscape, heritage, visual amenity, ecology and public safety and should be included within the detailed design approval.<br>A new sub-paragraph should be added to Requirement 5 requiring details of fencing, gates, boundary treatment, signs, CCTV and lighting columns for Work Nos. 1, 2, 3. Paragraph (2) should also be amended to include, "and the relevant planning authority must be satisfied that there would be no materially new or materially different environmental effects to those identified in the environmental statement."<br>As stated in previous submissions [RR-4934, REP1-137 and REP2-048], the council considers that additional amendments to Requirement 5 are required. | |
| DCO1.38 | The Applicant<br>Wiltshire Council<br>Dorset and Wiltshire Fire and | **Requirement 6 - Battery safety management**<br>The ExA seeks comment from all parties on whether it is necessary to introduce a review and re-approval mechanism into Requirement 6, so that as technology advances and as batteries are | The Applicant notes this comment. The Applicant has responded to this matter in its response DCO1.38 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. |

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| | Rescue Service | periodically replaced, the Battery Safety Management Plan is updated.<br>Whilst it is acknowledged that this would not ordinarily be required in the grant of planning permission, the council considers that this seems like a prudent approach. However, the council will defer to the Dorset and Wiltshire Fire and Rescue Service as it is outside the council's expertise. | A mechanism for review has been added into paragraph 6.1.2, and is shown in the tracked version of the **outline Battery Safety Management Plan [REP3-107]**. |
| DCO1.39 | The Applicant | **Requirement 7 - Landscape and ecological management plan**<br>The ExA seeks comment on whether it is necessary to include reference to PPW in Requirement 7(1) as noted in **bold** text as follows:<br>*7.—(1) No part of the authorised development may commence **and no permitted preliminary works comprising site clearance may take place** until a written landscape and ecological management plan has been submitted to and approved by the relevant planning authority for that part in consultation with the relevant statutory nature conservation body.*<br>Whilst it is noted that this question is posed to the Applicant, Wiltshire Council | The Applicant has responded to this matter in its response DCO1.39 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**.<br><br>The Applicant welcomes the Council's agreement that this amendment is not required where a management plan for permitted preliminary works is secured within the Requirements. Please refer to Requirement 13 of the **Draft Development Consent Order [REP3-005]**. |

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| | | is supportive of these proposed amendments as it is the council's view that the permitted preliminary works should be covered by the Requirements if a separate Requirement requiring a Preliminary Works Environmental Management Plan is not included in the DCO as requested in the response to DCO1.5 above. | |
| DCO1.40 | The Applicant | **Requirement 8 - Ecological protection and mitigation strategy**<br>The ExA seeks comment on whether it is necessary to include reference to PPW in Requirement 8(1) as noted in **bold** text as follows:<br>*8.—(1) No part of the authorised development may commence, **and no permitted preliminary works comprising site clearance may take place** until a written ecological protection and mitigation strategy has been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body.*<br>Whilst it is noted that this question is posed to the Applicant, Wiltshire Council is supportive of these proposed | The Applicant has responded to this matter in its response DCO1.40 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**.<br>The Applicant welcomes the Council's agreement that this amendment is not required where a management plan for permitted preliminary works is secured within the Requirements. Please refer to Requirement 13 of the **Draft Development Consent Order [REP3-005]**. |

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| | | amendments as it is the council's view that the permitted preliminary works should be covered by the Requirements if a separate Requirement requiring a Preliminary Works Environmental Management Plan is not included in the DCO as requested in the response to DCO1.5 above. | |
| DCO1.41 | The Applicant | **Requirement 9 - Biodiversity net gain**<br>The ExA seeks comment on whether it is necessary to include reference to PPW in Requirement 9(1) as noted in **bold** text as follows:<br>*9.—(1) No part of the authorised development may commence* ***and no permitted preliminary works comprising site clearance may take place*** until *a biodiversity net gain strategy has been submitted to and approved by the relevant planning authority, in consultation with the relevant statutory nature conservation body*<br>Whilst it is noted that this question is posed to the Applicant, Wiltshire Council is supportive of these proposed amendments as it is the council's view that the permitted preliminary works | The Applicant has responded to this matter in its response DCO1.41 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**.<br><br>The Applicant welcomes the Council's agreement that this amendment is not required where a management plan for permitted preliminary works is secured within the Requirements. Please refer to Requirement 13 of the **Draft Development Consent Order [REP3-005]**. |

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| | | should be covered by the Requirements if a separate Requirement requiring a Preliminary Works Environmental Management Plan is not included in the DCO as requested in the response to DCO1.5 above. | |
| DCO1.43 | The Applicant | **Requirement 12 - Archaeology**<br>Delete the following symbols [ … ] around Requirement 12(1).<br>Also, the ExA seeks comment on whether it is necessary to include reference to PPW in Requirement 12(2) as noted in **bold** text as follows:<br>*12 (2) No part of the authorised development may be commenced* ***and no permitted preliminary works comprising intrusive archaeological surveys may take place*** *until a written scheme of investigation for that part has been submitted to and approved by the relevant planning authority.*<br>Whilst it is noted that this question is posed to the Applicant, Wiltshire Council is supportive of these proposed amendments as it is the council's view that the permitted preliminary works should be covered by the Requirements if a separate Requirement requiring a | The Applicant has responded to this matter in its response DCO1.43 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**.<br><br>The Applicant welcomes the Council's agreement that this amendment is not required where a management plan for permitted preliminary works is secured within the Requirements. Please refer to Requirement 13 of the **Draft Development Consent Order [REP3-005]**. |

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| | | Preliminary Works Environmental Management Plan is not included in the DCO as requested in the response to DCO1.5 above. | |
| DCO1.44 | The Applicant National Highways | **Requirement 15 - Construction traffic management plan**<br>Should Requirement 15(3), which requires the relevant planning authority to consult with South Gloucestershire Council and the relevant highway authority before approving the Construction Traffic Management Plan, also include the requirement to consult with National Highways?<br>Although this question has not been directed at Wiltshire Council (the local highway authority) it is clear from reviewing the draft highways protective provisions that this requirement is too skeletal for the extensive use of rural highways, cable route works, temporary closures, new and altered accesses, abnormal or heavy vehicle movements, and interaction with the permit scheme and highway protective provisions in this project. The Council seeks to replace requirement 15 with the below. This approach has been followed in other | The Applicant notes the proposed drafting from Wiltshire Council but considers that Requirement 15 and the **Outline Construction Traffic Management Plan [REP3-108]** appropriately controls the management of construction vehicle movements to and from the Order Limits. The Applicant considers that the proposed drafting would not secure any greater compliance with detailed management plans, but would increase the administrative burden by requiring consultation with bodies whether or not a detailed CTMP applied to their highway network.<br><br>The Applicant is preparing a document to signpost where measures are secured within the management plans, including the items listed in sub-paragraph (2) of the Council's proposed drafting. This will be submitted at Deadline 5.<br><br>The Applicant notes that it remains open to the planning authority to refuse to approve a detailed management plan if it is not satisfied that the plan adequately addresses issues such as highway safety. The proposed drafting that seeks to identify circumstances where a refusal would be appropriate is, in practice, likely to fetter |

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| | | made DCOs. Construction traffic management plans<br>15.—(1) No part of the authorised development may commence, and no permitted preliminary works may be carried out where those works would generate construction traffic, require access from the public highway, affect any highway asset, affect any public right of way or require temporary traffic management, until a construction traffic management plan for that part has been submitted to and approved by the relevant planning authority.<br><br>(2) The construction traffic management plan must be substantially in accordance with the outline construction traffic management plan and must include, to the extent relevant to the part of the authorised development to which it relates -<br>(a) construction traffic routes, including prohibited routes and route enforcement measures;<br>(b) access points, egress points, visibility splays and internal haul routes; | the planning authority's discretion as to whether a refusal on other grounds could be made.<br><br>The Applicant considers that the proposed drafting could therefore operate to restrict the Council's discretion whilst not providing any greater control of the contents of the detailed CTMPs submitted for approval. |

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| | | (c) HGV, abnormal indivisible load and construction staff vehicle movements, including daily and peak movements;<br>(d) delivery booking, marshalling, holding areas and consolidation arrangements;<br>(e) working hours, delivery hours and restrictions on school peak periods, local events and other sensitive periods;<br>(f) staff travel, parking, shuttle bus and welfare arrangements;<br>(g) temporary traffic management, lane closures, road closures, traffic signals, banksmen, signage and diversion routes;<br>(h) arrangements for public rights of way, pedestrian, cyclist, equestrian, agricultural, residential and business access;<br>(i) emergency services access and liaison arrangements;<br>(j) road space booking, permit scheme and temporary traffic regulation order requirements;<br>(k) road condition surveys, highway asset surveys, monitoring and post-works surveys; | |

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| | | (l) measures for preventing and removing mud, dust, debris, silt and surface water from the highway;<br>(m) wheel washing, road sweeping and highway cleansing arrangements;<br>(n) communication, complaints and incident reporting procedures;<br>(o) procedures for managing non-compliance by contractors and subcontractors;<br>(p) arrangements for damage notification, immediate safety works and permanent repair of highway damage;<br>(q) details of any agreement or other arrangement under section 59 of the 1980 Act or equivalent mechanism for extraordinary traffic damage; and<br>(r) any further information reasonably required by the relevant highway authority.<br>(3) Before approving the construction traffic management plan the relevant planning authority must consult South Gloucestershire Council, the relevant highway authority, the relevant traffic authority, National Highways where the strategic road network may be affected, and the relevant emergency services. | |

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| | | (4) The relevant planning authority must not approve the construction traffic management plan unless it is satisfied that the plan has appropriately addressed any highway, traffic, public rights of way, drainage or safety issue raised by the relevant highway authority or traffic authority.<br>(5) All construction works associated with the authorised development must be carried out in accordance with the approved construction traffic management plan.<br>(6) No construction traffic may use any route or access other than a route or access identified in the approved construction traffic management plan, save in emergency or where otherwise agreed in writing by the relevant highway authority.<br>(7) Approval of the construction traffic management plan does not constitute approval under the Wiltshire Council protective provisions unless Wiltshire Council expressly confirms in writing that it is to have that effect." | |
| DCO1.45 | The Applicant | **Requirement 16 - Public rights of way and permissive paths** | The Applicant has responded to this matter in its response DCO1.45 in the **Applicant's Response to the** |

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| | | The ExA seeks comment on whether it is necessary to include reference to PPW in Requirement 16(1) as noted in **bold** text as follows:<br>*16.—(1) No part of the authorised development may commence* ***and no permitted preliminary works which may affect existing public rights of way may take place*** *until a public rights of way and permissive paths management plan for that part has been submitted to and approved by the relevant planning authority.*<br>Whilst it is noted that this question is posed to the Applicant, Wiltshire Council is supportive of these proposed amendments as it is the council's view that the permitted preliminary works should be covered by the Requirements if a separate Requirement requiring a Preliminary Works Environmental Management Plan is not included in the DCO as requested in the response to DCO1.5 above. | **Examining Authority's First Written Questions [REP3-128]**.<br><br>The Applicant welcomes the Council's agreement that this amendment is not required where a management plan for permitted preliminary works is secured within the Requirements. Please refer to Requirement 13 of the **Draft Development Consent Order [REP3-005]**. |
| DCO1.46 | The Applicant | **Requirement 17 - Soil management**<br>The ExA seeks comment on whether it is necessary to include reference to PPW | The Applicant has responded to this matter in its response DCO1.46 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. |

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| | | in Requirement 17(1) as noted in **bold** text as follows:<br>*17.—(1) No part of the authorised development may commence* ***and no permitted preliminary works comprising environmental surveys, geotechnical surveys, intrusive archaeological surveys and other investigations for the purpose of assessing ground conditions, site clearance, remedial work in respect of any contamination or other adverse ground conditions, or diversion and laying of apparatus may take place*** *until a soil resources management plan for that part has been submitted to and approved by the relevant planning authority.*<br>The ExA also seeks comment on whether the Requirement needs to be extended to add provision for the submission of a remediation strategy and verification plan prior to commencement of the development or PPW?<br>Whilst it is noted that this question is posed to the Applicant, Wiltshire Council would like to thank the ExA for raising | The Applicant welcomes the Council's agreement that this amendment is not required where a management plan for permitted preliminary works is secured within the Requirements. Please refer to Requirement 13 of the **Draft Development Consent Order [REP3-005]**. |

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| | | these points and agree with both suggestions. The council's view is that the permitted preliminary works should be covered by the Requirements if a separate Requirement requiring a Preliminary Works Environmental Management Plan is not included in the DCO as requested in the response to DCO1.5 above. | |
| DCO1.47 | The Applicant Wiltshire Council | **Requirement 20 - Decommissioning and restoration**<br>NPS EN-3 paragraph 2.10.146 states that *'The Secretary of State should ensure that the applicant has put forward outline plans for decommissioning the generating station when no longer in use and restoring the land to a suitable use (taking into account paragraphs 2.10.68 and 2.10.69)'.*<br>The ExA seeks comment on whether it is necessary for the outline Decommissioning Strategy [REP1-100] to include an outline Restoration Plan. Wiltshire Council considers that the outline Decommissioning Strategy should include an outline Restoration Plan as decommissioning and | The Applicant has responded to this matter in its response DCO1.47 in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. In summary, the Applicant is satisfied that the plans for decommissioning and restoring the land are inherent in the outline Decommissioning Strategy, and provision of an outline Restoration Plan would only duplicate the measures set out within the **Outline Decommissioning Strategy [REP3-096]**.<br><br>The Applicant considers that the life of the Scheme is already limited by the **Draft Development Consent Order [REP3-005]** in Requirement 20(1)(a), which states that each part of Work No.1 is time-limited to 60 years following the date of final commissioning for that part. Further to Issue Specific Hearing 4, this drafting has been updated to confirm that the 60 year timeframe is from the first date of final commissioning of Work No. 1, ensuring |

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| | | restoration are not the same issue. The DCO should require an outline Restoration Plan now so that the end-state is not deferred for 60 years (or the scheme life) without parameters. Requirement 20(4) should be amended so the decommissioning plan must be in accordance with an outline Decommissioning and Restoration Strategy.<br>In previous submissions [RR-4934 and REP1-138], the council has also raised the need for a financial bond and / or charge on the land to be secured to ensure that scheme components could not be abandoned should the undertaker cease trading or were unable to transfer liability of restoration costs as a consequence. | the lifetime of the Scheme cannot be extended through staged commissioning of the generating station.<br><br>As stated on p2584 of the **Applicant's Response to Relevant Representations [PDA-009]** if the Applicant fails to comply with Requirement 20 (Decommissioning and restoration) it would be a criminal offence.<br><br>Decommissioning is also covered in agreements with landowners, which includes decommissioning securities to cover the cost of decommissioning in the event of any breach by the Applicant or in the event of the insolvency of the Applicant. Please also refer to the Applicant's response to Action Point 7 in the Applicant's Written Summary of Oral Submissions at Issue Specific Hearing 4, which confirms the statutory right to recover expenses in the event a planning authority is required to 'step in' and decommission the Scheme, which further explains why it is appropriate that decommissioning security is provided to landowners and not to the planning authority. |
| **Ecology and Biodiversity** | | | |
| EB1.5 | Wiltshire Council<br>Natural England | Bat Surveys<br>In considering the contents of [REP1-218] can each party confirm, or otherwise, that you are content with the applicant's approach to bat surveys. If you are not satisfied, please provide details**.** | The Applicant notes the Council's comments and refers to its responses to WC-094 (pages 148–149), WC-095 (page 150) and WC-096 (pages 150–151) within **9.1 Applicant's Response to Relevant Representations [PDA-009].** The Applicant also refers to its response to the Council's assertion regarding negative impacts on bats within Table 14-1 (pages 334–336) of **9.21 Applicant's Response to** |

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| | | If parties are satisfied, please provide comment on how it meets the requirements of the mitigation hierarchy. Wiltshire Council is not satisfied with the Applicant's approach to bat surveys for the reasons set out in detail in the council's Relevant Representation [RR-4934], Local Impact Report [REP1-137], Written Representation [REP1-138] and Comments on Submission receives at Deadlines 1 and 1A [REP2-048]. Please refer to these responses for complete details. | **the Local Impact Report [REP2-038],** and to its response to WC-059 on page 115 of **9.22 Applicant's Response to Written Representations [REP2-039].**<br><br>It remains the Applicant's view that the approach to bat surveys is reasonable and proportionate having regard to the nature and scale of the Scheme's potential impacts. |
| EB1.10 | The Applicant Wiltshire Council | Beavers<br>ES Chapter 9 [REP1-015] comments that beavers are not presently affected by the proposed development but are known to be present in the River Avon catchment area and thus could be affected during the operation, maintenance and decommissioning phases.<br>Both parties are asked to consider whether the presence of beaver in the River Avon catchment means that they could spread towards the site during the 60-year period. If it is feasible or likely, then both parties are asked what this | The Applicant acknowledges the Council's comments and refers to the Applicant's response to question EB1.10 within **9.29 Applicant's Response to the Examining Authority's First Written Questions [REP3-128].** |

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| | | might mean for the proposal and the ecological enhancement measures such as the riparian habitat planting over the lifetime of the development.<br>It is considered feasible, and indeed likely that beaver will spread towards the site during the 60-year period. Natural England commissioned a survey of beaver activity in the River Avon catchment to inform its advice to government on the reintroduction of beavers in England and because there had been increasing reports of beavers in the Avon catchment. Surveys were conducted during January-March 2022 covering approximately 280km of channel length. Beaver activity (field sign types) was recorded at a 10m resolution and the areas covered included the Avon upstream of Bath, including the Kennet and Avon Canal, the Somerset Frome, By Brook, Semington Brook, Biss Brook (all part of the Avon catchment) and upper reaches of the River Brue.<br>The survey recorded a total of 771 beaver activity signs and it was estimated that there were 13 established | |

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| | | territories, with an additional six temporary resident individuals, which may go on to form territories. Based on the number of territories, a population of around 50 beavers, excluding kits, was estimated at the time (49 ± 13 within the established territories and potentially six other individuals). These beaver territories occupy a total of 4-11% of the available bankside in the watercourses with a typical bankside length of 7.8km (nearly 6.4 km watercourse length) per territory.<br>The survey noted few management issues but concluded that this was probably because the population is in the early establishment phase. The study can be found here: Wild beaver population assessment on the River Avon and tributaries - NECR470<br>The dispersal of beaver along the River Avon towards the site could have implications for the proposal and the ecological enhancement measures such as the riparian habitat planting over the lifetime of the development. It is deemed however, that this is a question for the Applicant to answer in the absence of | |

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| | | sufficient consideration in the ES. The council will provide further comment once it has had the opportunity to review the Applicant's response. | |
| EB1.13 | The Applicant Wiltshire Council | Security Fencing – Deer<br>Given that the security fencing would exclude deer species both parties are asked to comment on the effect this is likely to have on unfenced areas of the proposed development, such as ecology mitigation areas. You are both also asked to comment on the potential for an increase in grazing pressures and damage to planting, and if this approach would increase the likelihood of funnelling deer into the PRoW and road networks, thereby increasing interaction with users and possibly injury or death. Deer are quite frequently found on the PRoW network, often they will run away from the user and then go through a part of the hedge or jump a small agricultural fence. There is always a risk that a PRoW user will push a deer towards the road and the options for it to take will be less than they currently have. The council's PRoW team do not have any | The Applicant acknowledges the Council's comments and refers to the Applicant's response to question EB1.13 within **9.29 Applicant's Response to the Examining Authority's First Written Questions [REP3-128].** |

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| | | requirement for the solar panels to be fenced in.<br>Furthermore, given the scale of the Order Limits, it is considered that there could be increased grazing pressures and damage to planting in unfenced areas of the proposed development, such as ecology mitigation areas and that this could reduce the likelihood of planting succeeding. It is recommended that the Applicant gives this due consideration and puts forward appropriate measures to address this issue.<br>Please refer to: New measures to help woodlands through improved deer management - GOV.UK<br>Policy paper for reference: Deer impacts policy statement: managing the impacts of wild deer in England - GOV.UK | |
| EB1.16 | The Applicant | Arboriculture – Bincombe Wood<br>During the ExA's Unaccompanied Site Inspection 1 (USI1) [EV4-001] the existing single-track road adjacent Bincombe Wood was observed to be in poor condition. You are asked to detail the full extent of the works you intend to undertake to bring the track to a | The Applicant notes this response, see response to EB1.1.6 in **9.29 Applicant's Response to the Examining Authority's First Written Questions.** |

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| | | standard necessary to support the construction, maintenance and decommissioning phases.<br>In addition to the above provide a more detailed account of the works to Bincombe Wood to accommodate the construction, maintenance and decommissioning stages including the justification of the necessity of these works and the potential effects these could have. You should also provide details of any alternatives and avoidance measures you considered to entirely avoid adverse effects.<br>Wiltshire Council's Arboricultural Officers welcome this question from the ExA as it goes directly to concerns raised in previous council responses. | |
| EB1.18 | The Applicant<br>Wiltshire Council | **Hedgerow Heights and Density**<br>ES Chapter 8 [APP-060] details that the applicant intends to allow hedgerows to grow up to 4.5m.<br>Both parties:<br>Does this have any potential adverse impact on biodiversity? If so, please provide details.<br>There is potential for some adverse impacts on biodiversity as a result of | The Applicant acknowledges the Council's comments regarding the management of hedgerows at a height of 4.5m AGL.<br><br>This is a minimum target height for hedgerow establishment and maturation, allowing individual hedgerows, hedgerow trees and other woody vegetation to exceed this height where appropriate. In this context it is the Applicant's view that the proposed approach would not preclude the development of structural diversity within |

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| | | allowing all the existing, as well as newly planted, hedgerows within the Order Limits to grow to a height of 4.5m above ground level (AGL). These include, but are not limited to the following:<br>• The existence of hedgerows of differing heights and sizes within the Order Limits affords food and shelter for a range of wildlife. Management of all the hedgerows at the same height of 4.5m AGL could reduce the diversity of hedgerow habitat for fauna.<br>• Some bird species, such as yellowhammer, favour short dense hedges of less than 2m in height with a thick base and wide grass margins alongside, for nesting. Such species may be deterred from nesting in taller hedgerows to be managed at 4.5m AGL.<br>• Managing hedgerows in an 'A' shape, so that the hedgerow is thicker at the base and gets narrower at the top, provides maximum protection for wildlife, while allowing light to reach the | the hedgerow network. As set out in Paragraph 1.1.32 of the **Outline Landscape and Ecological Management Plan (LEMP) [REP3-100],** it is proposed to manage hedgerows on a rotational basis, through either rotating which hedgerows are cut in any one year, or cutting each side of the hedgerow between different years.<br><br>This can be expected to result in a structurally diverse hedgerow network being maintained for the lifespan of the Scheme.<br><br>The development of taller hedgerows is expected to provide benefits for a wide range of wildlife species and species groups, including birds, mammals and invertebrates, through increased nesting and shelter opportunities, enhanced food resources, and improved habitat connectivity. It is recognised that yellowhammer typically favours shorter, dense hedgerows for nesting and, consequently, taller hedgerows may be less suitable for this purpose.<br><br>However, yellowhammer are also known to nest at woodland edges and within open woodlands. Any potential reduction in the suitability of hedgerows for this species should be considered in the context of the wider habitat mosaic that will be established within the Solar PV Sites. |

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| | | ground flora. This may be less viable if all hedgerows are managed at a height of 4.5m AGL.<br>• Management of hedgerows to a height of 4.5m, especially newly planted hedgerows, within ecology mitigation areas such as those for ground nesting birds, including skylark and yellow wagtail, could in effect obstruct and 'close' currently open views needed by such species, and may increase predation due to an increase in elevated vantage points and perch sites for raptors.<br>• Good hedgerow management is important and entails, where possible, allowing trees to develop at roughly 20 metre intervals so that these can be used by birds as song perches as well as providing more habitat for other wildlife, such as bats. However, it won't be possible to allow individual trees to develop if the whole hedgerow is maintained at a height of 4.5m | Existing and newly created habitats, including species-rich grassland margins, low-density scrub, ditches, set-aside and woodland edge habitats, will continue to provide a diverse range of ecological niches for species with differing habitat requirements.<br><br>The comment regarding development of an 'A'-shaped hedge profile is acknowledged. The proposed minimum height does not prevent hedgerows from being managed to maintain a broader base and narrower upper profile where this is considered beneficial. Good hedgerow management practice can be applied irrespective of overall height and would continue to seek to maintain dense growth at the base of hedgerows whilst ensuring their long-term structural integrity and ecological value.<br><br>As stated above, 4.5m AGL is a minimum management height and does not represent a maximum height restriction. The proposed approach therefore allows for the retention and development of standard trees within hedgerows, including those occurring at approximately 20m intervals where appropriate and in accordance with the paragraph 1.3.35 of the **Outline LEMP [REP3-100].** Such trees can be expected to provide song perches and potential nesting / roosting opportunities for birds and bats, and contribute to overall habitat diversity. |

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| | | AGL and will remove the structural diversity of the hedgerows across the Order Limits.<br>• The traditional management technique of coppicing, which involves cutting a tree in order to encourage enhanced growth and tree rejuvenation, won't be possible if all the hedgerows are to be maintained at a height of 4.5 AGL. Coppicing may be needed to grow a thicker hedge and involves cutting down to just above ground level to encourage vigorous regrowth.<br>• Maintaining all the hedgerows at a height of 4.5m AGL could adversely affect the structural condition of hedgerows if not properly managed and could result in over-shading which in turn may lead to a reduction in the diversity of hedgerow ground flora. This could enable more competitive plant species, such as grasses, to become dominant thereby resulting in a decrease in | The Applicant acknowledges that coppicing will not routinely be adopted on established hedgerows. Newly-planted hedgerows will however be cut for at least the first two years to encourage a dense and bushy growth. After this time periodic management interventions for newly planted hedgerow and existing hedgerows (and hedgerow trees) will be undertaken to maximise healthy growth and biodiversity value of hedgerows, in accordance with the **Outline LEMP [REP3-100].**<br><br>The Applicant acknowledges the Council's comments relating to potential impacts on ground-nesting bird mitigation areas, as well as potential impacts on hedgerow ground flora and refers to the Applicant's own comments on these matters within 9.29 Applicant's Response to the Examining Authority's First Written Questions **[REP3-128].**<br><br>It is the Applicant's view that no significant adverse effects on biodiversity are anticipated as a result of maintaining hedgerows at the Solar PV Sites to a height of 4.5m. |

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| | | the number of plant species used for food by farmland birds and invertebrates, such as butterfly caterpillars. However, although it has originally been considered that shorter hedges, around 2m tall, would prevent ground plants suffering from too much shade, come recent studies have shown that taller and wider hedges provide greater structural diversity, containing more floral species that can be beneficial to butterflies. Denser, well-connected hedges are more favourable for small mammals, such as dormice, and their predators. Variety is also required to support a range of different mammals and birds as each will have a preference, for example bats prefer trees due to hibernation space. Maintaining the ground flora at the hedge-bottom will help smaller mammals by providing extra food and cover from predators. Therefore, there | |

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| | | are opposing points of view and studies on this matter.<br>Wiltshire Council:<br>Should replacement and new hedgerow planting have a specific density? If so, you are asked to provide details and justification.<br><br>Further clarification is sought from the ExA in relation to the question: "Should replacement and new hedgerow planting have a specific density." This is because the question doesn't clearly specify or qualify what the specific density requirements would be seeking to deliver i.e. ecological, landscape or visual in nature? It's not clear what the ExA is asking in terms of density and this is relevant to how the question is answered.<br>Nonetheless, with a view to assisting the ExA, please be advised that new native hedgerow planting would be typically specified / comprise a double staggered row between 350mm and 400mm between rows, planted at 350mm centres. | |
| **Flood Risk, Hydrology and Water Resource (FHW)** | | | |

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| FHW1.1 | The Applicant Wiltshire Lead Local Flood Authority (The LLFA) | **Policy Compliance - Larger PV Panels**<br>Paragraph 2.10.84 of NPS EN-3 (2023) states: 'Where a Flood Risk Assessment has been carried out this must be submitted alongside the applicant's ES. This will need to consider the impact of drainage. As solar PV panels will drain to the existing ground, the impact will not, in general, be significant.'<br>The ExA note the applicant's need for flexibility leading to the lack of confirmation regarding the type of PV panels to be used. However, the use of larger PV panels, never used in the UK before, introduces uncertainties to their hydrological impact which cannot currently be supported one way or another with evidence on the ground.<br>The applicant's assessment of Hydrology, Flood Risk and Drainage (Chapter 11 of the ES [APP-063] and supporting appendices seem to assume that the hydrological effects of different PV panels would be the same, regardless of panel dimensions. SLD submitted detailed analysis and research regarding surface water redistribution and concentration along | The Applicant notes that the LLFA accepts that the material submitted by Stop Lime Down is precautionary and theoretical and does not provide conclusive evidence of a significant site-scale flood risk effect.<br><br>The Applicant does not rely on an assumption that panel dimensions, layout and configuration are hydrologically identical. The potential effects of larger and tracking panels are expressly addressed in the Applicant's response to FHW1.1 in **The Applicant's Response to the Examining Authority's First Written Questions [EXAM/9.29]** and in the **Applicant's Response to Lead Local Flood Authority on Hydraulic Modelling Requirements [REP2-045]**.<br>Those responses recognise that panel geometry can affect the location and concentration of rainfall at panel edges, the height from which water falls, local soil moisture and the potential for drip-line erosion. These mechanisms have not been dismissed. The relevant distinction is between local rainfall redistribution beneath an elevated panel and a material increase in connected runoff reaching a field boundary, drainage feature or downstream receptor.<br><br>The published academic literature reviewed in **Applicant's Response to Lead Local Flood Authority on Hydraulic Modelling Requirements [REP2-045]** shows that the field-scale response is governed principally |

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| | | the panels, the creation of drip lines, increased kinetic energy of water falling from the panels, potential soil erosion, significant reduction of evaporation and increase of soil moisture [REP1-174, REP1-175, REP1-177 and REP1-183]. This highlights potentially different impacts of larger PV panels which, coupled with the soil's sensitivity to compaction and low permeability, could lead to faster displacement of surface water runoff and potential increase of flood risk on and off site.<br>The Applicant:<br>As the ES does not include site specific analysis of the impact of different types of PV panels, the applicant is asked to explain their potential effect to demonstrate that they would not have significant impacts.<br>The LLFA:<br>The LLFA is asked to submit comments on the documentation provided by SLD (referenced above).<br>The LLFA notes the concerns raised by SLD regarding the potential hydrological effects of larger, non-standard PV panels and acknowledges that the evidence | by vegetation cover, soil condition, compaction, surface roughness and hydrological connectivity.<br><br>Cook and McCuen identified negligible changes in runoff volume and peak discharge where grass cover was maintained, with materially greater effects where the receiving ground was degraded. Yavari et al. and Gullotta et al. similarly identify runoff response as site-specific and management-dependent. Elamri et al. and Baiamonte et al. identify drip-line concentration as a potential erosion and runoff risk principally where the receiving ground is bare or poorly vegetated.<br><br>This evidence is consistent with the solar-specific policy position in NPS EN-3, which recognises that solar PV panels drain to the existing ground and that drainage impacts will not generally be significant, while identifying permeable access tracks, localised SuDS where required and protection of existing drainage systems and watercourses as the appropriate controls.<br><br>The Applicant has applied this evidence to the site-specific conditions at Lime Down. Soils, slopes, topography, surface water pathways, drainage features, watercourses and downstream connectivity have been assessed separately for each Solar PV Site in **ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015]** and the **ES Volume 3, Appendices 11-1 to** |

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| | | base for such configurations in the UK context is currently limited. The Applicant's ES Chapter 11 and supporting FRA documentation are based on the general assumption, consistent with NPS EN-3, that runoff from solar panels will drain to ground and not give rise to significant effects. However, this assumption appears to have been applied uniformly, without differentiation for panel dimensions, layout, or configuration. In this respect, SLD's submissions reasonably highlight that larger panels could alter runoff behaviour (e.g. concentration of flows at drip lines, reduced evaporation, and potential increases in soil moisture), particularly in areas of low permeability or where soils are sensitive to compaction. The LLFA considers that these are credible mechanisms that warrant further scrutiny rather than being dismissed through high-level assumptions. That said, the LLFA also recognises that the SLD analysis is largely precautionary and theoretical in nature and does not yet constitute conclusive evidence of significant flood | **11-9: Flood Risk Assessment and Drainage Strategy suite [REP1-037, REP1-039, REP1-041, REP1-043, REP1-045, REP1-047, REP1-049, REP1-051 and REP1-053]**.<br><br>The final panel specification must remain within the design envelope assessed in the Environmental Statement. Irrespective of the selected panel dimensions or tracking configuration:<br>• panels will remain elevated and will not be connected to a positive drainage system;<br>• vegetation will be established and maintained beneath and between the arrays;<br>• construction trafficking and soil compaction will be controlled;<br>• compacted or degraded ground will be remediated;<br>• access tracks will be permeable and generally constructed at existing ground level;<br>• existing flow routes and drainage connectivity will be maintained; and<br>• erosion, bare ground and preferential flow will be subject to inspection and corrective action.<br><br>These controls are secured through the **Outline Construction Environmental Management Plan [REP3-092]**, **Outline Soil Resources Management Plan [APP-280]**, **Outline Landscape and Ecology Management Plan [APP-283]** and **Outline Operational Environmental** |

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| | | risk effects at site scale. The concern is therefore not that impacts are proven, but that the current assessment does not robustly demonstrate that they would not occur. In order to address this uncertainty and ensure compliance with policy expectations, the LLFA requires the Applicant to provide a more explicit assessment of panel-induced runoff processes, including how different panel sizes and configurations could influence runoff rates, flow concentration, and soil interaction. This should be supported by appropriate evidence, which may include empirical studies, field data, or conservative modelling assumptions, and should demonstrate that the proposed layout and mitigation measures (including soil management and SuDS) are sufficient to prevent increased flood risk on and off site. | **Management Plan [REP3-094]**, together with Requirements 12, 13, 14 and 18 of the **Draft Development Consent Order [REP3-005]**.<br><br>The LLFA has not identified a recognised field-scale methodology capable of reliably distinguishing between different prospective panel configurations while also representing future spatial variation in vegetation, compaction, roughness, infiltration and connectivity.<br><br>Site-specific operational field data cannot exist before the Scheme is constructed, and adopting arbitrary conservative parameters would not validate the assessment. It would produce results driven principally by the assumptions selected.<br>Quantitative drainage and hydraulic assessment has instead been undertaken where the relevant catchment and hydraulic inputs can be defined, including formal impermeable infrastructure, Gauze Brook, Gabriel's Well and smaller ordinary watercourses. This is an evidence-led and risk-based approach appropriate to the DCO stage.<br><br>The Applicant therefore considers that the potential effects of larger panels have been explicitly and proportionately assessed. |

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| | | | The submitted evidence and secured controls demonstrate that the flexibility retained in panel selection would not give rise to significant hydrology, flood risk or drainage effects beyond those already assessed. |
| FHW1.3 | The Applicant The LLFA | **Flood Risk Assessment – Quantification of surface water and SUDS**<br>The outline drainage strategies [APP-210 to APP-218] provide no or little quantification of the impact of the proposed development on surface water runoff. This has been consistently raised as a concern by SLD, and it is included in the SoCG as under discussion with Wiltshire Council [REP2-025]. The LLFA includes in [REP1A-017] information regarding Section 19 investigations for Whitley and Beanacre. Its conclusions are that flood risk is pathway-driven and catchment-based (rather than limited to mapped fluvial floodplains) and that ditch networks and overland flow routes act as conveyors. The outline drainage strategies do not include mapping of ditch networks or overland flow routes. Furthermore, the proposed development would introduce many impermeable elements (PV panel supports, smaller | As confirmed in **Applicant's Response to the Examining Authority's First Written Questions [EXAM/9.29]**, the Applicant will provide further drainage information at Deadline 4 through revised sections of the relevant Flood Risk Assessment and Drainage Strategy appendices. This will include high-level calculations for formal impermeable infrastructure, relevant greenfield runoff rates, proposed controlled discharge rates, indicative attenuation requirements, potential SuDS measures and updated figures showing existing drainage features, mapped surface water pathways, indicative drainage areas and exceedance principles.<br><br>The Applicant does not agree that further hydraulic assessment remains necessary in principle.<br><br>The LLFA identifies four matters requiring further targeted assessment: overland flow routes and ditch networks, exceedance routing, cumulative effects on downstream receptors and construction soil compaction. Each is already addressed through the submitted assessment, the further Deadline 4 information and the secured detailed design controls. |

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| | | electrical infrastructure associated with PV panels, substations, BESS area, etc) which could potentially have important cumulative impact if not addressed on each site. The ExA note that the access tracks would be permeable but, due to soil compaction, they could also become impermeable. The applicant proposes to use sustainable drainage systems (SUDS) and current site drainage to reduce surface water runoff to agreed rates. However, NPS EN-1 (paragraph 5.8.15, page 129) clearly requires the Applicant to *'set out (approximately) the existing rates and volumes of surface water run-off generated by the site'*. The lack of quantification of the volume of water to be attenuated and lack of information regarding the SUDS to be implemented do not demonstrate that flood risk would not be increased and can be managed.<br>We note the applicant's response to the LIR [REP2-038] and Response to D1A Submissions [REP2-040] which state that existing topography, drainage features, overland flow routes, surface water flood risk and watercourse | Existing watercourses, ordinary watercourses, drainage features, LiDAR-derived topography and mapped surface water pathways have been assessed for each Solar PV Site in **ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015]**, **ES Volume 3, Appendix 11-1: Flood Risk Assessment and Drainage Strategy - Covering Report [REP3-047]** and the site-specific **ES Volume 3, Appendices 11-2 to 11-9: Flood Risk Assessment and Drainage Strategy [REP3-049, REP3-051, REP3-053, REP3-055, REP3-057, REP3-059, REP3-061 and REP3-063]**.<br><br>The assessment is therefore not limited to mapped fluvial floodplains or individual infrastructure components. It considers the pathways by which water could move across each site and connect with ditches, watercourses and downstream receptors. The updated **ES Volume 2, Figures 11-1 to 11-8: Flood Risk Maps [APP-135 to APP-142]** will make those relationships clearer and will show the principles for maintaining existing conveyance routes.<br><br>Where an identified flow route interacts with infrastructure, the primary design response is avoidance through micrositing. Access tracks will remain permeable and generally at existing ground level, with local cross-drainage provided where necessary to maintain existing flows. Where a material interaction cannot be avoided, the |

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| | | connectivity across solar PV sites have informed the assessment. However, as outline drainage layouts or mapping of existing drainage features have not been submitted, it remains unclear how SUDS would interact with existing drainage features and other proposed mitigation measures.<br>The Applicant is asked to:<br>Provide a high level calculation of the effect of all impermeable areas for each site, setting out the existing rates and volumes of surface water run-off generated by the site and to provide information regarding the type of SUDS and/or any other drainage features that could be used to drain the site.<br>Provide outline drainage layouts for each site showing potential SUDS connections with existing drainage features and exceedance routing.<br>Include any other information required by NPS EN-1, paragraph 5.8.15, bullet point 11 (i to x).<br>Add all SUDS features to the figures within the Landscape and Ecology Mitigation plans [REP1-029 to REP1-032] and provide an explanation of the | detailed design must demonstrate that conveyance and storage are maintained and that flood risk is not increased.<br><br>Exceedance routing for formal drainage areas will be confirmed through the detailed drainage design secured by Requirement 11 of the **Draft Development Consent Order [REP3-005]**. Construction-phase runoff, temporary drainage and exceedance routing will be addressed through the Water Management Plan forming part of the detailed CEMP secured by Requirement 13.<br><br>Cumulative effects have also been considered. The Solar PV Sites occupy separate local catchments and are not connected through a common Scheme drainage network. Panelled areas are not positively drained to receiving watercourses, while runoff from formal impermeable infrastructure will be attenuated and restricted, including the 70% greenfield betterment applied to the 1 year and 2 year events. The LLFA has not identified a specific downstream receptor or hydraulic connection for which the submitted assessment indicates a material cumulative increase in flood risk.<br><br>Construction compaction is recognised as the principal potential mechanism for increased runoff from panelled areas. It is controlled through the **Outline Construction Environmental Management Plan [REP3-092]** and |

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| | | multi-use purpose of each SUDS feature and how they contribute to water management and ecology.<br>The LLFA:<br>The ExA note the LLFA request for further hydraulic modelling in the Council's LIR [REP2-025].<br>The LLFA is asked to confirm if the information requested by questions 1 to 4 above would address the key sensitivities listed in paragraph 2.21 of [REP1A-017] and negate the need for further modelling in principle.<br>While the information requested in Questions 1–4 would represent a necessary and substantial improvement to the current evidence base, the LLFA does not consider that it would, in itself, fully address the key sensitivities identified in paragraph 2.21 of REP1A-017, nor negate the need for further modelling in principle. Those sensitivities relate to the management of runoff within a hydrologically connected, pathway-driven catchment, including maintaining established overland flow routes, managing runoff rates and volumes, and protecting downstream | **Outline Soil Resources Management Plan [REP3-098]**, including management of construction trafficking, restrictions on working in unsuitable ground conditions and remedial loosening of compacted soils. Permanent vegetation establishment and maintenance are secured through the **Outline Landscape and Ecology Management Plan [REP3-100]** and **Outline Operational Environmental Management Plan [REP3-094]**.<br><br>Modelling construction compaction would require assumed values for its future location, extent and severity, together with assumed vegetation condition, infiltration, roughness and connectivity. Such modelling would be driven by hypothetical management failures rather than fixed Scheme parameters and would not provide a more reliable assessment than directly securing, monitoring and remediating the conditions that control runoff.<br><br>The Applicant's technical position on the proportionality of further field-scale modelling, including its response to the guidance, precedents and case studies relied upon by the LLFA, is set out comprehensively in **Applicant's Response to Lead Local Flood Authority on Hydraulic Modelling Requirements [REP2-045]**. The LLFA's response to FHW1.3 does not address that source-by-source review or provide new evidence demonstrating that further modelling is required. |

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| | | receptors such as Melksham and Trowbridge. The requested information would significantly strengthen understanding of baseline conditions, impermeable area effects, and the intended SuDS strategy, and would allow a clearer appraisal of how runoff would be controlled and routed across each site. In particular, provision of outline drainage layouts, quantification of runoff rates / volumes, and mapping of flow pathways would directly address current gaps in demonstrating compliance with NPS EN-1 and improve confidence in the proposed mitigation approach.<br>However, given the scale of the Scheme, the reliance on extensive greenfield areas with sensitive flow pathways, and the acknowledged role of ditch networks and overland flow routes as primary conveyance mechanisms, the LLFA maintains that there remains a requirement for proportionate hydraulic assessment to verify how the system will behave under design and exceedance conditions. The requested information would form an essential foundation for | Quantitative hydraulic assessment has been undertaken where a defined interaction exists and reliable inputs are available.<br><br>This includes detailed hydraulic modelling at Gauze Brook, further modelling at Gabriel's Well, Manning's and open-channel calculations for smaller ordinary watercourses, and quantitative drainage design for the BESS, substations and other formal impermeable infrastructure.<br><br>The Applicant therefore considers that the assessment already follows the targeted and risk-based approach advocated by the LLFA. The additional Deadline 4 information will improve the presentation and quantification of that assessment, but no further hydraulic modelling is necessary to demonstrate that runoff will be managed and that the Scheme will not increase flood risk on-site or elsewhere. |

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| | | this but would not alone demonstrate that flood risk would not increase across the catchment, particularly in relation to cumulative effects, construction-phase impacts (e.g. compaction), and interactions between SuDS and existing drainage features. Accordingly, while Questions 1–4 would materially reduce uncertainty, they would not remove the need for further modelling in principle, which remains necessary to provide confidence that the identified sensitivities can be robustly managed. If the answer is negative, the LLFA is asked to explain why not and what further information is needed considering the need for proportionality. The LLFA confirms that, while the information requested in Questions 1–4 is necessary and would significantly improve the evidence base, it is not sufficient on its own to address the key sensitivities identified in REP1A-017. Those sensitivities are driven by catchment-scale processes and defined flow pathways, where overland flow routes and ditch networks act as primary conveyance mechanisms. The | |

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| | | requested information would improve understanding of runoff rates, impermeable area effects, SuDS proposals, and drainage layout; however, it remains largely descriptive and does not demonstrate how flows will behave dynamically under design or exceedance conditions, or how changes in runoff will interact across the wider connected catchment. Accordingly, a proportionate level of further hydraulic assessment is still required in principle. This should be targeted and risk-based, focusing on key overland flow routes and ditch networks; exceedance flow routing; and screening-level checks of cumulative effects on downstream receptors. This does not require full detailed modelling of the entire scheme, but rather focused testing of critical pathways and conditions, including consideration of construction impacts such as soil compaction. Such an approach is necessary to provide confidence that runoff will be effectively managed and that flood risk will not increase within a hydrologically connected, pathway-driven system. | |

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| | | If the answer is affirmative, the LLFA is asked to confirm if this information could be included in the outline management plans secured through the dDCO. If so, the LLFA is asked to explain which management plans and provide the proposed wording changes. | |
| FWH1.5 | The LLFA<br>The Environment Agency<br>The Applicant | **Flood Risk Assessment – Manning Calculations Results**<br>Figure 1 (page 10) of SLD's representation [REP1-174] shows the flows calculated using Manning's open channel flow formula. It is in section 'Fluvial Flooding' which discusses in detail the information submitted in the flood risk assessments submitted by the applicant.<br>All Parties:<br>The LLFA, the EA and the applicant are asked to submit a response to the analysis done by SLD and its conclusions. In your response, please set out the implications for the interaction with surface water flood risk and the potential impact to on site and off site flood risk. | The Applicant does not agree that the Manning's calculations demonstrate sensitivity to changes in runoff routing or indicate a potential increase in downstream flood risk.<br><br>The calculations were undertaken as a proportionate assessment of smaller ordinary watercourses and land drainage features within the Solar PV Sites. These features represented minor flow routes within panelled areas and were assessed as low risk, or potential interactions had already been avoided through the embedded design. Detailed hydraulic modelling was therefore not warranted.<br><br>The purpose of the assessment was to determine whether application of the relevant climate change allowance would meaningfully increase the potential flood level and extent associated with these features.<br>The Environment Agency's 0.1% AEP surface water mapping was used as a conservative indication of the |

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| | | The LLFA considers that SLD's Manning's calculations highlight potential sensitivity in flow conveyance systems and interaction between fluvial and surface water processes. The implications are that small changes in runoff routing could materially affect downstream flood risk due to ditch network connectivity. The LLFA therefore supports a precautionary approach requiring validation of hydrological assumptions. Reference: LLFA LIR [REP1-137] and SLD submission [REP1-174].<br>The Applicant:<br>Paragraph 25 of the SLD representation refers to inconsistencies/mistakes between references to the 0.1% Annual Exceedance Probability (AEP) and the 1% AEP events in the flood risk assessments. The applicant is asked to review, confirm and address any inconsistencies in the flood risk assessments. | potential flood extent. LiDAR-derived cross-sections were taken through the relevant channel and adjoining floodplain, and the mapped extent was used to establish an indicative water level at each cross-section.<br><br>A separate Manning's level-flow relationship was then developed for each cross-section using its local geometry, slope and appropriate roughness values. The equivalent flow associated with the indicative mapped water level was identified, the applicable 71% climate change allowance was applied to that flow, and the corresponding climate change water level was derived from the same level-flow relationship.<br>The equivalent flow was therefore an intermediate calculation used to determine the potential change in water level and flood extent following application of the climate change allowance. It was not a prediction of the runoff generated by the contributing catchment, a modelled event hydrograph or a measured discharge within the watercourse.<br><br>The assessment concluded that the climate change uplift did not produce a meaningful increase beyond the conservative flood extent already represented by the Environment Agency's 0.1% AEP surface water mapping. That mapping was therefore considered an appropriately conservative basis for assessing flood risk from the |

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| | | | smaller ordinary watercourses and drainage features and for informing the micrositing of infrastructure.<br><br>**Stop Lime Down Written Representation, Appendix F1: Critique of the Applicant's Flood Risk Assessment [REP1-174]** misinterprets the equivalent flow values as predicted discharges in small drainage ditches and compares them directly with gauged peak flows recorded at Gauze Brook and the River Avon during Storm Bert.<br><br>That comparison is not technically valid. The Manning-derived values represent the conveyance of an individual channel and adjoining floodplain cross-section at an assumed water level. They are not hydrological estimates of catchment runoff and cannot be compared directly with gauged flows from different watercourses, catchment areas, rainfall events and monitoring locations.<br><br>The apparently high values identified by SLD reflect the conveyance of the full LiDAR-derived cross-section, including the adjoining floodplain, rather than the capacity of the minor channel alone. Each cross-section was also assessed independently using its local geometry, gradient and roughness.<br><br>Differences between the equivalent flows at separate locations therefore do not represent gains or losses of water through the drainage network. The calculations |

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| | | | were not intended to route a continuous discharge between cross-sections.<br><br>The LLFA's conclusion that these values demonstrate sensitivity to small changes in runoff routing does not follow from the assessment.<br><br>The calculations tested the effect of the climate change uplift on flood level and extent and concluded that it would not materially increase the conservative mapped extent.<br><br>The purpose and interpretation of the assessment are explained further in **Applicant's Response to the Examining Authority's First Written Questions [EXAM/9.29]**. The Applicant has also clarified the distinction between the Environment Agency's 0.1% AEP surface water mapping and the 1% AEP plus climate change assessment within the site-specific **ES Volume 3, Appendices 11-2 to 11-8: Flood Risk Assessment and Drainage Strategy [REP3-049, REP3-051, REP3-053, REP3-055, REP3-057, REP3-059 and REP3-061]**.<br><br>The Manning's assessment concerns existing flood behaviour and does not indicate that the Scheme would increase runoff entering the drainage network. The Solar PV Panels will remain elevated and rainfall will drain to the vegetated ground beneath and between the arrays. Existing ground-level flow routes will be maintained, |

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| | | | access tracks will be permeable and generally constructed at existing levels, and runoff from formal impermeable infrastructure will be separately attenuated and controlled.<br><br>Construction-related soil compaction is recognised as the principal potential mechanism for increased runoff from panelled areas. This is controlled through the **Outline Construction Environmental Management Plan [REP3-092]** and **Outline Soil Resources Management Plan [APP-280]**. The wider technical basis for the treatment of panelled areas is set out in **Applicant's Response to Lead Local Flood Authority on Hydraulic Modelling Requirements [REP2-045]**.<br><br>Detailed hydraulic modelling has been undertaken where the nature and scale of the interaction warranted it, including at Gauze Brook, with further modelling being progressed at Gabriel's Well. For the smaller ordinary watercourses, the Manning's assessment provided a proportionate and conservative means of determining whether climate change would materially increase the potential flood extent. It concluded that it would not.<br><br>The Applicant therefore considers that SLD's interpretation of the equivalent flow values is incorrect and that the LLFA's conclusion based on that interpretation is not supported. |

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| FHW1.6 | The LLFA<br>The Environment Agency | **Flood Risk Assessment – Cable Route Corridor**<br>SLD notes in its submission at D2 [REP2-051] that the main risks regarding disruption to existing small scale drainage and potential disturbances to groundwater flow paths are not addressed. Considering this and the information included in the outline management plans, the LLFA and EA are asked to confirm if they think these issues are sufficiently addressed and if not, explain why not and where it should be addressed.<br>The LLFA does not consider that current submissions fully address risks associated with cable route drainage disruption, including impacts to shallow flow paths and groundwater connectivity. Further detail should be secured through method statements (e.g. HDD and trenching controls) and drainage management plans. Reference: LLFA LIR [REP1-137] and SLD D2 submission [REP2-051]. | The Applicant welcomes the LLFA's confirmation that the final controls for trenching, HDD, temporary drainage and groundwater management should be set out in site-specific construction method statements and the Water Management Plan.<br><br>The Applicant does not agree that small-scale drainage and groundwater pathways have not been addressed. Baseline drainage, surface water flow routes, watercourses and groundwater conditions along the Cable Route Corridor are assessed in **ES Volume 3, Appendix 11-9: Flood Risk Assessment and Drainage Strategy - Cable Route Corridor [REP3-063]**, **ES Volume 1, Chapter 19: Ground Conditions and Contamination [REP1-028]** and the **Water Framework Directive Assessment [REP1-094]**.<br><br>Proposed watercourse and drainage ditch interfaces are also identified in **ES Volume 3, Appendix 9-9: Watercourse Crossing Schedule [REP3-122]** and the **Watercourse Crossing Figure [EXAM/9.38]**.<br><br>The permanent cables will be installed below ground and will not obstruct existing overland flow routes or materially affect regional groundwater flow. Potential effects on shallow groundwater, land drains and local drainage features are temporary construction matters. Existing |

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| | | | drainage features will be protected, diverted or reinstated as necessary to maintain their function.<br><br>The **Outline Construction Environmental Management Plan [REP3-092]** requires a Water Management Plan and supporting method statements to address temporary drainage, water encountered in excavations, sediment control, watercourse crossings, HDD drilling fluid management, breakout contingency measures and reinstatement.<br><br>The final measures will be informed by the detailed cable alignment, crossing method, ground investigation and conditions encountered during construction. This detail is therefore appropriately developed through the detailed CEMP secured by Requirement 13 of the **Draft Development Consent Order [REP3-005]**.<br><br>The Applicant considers that the relevant risks have been assessed and that the controls requested by the LLFA are already secured. |
| FHW1.8 | The Applicant | **Sequential and Exception Test**<br>To pass the Exception Test the applicant should demonstrate that 'the development would provide wider sustainability benefits to the community that outweigh the flood risk;' as per National Planning Policy Framework, | The Applicant confirms that no formal provision of, or financial contribution towards, flood risk management infrastructure has currently been agreed with Wiltshire Council or any Parish Council as part of the DCO application. |

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| | | paragraph 178. Paragraph 5.2.1 of Annex C included in the Planning Statement [APP-267] refers to examples of wider sustainability benefits including, 'an overall reduction in flood risk to the wider community through the provision of, or financial contribution to, flood risk management infrastructure'. The overall reduction in flood risk is explained in paragraphs 5.2.4 to 5.2.8.<br><br>1) The applicant is asked to confirm if any provisions of or financial contributions to flood risk management infrastructure have been considered or agreed with Wiltshire Council or Parish Councils (separate from the community benefit scheme mentioned in paragraph 5.2.12 (noting the latter cannot be taken into account in the planning balance)). Whilst it is acknowledged this question is posed to the Applicant, the LLFA is not aware of any specific provisions or financial contributions toward flood risk management infrastructure that have been agreed with Wiltshire Council or relevant Parish Councils as part of this Scheme. Based on the information | Paragraph 5.2.1 of Annex C to the **Planning Statement [REP3-081]** lists non-exhaustive examples contained in the Planning Practice Guidance of the types of wider sustainability benefit that may support the first criterion of the Exception Test. It does not state that each example forms part of the Scheme, nor does it state that the Applicant relies on a financial contribution or committed off-site flood risk management infrastructure. No amendment to Annex C is therefore required on this point.<br><br>The wider sustainability benefits relied upon for the first criterion of the Exception Test are set out at paragraphs 5.2.9 onwards of Annex C. These include renewable energy generation, climate change benefits, employment, economic benefits, skills and training, landscape and ecological enhancements, biodiversity net gain and improved recreational access.<br><br>The second criterion requires the Scheme to be safe for its lifetime, without increasing flood risk elsewhere and, where possible, to reduce flood risk overall. The Applicant's case is that the Scheme will be safe and will not increase flood risk elsewhere. This is demonstrated through the sequential siting of vulnerable infrastructure, retention of floodplain storage and existing flow routes, permeable panelled areas and access tracks, and attenuation and controlled discharge from formal impermeable infrastructure. Where formal positive |

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| | | reviewed, the Applicant's position within the Planning Statement [REP2-017] and supporting Annex C appears to rely on embedded site-level mitigation measures (e.g. SuDS, runoff control, and maintenance of greenfield rates) to demonstrate compliance with policy and to support the Exception Test, rather than any off-site interventions or agreed contributions to wider flood risk management infrastructure.<br>Page 25 of 51<br>ExQ1 Question to: Question: As such, the LLFA considers that the Applicant has not demonstrated delivery of a tangible reduction in flood risk to the wider community through infrastructure provision or financial contribution, as referenced in NPPF paragraph 178 and the Applicant's own Annex C. If the Applicant intends to rely on such benefits to support the Exception Test, this should be clearly evidenced through engagement with the LLFA and relevant stakeholders, including identification of specific measures, locations, funding arrangements, and confirmation of agreement in principle. | drainage is proposed, discharge from positively drained impermeable areas will be restricted to 70% of the equivalent existing greenfield rate for the 1 in 1 year and 1 in 2 year events.<br><br>This provides a meaningful reduction in peak discharge from those drained catchments. That is site-level drainage betterment, rather than a committed off-site flood alleviation scheme or financial contribution to wider flood risk management infrastructure.<br><br>Separately, as set out in **Applicant's Response to the Examining Authority's First Written Questions [EXAM/9.29]**, the Applicant is actively seeking to assist with the understanding of existing flooding issues in and around Corston. In response to local community concerns and interest in potential flood alleviation opportunities associated with Gauze Brook, including matters raised at the Open Floor Hearing on 24 April 2026, the Applicant is voluntarily commissioning additional topographic survey and updated hydraulic modelling for Lime Down D.<br><br>The purpose of this work is to establish whether workable flood alleviation, catchment management or natural flood management measures in and around Gauze Brook could provide a meaningful benefit for Corston and downstream communities. Potential conceptual measures will be tested through the updated hydraulic model to provide a |

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| | | 2. If so, the applicant is asked to provide further information.<br>If the Applicant intends to rely on such wider benefits to support the Exception Test, the LLFA would expect submission of clear and specific evidence, including: identification of proposed flood risk management measures beyond the site boundary; confirmation of engagement and agreement with Wiltshire Council and / or Parish Councils; details of funding or delivery mechanisms; and demonstration of how these measures would achieve a quantifiable reduction in flood risk to downstream receptors. In the absence of this information, the LLFA does not consider that this element of the Exception Test has been demonstrated.<br>3. The applicant is asked to revise section 'An overall reduction in flood risk' to clarify this point.<br>On behalf of the LLFA, no reduction in wider flood risk has been agreed or demonstrated. The Applicant's current wording therefore overstates the position and requires clarification. In the LLFA's view, the assessment indicates that the | robust technical basis for future discussion. The existing assessment of Lime Down D and Gauze Brook is set out in **ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy - Lime Down D / BESS [REP3-057]**.<br><br>The modelling outputs will be shared with Wiltshire Council, the Environment Agency and the local community through the relevant Parish Councils. Subject to the findings, feasibility and agreement with the relevant parties, the work may identify measures capable of being taken forward as a positive community benefit.<br><br>This work is separate from the submitted flood risk assessment in **ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015]**, **ES Volume 3, Appendix 11-1: Flood Risk Assessment and Drainage Strategy - Covering Report [REP3-047]** and the site-specific Flood Risk Assessment and Drainage Strategy appendices. Those documents demonstrate that the Scheme would remain safe and would not increase flood risk elsewhere. The additional Gauze Brook work is not relied upon as mitigation required to make the Scheme acceptable or to demonstrate compliance with either criterion of the Exception Test. |

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| | | Scheme relies on on-site mitigation measures to maintain greenfield runoff conditions, rather than delivering a demonstrable or agreed reduction in flood risk to the wider community. As such, the relevant section should be revised to accurately reflect this position. | |
| FHW1.9 | The Applicant | **Construction**<br>The EA has raised concerns in [REP2-049] regarding the assessment of the flood risk impacts during the construction phase. The EA considers that further assessment is needed to understand and address the impact that the construction phase may have on the floodplain capacity and flow routes. The LLFA highlights in Wiltshire Council's LIR [REP1-137] the lack of demonstrated pre- and post-construction exceedance flow routing for 1 in 100yr plus climate change event as one of the most significant risks during construction and requests a new requirement ('Pre-and post-construction exceedance flow routing plan'). The ExA note the applicant's responses to the LIR [REP2-038]. | The Applicant agrees that construction-stage drainage and exceedance arrangements must be demonstrated for the final construction activities and sequencing.<br><br>The Applicant does not agree with the LLFA's conclusion that construction-phase flood risk and exceedance routing have not been adequately addressed. The LLFA's position appears to treat the absence of a final temporary drainage layout as an absence of assessment or secured mitigation. That is not the case.<br><br>Existing surface water pathways, drainage features, watercourses and floodplain interactions have been assessed through **ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015]** and the site-specific **ES Volume 3, Appendices 11-2 to 11-9: Flood Risk Assessment and Drainage Strategy [REP3-049, REP3-051, REP3-053, REP3-055, REP3-057, REP3-059, REP3-061 and REP3-063]**. Those assessments have informed the retention of existing flow routes, avoidance of |

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| | | 1) The applicant is asked to provide an update on the discussions with the EA and the LLFA on these points.<br>The Lead Local Flood Authority notes that this question is directed to the Applicant. However, from the LLFA's perspective, discussions with the Applicant and the Environment Agency remain ongoing, and key matters relating to construction-phase flood risk are not yet fully resolved. In particular, the LLFA's concerns regarding exceedance flow routing, floodplain impacts during construction, and the need for specific controls or requirements remain under discussion. At this stage, no formal agreement has been reached on how these matters will be addressed within the DCO framework.<br>2. If further assessment is needed, the applicant is asked to provide timescales for the assessment.<br>The Lead Local Flood Authority notes that this question is directed to the Applicant. However, from the information submitted to date, no specific timescales have been provided for undertaking any | unnecessary obstruction, use of permeable access tracks and protection of floodplain capacity.<br><br>The updated flood risk and drainage figures to be submitted at Deadline 4 will show the principal existing drainage features, mapped surface water pathways and exceedance principles more clearly. This improves the presentation of the assessment but does not indicate that those matters were previously unassessed.<br><br>The final construction compounds, haul routes, stockpile locations, temporary works, active working areas and sequence of construction are not yet fixed. A construction-stage exceedance plan prepared now would therefore be based on assumed temporary layouts which may not reflect the works ultimately undertaken.<br><br>The Water Management Plan forming part of the detailed CEMP will provide the phase-specific construction drainage and exceedance arrangements. It will identify:<br>• the existing drainage features and overland flow routes relevant to the construction phase;<br>• the proposed temporary drainage and runoff controls;<br>• the routing of flows exceeding the capacity of temporary drainage measures; |

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| | | further assessment of construction-phase flood risk, including impacts on floodplain capacity and exceedance flow routing. The LLFA considers that, should further assessment be required, it is important that this is clearly time-bound and secured prior to the commencement of each phase of development, through an appropriate Requirement. In the absence of defined timescales, there is currently insufficient certainty that the necessary assessments will be completed in advance of construction activities.<br>3. If no further assessment is required at this stage but would be required before construction starts, the applicant is asked to explain how it would be secured in the dDCO and outline management plans.<br>The Lead Local Flood Authority notes that this question is directed to the Applicant. However, the LLFA considers that the current dDCO and outline management plans do not clearly or explicitly secure further assessment of construction-phase flood risk, including | • the interaction with compounds, haul routes, stockpiles, excavations and watercourse crossings; and<br>• the measures required to maintain existing floodplain capacity and avoid diversion of flows towards sensitive receptors.<br><br>Where the final construction layout or temporary works cannot avoid a material surface water pathway or floodplain interaction, a localised hydraulic assessment or design verification will be undertaken before the relevant construction stage commences. The resulting mitigation will be incorporated into the Water Management Plan.<br><br>This directly addresses the LLFA's concern. The appropriate response is not to undertake speculative Scheme-wide modelling of undefined temporary works, but to apply the assessed baseline and secured performance requirements to the final construction layout and undertake localised assessment where a material interaction is identified.<br><br>The detailed CEMP, including the Water Management Plan and Flood Risk Management Action Plan, is secured through Requirement 13 of the **Draft Development Consent Order [REP3-005]** and must be approved before the relevant construction stage commences. Construction compounds, material storage and stockpiles |

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| | | impacts on floodplain capacity and exceedance flow routing, prior to the commencement of works. While the Applicant relies on the Outline Construction Environmental Management Plan and subsequent detailed submissions, the LLFA considers that clearer and more explicit drafting is required within the dDCO (e.g. through a Requirement or strengthened wording) to ensure that any necessary assessment is undertaken, submitted, and approved before construction begins, rather than being deferred without defined scope or timing. | will not be located within Flood Zone 3b and will, where practicable, be located outside the 1% AEP flood extent, in accordance with the **Outline Construction Environmental Management Plan [REP3-092]**.<br><br>Operational exceedance arrangements for formal drainage systems will be defined through the detailed drainage schemes secured by Requirement 11.<br><br>Construction-related soil compaction, reinstatement and remedial loosening will be controlled through the **Outline Soil Resources Management Plan [REP3-098]** and Requirement 17.<br><br>The Applicant therefore considers that the relevant flood pathways have been assessed and that construction-stage drainage, exceedance routing and any necessary localised assessment are secured through Requirements 11, 13 and 17. A separate Requirement would duplicate those controls. |
| FHW1.10 | The LLFA The Environment Agency | **Operation – Surface Water Run-off Discharge to Watercourses**<br>The applicant explains in the outline drainage strategies [APP-210 to APP-218] that surface water would be generally discharged into SUDS and local drainage features which would | The Applicant agrees that surface water from the Scheme must be managed so that receiving watercourses are not overloaded and flood risk is not increased elsewhere.<br><br>The point of disagreement is the LLFA's assumption that the Solar PV Panels will generate additional runoff requiring additional capacity within the receiving watercourses. |

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| | | eventually discharge into local watercourses and main rivers.<br>Given that quantification of the surface water run-off volumes to be discharged is not available at this point, the LLFA and the EA are asked to provide information regarding the ability of the receiving watercourses to receive these discharges without increasing flood risk in the wider catchment.<br>In the absence of quantified discharge volumes, the LLFA cannot confirm that receiving watercourses have capacity to accommodate additional runoff without increasing flood risk. The LLFA requires demonstration of greenfield runoff rate compliance and confirmation that downstream systems are not adversely affected. Reference: NPPF para 173; NPS EN-1 para 5.8.15. | The Applicant's technical position is set out in **Applicant's Response to Lead Local Flood Authority on Hydraulic Modelling Requirements [REP2-045]** and is supported by the physical form of the Scheme, published academic literature, relevant drainage guidance and the solar-specific provisions of NPS EN-3.<br><br>The Solar PV Panels will remain elevated above the ground on discrete supports. Rainfall will drain from the panels to the vegetated ground beneath and between the arrays and will remain within the existing field catchments. It will not be collected through gutters, pipes or a positive drainage system and discharged directly to a watercourse.<br><br>The Applicant therefore does not consider that the panelled areas will increase the rate of surface water runoff reaching the receiving watercourses. The available evidence demonstrates that runoff response beneath solar arrays is governed principally by vegetation cover, soil condition, compaction, surface roughness and connectivity to downstream drainage features, rather than by the presence of the elevated panels alone.<br><br>Those controlling conditions are addressed through the Scheme. Permanent vegetation will be established and maintained beneath and between the arrays, construction compaction will be prevented or remediated, access |

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| | | | tracks will be permeable and generally constructed at existing levels, and existing drainage features and overland flow routes will be retained. These measures are secured through the **Outline Construction Environmental Management Plan [REP3-092]**, **Outline Soil Resources Management Plan [REP3-098]**, **Outline Landscape and Ecology Management Plan [REP3-100]** and **Outline Operational Environmental Management Plan [REP 3-094].**<br><br>Formal impermeable infrastructure, including the BESS, substations and associated hardstanding, will be positively drained and separately controlled. The relevant 1-year and 2-year post-development peak discharge rates will be restricted to 70% of the corresponding greenfield runoff rates, with attenuation provided for the 1 in 100-year rainfall event plus the applicable climate change allowance.<br>As confirmed in **Applicant's Response to the Examining Authority's First Written Questions [EXAM/9.29]**, further high-level calculations will be submitted at Deadline 4 for the fixed or committed formal infrastructure. These will identify the contributing impermeable areas, existing greenfield runoff rates, proposed controlled discharge rates and indicative attenuation requirements. |

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| | | | The receiving watercourses already receive runoff from the existing agricultural catchments. As the panelled areas will not increase the peak runoff reaching those watercourses, and discharges from formal impermeable areas will be restricted to below the corresponding greenfield peak rates, the Scheme will not impose an increased peak hydraulic loading on the receiving watercourses.<br><br>The Applicant therefore does not consider that separate hydraulic capacity modelling of each receiving watercourse is necessary in the absence of an identified site-specific capacity constraint or mechanism by which the controlled discharge would increase downstream flood risk. The LLFA has not identified such a constraint or mechanism.<br><br>The final drainage calculations, attenuation volumes, flow controls, outfall arrangements, exceedance routing and maintenance requirements for the formal drainage systems will be submitted for approval under Requirement 11 of the **Draft Development Consent Order [REP3-005]** before the relevant part of the Scheme commences.<br><br>The Applicant therefore considers that the submitted evidence, including the evidence submitted at Deadline 4, demonstrates that the Scheme will not increase peak |

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| | | | surface water discharge to the receiving watercourses and will not increase flood risk elsewhere. |
| FHW1.11 | The Applicant | **Decommissioning**<br>There is no information regarding what would happen to the installed SUDS at the end of the proposed development's life. The applicant is asked to confirm if all SUDS would be removed during decommissioning and what would be the measures in place to ensure that flood risk is not increased as a result.<br>Whilst it is acknowledged that this question is posed to the Applicant, the LLFA notes that the application does not provide information on how the proposed SuDS infrastructure will be managed at the end of the development's operational life. The Applicant should clarify whether SuDS features will be retained, modified, or removed as part of any decommissioning or restoration process, and how the site will be drained post-decommissioning. The LLFA also considers that the Applicant should demonstrate how flood risk will be managed during decommissioning works and confirm that there will be no | The Applicant does not agree with the LLFA's statement that the application provides no information on the management of SuDS at the end of the Scheme's operational life.<br><br>As confirmed in **Applicant's Response to the Examining Authority's First Written Questions [EXAM/9.29]**, SuDS and drainage features installed to serve formal infrastructure would be removed during decommissioning unless their retention or modification is agreed with the relevant planning authority through the detailed Decommissioning Strategy.<br><br>The panelled areas do not require formal SuDS because rainfall drains to the underlying ground. SuDS retirement principally relates to drainage serving the BESS, substations and other formal impermeable infrastructure. Those drainage systems will remain operational until the infrastructure they serve has been removed and the affected catchment has been reinstated to a stable drainage condition.<br>During decommissioning, temporary drainage, runoff interception, attenuation, sediment control and pollution prevention measures will be provided where required for the active working areas. |

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| | | increase in flood risk both during and following this phase. A proportionate, high-level drainage decommissioning or restoration strategy should be provided to support this. | Existing watercourses, drainage features and overland flow routes will be protected, and the removal of drainage infrastructure will be sequenced so that no uncontrolled discharge or increase in flood risk occurs.<br><br>Following removal of the relevant infrastructure, ground levels, soil profiles and existing surface water flow routes will be reinstated as appropriate.<br><br>The final drainage condition will reflect the approved restoration proposals and the intended post-decommissioning land use.<br><br>These principles are set out in the **Outline Decommissioning Strategy [REP3-096]** and are secured through Requirement 20 of the **Draft Development Consent Order [REP3-005]**. The detailed Decommissioning Strategy must be approved before the relevant decommissioning works commence and will define the final sequence for drainage maintenance, SuDS retirement or retention, temporary runoff management, soil reinstatement and post-decommissioning drainage.<br><br>A separate drainage decommissioning or restoration strategy is therefore not required. The high-level principles and required outcomes are established, while the final measures are appropriately determined through the |

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| | | | detailed Decommissioning Strategy when the drainage systems to be retired, the decommissioning methodology and the restoration proposals are known.<br><br>The Applicant considers that these controls demonstrate that flood risk will be managed during decommissioning and will not be increased following restoration. |
| FHW1.12 | The Applicant<br>The LLFA | **Flood Risk to Infrastructure – Sites C1 and D**<br>Figure 11-3.2 Lime Down C1 Fluvial Flood Risk Map [APP-137] shows the 132kV substation at high risk of surface water flooding in the south area of field C33. The ExA note the need for the substation to be in a central location within the site.<br>The Applicant:<br>The applicant is asked to explain why the substation is located there and not in the north of field C33 or in other field at lower risk of all types of flooding within site C such as C19 which is also close to the cable route corridor.<br>The first bullet point of paragraph 2.4.13 of [APP-213] states *'The substation will be sequentially located within Field C33 to avoid obstructing the mapped surface water flow route where feasible (…)'*. | The Applicant notes the LLFA's comments and welcomes its confirmation that it does not object in principle to the conclusion that the ordinary watercourse between Fields D22 and D1 presents a low flood risk.<br><br>For Lime Down C1, the 132 kV substation shown within Field C33 is an indicative location rather than the final substation platform footprint. Field C33 was selected because it provides a central location within Lime Down C1 for electrical connection, cable routing, access and construction purposes, while retaining sufficient flexibility to respond to environmental and engineering constraints through detailed design.<br>**ES Volume 2, Figure 11-3: Lime Down C1 Fluvial and Surface Water Flood Risk Map [REP3-029]** shows that the mapped high-likelihood surface water flow route overlaps the southern part of the indicative substation area. The northern part of Field C33 is at lower surface water flood risk. |

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| | | The applicant is asked to explain the need for the words *'where feasible'*. If the substation is located where it does not obstruct a surface water flow route, the substation platform would not need to be elevated to allow for freeboard. In your response, please consider the EA's comment 073 in document [REP2-049] regarding the potential need for further assessment and compensatory storage. Please provide an update on the discussions with the EA regarding this point.<br>The LLFA:<br>An ordinary watercourse between fields D22 and D1 is mapped in the flood risk assessment [APP-215] but the analysis suggests low risk of flooding. As this watercourse runs between the potential location of the 400kV substation and the BESS area, the LLFA is asked to confirm the findings of [APP-215] and submit any further relevant information available if not already included in the document. The LLFA does not object in principle to the Applicant's "low risk" conclusion; however, this is not sufficiently evidenced. The assessment relies on | As set out in **Applicant's Response to the Examining Authority's First Written Questions [EXAM/9.29]**, detailed design will first seek to locate the substation platform within the northern, lower-risk part of Field C33, outside the mapped surface water flow route where practicable. The words "where feasible" in **ES Volume 3, Appendix 11-4: Flood Risk Assessment and Drainage Strategy - Lime Down C1 [REP3-030]** recognise that the final position must also take account of electrical layout, access, construction, safety, land and other environmental constraints.<br><br>They do not allow the flow route to be obstructed without assessment and mitigation.<br><br>Where the final platform can avoid the mapped flow route, no mitigation or compensatory storage associated with that route would be required. If avoidance cannot be achieved in full, the detailed design will be required to maintain or appropriately divert the existing conveyance and storage and demonstrate that flood risk will not be increased on-site or elsewhere. This may require localised hydraulic assessment or design verification.<br><br>Compensatory storage would be provided where the final design identifies a material loss of flood storage. |

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| | | proxy datasets and simplified methods rather than robust, site-specific analysis, and the ordinary watercourse is not explicitly modelled. Given its position between the proposed 400kV substation and BESS, there remains uncertainty as to whether it functions as an active flow route or conveyance corridor that could influence flood behaviour and infrastructure layout. The LLFA therefore requires the Applicant to: (i) undertake targeted topographic and channel survey of the watercourse corridor; (ii) provide proportionate hydraulic assessment (or equivalent evidence) to define flood extents, depths, and flow routes; and (iii) demonstrate that the layout maintains conveyance, including appropriate stand-offs and no obstruction of flow paths. The Applicant should also confirm how the watercourse will be protected and managed, and address any consenting requirements for works affecting an ordinary watercourse. | The detailed design of the substation is secured through Requirement 5 and its surface water drainage through Requirement 11 of the **Draft Development Consent Order [REP3-005]**. Engagement with the Environment Agency on this matter remains ongoing through the Statement of Common Ground.<br>For Lime Down D, the ordinary watercourse between Fields D22 and D1 forms a defined drainage corridor between the indicative 400 kV substation in Field D22 and the BESS Area in Field D1. The principal mapped flow route follows this corridor rather than crossing the indicative platform areas.<br><br>The local upstream catchment is limited in extent, with the railway embankment immediately upstream forming a material topographic control on flows entering the corridor. The feature has nevertheless been treated as an ordinary watercourse and potential conveyance route within the assessment.<br><br>The conclusion is not based solely on national proxy mapping. The assessment in **ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy - Lime Down D / BESS [REP3-057]** considers site topography, LiDAR-derived channel and floodplain geometry, Environment Agency surface water mapping and a specific Manning's open-channel calculation for the |

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| | | | D-1 cross-section, which is representative of this drainage corridor.<br><br>The assessment used the conservative 0.1% AEP mapped surface water level and applied the 71% climate change allowance to the equivalent flow. At D-1, the indicative flood level increased from approximately 97.80 m AOD to 97.86 m AOD, an increase of approximately 58 mm. The resulting extent did not materially increase beyond the conservative mapped flow corridor.<br><br>Site-specific survey information is also provided in **ES Volume 3, Appendix 9-9: Watercourse Crossing Schedule [REP1-126]**. The feature is identified as OW22 and was recorded as a dry agricultural ditch approximately 1.5 m deep and 0.75 m wide, with steep earth banks, limited aquatic or marginal vegetation and evidence that it is unlikely to hold water regularly.<br><br>The Applicant recognises that the feature may convey flows during wetter periods and extreme rainfall. The final BESS and 400 kV substation layouts will therefore retain the watercourse corridor, maintain its hydraulic conveyance and provide the applicable minimum stand-off from the top of bank outside the defined crossing location.<br><br>The proposed interface with OW22 is identified in **ES Volume 3, Appendix 9-9: Watercourse Crossing** |

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| | | | **Schedule [REP1-126]**, which provides for an open-cut cable crossing and a new permanent access culvert. The detailed crossing design will be required to maintain the existing channel capacity and avoid obstruction or diversion of flows towards the BESS or substation.<br><br>The conceptual drainage layouts to be provided at Deadline 4 show the relationship between the watercourse, BESS Area, 400 kV substation, formal drainage systems and exceedance routes more clearly. Final levels, crossings, drainage outfalls and exceedance arrangements will be confirmed through detailed design.<br><br>Any works affecting the ordinary watercourse that constitute specified works will require drainage authority approval under Part 9 of Schedule 15 of the **Draft Development Consent Order [REP3-005]**. Construction methodology, temporary flow management, sediment and pollution controls and reinstatement will also be addressed through the detailed CEMP secured under Requirement 13.<br>The Applicant considers that the low-risk conclusion is supported by proportionate site-specific evidence. Further detailed hydraulic modelling is not considered necessary at the DCO stage. If the final infrastructure or crossing design identifies a material interaction beyond that presently assessed, any necessary localised survey or |

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| | | | design verification will be undertaken through the detailed design and approval process. |
| FHW1.13 | The LLFA | **Interaction with Future Plans for Gauze Brook Restoration**<br>St Paul Malmesbury Without Parish Council in their post hearing submission [REP1A-016] refer to work with Hullavington Partish Council and Wiltshire Council's Flood Resilience officer to alleviate flooding in the Gauze Brook. The ExA note the applicant's response in [REP1A-013] (SS-002, pages 348-349) which explains that the proposed development does not include in-channel works or permanent structures that would prevent future interventions and restauration.<br>The LLFA is asked to provide further information regarding the plan's timescales and any other relevant details (outline business plan, design, impact, funding, etc).<br>The Lead Local Flood Authority (LLFA) understands that the proposals relating to the Gauze Brook are currently at an early, exploratory stage and do not yet constitute a formal scheme with defined timescales, funding, or detailed design. | The Applicant welcomes the LLFA's confirmation that the Gauze Brook restoration proposals remain at an early, exploratory stage, with no defined programme, design, funding or delivery mechanism.<br><br>The Applicant recognises that the operational layout and land use at Lime Down D could influence which future flood alleviation or natural flood management measures remain practicable. In particular, the Scheme could constrain an intervention if land required for that measure is occupied by Solar PV Panels, access tracks or other Scheme infrastructure. It is therefore not possible to conclude that every potential future intervention would remain deliverable following construction of the Scheme.<br><br>However, no sufficiently defined restoration or flood alleviation proposal currently exists against which the Scheme can be assessed. The location, land requirements, hydraulic function and effectiveness of any future measure are not yet known, and its delivery may also depend on securing agreement from the relevant landowners. It is therefore not possible to identify whether any particular part of the Scheme would conflict with a viable and deliverable intervention or what design response might be appropriate. |

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| | | The information provided by St Paul Malmesbury Without Parish Council confirms that the work is in its infancy, with ongoing collaboration between the Parish Council, Hullavington Parish Council, and Wiltshire Council officers, including participation in walkover surveys and catchment-based discussions led by Wiltshire Wildlife Flood Management, intended to identify opportunities to alleviate flooding along the Gauze Brook. At present, there is no confirmed programme, outline business case, secured funding stream, or defined engineering design, and the concept remains focused on potential measures such as restoring the brook to a more natural, meandering alignment and introducing upstream flood storage ("flood pools") to attenuate flows and reduce downstream flood risk at Corston. From an LLFA perspective, this work is consistent with a natural flood management (NFM)–led approach, but it should be recognised that it is pre-feasibility and evidence-gathering in nature, rather than a deliverable scheme at this stage. Accordingly, no detailed | The Scheme does not include permanent in-channel works within Gauze Brook. The Gauze Brook corridor and its existing floodplain function will be retained, and formal impermeable infrastructure will be separately drained, attenuated and subject to controlled discharge. The existing flood risk assessment is set out in **ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy - Lime Down D / BESS [REP3-057]**.<br>As set out in the Applicant's response to FHW1.8 and **Applicant's Response to the Examining Authority's First Written Questions [EXAM/9.29]**, the Applicant is voluntarily commissioning additional topographic survey and updated hydraulic modelling for Lime Down D. This work will investigate whether practicable flood alleviation, catchment management or natural flood management measures in and around Gauze Brook could provide a meaningful benefit for Corston and downstream communities.<br><br>Potential conceptual measures will be tested through the updated hydraulic model, including consideration of their relationship with the Scheme. This will help identify whether effective measures can be accommodated within or alongside the proposed development and whether any changes to the indicative layout would be necessary and practicable. |

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| | | assessment of impacts, costs, or delivery mechanisms has yet been undertaken. The Applicant has confirmed that the Scheme does not include in-channel works or permanent structures within Gauze Brook and would not prevent future restoration or intervention works, subject to separate design and consent processes. In summary, the LLFA confirms that while there is active local interest and early collaborative work on Gauze Brook flood alleviation, there are currently no defined timescales, design proposals, funding arrangements, or formal delivery plan, and therefore it should be treated as a developing concept rather than a committed flood scheme at this stage.<br>The LLFA is asked to confirm agreement or otherwise with the applicant's conclusions.<br>The Lead Local Flood Authority (LLFA) partially agrees with the Applicant's conclusions. The LLFA agrees that the Scheme does not include in-channel works within Gauze Brook and would not, in principle, prevent future restoration or natural flood management | The outputs will be shared with Wiltshire Council, the Environment Agency and the local community through the relevant Parish Councils. Subject to the findings, feasibility and agreement with the relevant parties, the work may identify measures capable of being taken forward as a positive community benefit.<br><br>This voluntary work is separate from the submitted Flood Risk Assessment and Drainage Strategy. It is not relied upon as mitigation required to make the Scheme acceptable in flood risk terms or to demonstrate compliance with the Exception Test.<br><br>The Applicant therefore accepts that the Scheme could constrain some presently undefined future flood alleviation options.<br><br>The ongoing survey and modelling work is intended to identify whether effective measures can instead be developed in a form that is compatible with the Scheme and capable of providing a meaningful community benefit. |

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| | | interventions, which remain subject to separate design and consents. The LLFA also accepts that the drainage strategy is intended to maintain floodplain function and control runoff to greenfield rates. However, the LLFA does not fully agree that there is no interaction with future plans. While restoration proposals are at an early stage, they may require floodplain space, land use flexibility, and flow pathway adjustments, and the Scheme could influence how such measures are configured or delivered in practice:<br>• Restoration is not precluded in principle<br>• But the Scheme may indirectly constrain or influence future options.<br>The LLFA therefore considers the Applicant's conclusion is reasonable but should be qualified to recognise potential indirect effects on future flood alleviation proposals. | |
| FHW1.15 | The Applicant | **Water Quality**<br>The EA raises in its D2 submission [REP2-049] a number of currently unresolved water quality concerns: piling | The Applicant notes the LLFA's position and agrees that the Environment Agency is the principal regulator for groundwater protection, contaminated land and environmental permitting. The Applicant also |

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| | | (EA-023), BESS foundation solution (EA-024), suitable mitigation where groundwater may be encountered (EA-027), thermal implications of cables (EA-030), reference to breakout contingency procedure in the cable route construction method statement (EA-038), reference to firewater management information in the oOEMP (EZ-046), insufficient water mitigation measures in the oCEMP (EA-070).<br>Wiltshire Council in its LIR [REP1-137] highlights water quality impacts during construction and decommissioning.<br>Several IPs have also raised concerns regarding the potential for pollutants from damaged panels, substations and BESS area (under fire and non-fire conditions) to enter surface water and groundwater, especially in Source Protection Zones.<br>The applicant is asked to provide an update on the discussions with the EA and Wiltshire Council and the likelihood of their resolution.<br>Whilst it is acknowledged that this question is posed to the Applicant, the LLFA notes that a number of water | acknowledges the LLFA's interest where water quality considerations interact with surface water drainage and SuDS.<br><br>As set out in **Applicant's Response to the Examining Authority's First Written Questions [EXAM/9.29]**, discussions with the Environment Agency and Wiltshire Council remain ongoing.<br><br>The outstanding matters are capable of resolution through targeted document updates and the detailed design and management plans secured by the **Draft Development Consent Order [REP3-005]**. They do not identify an unmitigated significant water quality effect.<br><br>The construction water quality assessment and mitigation are set out in **ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015]**, **ES Volume 1, Chapter 19: Ground Conditions and Contamination [REP3-023]**, the **Water Framework Directive Assessment [REP1-094]** and the **Outline Construction Environmental Management Plan [REP3-092]**.<br><br>The Water Management Plan forming part of the detailed CEMP will address:<br>• temporary drainage and separation of clean and potentially contaminated runoff; |

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| | | quality matters remain under discussion between the Applicant, the Environment Agency, and Wiltshire Council. These issues relate primarily to groundwater protection, contamination risk, and regulatory controls, which fall within the remit of the Environment Agency. The LLFA therefore defers to the EA regarding the status of ongoing discussions and the likelihood of their resolution. The LLFA would expect that any outstanding matters are resolved and appropriately secured through the relevant environmental management plans and permitting regime, and that any agreed mitigation measures are reflected in the final drainage strategy to ensure surface water runoff does not adversely affect water quality.<br>The applicant is also asked to set out the mitigation measures secured through the environmental management plans (including the Water Management Plan, referred to in the oCEMP) to ensure effecting monitoring and management of water quality for all sites. | • interception, settlement and treatment of sediment-laden water;<br>• protection of watercourses, land drains and existing drainage features;<br>• groundwater encountered within excavations and any necessary dewatering;<br>• drilling fluid management and breakout contingency procedures;<br>• storage and handling of fuels, oils and chemicals;<br>• refuelling, washdown and concrete works;<br>• water quality monitoring, inspections and corrective action; and<br>• pollution incident and emergency response procedures.<br><br>The final arrangements will respond to the construction activities, temporary drainage pathways and receiving receptors within each working area. The detailed CEMP must be approved before the relevant construction stage commences and subsequently implemented under Requirement 13 of the **Draft Development Consent Order [REP3-005]**.<br><br>Pre-construction ground investigation will inform the final foundation and piling design. Where required, this will include a piling risk assessment or hydrogeological risk assessment addressing potential pathways to groundwater, including Principal Aquifers, Source |

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| | | This question is directed at the Applicant, and much of it relates to water quality mitigation, monitoring, and pollution control, which are primarily Environment Agency responsibilities (especially groundwater, contamination, and environmental permitting). However, the LLFA does have a legitimate interest where this overlaps with surface water management and SuDS performance. | Protection Zones and private water supplies. Groundwater encountered during construction will be managed so that it is not discharged without appropriate treatment, approval or permitting.<br>Operational drainage serving the BESS, substations and associated formal infrastructure will incorporate appropriate treatment, containment and isolation measures. These include sealed or otherwise controlled drainage components, shut-off valves, containment of potentially contaminated runoff and testing before any controlled discharge. Water requiring treatment or disposal will be retained and removed by tanker where necessary.<br><br>These principles are set out in **ES Volume 3, Appendix 11-6: Flood Risk Assessment and Drainage Strategy - Lime Down D / BESS [REP3-057]**, **Firewater Containment and Drainage Strategy - Lime Down D Battery Energy Storage System [REP3-118]** and **Firewater Containment and Drainage Strategy - Lime Down Substation [REP3-120]**. The final drainage design will be approved under Requirement 11 and the detailed Battery Safety Management Plan under Requirement 6 of the **Draft Development Consent Order [REP3-005]**.<br><br>Operational inspection, maintenance and incident response will be addressed through the detailed OEMP prepared substantially in accordance with the **Outline** |

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| | | | **Operational Environmental Management Plan [REP3-094]**. This will include inspection of drainage and containment systems and the management and removal of damaged equipment where required.<br>Equivalent water quality and pollution prevention controls will apply during decommissioning through the detailed Decommissioning Strategy secured by Requirement 20 and prepared substantially in accordance with the **Outline Decommissioning Strategy [REP1-100]**.<br><br>The Applicant agrees that measures directly relevant to surface water drainage and SuDS should be reflected in the detailed drainage design and associated management plans. However, matters such as piling risk, cable thermal effects, groundwater management and environmental permitting are more appropriately addressed through the foundation design, hydrogeological assessment, CEMP, OEMP and relevant regulatory approvals rather than duplicated within the final drainage strategy.<br><br>The Applicant will continue engagement with the Environment Agency and Wiltshire Council and considers that the outstanding matters can be resolved through the existing assessment, targeted updates and secured detailed approval processes. |
| FHW1.19 | The LLFA | **Draft DCO – Ordinary Watercourse Consent and Environmental Permitting** | From a technical perspective, the Applicant agrees that works affecting ordinary watercourses and drainage features must be supported by sufficient information to |

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| | | Article 6 of the dDCO [REP1-007] disapplies section 23 (prohibition of obstructions, etc. in watercourses) of the Land Drainage Act 1991 and regulation 12 (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016. Article 17 of the dDCO controls the discharge of surface water and requests consent from the relevant undertaker. Part 9 of the dDCO ('For the protection of drainage authorities') includes provisions in relation to work around watercourses.<br>The LLFA raised concerns in Wiltshire Council's LIR [REP1-137] about risk of pollution and flow disruption due to horizontal directional drilling and temporary crossings near ordinary watercourses works without Ordinary Watercourse Consent do not include and apply agreed LLFA principles. The LLFA requested a specific requirement in page 97 of the LIR ('Horizontal Directional Drilling Method Statement and Frac-Out Contingency')<br>1. The LLFA is asked to confirm agreement or otherwise with the | demonstrate that flood risk, hydraulic conveyance, water quality, structural integrity, access and maintenance will be appropriately managed.<br><br>The proposed watercourse interfaces are identified in **ES Volume 3, Appendix 9-9: Watercourse Crossing Schedule [REP1-126]**, which records the proposed crossing method and access arrangement for each Main River and ordinary watercourse crossing.<br><br>The construction principles are set out in **ES Volume 3, Appendix 3-2: Cable Route Construction Method Statement [REP3-042]** and the **Outline Construction Environmental Management Plan [REP3-092]**. Detailed method statements will be prepared for the relevant crossings and trenchless works.<br>Where HDD or another trenchless method is proposed, the method statement will address:<br>• the launch and reception areas;<br>• drilling methodology and equipment;<br>• drilling fluid composition, storage and management;<br>• monitoring for loss of drilling fluid;<br>• breakout or frac-out response procedures;<br>• containment, recovery and disposal measures; and<br>• reinstatement and post-construction inspection.<br><br>Where an open-cut crossing, temporary culvert or permanent culvert is proposed, the method statement or |

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| | | wording of articles 6 and 17 of the dDCO regarding ordinary watercourse consent.<br>Wiltshire Council, as LLFA, does not agree that Articles 6 and 17 alone are sufficient. The disapplication of section 23 of the Land Drainage Act 1991 and regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016 in respect of flood risk activities should be matched by equivalent DCO controls.<br>2. The LLFA is requested to explain if Article 17 and the provisions in Part 9 of the dDCO provide enough protection to ensure that the LLFA principles would be actioned or if further wording within the dDCO is needed instead of the addition of another requirement.<br>The council notes that Part 9 of Schedule 15 already contains a drainage-authority approval regime for "specified works", including submission of plans, independent review, written approval, conditions for the protection of drainage works and ordinary | detailed design will address temporary flow management, maintenance of hydraulic conveyance, sediment and pollution prevention, structural design and reinstatement.<br><br>The detail required will reflect the scale, sensitivity and hydraulic function of the feature affected. A Main River or flowing ordinary watercourse will require a different level of information from a minor agricultural drainage ditch. The Applicant therefore considers that the technical submissions should remain proportionate to the nature of the proposed work.<br><br>Equivalent technical controls will apply during decommissioning where drainage features or watercourse crossings may be affected. These will include maintenance of flow continuity, temporary drainage, pollution prevention, sediment control and appropriate reinstatement through the detailed Decommissioning Strategy.<br><br>The Applicant considers that the submitted crossing schedule and certified management plans establish the necessary technical principles. The final location-specific designs and method statements will be developed once the detailed cable alignment, crossing arrangement and construction methodology are confirmed. |

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| | | watercourses, and requirements directed to the prevention of flooding. However, given the council's concerns about pollution and flow disruption arising from horizontal directional drilling and temporary crossings near ordinary watercourses, the council considers that Part 9 should be amended as follows.<br><br>However, Article 17 should be amended to make clear that, where the relevant watercourse, public sewer or drain falls within the drainage-authority regime, Part 9 governs the approval process instead of the generic Article 17(3) and (4) mechanism. That avoids parallel approval regimes and follows made-DCO precedent in other solar NSIPs.<br>3. If the response is negative, the LLFA is requested to submit the proposed changes to the wording of the dDCO.<br>Amendments to Part 9: In paragraph 117, amend the definition of "plans" as follows: "plans" includes any information reasonably required by the drainage authority including location details, grid references, sections, drawings, | Protective Provisions for Drainage Authorities, contained in Part 9 of Schedule 15 provide an equivalent regulatory regime to that provided by section 23 of the Land Drainage Act 1991. Similarly, the Protective Provisions for the Environment Agency contained in Part 7 of Schedule 15 provide an equivalent regulatory regime to flood risk activity permits. The Applicant is confident that these protective provisions provide effective regulatory oversight commensurate with the existing regimes.<br><br>The protective provisions for drainage authorities largely reflect the existing regime under section 23 of the Land Drainage Act 1991. Under that regime, the LLFA has 2 months to consider an application for consent, and if no decision is made in that time, consent is deemed given.<br><br>Under the protective provisions, the LLFA may request further information, and doing so 'resets' the two-month timescale for a decision. The protective provisions also provide for recovery of the LLFA's reasonable costs in considering an application, as opposed to the flat fee of £50 for applications made under s23 of the Land Drainage Act 1991.<br><br>The Applicant considers the proposed amendments to the protective provisions for drainage authorities are not necessary. The Applicant must submit *"plans of the specified work, including an independent review and such* |

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| | | specifications, assessments and method statements and, where relevant, drainage method statements, construction and temporary works details, temporary crossing details, outfall details, pollution prevention measures, assessments of effects on flow, flood risk, water quality, structural integrity, operation, maintenance and access to any ordinary watercourse or drainage work, Horizontal Directional Drilling Method Statements, Frac-out Contingency Plans, and where the specified work relates to removal, reinstatement or decommissioning, decommissioning, removal, reinstatement and restoration details; In paragraph 117, at the end of the definition of "specified work", insert: *"and for the avoidance of doubt includes— (g) any temporary crossing, bridge, ramp, culvert, matting, haul road or other temporary structure in, on, over, under or within 8 metres of a drainage work; (h) any trenchless crossing, boring, drilling, horizontal directional drilling or similar operation carried out under, over, within 8 metres of, or* | *further particulars available to it"* (paragraph 118(1)), the drainage authority may make conditions for these works (paragraph 119) and the undertaker cannot start the work until it has the approval from the drainage authority (paragraph 118(2)). The Applicant considers that the drainage authority therefore has sufficient powers in this regard to protect its interests and the additional drafting does not provide any greater oversight or clarity.<br><br>With regards to Article 17, Wiltshire Council's preferred text has been added at Article 17(5) of the **Draft Development Consent Order [REP3-005]**:<br>*"(5) Where the undertaker discharges water into, or makes any opening into, a watercourse, public sewer or drain belonging to or under the control of a drainage authority, the provisions of Part 9 of Schedule 15 (protective provisions) apply in substitution for the provisions of paragraphs (3) and (4)."*<br><br>The Applicant notes that the protective provisions for drainage authorities are not limited to the construction of the Scheme, but apply to any work or operation authorised by the Order that may affect any ordinary watercourse. As decommissioning is authorised by the Order, decommissioning activities that may affect ordinary watercourses continue to be subject to the protective provisions. |

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| | | *otherwise likely to affect, an ordinary watercourse or drainage work; (i) any temporary or permanent outfall, headwall, channel, pipe, swale, ditch, drain, attenuation feature or other drainage connection which introduces water into, alters flow in, or may affect the operation of an ordinary watercourse or drainage work; and (j) any decommissioning, removal, reinstatement or restoration works which would fall within this definition if carried out during construction."*<br>After paragraph 118(1), insert:<br>*"(1A) Where the specified work comprises or includes any temporary crossing, trenchless crossing, boring, drilling, horizontal directional drilling or other work which may give rise to a risk of frac-out, pollution, flow disruption or damage to an ordinary watercourse or drainage work, the plans submitted under sub-paragraph (1) must include, where relevant, a Horizontal Directional Drilling Method Statement, a Frac-out Contingency Plan, pollution prevention measures, temporary works details, reinstatement proposals and such* | |

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| | | *further information as is reasonably required by the drainage authority to assess effects on flow, flood risk, water quality, structural integrity, operation, maintenance and access to the ordinary watercourse or drainage work. (1B) Plans for a specified work to which sub-paragraph (1A) applies are not to be treated as validly submitted for the purposes of sub-paragraph (4)(b) unless they include the information required by sub-paragraph (1A), insofar as relevant to the specified work." After paragraph 118, add the following wording: "For the avoidance of doubt, this Part applies to decommissioning, removal, reinstatement and restoration works where those works constitute specified works."*<br>Amendment to Art 17:<br>The Council requests the insertion of a new paragraph (5) into Article 17 as follows:<br>*"(5) Where the undertaker discharges water into, or makes any opening into, a watercourse, public sewer or drain belonging to or under the control of a drainage authority as defined in Part 9 of* | |

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| | | *Schedule 15 (protective provisions), the provisions of Part 9 of Schedule 15 apply in substitution for the provisions of paragraphs (3) and (4).”*<br>The existing Article 17(5) to (7) should then be renumbered accordingly.<br><br>4. The LLFA is asked to consider if specification of the consents needed for decommissioning is needed, as all stages of the development are already covered in Article 6 of the dDCO.<br>The council does not consider that a separate schedule of decommissioning “consents” is required, because Article 6 already applies to decommissioning. However, the council considers that Part 9 should expressly confirm that its approval regime applies to decommissioning, removal, reinstatement and restoration works where those works constitute specified works. | |
| FHW1.20 | The LLFA<br>The Applicant | **Draft DCO – Requirements 11 (Surface and foul water drainage) and 20 (Decommissioning and restoration)** | The Applicant notes the LLFA’s support for drainage details being developed and approved on a phase or part-by-part basis. As set out in the Applicant’s Response to the **Examining Authority’s First Written Questions** |

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| | | The LLFA in Wiltshire Council's LIR [REP1-137] highlighted few issues regarding SUDS, including the need for verification of SUDS before operation, SUDS retirement and decommissioning plan, decommissioning run-off management, and soil reinstatement performance target. The LIR proposes new requirements to manage surface water including: Operational Drainage Inspection, Testing and Maintenance Plan, Detailed Construction Environmental Management Plan, Pre- and Post-Construction Exceedance Flow Routing Plan, SUDS Retirement and Decommissioning Drainage Plan and Soil Reinstatement Targets and Verification. This number of new requirements and level of detail may not be needed if appropriate reference is made to the information required in the outline drainage strategy(s) and relevant outline management plans. However, the ExA note the need for a phasing approach for design, implementation and decommissioning of SUDS and considers that it may be possible to embed this into Requirement 11. Taking | **[REP3-128]**, in response to FHW1.20, the detailed drainage strategy to be submitted under Requirement 11 will identify any phasing requirements necessary for the relevant part of the authorised development.<br><br>Requirement 11 of the **Draft Development Consent Order [REP3-005]** secures the drainage principles and performance outcomes that the detailed design must achieve through the detailed surface water drainage scheme being required to be substantially in accordance with the outline drainage strategy. These principles and outcomes include attenuation, restricted discharge, treatment, exceedance routing and appropriate maintenance arrangements.<br><br>To demonstrate compliance with those secured principles, each detailed drainage submission will necessarily include the calculations, plans, levels, storage volumes, flow controls, outfall arrangements and maintenance information relevant to that part of the Scheme. The approving authority, advised by the LLFA where appropriate, will therefore receive the information required to assess whether the proposed design satisfies Requirement 11.<br><br>The revised site-specific Flood Risk Assessment and Outline Drainage Strategy appendices to be submitted at Deadline 4 will provide clearer signposting of the |

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| | | this into consideration the ExA requests the following:<br>The LLFA:<br>Comments regarding the introduction of a phasing approach in Requirement 11 and, if appropriate, proposed revised wording.<br>The Council supports the introduction of an express phasing approach in Requirement 11. Requirement 11 already applies to the relevant "part" of the authorised development, but the Council considers that this should be made more explicit so that drainage design, implementation, verification, operation, maintenance and decommissioning are addressed on a phase-by-phase basis. This is necessary because the drainage solution for each phase may depend on the timing and interaction of temporary construction drainage, permanent SuDS, operational drainage, decommissioning drainage and the drainage arrangements for adjacent or connected phases.<br>Proposed amendments are below. These are consistent with made DCOs, including A122 Lower Thames Crossing, | applicable principles and site-specific design requirements.<br><br>The Applicant does not consider that an additional exhaustive checklist is required. The secured principles determine the information that must be provided, while allowing the detailed submission to reflect the infrastructure and drainage circumstances of the relevant part of the Scheme.<br><br>Construction, operational and decommissioning drainage matters are separately secured through Requirements 13, 14 and 20 and the relevant certified management plans.<br><br>The Applicant therefore considers that the LLFA's technical interests are appropriately protected through the secured drainage principles and the subsequent detailed approval process.<br><br>Protective provisions for the Lead Local Flood Authority are also provided at Part 9 of Schedule 15 to the draft DCO, which provides for plan approval of any works that may affect ordinary watercourses. Accordingly, to the extent the drainage strategy may affect watercourses within the LLFA's remit, approval of the LLFA to those works will be required. It also remains open to the relevant planning authority to consult with the LLFA if it considers it appropriate to do so. Accordingly, the Applicant does not |

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| | | London Luton Airport Expansion, M54 to M6 Link Road, East Yorkshire Solar Farm and West Burton Solar, which include part-based drainage approval requirements, consultation with the Environment Agency and / or LLFA, substantial accordance with outline drainage strategies, and implementation as approved. Other made DCOs, including Immingham OCGT, Keadby 3 and Net Zero Teesside, demonstrate the use of separate controls for temporary construction drainage, permanent drainage, pollution control, management and maintenance. The more detailed matters requested by the council including phase interdependencies, verification, decommissioning runoff, SuDS retirement and ordinary-watercourse interfaces — are project-specific elaborations of those established controls, necessary to enable the timely and effective discharge of Requirement 11 and to ensure that the disapplication of ordinary consenting regimes is matched by robust DCO controls. | consider it necessary to include the LLFA as a mandatory consultee in Requirement 11 or, for the same reasons, Requirement 20. |

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| | | **Amendment - Replacement Requirement 11**<br>The Council requests the following revised wording for Requirement 11:<br>*Surface and foul water drainage*<br><br>*11.—(1) No part of the authorised development may commence until written details of the surface water drainage scheme and, if applicable, the foul water drainage system for that part have been submitted to and approved in writing by the relevant planning authority following consultation with—*<br>*(a) the Environment Agency; and*<br>*(b) the relevant lead local flood authority.*<br><br>*(2) The written details submitted under sub-paragraph (1) may be submitted and approved by phase, provided that the submission identifies—*<br>*(a) the phase or part of the authorised development to which the details relate;*<br>*(b) any temporary drainage measures required during construction of that phase or part;* | |

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| | | *(c) any permanent surface water drainage or SuDS measures required for that phase or part;*<br>*(d) any relationship or dependency between the drainage measures for that phase or part and any other phase or part of the authorised development; and*<br>*(e) the proposed arrangements for verification, operation, maintenance, retirement, removal, reinstatement or decommissioning of the drainage measures for that phase or part.*<br><br>*(3) The written details submitted under sub-paragraph (1) must—*<br>*(a) be substantially in accordance with the outline drainage strategy;*<br>*(b) demonstrate compliance with the National Standards for Sustainable Drainage Systems, as amended, supplemented or replaced from time to time, published by the Department for Environment, Food and Rural Affairs and applicable at the date on which the written details are submitted under sub-paragraph (1);*<br>*(c) include arrangements for the design, implementation, inspection, verification,* | |

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| | | *operation, maintenance and decommissioning of the surface water drainage system throughout the construction, operation and decommissioning of the relevant part of the authorised development;*<br>*(d) include pre-construction and post-construction exceedance flow routing, including exceedance routes during construction and decommissioning;*<br>*(e) include measures for the management of construction and decommissioning runoff, sediment, pollution risk and temporary drainage;*<br>*(f) include arrangements for the verification of any SuDS or other drainage measures before the relevant part of the authorised development is brought into operation;*<br>*(g) identify any drainage works, ordinary watercourse interfaces, temporary crossings, outfalls, trenchless crossings, horizontal directional drilling works or other works which require approval under Part [X] of Schedule 15; and*<br>*(h) include arrangements for the retirement, removal, replacement, reinstatement or restoration of any* | |

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| | | *SuDS or drainage feature where that feature is temporary or is to be removed during decommissioning.*<br><br>*(4) No drainage system, SuDS feature or other drainage measure approved under this requirement may be brought into operation until a verification report for that measure has been submitted to and approved in writing by the relevant planning authority following consultation with the relevant lead local flood authority.*<br><br>*(5) Any approved scheme must be implemented, verified, managed and maintained as approved.*<br><br>*(6) Nothing in this requirement removes the need for any separate consent or approval required under article 17 or Part [X] of Schedule 15.*<br><br>*(7) Approval under this requirement does not constitute approval under article 17 or Part [X] of Schedule 15 unless the relevant consenting or* | |

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| | | *approving authority expressly confirms in writing that it is to have that effect.*<br>Any information that should be included in the outline drainage strategies [APP-210 to APP-218] and relevant outline management plans to support the preparation of the final documents and a timely discharge of the relevant requirements.<br>The Council considers that the outline drainage strategy, or separate outline drainage strategies for each site and the cable route corridor, should be updated to include a clear checklist of the information required for the discharge of Requirement 11. This would assist the undertaker, the relevant planning authority, the LLFA and the Environment Agency and should reduce the risk of delay at discharge stage.<br>Additions - Outline Drainage Strategies<br><br>The outline drainage strategies should include, as a minimum:<br>(a) a clear drainage strategy section, or a standalone outline drainage strategy, with contents-page signposting; | |

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| | | (b) a phase-by-phase drainage plan showing how drainage will be designed, implemented, verified, operated, maintained and decommissioned;<br>(c) existing drainage information, including ordinary watercourses, ditches, culverts, field drains, flow routes, flood zones, flood risk receptors, groundwater constraints and any known drainage assets;<br>(d) proposed temporary construction drainage and permanent operational drainage arrangements;<br>(e) SuDS design principles, including source control, treatment train, exceedance routes, climate change allowances, runoff rates, runoff volumes, attenuation, infiltration assumptions and discharge points;<br>(f) water quality controls and pollution prevention measures, including sediment management and measures relevant to construction, operation and decommissioning;<br>(g) pre-construction and post-construction exceedance flow routing plans; | |

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| | | (h) inspection, testing and verification requirements before operation of each relevant phase;<br>(i) arrangements for operational inspection, maintenance, repair and replacement of drainage and SuDS features;<br>(j) arrangements for retirement, removal, reinstatement or replacement of temporary or redundant SuDS and drainage features;<br>(k) decommissioning runoff management measures;<br>(l) soil reinstatement performance targets and verification measures, cross-referenced to the soil resources management plan;<br>(m) ordinary watercourse interface controls, including any temporary crossings, outfalls, culverts, trenchless crossings, HDD works and frac-out contingency measures, cross-referenced to Part [X] of Schedule 15;<br>(n) responsibilities for implementation, inspection, maintenance and long-term management; and<br>(o) a requirement-discharge checklist identifying the information to be | |

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| | | submitted with each Requirement 11 application.<br><br>The relevant outline management plans should also be updated so that they are consistent with the outline drainage strategy. In particular:<br>(a) the outline CEMP should address temporary construction drainage, sediment control, pollution prevention, construction exceedance routing, watercourse protection, temporary crossings and HDD / frac-out contingency measures;<br>(b) the outline OEMP should address operational inspection, testing, maintenance, repair and replacement of drainage and SuDS features;<br>(c) the outline decommissioning strategy should address decommissioning runoff, temporary drainage during removal works, retirement or removal of SuDS, ordinary watercourse protection, soil reinstatement and post-decommissioning verification; and<br>(d) the outline soil resources management plan should address soil reinstatement targets and verification | |

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| | | insofar as soil condition affects infiltration, runoff, erosion, sediment mobilisation and post-decommissioning drainage performance.<br>Confirmation regarding the need for the LLFA to be included as a consultee for the discharge of Requirement 20 under 20(5)<br>The Council confirms that the LLFA should be included as a consultee for the discharge of Requirement 20. Decommissioning has the potential to affect surface water runoff, temporary drainage, SuDS retirement, water quality, ordinary watercourses, soil reinstatement, exceedance flow routes and flood risk. Those are matters within the LLFA's technical remit and cannot be adequately addressed by consultation with the Environment Agency and highway authority alone.<br><br>Amendments - Requirement 20(5)<br><br>Requirement 20(5) should therefore be amended as follows: | |

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| | | *"(5) No decommissioning works must be carried out until the relevant planning authority has approved the decommissioning plan submitted in relation to those works, in consultation with South Gloucestershire Council, the Environment Agency, the relevant highway authority and the relevant lead local flood authority."*<br>The Applicant:<br>The applicant is asked to provide comments regarding the need to introduce phasing in the wording of Requirement 11.<br>The applicant is asked to consider if a checklist showing all the information to be covered in the final drainage strategy should be included in documents [APP-210 to APP-218] (or any subsequent strategy, noting ExQ1 FHW1.18 above) to support timely discharge of the Requirement. | |
| **General and Cross-Topic Questions (GCT)** | | | |
| GCT1.2 | The Applicant<br>Wiltshire Council | **Section 106 Contributions**<br>In paragraph 9.101 of its RR [RR-4934] Wiltshire Council requests a developer monitoring contribution (amount to be agreed) to support its monitoring of the | The Applicant acknowledged the Council's comment and refers to the Applicant's own response to this question set out at GCT1.2 in **The Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. This confirms the Applicant is still exploring with |

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| | | Ecological Protection and Mitigation Strategy, amongst other things. The ExA note the applicant's silence on this request in its response to RRs [PDA-009]. The ExA requires an update from both parties with respect to discussions on developer monitoring contributions for both the construction and operational and maintenance periods. Those discussions should also include consideration of index linking. Signed s106 agreements are required to be submitted prior to the close of the Examination in order for the SoS to be able to take them into account. If the applicant considers that monitoring would not be required by the Council, how can the SoS be assured that the mitigation measures would be implemented and maintained for the life of the development?<br>The ExA also notes Wiltshire Council's request for £20,000 pa for the improvement and enhancement of PRoW, and the applicant's response [PDA-009] that it is only able to commit to improvements and/ or enhancements to PRoW within the Order Limits, such | Wiltshire Council the most appropriate mechanism for approaching monetary contributions for mitigation and monitoring work. Within the response the Applicant has confirmed the intention for the agreed approach to monitoring contributions will include an index linking mechanism.<br><br>Two approaches are being considered by Wiltshire Council. The first approach is for the Council to recover its costs under the Infrastructure Planning (Fees) Regulations 2010, as amended. The Applicant notes that the Guidance on cost recovery under these Regulations, published on 3 July 2026, advises that these will cover the provision of services post-decision and during implementation of projects.<br><br>The second approach is for the Applicant to enter into a PPA with Wiltshire Council that will cover the costs associated with engagement prior to the formal discharge of requirements, to be conditional on the DCO being granted and progressed. The fees associated with the discharge of Requirements will be as provided for in Schedule 16 to the DCO, subsequent to which, a section 106 agreement would be entered into to cover the costs of monitoring compliance with the approved plans. This approach enables the monitoring costs to be aligned to the monitoring included in the detailed plans, which will relate to the final Scheme following detailed design. |

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| | | that financial contributions to PRoW network maintenance and upgrades beyond the Order limits would need to be agreed through the Community Benefit Fund which operates and is to be agreed outside of the DCO process. The ExA considers the applicant's position on this matter ignores the potential displacement of users to PRoW outside of the Order limits and the benefit of creating new PRoW routes to help to link up to PRoW within the Order limits. The applicant is requested to discuss this matter further with the Council and include and provide updates in the SoCG [REP2-025].<br>Wiltshire Council would welcome discussions with the Applicant regarding this. Whilst there has been an initial discussion with the Applicant on funding from a Public Rights of Way perspective, there have been no discussions on the developer monitoring contributions for the construction and operational and maintenance period for ecological aspects to date.<br>The council agree with the ExA that contributions should be index linked. | |

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| | | Furthermore, the council's Countryside Access Officer would be willing if necessary to speak with the local users groups and parish councils to look at any suggested new PRoW away from Lime Down. | |
| **Health and Wellbeing (HW)** | | | |
| HW1.1 | Wiltshire Council | **Mental Health and Wellbeing**<br>The ExA note that in your submission at Procedural Deadline A [PDA-014] there is reference to a good practice Supplementary Planning Document by Suffolk County Council relating to community engagement and wellbeing. Please submit this document into the examination and advise if any discussions have been had with the applicant on producing something similar and securing it within the dDCO. The Suffolk County Council Supplementary Planning Guidance is accessible through the following link: Energy projects and the wellbeing of communities - Suffolk County Council. The council will also submit a standalone version of this document into Examination as part of its response to these questions. | The Applicant notes and acknowledges Wiltshire Council's response. The Applicant's own response to this question is set out at HW1.1 in **The Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**.<br><br>The Applicant confirms it is committed to exploring with Wiltshire Council how best to embed the principles of this guidance into engagement moving forward in a way that is both clear, appropriate and enforceable. The Applicant is in discussion with Wiltshire Council on these matters, as set out in the revised Statement of Common Ground submitted at Deadline 4. |

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| | | The above SPG has been referenced by the Applicant as part of the application process (Environmental Statement Volume 1, Chapter 18 Human Health [APP-070]) and mentioned in various correspondence between the Applicant and Wiltshire Council.<br>The council notes that Schedule 2, Requirement 4 of the draft DCO [REP1-007] requires that prior to development the Applicant will create a Community Liaison Group, the terms of reference for which will have regard to the above document as committed to in Reference 3.14.2 of the draft Statement of Common Ground with Wiltshire Council [REP2-025]. This item remains Under Discussion. | |
| HW1.2 | The Applicant | **Alternative Access to Public Rights of Way Network**<br>Further to the assessment of the impacts on health and wellbeing in ES Chapter 18 [APP-070], have you considered the prospect of displacement and alternative points of access to the PRoW network for those users who do not wish to experience the construction, operation, maintenance or | The Applicant notes and acknowledges Wiltshire Council's response. The Applicant's own response to this question is set out at HW1.2 in **The Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**.<br><br>This confirms that the Applicant has provided an additional technical note on displacement effects that can be identified on the PROW network affected by the Scheme at Deadline 4 **[EN010168/EXAM/9.44]**. |

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| | | decommissioning aspects of the proposed development without losing the benefit of being outdoors.?<br>If not, the applicant is asked to undertake this assessment to demonstrate how adverse impacts resulting from the proposed development could be minimised on existing users of the PRoW network by signposting and improving routes away from the solar PV panels. This question should be considered with ExQ1 GCT1.2 regarding Wiltshire Council's request for s106 contributions to address displacement and PRoW linkages.<br>Whilst it is acknowledged that this question was posed to the Applicant, Wiltshire Council's Countryside Access Officer would be willing if necessary to speak with the local user groups and parish councils to look at any suggested new PRoW away from the Lime Down Solar Park development. | |
| HW1.3 | Wiltshire Council<br>The Applicant | **Mental Health**<br>ES Chapter 18 table 18-7 [APP-070] states that emergency hospital submissions resulting from self-harm in | The Applicant notes and acknowledges Wiltshire Council's response. The Applicant's own response to this question is set out at HW1.3 in **The Applicant's Response to the Examining Authority's First Written Questions [REP3-** |

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| | | the study area are higher than the UK average.<br>Wiltshire Council:<br>Given the level of public concern and interest generated by the proposed development, the Council is asked to comment on whether the applicant's proposed mitigation of signposting those with concerns to existing mental health services is sufficient?<br>It is noted and accepted that pre-application levels of emergency hospital submissions resulting from self-harm in the study area are higher than the UK average.<br><br>Further consideration of this indicator can be done by consulting Wiltshire Intelligence JSNA, 2025: Health and disease Wiltshire Intelligence.<br><br>Rates of hospital admissions as a result of self-harm in Wiltshire (for all persons of all ages) have consistently been high, the County being an outlier in this area since approximately 2007 but have been reducing since 2020/21. Rates of hospital admissions due to self-harm in | **128]**. This confirms that the Applicant has committed to signposting to mental health services where members of the public have raised concerns through direct communications with the Applicant team during the pre-application and DCO examination process.<br><br>As stated in 'HW1.1' above, the Applicant is in discussion with Wiltshire Council on these matters, as set out in the revised Statement of Common Ground submitted at Deadline 4. This includes exploring if additional communications to support mental health signposting can be provided ahead of DCO consent.<br><br>The Applicant confirms that community support as secured by way of the Community Liaison Group will cover engagement with stakeholders and mental health providers. Funding for mental health first aid training in tandem with the provision of the Community Liaison Group following DCO consent has not specifically been agreed, however the Applicant can explore the most applicable mechanism for this to be delivered. Agreement of the terms of reference for the proposed Community Liaison Group by Wiltshire Council is secured through Requirement 4 of Schedule 2 to the **Draft DCO [REP3-005]**. |

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| | | the wider population are significantly more pronounced in females, particularly in female children and young persons aged 10-24, compared with males, mirroring both the regional and national picture. As noted in the JSNA 'Further research is required to determine whether increased rates are due to a higher prevalence of self-harm and hospital admissions may be influenced to some degree by the configuration of local services. Close adherence to NICE guidance and / or limited local availability of alternative support services may necessitate practices that result in higher hospital admission rates.'<br><br>Given the above, signposting felt in first instance as appropriate. Rates of this indicator will continue to be monitored both annually via the indicator and on a local level through partner organisations. If rates are found to be measurably higher in subject area further interventions and support will be provided. | |

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| | | With reference to the above-mentioned Suffolk County Council Supplementary Planning Guidance, support beyond signposting will also be provided where needed by the Applicant. For example, EM03 refers to provision of funding Mental Health First Aid training for members of the communities and EM05 refers to engagement with SMEs – working with commissioned local mental health organisations and MO01 refers to the need to monitor, respond to and increase baseline wellbeing scores.<br>The applicant:<br>You are asked to detail any discussions you have had with the existing services referenced in ES Chapter 18 that have informed the approach. | |
| **Landscape and Visual (LV)** | | | |
| LV1.2 | Wiltshire Council | **Landscape Fabric – Technical Note**<br>Wiltshire Council states in its LIR [REP1-137] that the very large-scale land use change combined with the discordant industrialising nature of new introduced development would significantly and adversely impact upon the receiving landscape fabric baseline condition at a site and local level. | The Methodology used within the LVIA **ES Volume 1 Chapter 8 [REP3-025]** has been through consultation with Officers from Wiltshire Council and is an Agreed Matter in the Statement of Common Ground with Wiltshire Council **[REP2-025].**<br><br>The definition of Landscape Fabric has been consistently set out within the LVIA **[REP3-025]** and supporting Appendices, including within the Glossary of the LVIA |

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| | | The applicant provided a technical note on landscape fabric and landscape character [REP1-121] at D1 with the intention of clarifying its approach to the assessment of landscape fabric and landscape character. The technical note explains that the applicant has separated the assessment of landscape fabric as the assessment of the physical elements and features within the Order limits from the assessment of effects on landscape character. Wiltshire Council is asked:<br>2) Whether it agrees with the application of the applicant's methodology set out in the technical note?<br>2) If so, do Wiltshire Council agree with the applicant's assessment of landscape fabric effects in the ES [APP-060] or do Wiltshire Council maintain that the effects to landscape fabric have been under-assessed by the applicant?<br><br>The Applicant has submitted a Technical Note on Landscape Fabric and Landscape Character at Deadline 1 | Methodology **[REP1A-006]** from submission at Scoping. The definition used within the LVIA for Landscape Fabric is that:<br>*"Landscape fabric is the individual tangible elements or features such as landform, woodland, hedges, tree cover, vegetation that make up a landscape or site. These can usually be described and quantified."*<br><br>The LVIA has assessed Landscape Fabric and Landscape Character independently.<br>Landscape Fabric relates only to land within the Order Limits of the Scheme and refers only to the physical elements and features within each of the five Lime Down Solar Sites and the physical changes they undergo, whereas Landscape Character is a distinct, recognisable, and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse.<br><br>The methodology used in the LVIA has been developed in response to the increasing<br>number of large-scale solar farms where there is potential for large scale landscape change. By treating Landscape Fabric as a separate Landscape Receptor, the approach allows the physical landscape benefits of the Scheme (such as new hedgerows and meadows) at the Site level to be quantified without influencing the separate assessment on Landscape Character. Keeping this |

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| | | [REP1-121]. The council does not agree with the Applicant's assessment of landscape fabric effects in the ES Chapter 8 Landscape and Visual [APP-060] and provides the following comments to justify its position.<br><br>Wiltshire Council agrees that the methodology is in general accordance with GLVIA3 but has consistently expressed concern in relation to how the Applicant is applying its methodology within its assessment of 'landscape fabric' (natural and man-made elements and components), highlighting that the assessment is selective over which landscape fabric components are included, and also in relation to the assessed nature and level of effects for those limited components that are included within the assessment of physical change to baseline landscape fabric within the DCO Order Limits.<br><br>The council has previously highlighted its concern regarding the application of LVIA Assessment Methodology in relation to assessment of Landscape | assessment independent of the assessment of Landscape Character avoids for any 'double counting'.<br><br>It is noted, NPS EN-1 recognises at para 5.10.5 that "Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation".<br><br>In large Scale Solar developments, due to the 'overlaid' nature of the development, the scheme can be delivered with minimal vegetative losses, and substantial vegetative gains. Conversely, if a scheme were to result in the opposite conclusions, e.g., substantial vegetative losses of a similar scale to those gains provided by a large scale solar scheme, it would only be appropriate that this was recognised within the LVIA. The LVIA takes account of this through the assessment on Landscape Fabric.<br><br>The physical change in land use as a result of the development to the fabric of the landscape is from arable farmland to grassland (albeit below solar infrastructure). A solar scheme is essentially 'overlaid' across a landscape and is considered reversable (the infrastructure would be required to be removed at the end of the lifetime of the consent). This allows the important landscape features such as hedgerows, trees and watercourses to remain |

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| | | Fabric within Section 8, paragraphs 8.10 to 8.15 and 8.27 to 8.31 of its Relevant Representation [RR-4934].<br><br>While there is no glossary definition for 'Landscape Fabric' included within GLVIA3, landscape practitioners are increasingly using this term to alternatively define 'landscape elements and components' understood to comprise the physical tangible elements and features of the landscape in the same way.<br><br>The Applicant's technical note [REP1-121] under 'definitions' states at paragraph 2.1.7 (underline, bold, council's emphasis)<br>"Landscape fabric is the individual tangible elements or features such as landform, woodland, hedges, tree cover, vegetation that make up a landscape or site. These can usually be described and quantified." These are the natural elements within the Site, for example the lengths of hedgerow or areas of woodland and grassland within each individual site." | and continue to contribute to the landscape character of the receiving area. The introduction of ground mounted solar infrastructure does not change the physical fabric of the land within the Site to the same extent as a quarry scheme or a residential development for example.<br>It is recognised that developments of this nature directly change the character of the landscape within the boundaries of the Site itself, with the individual fields proposed for infrastructure presenting as a solar array, a change from a 'greenfield' open agricultural farmland to renewables.<br><br>The assessment of Landscape Character (and Visual Amenity) also recognises the adverse effects associated with the proposed high hedgerows required to provide screening of the Array and associated infrastructure.<br><br>This change is what then ultimately indirectly impacts the character of the wider receiving landscape. It should be noted that this change is not limited to renewable projects, and that any development of a greenfield site would result in the same level of adverse impact at the site level.<br><br>The Landscape Character change associated with the addition of the array and associated infrastructure is considered within the assessment of effects on Landscape Character. |

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| | | In this regard the council does not agree with the Applicant's definition of landscape fabric as only including the 'natural elements in the site'. The council considers that a correct assessment of landscape fabric includes natural and man-made elements and components and should identify, describe and quantify where useful, the change effects arising from landscape fabric removals, fabric additions and changed management of existing fabric components where this will result in a change to the physical fabric of the receiving landscape within and adjoining the DCO Order limits.<br><br>The following extracts are taken from the 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA3) to support the council's view (underline, council's emphasis).<br><br>GLVIA3, Chapter 5, Assessment of landscape effects, clearly states at "5.35 The effects on landscape should embrace all the different types identified | |

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| | | by the Regulations [EIA Regulations], namely the direct effects and any indirect, secondary, cumulative, short-, medium-and long-term, permanent and temporary, positive and negative effects of the development (as described in paragraph 3.22. They are likely to include:<br>• Change in and / or partial or complete loss of elements, features or aesthetic or perceptual aspects that contribute to the character and distinctiveness of the landscape;<br>• Addition of new elements or features that will influence the character and distinctiveness of the landscape;<br>• Combined effects of these changes on overall character."<br><br>At 5.36, "All effects that are considered likely to take place should be described as fully as possible;<br>• Effects on individual components of the landscape, such as loss of trees or buildings for example, or addition of new elements, should be identified and mapped (and if appropriate and helpful quantified by measuring the change). | |

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| | | • Changes in landscape character or quality / condition in particular places need to be described as fully as possible and illustrated by maps and images that make clear, accurately as possible, what is likely to happen."<br><br>At 5.48, Magnitude of landscape effects, "Each effect on landscape receptors needs to be assessed in terms of its size or scale, the geographical extent of the area influenced, and its duration and reversibility."<br><br>At 5.49 "For example, the effect of both loss and addition of new features may be judged as major, moderate, minor or none, or other equivalent words. The judgments should for example, take account of:<br><br>• The extent of existing landscape elements that will be lost, the proportion of the total extent that this represents and the contribution of that element to the character of the landscape – in some cases this may be quantified; | |

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| | | • The degree to which aesthetic or perceptual aspects of the landscape are altered either by removal of existing components of the landscape or by the addition of new ones – for example, removal of hedges may change a small-scale, intimate landscape into a large-scale, open one, or introduction of new buildings or tall structures may alter open skylines;<br>• Whether the effect changes the key characteristics of the landscape, which are critical to its distinctive character."<br><br>The Applicant's technical note at 3.1.10, says "By treating Landscape Fabric as a separate Landscape Receptor, the approach allows the physical landscape benefits of the Scheme (such as new hedgerows and meadows) at the Site level. to be quantified without affecting the separate assessment on Landscape Character. This is how the LVIA concludes that Landscape Fabric can be Moderate / Minor Neutral at the construction phase and become Moderate Beneficial at Year 15 once planting becomes established." | |

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| | | The technical note at 3.1.10 confirms that the LVIA's assessment of landscape fabric is separated from its assessment of landscape character, which the council agrees is the correct approach to take.<br><br>However, the earlier paragraph 3.1.9 [REP1-121], appears to contradict from the approach outlined at paragraph 3.1.10 (underline council emphasis);<br>"3.1.9 The LVIA has fully assessed the Scheme effects on Landscape Character which includes consideration of: new built elements / components such as substations, internal access tracks, solar PV arrays, alongside changes to current land use and management, alterations to the rural road network, new planting and changes to vegetation management which are all components that together influence the baseline landscape character, including its perceptual and aesthetic qualities within the four Study Areas." | |

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| | | Paragraph 3.1.9 of the technical note confirms that the assessment of the introduced built and manmade fabric components, alongside changes to land use and management, alterations to the local road network, new planting, hedgerow and vegetation management and perceptual and aesthetic qualities of the landscape fabric within the DCO limits, have been incorporated and considered within the separate assessment of landscape character.<br><br>The technical note does not explain or justify why built and manmade or new energy infrastructure components, including buildings, BESS containers, access tracks and roads, boundary enclosures, substations and panel arrays introduced into the DCO limits are not considered within the scope of the LVIA's assessment of landscape fabric. Limited and partial assessment of the landscape fabric components assessed is the reason why the LVIA concludes no significant adverse effects for landscape fabric components within its assessment of landscape fabric. | |

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| | | The technical note does not alter the council's view contained within its LIR [REP1-137]. The council maintains its position that the LVIA conflates its assessment of landscape fabric and landscape character. The council considers that the assessment of landscape fabric only represents a limited and partial assessment of landscape fabric effects within the DCO limits. | |
| LV1.4 | The Applicant | **Landscape Fabric – Beneficial Effects**<br>The ES [APP-060] states there would be moderate beneficial effects to landscape fabric from year 15 of the operational phase and in the decommissioning phase as a result of proposed planting measures. The applicant is asked:<br>2) Can this be considered a benefit of the proposed development in relation to landscape effects if it would only be there to provide mitigation screening for a large-scale solar development which itself would have significant adverse effects on landscape and visual receptors? | The OLEMP **[REP3-100]** sets out the proposed ongoing General Management Prescriptions for all vegetation within the order Limits, including hedgerows.<br><br>The benefit of the mitigation only relates to the quantifiable increase in vegetation (trees, hedgerows, scrub and woodland) and the change in land use from arable farmland to grassland (albeit below solar infrastructure) as a solar scheme is essentially 'overlaid' across a landscape and is considered reversable.<br><br>These benefits which go beyond just mitigation, relates only to the Landscape Fabric of the Sites.<br><br>It should be noted that all existing hedgerows within the scheme will be strengthened whether they are required to provide mitigating screening or not. The proposed |

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| | | 2) If proposed planting measures are deemed inappropriate to the character of the receiving landscape due to size or species mix proposed, can it be considered to be a landscape fabric benefit?<br>While this is a question for the Applicant, Wiltshire Council considers that planting measures which seek to improve the age structure and appropriate species diversity of the existing hedgerow trees present in the landscape could, if secured and successfully established, represent a long-term beneficial legacy effect to landscape fabric.<br><br>Wiltshire Council highlights that the majority of the visual screening proposed is being secured on the basis of allowing existing field boundary hedgerows within the order limits to grow taller and be managed for the lifetime of the project at a greater height (circa 4.5m). The Council considers this proposed management change to existing hedgerows to help screen development across such a wide area | mitigation has been informed by both the management guidelines and Strategy Actions for LCA 8 - Hullavington Rolling Lowland in which all the Solar Sites are located (particularly to *"Conserve hedgerows and mature trees, including planting new trees in existing hedges and planting specimen trees in field corners"*), and Wiltshire's Nature Recovery Strategy which promotes the creation of new grassland and enhancement of existing hedgerows as priorities. On hedgerows (section12.16) Action HDW1g (page 113) states: "*Allow the hedge to grow out into the field, leaving a grassy margin managed as rough grassland. Allow the hedge to spread into margins, cutting back on rotation."* And HDW1h: *"Cut as infrequently as possible."* HDW2a: *"Plant new hedges with a diverse mix of native species."*<br><br>Low hedgerows are a consequence of the localised management practices undertaken by landowners / managers. Mechanical flailing is fast and the most cost effective way to manage long stretches of boundaries. However not all hedgerows within the receiving landscape are cut low.<br><br>Additionally low hedgerow and are not specifically mentioned as a key characteristic feature of the Hullavington Rolling Lowland Landscape Character Area. |

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| | | cannot be considered to represent a landscape fabric benefit.<br><br>Wiltshire Council additionally considers that the existing Elm hedgerows present within the DCO Order Limits are unlikely to provide effective screening for the life of the project. This is because Elm tree stems tend to die when they reach a certain size from Dutch Elm Disease. There is widespread evidence of small standing dead Elm trees within the study area and the DCO Order Limits that illustrate that Elm hedgerows that are not regularly maintained at lower heights typically become thin and gappy. Such hedgerows are unlikely to provide effective long-term screening functions.<br><br>The change from seasonal arable landcover to permanent grass, cannot be viewed to be a landscape fabric benefit as this same grass would be substantially covered over by introduced built structures, internal roads, infrastructure compounds and it is unlikely or uncertain to be retained following decommissioning. | The condition of hedgerows is noted in the description of LCA 16A: Malmesbury-Corsham Limestone Lowlands which states *"the condition of Limestone Lowland Landscape type is generally good with intact hedgerows, traditional villages of vernacular stone dwellings, village greens and stone walls. In some sections of the areas there are elements in poorer condition such as gappy and flailed hedgerows, overgrown stone walls and encroaching horse pasture close to some of the larger settlement.".* Its Strategy is *"to strengthen locally degraded elements such as the flailed hedgerows and overgrown stone walls."*<br><br>The Wiltshire Recovery Strategy provides a framework to reverse biodiversity decline and build resilience across the county's landscapes and was developed under the Environment Act 2021. As noted above, Section 12.16 of the Nature Recovery Strategy promotes hedges to be grown out as high hedges provide diverse micro habitats and support small mammals and other wildlife.<br><br>All new hedgerows, trees and woodland as well as enhancement of existing hedgerows will be undertaken using locally appropriate native species (including elm). Although hedgerows will be managed to 4.5m this is not seen by the Applicant as inappropriate as it is promoted by the Nature Recovery Strategy. However, it is recognised that 4.5m hedgerows will affect open views in |

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| | | | some places and be incongruous to the current character of the receiving landscape.<br><br>Large Scale Solar developments are unusual in that due to the 'overlaid' nature of the development, the scheme can be delivered with minimal vegetative losses, and substantial vegetative gains. This includes the reversion of the land beneath the array from its existing agricultural use to Grassland.<br><br>The introduction of ground mounted solar infrastructure does not change the physical fabric of the land within the Site to the same extent as a quarry scheme or a residential development for example.<br><br>However, it is recognised that developments of this nature directly change the character of the landscape within the boundaries of the Site itself, with the individual fields proposed for infrastructure presenting as a solar array. |
| LV1.5 | Wiltshire Council | **Landscape Fabric – Enhancement Opportunities**<br>Do Wiltshire Council consider that the applicant's proposed planting measures would contribute to the enhancement opportunities as identified in the Broad Management Objectives for Landscape Character Type (LCT) 16: Limestone | The detail elements for planting proposals would be delivered post consent.<br><br>These measures are shown on the ES Volume 2, Figure 3-4: Landscape and Ecology Mitigation Plan **[APP-084]** and are secured through the Outline Landscape and Ecological Management Plan **[REP3-100]**. |

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| | | Lowland Landscape Character Area (LCA) (16A: Malmesbury-Corsham Limestone Lowlands) and the management guidelines and strategy actions for LCA8: Hullavington Rolling Lowland?<br><br>The management and enhancement opportunities identified under broad management objectives for Limestone Lowland Landscape Character Type 16 and its single Landscape Character Area 16A: Malmesbury – Corsham Limestone Lowland, in so far as these specifically relate to the Applicant's proposed planting measures include;<br>• Conserve the network of hedgerows, hedgerow trees and woodland copses, and encourage new planting where the network has broken down.<br>• Conserve the remaining areas of ecological interest such as those with statutory designations, areas of ancient woodland, veteran hedgerow trees and chalk grassland.<br>• Maintain the subtle variations that occur throughout the landscape, encouraging local distinctiveness for | Throughout the iterative design process appropriate multipurpose avoidance and mitigation measures have been incorporated into the development of the layout that have been informed through the various published Landscape Character documents, Wiltshire's Nature Recovery Strategy, the Cotswold Nature Recovery Plan in conjunction with liaison with the project Ecologist and consultation with officers at WC and the CNLB as well as on site observations.<br><br>The embedded mitigation measures, which would be secured through the Construction Environmental Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP), are set out in Table 8-12 of the LVIA **[REP3-025]**.<br><br>The preparation, approval and implementation of the detailed Landscape and Ecological Management Plan, which would be required to be substantially in accordance with the OLEMP **[REP3-100]**, is secured through Requirement 7 in Schedule 2 of the Draft Development Consent Order **[REP3-005].** |

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| | | instance in the variation in field boundaries from hedgerows to stone. The landscape management guidelines and management strategy actions for Landscape Character Area 8: Hullavington Rolling Lowland, in so far as these relate to opportunities for planting enhancement measures, are identified to include;<br><br><u>Under management guidelines</u><br>• The overall objectives for the area are to conserve and enhance its pastoral character.<br>• The continuity of hedgerows is important in shaping the character of the area and should be encouraged through appropriate land management programmes.<br>• River valleys should be enhanced by encouraging habitat creation and planting of riverside trees.<br><br><u>Under management strategy actions</u><br>• Conserve hedgerows and mature trees, including planting new trees in existing hedges and planting specimen trees in field corners. | |

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| | | • Encourage woodland management to provide continuity of cover while optimising ecological value.<br>• Enhance the wetland character in riverside locations by planting willows along water courses in informal groups and broken lines, and by encouraging landowners to help in the creation of more diverse waterside habitats.<br><br>The council considers that in areas where the historic field boundary pattern has been lost over time through field amalgamation and agricultural intensification, or has existing weak or declining hedgerow structure or low numbers of hedgerow trees, or only single species (dominant) hedgerow trees of similar age / maturity, that there is some merit in the Applicant's proposed planting measures where the proposals include re-planting lost historic field hedgerows or would increase the age diversity and species composition and distribution of hedgerow trees and field corner trees or seek to enhance or create more diverse waterside habitats and visual interest. | |

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| | | In this regard the requirement for the Applicant's subsequent detailed planting proposals, may provide some-long-term opportunities for enhancement for landscape fabric, although the council has reservations in relation to how successful new hedgerow tree planting would be located within taller managed hedgerows. Planting trees in field corners is considered characteristic, but lines of trees planted adjacent to hedgerows wouldn't be characteristic of the character type and area where such planting is not associated with existing areas of historic parkland. | |
| LV1.6 | Wiltshire Council<br>Stop Lime Down<br>The Applicant | **Landscape Character – Assessment Methodology**<br>In the ES [APP-060] the applicant has assessed effects to landscape character relative to each study area (1km, 2km, 5km) as a single receptor rather than each of the separate landscape receptors (LCTs, LCAs) that make up each study area. The ExA understands that the intention of this approach is to look at the effects of the proposed development on the holistic patchwork of | The LVIA **[REP3-025]** has undertaken an assessment of effects on the character of the landscape identified by the specific landscape character types and areas. However, this has been undertaken through the use of varying 'Study Areas' rather than on the individual areas or types.<br><br>GLVIA3 sets out on Page 93 in the Summary Advice on Good Practice that:<br>*'An assessment of landscape effects should consider how the proposal will affect the elements that make up the landscape, its aesthetic and perceptual aspects, its* |

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| | | landscape character within each study area. However, it is not clear to the ExA that this approach captures the impacts on the different landscape receptors and the individual characteristics identified in the relevant landscape character assessments.<br><u>Wiltshire Council and SLD:</u><br>Wiltshire Council and SLD are asked if they consider that the applicant's approach is acceptable?<br><br>Wiltshire Council considers the approach departs from the standard typical approach for assessment of landscape effects upon specific landscape character types and areas. Specific landscape character types and areas were identified as distinct landscape receptors and scoped in for assessment by ExA at EIA scoping stage. The assessment has not been carried out on this receptor basis.<br><br>The landscape assessment fails to discuss or recognise that the DCO Order Limits falling within the Limestone Lowland Type are currently devoid of | *distinctive character and the key characteristics that contribute to this.'*<br><br>GLVIA3 does not suggest that an LVIA should consider individual Landscape Character Areas (LCAs) or Landscape Character Types (LCTs) as individual Landscape Receptors, rather that LCAs / LCTs are used to identify the Baseline.<br><br>GLVIA3 sets out that the '*study area should include the site itself and the extent of the wider landscape around it which it is likely that the proposed development may influence.'* And that '*This will normally be based on the extent of Landscape Character Areas likely to be significantly affected either directly or indirectly'* not that these LCAs should be identified as individual receptors.<br><br>The Study Areas have been informed through a combination of desktop study, as well as professional judgement on similar scale projects. They have been established through consideration of the existing landform and vegetation, as well as the scale of the Scheme and heights of the proposed infrastructure and the potential for significant effects. Identification of the Study Areas has considered the diminishing nature of visual perception as distance from visual receptors increases. As a result, the proposed Study Areas for visual receptors are smaller than the proposed Landscape Study Areas, which |

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| | | major electricity transmission and energy storage infrastructure, and proposes to introduce the most intense density of solar development (dispersed across Areas A to E) to be found within this Character Type, defined by the DCO area which almost bisects the Limestone Lowland from the Cotswolds National Landscape boundary in the west to the settlement of Startley in the east. The DCO area is in excess of 9km west / east and up to 5km north / south, arguably cutting a swathe through the most sensitive and largely unspoilt, intact rural area of this Landscape Character Type.<br><br>The issue of Solar PV and BESS infrastructure impacting upon and cumulatively changing the Limestone Lowland landscape type and its sub-divided Landscape Character Areas has been consistently highlighted to the Applicant during the application process, yet the Applicant's assessment of landscape character fails to acknowledge that development of this scale and nature is acting as a highly | consider the interconnectivity of the wider landscape context.<br>It is important to note that the impact of changes to the landscape can appear different depending on the scale at which they are assessed. For example, a development that fundamentally changes the character of a small geographic area when considered against a very large National Character Area (NCA) could be argued to only result in Negligible effects to the overall character of the NCA. However, when assessed against a LCA /LCT that were not much greater than the size of the development itself, the effects could be considered Major. However, the actual landscape change in both scenarios is the same, it is just the arbitrary use of a man-made line, and defined area that is used to assess the level of effect that changes the findings.<br><br>This can be particularly misleading when looking at more local scale LCAs / LCTs where assessments use the same approach, and use the scale / size of the LCA / LCT to 'justify' the magnitude of change, e.g., 'effects are only apparent across a small part of the LCA, and so effects must therefore be Minor…' Professional experience, which has included testing this approach on similar DCO projects (the Applicant directs the ExA to the Green Hill Solar Project -Application ref: EN0101700.) has derived an LVIA Methodology that used Study Areas to undertake |

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| | | relevant force for change, incrementally and cumulatively changing the landscape fabric (natural and man-made elements and components) and character at a Landscape Character Type and Landscape Character Area scale over a large area and over a short timeframe.<br><br><u>The applicant</u>:<br>The applicant is asked to either:<br>2) Provide further justification for its approach including reference to relevant guidance and precedent from other Nationally Significant Infrastructure Project (NSIP) scale solar projects; or<br>2) Provide an updated assessment defining the effects relative to the separate landscape receptors rather than to each study area as a whole. | an assessment of impacts arising from a development on Landscape Character.<br><br>The LVIA uses 1km, 2km and 5km Study Areas to examine Landscape Character harm associated with the Development and the extent to which effects on Landscape Character extend from the Scheme.<br><br>Due to the interconnected relationship landform has, the assessment for each Study Area considers the effect of the Scheme on the landscape as a single receptor, made up of all of the LCAs / LCTs within the Study Area. these LCAs / LCTs are used to inform the Baseline within each of the Study Areas against the effects of the Scheme are assessed, for example all National Character Areas and all County and District Landscape Character Types and Areas within the individual Study Areas.<br><br>This approach ensures that the assessment looks at the effects of the Scheme on the unique holistic patchwork of landscape character within each Study Area and avoids focusing the assessment on the effects to individual local or national LCAs where it would be difficult to then ascertain the effect of the Scheme on landscape character as a whole.<br><br>When considering how these changes affect the broader landscape character within the 1km Local Study Area, the |

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| | | | 2km Wider Study Area and the 5km Outer Study Area, the significance may be greater or diminish over distance.<br><br>Small alterations to the landscape components within a Site may disrupt or support the overall patterns and distinctive character that define the landscape character of the area. On the basis of the above, the Applicant does not consider that an update to the assessment relative to the separate landscape receptors rather than to each study area is required.<br><br>Following ISH2, the applicant has committed to providing an assessment of the landscape effects associated with the Scheme on the individual landscape character areas / types within the 10km Study Area. This will be submitted at Deadline 5. |
| LV1.9 | The Applicant<br>Wiltshire Council<br>Cotswolds National Landscape Board<br>Stop Lime Down | **Cotswold National Landscape – Setting**<br>The parties are asked to define in spatial terms the extent of the area outside of the boundary of the Cotswolds National Landscape (CNL) that is considered to form the setting of the CNL.<br>Wiltshire Council considers that the setting of the Cotswolds National Landscape extends beyond its designated boundary in this area, | In consideration of the above and with reference **Volume 3, Appendix 8.6: Assessment of Effects on the Cotswolds National Landscape and its Special Qualities Appendix 8-6 [APP-197]** the applicant has prepared a plan showing the Spatial Extent of Setting of the CNL which is is contained within Annex E of **The Applicant's Response to the Examining Authority's First Written Questions [REP3-128].** |

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| | | particularly in relation to the Fosse Way corridor and the land to its north-west.<br><br>The National Landscape boundary follows the northern edge of the DCO Order Limits at Foxley, passes south of Sherston, and continues along the western edge of the boundary at Alderton. The Fosse Way runs north-east to south-west through the National Landscape, with a gap of around 5 km where it leaves the designation near Foxley before re-entering it between Alderton and Grittleton. This corridor is well used for recreation and functions as a recognised route through the wider National Landscape.<br><br>Wiltshire Council considers that the land adjacent to and north-west of the Fosse Way shares the rural character, special qualities and wider landscape associations of the National Landscape and is very much complimentary to it. Due to the route providing an important recreational connection both within the designated area and into the surrounding countryside, Wiltshire | |

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| | | Council considers that the Fosse Way and the land to its north-west form an integral part of the setting of the Cotswolds National Landscape. | |
| LV1.14 | Wiltshire Council Cotswolds National Landscape Board | **Visual Impact – Photomontages**<br>Wiltshire Council and the CNLB are asked to confirm if they are satisfied with the viewpoint and photomontage locations? If not, provide reasoning and a marked-up plan showing any additional viewpoint or photomontages that are considered necessary to assess the impact of the proposed development on landscape and visual receptors.<br><br>Wiltshire Council's Landscape Officer agreed the viewpoint and photomontage locations at the outset of the project and remains satisfied with those locations.<br><br>Additional photomontages may, however, be needed to illustrate intra-project sequential cumulative effects experienced by receptors moving through the landscape, including along public rights of way and local minor roads. | The Applicant notes these comments. The Applicant considers that the photomontage locations that have been agreed with Wiltshire Council are sufficient to assess the impact of the proposed development on landscape and visual receptors. |

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| LV1.19 | Wiltshire Council<br>Stop Lime Down | **Visual Impact - Residential Visual Amenity Assessment**<br>SLD explains in its Landscape and Visual Impact Report [REP1-170] that it disagrees with the applicant's approach that a residential visual amenity assessment (RVAA) is not required and states that the level of effect that would be experienced by receptors at Grain Store Barn does cross the threshold for 'full' RVAA. SLD also states that may also be the case for other residential receptors.<br>Wiltshire Council:<br>2) Do Wiltshire Council agree with the applicant's approach that a RVAA is not required? If it does not, provide reasoning and identify the residential receptors that you consider should be scoped into a RVAA and why?<br>Wiltshire Council considers that a limited number of residential properties are likely to experience significant adverse effects on visual amenity as a result of the proposed development. It therefore does not agree with the Applicant's position that a Residential Visual | Within LVIA, consideration of visual impacts of a proposed development is usually restricted to potential impacts on public visual amenity i.e. publicly accessible locations.<br><br>However, it is not uncommon for significant adverse effects on views and visual amenity to be experienced by people at their place of residence as a result of introducing a new development into the landscape. It is a commonly understood position that private individuals do not have an automatic right to a view (as established in 1610 by Aldred's Case [1558–1774]) and where a new development significantly changes a view from a private property, this is not normally grounds for a refusal of planning permission, even in the case of significant impacts to residents' outlook. The exception to this approach is when a visual impact on a private property is so severe that it may affect the residential amenity of a dwelling. Residential Visual Amenity Assessment (RVAA) is the process by which the potential visual impact of a development on the residential amenity of a private property can be objectively assessed.<br><br>The Landscape Institute TGN 02/2019 Residential Visual Amenity Assessment sets out the approach to assessing the potential impact of a development upon Residential Visual Amenity and is based on the principles and process established in GLVIA3 and draws on principles established in Planning Appeals by planning inspectors. |

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| | | Amenity Assessment (RVAA) is unnecessary where there is potential for significant adverse visual effects on a property and on residents' amenity.<br><br>Any assessment should follow the four-stage process set out in Landscape Institute Technical Guidance Note 2/19. This will establish which properties identified at Stage 3 as experiencing the greatest magnitude of change should proceed to Stage 4, where the Residential Visual Amenity Threshold may be engaged. Wiltshire Council does not consider that properties close to the Cable Route Corridor (CRC) should be included, given the temporary nature of works in that area.<br><br>Properties requiring a full RVAA<br>• Four properties at Grain Store Barn, Pig Lane, surrounded by field parcels C15, C16, C17 and C18.<br><br>Properties potentially requiring a full RVAA<br>• Farleaze Farm, with views across field parcels C12, C14, C16, C17 and C23. | Factors that contribute to this judgement include whether a development is: Overwhelming in views in all directions. Inescapably dominant. Unpleasantly encroaching.<br><br>A key consideration was the Burnthouse Farm windfarm inquiry (Burnthouse Farm Windfarm, SoS Decision (APP/D0515/A/10/2123739) 6th July 2011) (which the LI TGN 02/19 uses to support when to undertake RVAA) in which the Inspector stated:<br>*"No individual has the right to a particular view but there comes a point when, by virtue of the proximity, size and scale of a given development, a residential property would be rendered so unattractive a place to live that planning permission should be refused. The test of what would be unacceptably unattractive should be an objective test."*<br><br>At paragraph 120 of the Burnthouse Farm report the Inspector comments further on the threshold for determining unacceptable effects on visual amenity:<br>*"There needs to be a degree of harm over and above an identified substantial adverse effect to take a case into the category of refusal in the public interest. Changing the outlook from a property is not sufficient."* The LVIA has considered the Visual Amenity of nearby residential properties. This being the overall quality, experience and nature of views and outlook available to occupants of residential dwellings, including views from gardens and domestic curtilage. The findings of the LVIA are |

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| | | • Avril's Farmhouse (Grade II listed), with views into Area E.<br>• Bradfield Manor Farmhouse, with views of Area D, the BESS and the substation.<br>Stop Lime Down:<br>2) SLD are asked to identify any other receptors they consider should be subject to a full RVAA. | considered robust and as such, whilst views of the array are acknowledged, these would not trigger the requirement for a RVAA.<br><br>During ISH2, it was agreed by both WC and SLD that the scheme would not breach the RVAA Threshold, and that an RVAA was not required. |
| LV1.23 | The Applicant<br>Wiltshire Council<br>Stop Lime Down | **Cumulative and Combined Effects - Cumulative Sequential Visual Effects**<br>Both Wiltshire Council [REP1-137] and SLD [REP1-170] raise concern that the applicant's assessment of cumulative landscape and visual effects does not consider sequential visual effects. Wiltshire Council identified [REP1-137] routes that the sequential assessment should include and the applicant provided a Technical Note on Cumulative Sequential Visual Effects [REP1-123].<br>The Applicant:<br>3) The applicant is asked to provide an assessment of the sequential visual effects from cumulative developments on users of the | As set out in the LVIA Methodology **[REP1A-007],** the Cumulative Site landscape and visual effects relating to the Cumulative Sites (the individual Lime Down A – E sites) effects have been considered as part of the LVIA.<br><br>Cumulative Site effects relating to the Scheme are considered within the Cumulative Site Assessments for both Landscape and Visual receptors.<br>On Cumulative Site Effects the Methodology in section 8.7 of the LVIA [APP-060] states: *"Due to the dispersed nature of the Solar PV Sites within the Scheme, an assessment of the landscape and visual effects of Lime Down A - E, taken together, has been undertaken to determine the effects of the Solar PV Sites as a whole. The cumulative effects of each of the Solar PV Sites are assessed and the combined set of effects of the Scheme to reach an overall conclusion on where likely significant effects might occur as a result of the Scheme."* |

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| | | Wiltshire Cycleway within the 10km study area.<br>Wiltshire Council:<br>3) Wiltshire Council is asked to confirm if it agrees with the applicant's methodology and conclusions in its Technical Note on Cumulative Sequential Visual Effects [REP1-123] that there would not be any additional significant adverse sequential visual effects on users of the Fosse Way or A429/A350.<br>Wiltshire Council is unable to agree with either the methodology or the conclusions in the Technical Note on Cumulative Sequential Visual Effects. The note considers only inter-project cumulative effects (that is, Lime Down and other solar or related infrastructure projects within the wider study area) and does not address intra-project sequential effects, where receptors move through the Lime Down project area and experience views of two or more proposed development areas A – E in sequence. These effects are of particular relevance to residents and other | For each visual receptor assessed, the visibility of the Scheme was identified firstly to the Lime Down Site in closest proximity (Primary Site/); secondly to the visibility of any other site (Secondary Site(s)) and thirdly to the Included Cumulative Development Sites.<br><br>There are therefore three assessments for each identified Visual Receptor which are set out in:<br>• ES Volume 3 Appendix 8-3-2-1 Visual Assessment Sheets (NonSignificant) [ APP- 190]; and<br>• ES Volume 3, Appendix 8-3-2-2 Landscape and Visual Assessment Sheets (Significant) **[REP3-044].**<br><br>The LVIA includes a Cumulative Sequential Assessment for Major Roads and publicised routes. This included:<br>• The Macmillan Way;<br>• The White Walls Way (Stage 3);<br>• Sherston Walk 2; and<br>• The Fosse Way.<br>No Major roads experience potential visibility of the Scheme.<br><br>During ISH2, WC and SLD have been asked to provide the Applicant with any additional sequential local routes that they believe require a cumulative sequential assessment beyond that already contained within the **LVIA [REP3-025]**. |

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| | | receptors travelling through the site. This concern is explained in full at paragraph 8.23 of Wiltshire Council's Relevant Representation [RR-4934] which states:<br><br>*"…….. In this case the Fosse Way, which is a very popular recreational route is considered to be a key route where sequential effects should be assessed, but there are also PRoW and minor road links, particularly routes between settlements and circular routes close to settlements which will require assessment. A selection of potential Sequential Visual Effect routes is given at Table 8-23 of ES Chapter 8 [APP-060]. However, these have not been adequately assessed for potential effects and a full description of the effects as the receptor passes though the landscape is required. The ES focusses, erroneously, on Major Roads for determining sequential effects from roads. At ES para 8.10.46 it is stated that GVLIA3 refers to major roads. It does, but only as an example. It also states in GLVIA3 Table 7.1 that: "Sequential effects may be assessed for* | |

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| | | *travel along regularly used routes….". Given the receiving landscape contains very few roads which would be classified as more than minor, it is obvious that these routes are those which are going to be used for travel within the [DCO] area and therefore the sequential effects of travelling along them must be assessed."*<br><br>Wiltshire Council therefore considers that the Applicant's Environmental Statement places undue emphasis on major roads, while overlooking the well-used minor routes that define the character of the Lime Down project area and from which intra-project sequential effects are likely to be most noticeable.<br><br><u>Stop Lime Down:</u><br>3) SLD is asked to identify any other routes that it considers should be included in an assessment of sequential visual effects. | |
| LV1.24 | The Applicant | **Cumulative and Combined Effects – Cumulative Effects on Landscape Character** | The Applicant considers that the scale at which cumulative landscape character effects should be assessed depends |

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| | Wiltshire Council<br>Stop Lime Down | The ES [APP-060] assesses cumulative effects to landscape character relative to study area distances offset from the boundary of Lime Down sites A to E. The ExA note from Figure 8-15-7 of the ES [APP-106] that the percentage of the area of LCA8 (Hullavington Rolling Lowlands) that is currently taken up with solar development is 0.57%. The proposed development and other solar applications would increase that to 5.15% with the proposed development forming the largest share at 3.41%. The ExA seek to understand the different parties views on the scale at which cumulative landscape character effects should be assessed and have the following questions:<br><u>The Applicant:</u><br>3) Can the applicant explain why cumulative effects to landscape character were not defined in relation to the scoped in landscape receptors e.g. LCAs/ LCTs?<br><u>Wiltshire Council:</u><br>3) Can Wiltshire Council and SLD provide their position on the | on a number of factors which are specific to a particular project and location.<br><br>Fundamentally it relates to the scale of the project and the nature of the receiving landscape and its capacity to accommodate change which relates to its aesthetic and perceptual qualities.<br><br>The applicant considers that the percentage cumulative land-use change within LCA8 should not be considered a finite indicator of the significance of cumulative adverse effects to the landscape character of the receptor.<br><br>Although it can demonstrate somewhat to the scale of the development within a given character area or type, an assessment of landscape effects deals with the effects of change and development on landscape as a resource. This being how the proposal will affect the elements that make up the landscape, the aesthetic and perceptual aspects of the landscape and its distinctive character. |

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| | | correct scale of area to assess the cumulative effects to landscape character?<br>All Parties:<br>3) The applicant, Wiltshire Council and SLD are asked whether, and to what extent, they consider that the percentage cumulative land-use change within LCA8 should be used as an indicator of the significance of cumulative adverse effect to the landscape character of the receptor?<br>Wiltshire Council considers that broad percentage-based comparisons across large landscape designations can understate the effect of development on the landscape that actually receives it.<br><br>It is common to assess a proposal against a designated landscape, landscape character area or landscape character type. In this case, however, LCA 8 Hullavington Rolling Lowlands (largely contiguous with the Limestone Lowlands Landscape Type) covers a very extensive area. Although the proposed development would occupy | |

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| | | 3.41% of the LCA, Wiltshire Council considers this to be a substantial area of development and not a minor change simply because the wider LCA within which the DCO area is located is large.<br><br>For a development of the scale and spread of Lime Down, Wiltshire Council considers that cumulative landscape effects should be assessed initially in relation to the features and components which make up the subtle character differences of the receiving landscape across of Areas A-E and the CRC. These subtle but important variations in character that should have been identified in the LVIA. These include the natural and human-made features and components of the landscape, loosely described as its "fabric", which together create the observed local character variations, which provide the basis against which basis for assessing inter project cumulative landscape effects with other solar infrastructure and related developments on the key characteristics of the LCA. | |

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| | | Wiltshire Council therefore considers that land-use change within the receiving landscape area of LCA8 should be used as an indicator when judging the significance of cumulative adverse effects on landscape character. | |
| **Land Use, Soils and Food Security (LSF)** | | | |
| LSF1.1 | The Applicant | **Food Security**<br>Wiltshire Council's Local Impact Report (LIR) [REP1-137] details that the loss of 30% BMV agricultural land associated with the site equates to approximately 5,000 tonnes of crops/year. Over a period of 60 years this equates to some 300,000 tonnes during the operation of the proposed development. This does not include construction, decommissioning or other periods where the land is left fallow because of the development.<br>As discussed at Issue Specific Hearing 1, the Department for Environment and Rural Affairs (DEFRA) published a national security report on 20 January 2026, which emphasised the severe vulnerability of Britain's food systems. Specifically, it stated *'Without significant increases in UK food system and supply* | The Applicant has produced a Farming and Food Security Technical Note submission at Deadline 4 that addresses concerns about food security.<br><br>Food security is a highly complex topic. The short excerpt of the DEFRA report provided highlights ecosystem collapse, current diets and geopolitical decisions as some factors affecting domestic food security. The issue is therefore not as simple and direct as a temporary loss of BMV agricultural land use creating food insecurity.<br><br>The Farming and Food Security Technical Note submitted at Deadline 4 includes analysis of solar farms across Wiltshire in relation to the agricultural land quality, utilising the data in the comment provided by Wiltshire Council in response to the ExA's First Written Questions, information found on Wiltshire Council's planning portal, statistics from the Renewable Energy Planning Database, and Defra's Predictive ALC map for England. The analysis shows that 54.2% of agricultural land in Wiltshire is predicted to be BMV quality in Grades 1, 2 and 3a. Of the solar schemes |

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| | | *chain resilience, it is unlikely the UK would be able to maintain food security if ecosystem collapse drives geopolitical competition for food. The UK relies on imports for a proportion of both food and fertiliser and cannot currently produce enough food to feed its population based on current diets. Countries best placed to adapt are those that invest in ecosystem protection and restoration, and resilient and efficient food systems.'* The applicant's application is dismissive of food security considerations because, as stated in the Planning Statement [REP2-017], the NPSs do not contain specific policy on the topic, and because analysis in the DEFRA Land Use Framework (March 2026) confirms that there is enough land to deliver the government's objectives for nature restoration and development without reducing domestic food production or compromising on these objectives. The ExA questions whether that is a simplistic view of the Land Use Framework, because the document also states that spatial decisions made by one sector will often affect another, | assessed with a confirmed ALC, which amounts to 1,541 ha of agricultural land (including the Scheme), collectively 17.6% of the land occupied by solar is BMV quality in Grade 2 and Subgrade 3a. This is a substantially smaller proportion than the county statistics. |

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| | | meaning strategic spatial planning at landscape scale will be key to growth, food security and nature recovery. On that basis, land use is to be carefully managed. Further, it states that government is clear that food security is national security and that it agreed with respondents who called for the strategic safeguarding of the best farmland from permanent land use changes, and for improving the resilience of agricultural land to the impacts of climate change. The ExA note the applicant's D2 response to the Council [REP2-038] that the loss of 5,000 tonnes of combinable crop from the site only represents a reduction of approximately 0.025% of UK production. However, in light of the very recent national food security alarm, the need for land use to be carefully managed, and the national policy position in NPS EN-3 (Paragraph 2.10.21) which recommends avoidance of the of "Best and Most Versatile" agricultural land where possible, the applicant is asked to provide the following information: | |

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| | | • How much of Wiltshire is farmland, and of that farmland how much is classed as being BMV and not BMV?<br>Whilst Wiltshire Council acknowledge that this question was posed to the Applicant, the council would like to respond to the following points:<br>• Cumulatively, how much farmland within Wiltshire would be occupied by solar farms currently benefitting from made DCOs and planning permissions, and of that farmland how much is classed as BMV and not BMV?<br>Wiltshire has over 1,200Ha of operational or approved solar farms, making it the county with the most solar land in England. Wiltshire Council has already exceeded its 2030 renewable energy target by roughly 39%. Wiltshire Council has assessed 61 sites covering 1278 Ha. 39.5 Ha are within commercial sites, e.g. MOD bases, race circuits, and 119Ha of solar farms are on grade 4 land. As yet none of Wiltshire's grade 2 farmland is being used for solar energy, leaving 1,119.5Ha on grade 3 land. As | |

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| | | previously mentioned, the ALC does not differentiate between grade 3a and 3b so unless an Applicant has had the soil sampling done, the council has not been able to give a definitive figure for the land classified as 3a (BMV) or 3b (non-BMV). Of the sites that have done soil sampling, 399Ha are grade 3b with just 43Ha grade 3a.<br>• When the Lime Down proposal is added to the figures from bullet point 2, how much is classed as BMV and not BMV?<br>The council is not able to answer this question accurately due to incomplete information. However, the Lime Down proposal would take out 263Ha of BMV land (30% of the total amount, of which 6% is grade 2) which based on the figures from bullet point 2 appears to be a significantly higher percentage than other solar farms in Wiltshire.<br>• Robust evidence that a full and comprehensive assessment of availability of land at grades 5, 4 and 3b was conducted within the 20km radius of the grid | |

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| | | connection before grades 3a, 2 and 1 were considered. | |
| LSF1.7 | The Applicant | **Soil Performance**<br>Paragraph 9.7.29 of ES Chapter 9 [APP-061] states that *'In the absence of the Scheme, it is anticipated that the Solar PV Sites would remain in predominantly arable production, with associated intensive management regimes. Such intensive systems are predicted to entail the continued requirement for additional soil inputs and conditioners, with likely continued, incrementally or accumulatively negative implications for wildlife'*. However, paragraph 17.7.15 of ES Chapter 17 [APP-069] details that soil performance would be expected to remain the same as the current baseline but makes no negative comment on soil performance and/or health.<br>You are asked to comment on the following:<br>The use of the term 'intensive' would suggest an industrial agricultural regime. The applicant should clarify the current farming management arrangements and whether it qualifies as intensive farming. Alternatively, if the current farming | Intensive arable farming refers to conventional agricultural systems that utilise inputs such as machinery, fertilisers, herbicides and pesticides, to optimise crop yields: intensive and industrial are not directly synonymous.<br><br>Rotational farming with break crops and leys may still be considered as intensive in relation to the management of the arable crops each year. Examples of other types of farming that are not intensive, are extensive (such as upland and hill sheep farming) and regenerative, which would, for example, utilise natural pest management approaches instead of pesticides.<br><br>**ES Volume 1, Chapter 17: Soil and Agriculture [REP3-021]** includes a clear statement that the soils baseline is not expected to change in the absence of the Scheme. The Applicant is not able to predict future changes in land management or subscription to agri-environment schemes, resulting from individual landowner decisions. Any detrimental effect of management on the agricultural land quality in terms of ALC grading would only arise from substantial disturbance of the land, which would be inconsistent with the current management regime. |

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| | | arrangements do not qualify as 'intensive' then ES Chapter 9 should be updated to remove the term.<br>It is not clear what the effect on soils and wildlife would be in absence of the proposed development. The applicant should provide a clear and consistent statement across the ES clarifying the effects on both soils and wildlife in absence of the proposed development (a do-nothing scenario). The answer should consider how the land has been, and would be, farmed considering any applicable agri-environment schemes.<br><br>Whilst it is acknowledged that this question was posed to the Applicant, with respect to point 1) above, the council notes that intensive agriculture in an arable farming sense tends to mean continuous arable cropping, which does result in loss of organic matter in the soil and nutrients being replaced with artificial fertiliser. However, most farms in Wiltshire practice rotational farming with break crops, including grass leys, which replenish soil nutrients to some extent and the organic matter. Livestock | |

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| | | manure is also used to help soil health. Once the Applicant has clarified the current farming regime, the council will be in a better position to comment further. | |
| LSF1.10 | The Applicant | **Soil Health**<br>What efforts, if any, would you undertake to ensure appropriate soil health over the lifespan of the proposed development to ensure the land within the Order limits could be returned to the same grade following decommissioning. Your response should also include the land proposed for ecological mitigation and enhancement. In providing a response you should take account of SLD's 'Situation Report: Lime Down Solar Farm. Impact on Soils and Agriculture'.<br>Whilst it is acknowledged that this question was posed to the Applicant, the council considers that if the land was in continuous grassland over the lifespan of the scheme, then soil health will improve. There are other species that could be planted to further improve the soil health and help wildlife, e.g. clovers, vetches along with deeper rooting | Stop Lime Down's 'Situation Report: Lime Down Solar Farm. Impact on Soils and Agriculture' [REP1-184] details the most severe consequences of not implementing a SRMP during construction and operation of a solar farm, namely extreme soil damage, compaction and smearing.<br><br>The Applicant will be implementing a SRMP in line with the **Outline SRMP [REP3-098]** that contains best practice principles to minimise the risks of damage to soils during construction and operation.<br><br>The **Outline SRMP [REP3-098]** sets out various monitoring requirements that will enable early identification of any issues such as compaction arising during construction, which will be ameliorated while the land is still accessible to machinery. In this way, the land will enter the operation and maintenance phase in good condition and will remain undisturbed thereafter until decommissioning. As noted by Wiltshire Council, soil health is expected to improve in this time.<br><br>The best practice principles of the **Outline SRMP [REP3-098]** will continue to apply at decommissioning. The soil |

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| | | species like chicory and sheep's burnet. The council's main concern is that soil structure is not compromised at the end of the scheme, hence the request for soil trenches / pits to be dug to check for soil compaction once all heavy equipment has been removed from the site. | condition will be established through a survey involving auger boreholes and pits, to enable identification of residual compaction. Compaction is likely to be ameliorated using standard agricultural equipment such as harrows and subsoilers, before the land is returned to the landowner.<br><br>Some land proposed for ecological mitigation (e.g in the west of Lime Down C) will continue to be managed as agricultural land and therefore the agricultural grade will be unaffected by any phase of the Scheme.<br><br>Other land for ecological mitigation that involves soil movements will be subject to the provisions of the SRMP. |
| LSF1.17 | Wiltshire Council | **Soil Management Approach**<br>You are asked whether the approach and content of the oSRMP [APP-280] in respect of the management of potential effects on soil resources is appropriate? If not, please detail additional methods and/or mitigation measures considered necessary.<br>The Lead Local Flood Authority (LLFA) considers that the overall approach and structure of the Outline Soil Resources Management Plan (oSRMP) are appropriate in principle, as it aligns with recognised good practice and relevant | The Applicant welcomes the LLFA's confirmation that the overall approach and structure of the **Outline Soil Resources Management Plan [REP3-098]** are appropriate and align with recognised good practice.<br><br>The Applicant does not agree that the document lacks sufficient controls for sensitive soils, wet-weather working, monitoring or decommissioning.<br><br>The **Outline Soil Resources Management Plan [REP3-098]** identifies the heavy clay soils within the Order Limits as highly sensitive and having low resilience to structural damage. It therefore requires particular care in relation to trafficking, handling, compaction and smearing and |

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| | | guidance, including Defra's Construction Code of Practice and established soil handling methodologies. The document appropriately identifies key risks to soils, such as compaction, smearing, and handling under unsuitable moisture conditions, and proposes standard mitigation measures including controlled stripping, segregation of soil horizons, stockpile management, and monitoring during construction. However, the LLFA considers that the oSRMP relies heavily on future detailed SRMP provisions and contractor-led controls, and therefore does not yet provide sufficient certainty that soil-related impacts on drainage and runoff will be effectively managed across all phases, particularly in relation to hydrological performance. In particular, the oSRMP should be strengthened to include: (i) clear soil reinstatement performance targets, including infiltration rates, permeability, and runoff characteristics to ensure restoration to greenfield conditions; (ii) a defined verification and validation regime, including field testing (e.g. infiltration testing, bulk density/compaction testing) | requires soil operations to take place only under suitable moisture and weather conditions.<br><br>The document includes measurable criteria for determining whether soils are suitable for handling.<br><br>These comprise visual and consistency tests, together with defined rainfall protocols requiring soil handling to cease after 15 minutes of light rain and immediately during heavy rain or intense showers. Work may only restart following reassessment of soil and ground conditions.<br><br>Compaction will be inspected following pile installation and before the Solar PV Panels are fixed. Where compaction is identified, remedial action must be undertaken while the ground remains accessible. Soil handling and monitoring will be overseen by suitably qualified soil practitioners, with the detailed procedures and responsibilities set out in the detailed Soil Resources Management Plan.<br><br>The decommissioning provisions have also been strengthened following comments received from Wiltshire Council and on request from the ExA in their **First Written Questions [PD-010]**. The **Outline SRMP [REP3-098]** was updated at Deadline 3 to include following removal of the infrastructure, inspections will be undertaken by a |

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| | | and formal sign-off criteria; (iii) linkage between soil management and surface water drainage performance, recognising that soil structure directly affects runoff generation and SuDS functionality; (iv) specific measures to address high-sensitivity clay soils identified on site, which are particularly vulnerable to long-term structural damage; (v) enhanced controls for wet weather working and contingency planning, beyond general guidance, including defined stop/go thresholds tied to measurable criteria; and (vi) stronger provisions for the decommissioning phase, including soil recovery, decompaction, and long-term monitoring of restored land. Without these additions, the LLFA considers that there remains a risk that soil degradation could lead to increased surface water runoff, reduced infiltration, and adverse impacts on local flood risk, and therefore further detail is necessary to ensure the effective discharge of the relevant requirements.<br>From the perspective of returning the land to agricultural use at the end of the | suitably qualified soil scientist using auger boreholes and soil pits to assess soil structure and identify compaction.<br><br>Remedial measures, including subsoiling, must be completed before agricultural operations are re-established.<br><br>The Applicant does not consider that generic numerical targets for infiltration, permeability or runoff would provide an appropriate reinstatement standard. The baseline soils are naturally variable and include slowly permeable clays as well as limestone-derived and sandy soils. A universal infiltration target could therefore require soils to achieve a condition that did not exist before construction.<br><br>The appropriate objective is to protect or restore the soil profile, structure, drainage function and agricultural quality relative to the relevant baseline soil type. The inspection, testing and remediation methods in the detailed Soil Resources Management Plan will be selected accordingly.<br><br>The relationship between soil condition and surface water runoff is recognised within the Scheme assessment. Protection of soil structure and vegetation limits the potential for increased runoff from panelled areas, while construction drainage and runoff controls are separately addressed through the Water Management Plan secured by Requirement 13. |

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| | | scheme, and providing adequate checks are made for soil compaction, the council's economic development team are content, providing the Applicant complies with the guidance that has been committed to regarding working during wetter period, as contained within [APP-280]. | The Applicant therefore considers that the revised **Outline Soil Resources Management Plan [REP3-098]** already addresses the LLFA's principal concerns. The detailed Soil Resources Management Plan will apply these secured controls to the final construction activities and site-specific soil conditions without imposing generic hydrological targets that would not reflect the baseline soils. |
| **Noise and Vibration (NV)** | | | |
| NV1.5 | Wiltshire Council | **BS 4142:2014 and Operational Noise Effects**<br>Paragraph 14.6.33 of ES Chapter 14 [REP1-021] states that *'where background levels are low, the absolute levels might suggest a more acceptable outcome than would otherwise be suggested by the difference between the values (existing and proposed noise rating levels). As such, where background noise levels are identified as being below the 'very low' threshold of 30dB, a background noise level of 30dB LA90 has been adopted with respect to the setting of operational noise LOAEL and SOAEL5.'*<br>The ExA note in row 3 of Table 14-2 of ES Chapter 14, that the Council confirmed the use of 30dB as a | The Applicant notes, and agrees with, Wiltshire Council's response. |

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| | | minimum background noise level to be appropriate at the scoping stage. However, SLD's expert's submission at D1 [REP1-179] casts considerable doubt on the appropriateness of this methodology and the applicant's justification for it. SLD's expert states (amongst other things) that the applicant's methodology ignores the context of a very quiet rural area and adopts a "one size fits all approach", which artificially elevates the baseline and thus minimises the noise effects of the development on sensitive receptors. It also provides examples of this in action for several residential receptors (Townleaze Farm and Bradfield Manor). The Council is requested to review SLD's submission [REP1-179] and advise the ExA whether it still agrees with the applicant's justification for using an absolute background noise level of 30dB, or if (and why) it now agrees with SLD's concerns that raising the baseline in this way modifies the relevant thresholds for the LOAEL and the SOAEL and thus underplays the noise effects. | |

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| | | The council is required to have regard to national guidance when assessing the noise impact of commercial developments. BS 4142:2014 indicates that a rating level exceeding the background sound level by +5 dB is likely to be an indication of an adverse impact. Furthermore, Section 11 of BS 4142 emphasises that where background sound levels are low, absolute noise levels may be as important as, or more important than, the margin by which the rating level exceeds the background.<br><br>The Association of Noise Consultants (ANC) Guide to BS 4142:2014 provides additional context, noting that the standard does not explicitly define "low" background or rating levels. However, reference is made to the 1997 version of the standard, which considered very low background sound levels to be below approximately 30 dB LA90, and low rating levels to be below approximately 35 dB LAr,Tr. | |

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| | | In this case, the Applicant's noise assessment has appropriately considered both:<br><br>• the difference between the scheme's rating level and the prevailing background sound levels; and<br>• the context in which the sound will occur.<br><br>For the daytime period, receptor points have been modelled at 1.5 m above local ground level, representing ground-floor windows. Background sound levels during the daytime do not fall below 30 dB LA90 at any noise-sensitive receptor. On this basis, the application of absolute rating level criteria during the daytime is not considered necessary.<br>For the night-time period (23:00–07:00), an absolute noise level approach has been applied to reflect the noise impact on residential occupiers trying to sleep within bedrooms with open windows. Receptor positions have been modelled at: | |

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| | | • 4 m above ground level (representative of first-floor bedroom windows), and<br>• 6.5 m above ground level (representative of second-floor bedroom windows at certain locations).<br>The assessment identifies two residential receptors (R10 and R20) where the external rating level is 35 dBA, including a +3 dB acoustic feature correction to account for a distinctive continuous hum. This corresponds to predicted internal bedroom noise levels of approximately 20–25 dBA. These internal noise levels are 5–10 dB below the 30 dB guideline value recommended in both BS 8233:2014 and the World Health Organisation (WHO) Guidelines to avoid sleep disturbance. As such, the assessment demonstrates that there will be no adverse impacts during the night-time period for residential receptors. | |
| **Resources and Waste Management (RWM)** | | | |
| RWM1.1 | The Applicant | **Anticipated Construction and Operational Waste Quantities** | The WCC response is acknowledged. |

| ExQ1 | Question to: | Question: | Applicant's Response |
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| | Wiltshire Council | The Infrastructure Planning (EIA) Regulations 2017 state that the description of the development should include an estimate, by type and quantity, of types of waste produced during the construction and operational phases (Schedule 4 Paragraph 1(d)). Anticipated quantities of waste have not been provided in ES Chapter 3 [APP-043], the oCEMP [REP1-096] or the oOEMP [REP1-106] for the construction and operation phases.<br>The applicant:<br>In line with the above Regulations you are asked to confirm the anticipated volumes of waste from the proposed development at all phases of the development, and the impact of waste generation on the capacity of local waste management facilities. Please confirm if these volumes of waste been accounted for in the GHG calculations.<br>Wiltshire Council:<br>In considering the number of solar schemes already approved, and the number in the planning and pre-planning stages, you are asked to comment on the current capacity of waste | |

| ExQ1 | Question to: | Question: | Applicant's Response |
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| | | management facilities. Are you satisfied that sufficient capacity exists to manage the anticipated generated volume of waste?<br>The Applicant has provided estimates of wastes to be generated over the lifetime of the proposed development, including construction and decommissioning in ES Chapter 20 Other Environmental Matters [APP-072].<br><br>Wiltshire Council is of the opinion that the quantities of non-hazardous waste that may be produced by the development (wood, plastics, paper / cardboard and steel) are such that they are able to be accommodated by suitable facilities within the County, although noting the proximity principle they may be managed at one of the nearest appropriate facilities, which may not be within Wiltshire due to the location of the development in proximity to other waste planning authority boundaries.<br><br>Regarding concrete and aggregates, it is assumed these will mainly be recycled. | |

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| | | The specified quantities would not cause concern over the availability of capacity to be managed within the County although again, the proximity principle would allow for this to be managed at one of the nearest appropriate facilities which may not be in Wiltshire.<br><br>The ES notes that it is likely that the solar PV panels and battery waste would be managed by specialist regional or national facilities. There are currently no such facilities in Wiltshire and so it is likely that this waste will be transported by road to these facilities.<br><br>Regarding excavated soil, according to the remaining landfill capacity data tables published by the Environment Agency remaining void space for inert landfill in Wiltshire at the end of 2024 (the current reporting period) is 69,000m3. However, Wiltshire Council is aware of other sites, one of which has recently been permitted for 143,000m3, that could also accommodate inert waste of the volumes generated by the proposal. This is in addition to several | |

| ExQ1 | Question to: | Question: | Applicant's Response |
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| | | operational and permitted quarries that will require restoration and take inert waste (circa. 750,000m3) over the lifetime of the construction phase. Therefore, there is sufficient capacity in Wiltshire to accommodate the excavated soils, although again, depending on the location of these sites (one is in the south of the County at a distance from the proposed development) the waste may travel to a nearer facility to be managed, which may not be in Wiltshire. For example, there is a nearby quarry development on the Wiltshire border to the east of Cricklade that will take circa. 3,000,000m3, but falls within the Gloucestershire administrative area. | |
| RWM1.2 | The Applicant | **Below Ground Cables at Decommissioning**<br>At the end of the operational phase, it is proposed that all the below ground cables would be left in place. NPS EN-3 states that generally, it is expected that the panel arrays and mounting structures will be decommissioned, and underground cabling dug out to ensure that prior use of the site can continue. You are asked to explain the following: | As set out within Environmental Statement Volume 1, Chapter 3: The Scheme [APP-055] all cabling within the Solar PV Sites would be removed during the decommissioning phase.<br><br>The mode of removing the Interconnecting Cables and Grid Connection Cables during the decommissioning phase would be dependent upon government policy and good practice at that time. |

| ExQ1 | Question to: | Question: | Applicant's Response |
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| | | 1. The reasoning for leaving the below ground cables in place.<br>2. Whether there would be adverse effects or potential hindrance to use of the land associated with the cables being left in place.<br>Whilst it is acknowledged that this question was posed to the Applicant, the council considers that there may be an issue with leaving the cables in place in the case of some agricultural practices, e.g. sub-soiling. | Currently, the most environmentally acceptable option is considered to be leaving the cables in situ, as this avoids disturbance to overlying land and habitats and to neighbouring communities.<br><br>Alternatively, the cables can be removed by opening up the ground at regular intervals and pulling the cable through to the extraction point, leaving the ducting and jointing bays in place, avoiding the need to open up the entire length of the cable route.<br><br>No significant effects have been identified associated with leaving the Interconnecting Cables and Grid Connection Cables in situ, including for agriculture (refer to ES Volume 1, Chapter 17: Soils and Agriculture).<br><br>**ES Volume 3, Appendix 3-2: Cable Route Construction Method Statement [REP3-043]** confirms that cables will be laid at depths of up to 2m, whilst **ES Volume 3, Appendix 17-1: Agricultural Land Classification and Soil Survey Report [REP3-067]** confirms that the assessment depth for an agricultural soil profile is 1.2m. The maximum depth of a typical subsoiler is around 0.6m. The Applicant considers that cables will be of a such a depth that they will not pose a potential hinderance to future farming operations, including subsoiling. |

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| RWM1.3 | The Applicant<br>The Environment Agency<br>All Local Authorities | Waste<br>Can each party provide commentary on the proposed development's compliance with the Regulations: Waste Electrical and Electronic Equipment (WEEE) 2013?<br>The Applicant has within ES Chapter 20 Other Environmental Matters [APP-072] confirmed that all Solar PV Panels, cabling, conversion units, switchgear, BESS Area and substations would be removed from within the Order Limits as part of decommissioning.<br>The ES notes that the WEEE Regulations place obligations on companies who place solar PV panels on the market to finance the costs of collection, treatment, recovery and environmentally sound disposal. It is assumed by the Applicant that specialist regional or national facilities would be in place at the time of decommissioning (and component replacement), and these would be developed in response to demand generated by the UK-wide solar PV panel industry, and would be reused, recycled, or recovered and not disposed of to landfill. | The WCC response is acknowledged. |

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| | | The Outline Decommissioning Strategy submitted with the DCO Application [APP-279] advises that for the electrical components, prior to the decommissioning works commencing a detailed Decommissioning Strategy will be prepared which will provide a waste estimate, and specify key responsibilities, reporting and auditing requirements and waste recovery targets. | |
| **Socio-Economics (SE)** | | | |
| SE1.4 | The Applicant | **Outline Skills Supply Chain and Employment Plan Q1**<br>Paragraph 5.2.3 of the outline Skills Supply Chain and Employment Plan (oSSCEP) [REP1-108] states the applicant will seek *'to offer apprenticeships and other academic support during the construction **or** operational phase of the Scheme'.*<br>Please confirm if this should read '**and**', as opposed to '**or**'. If that is not the case, please detail why. Would opportunities also be explored during decommissioning? If not, please explain.<br>Whilst it is acknowledged that this question was posed to the Applicant, | The Applicant confirms this was a typographical error and has corrected this in the revised **Outline SSCEP [REP3-104]** submitted at Deadline 3. |

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| | | Wiltshire Council considers that this should read 'and' as the economic impact resulting in job losses will, in the council's view, continue throughout the scheme and particularly during construction phases, so should include decommissioning. | |
| SE1.5 | The Applicant | **Outline Skills Supply Chain and Employment Plan Q2**<br>Paragraph 5.2.4 of the oSSCEP [REP1-108] states it will *'consider a programme to promote apprenticeships during the various phases of the Scheme*.'<br>Furthermore, paragraph 5.3.5 states *'Once construction commences it may be helpful to display or advertise for vacancies in suitable physical locations or media within the 20 km Study Area. Alternatively, a named Skills and Employment Manager for the Scheme would be made responsible for filling vacancies by reaching out to local contacts*.'<br>Overall, the language in this document is vague, as per the highlighted examples, and does not appear to commit the applicant to undertake any form of apprenticeship scheme or promote | The Applicant has responded to this question in **The Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**.<br>In response, the Applicant has provided a revised **Outline SSCEP [REP3-104]** submitted at Deadline 3. The Applicant understands Wiltshire Council is to review this updated text and provide a response for Deadline 4.<br><br>The Applicant is furthermore continuing discussions with Wiltshire Council to seek agreement on the wording of the mitigation measures set out in the Outline SSCEP, through the process of agreeing a **Statement of Common Ground [REP2-025]**, an updated version of which is to be provided at Deadline 4. |

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| | | vacancies locally throughout the entirety of the proposed development.<br>Elsewhere, section 6.3 'Plan Delivery' does not name any educational institutions in the list of stakeholders. Given you expect to provide skills training, including apprenticeships, please explain the reasoning behind this approach.<br>Please review this document and provide comment on those issues listed above.<br>Whilst it is acknowledged that this question was posed to the Applicant, Wiltshire Council agree that this commitment could be better defined, and would like all such agreements with the council agreed prior to planning permission being approved, should that be granted. | |
| SE1.8 | The Applicant | **Public Rights of Way Network Post Decommissioning**<br>The Wiltshire Ramblers [RR-4935] requested confirmation of the status of the PRoW network post-decommissioning and whether the network would return to its pre-construction layout. Please confirm the | The Applicant has responded to this question in **The Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**.<br><br>The Applicant confirms that the pre construction routing of all PRoWs are to be maintained throughout the operational lifetime of the Scheme. |

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| | | status of the PRoW network following decommissioning.<br>Should the position be anything other than the current pre-construction network please provide a map showing the future layout with an explanation.<br>Whilst it is acknowledged that this question was posed to the Applicant, it is the council's understanding that the Applicant doesn't plan for any permanent diversions of the PRoW network. However, the council believes that where a permissive path has been provided that can clearly demonstrate to have provided improved connectivity, that it should be retained. | Additions or improvements to the PRoW network, such as those based on proposed permissive paths, would have to be agreed by Wiltshire Council and the respective landowners separately to the DCO process. |
| SE1.10 | Wiltshire Council | **Innovation Forum**<br>In your D2 submission [REP2-048] you make reference to a possible Innovation Forum which could help the proposed development 'evolve with new innovations and best practice' over its lifetime. You are asked to provide further detail, specifically the following and anything more you think would be helpful to the ExA:<br>a. Who would make up the Innovation Forum | The Applicant welcomes Wiltshire Council's further information regarding the potential role of an Innovation Forum. The Applicant recognises the Council's overarching point that, over a 60-year operational period, relevant technologies, industry standards, recycling practices, monitoring systems and operational approaches may evolve.<br><br>The Applicant also recognises the potential value in having an appropriate mechanism through which such advancements can be discussed, particularly where they may support improvement. |

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| | | b. What powers would have the Innovation Forum have<br>c. Would the Innovation Forum form part of the Community Liaison Forum<br>d. Examples of where an Innovation Forum has been used elsewhere<br>There is an opportunity for innovation in long-term infrastructure at every stage of the project lifecycle. Over a 60-year project lifetime, there is potential for the technology, markets and industry standards to evolve, and there may also be a need to change practice due to the changing climate or socio-economic factors. Therefore the Scheme would benefit from having a clear process for being able to adopt changes and innovations over the lifetime of the project, to monitor and ensure accountability. An Innovation Forum could be one way to achieve this, but the Applicant may also have other suggestions or already have mechanisms in practice in projects elsewhere.<br>The application mentions that "recycling will be carried out as far as practical and | The matters raised by Wiltshire Council are best addressed through ongoing engagement and can continue post consent, rather than a separate, prescriptive DCO mechanism at this stage.<br>Discussions with Wiltshire Council and other relevant stakeholders such as Parish Councils will continue after consent to agree suitable engagement arrangements.<br><br>Opportunities for an innovation forum could be considered through the same forums used for the Community Benefit Fund (CBF) and Community Liaison Group, providing a practical way for the Council, local communities and the Applicant to discuss developments, opportunities and developing local priorities over the lifetime of the Scheme. |

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| | | in accordance with legislation and guidance applicable over time". There is also scope to consider innovations in materials, digital monitoring and robotics and taking advantage of improvements in electric vehicle infrastructure over time and options for agrivoltaics as they continue to develop. This could help to mitigate some of the impacts of the project's operations on the community and the environment even more than currently envisaged by the proposal.<br>a) It is conceivable that processes for innovation already exist in the renewables industry, where businesses have their own Research and Development departments, network to learn from each other in collaboration with research institutes. There is scope to develop recycling or circular economy industries in the South West region so the Scheme's managers could actually help to encourage this and work to support supply chains in the UK. It is acknowledged that shareholders will be interested in tracking output and maximising innovation that improves performance and cost. However, the | |

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| | | council are looking for some kind of reassurance of how innovations, if applicable, will flow into the Lime Down Solar Park scheme, and how the community and council can be reassured of this over the lifetime of the project, especially where new innovations will help to mitigate the identified impacts on the community and the environment, and also to monitor the impacts and whether the mitigation and DCO Requirements are having the desired effect. An Innovation Forum could consist of meetings between the developer / manager of the Scheme and a community and council representative. b) The Innovation Forum should have a Terms of Reference detailing, for example, how often it meets, who its members are, what its powers are, and what kind of monitoring or reporting is carried out. At this stage the council does not have specific requests in relation to the specific powers of the forum. The main purpose would be keep the community and council informed in relation to innovation, enable a space whereby the community and council may | |

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| | | suggest or share innovations or local changes that might affect the operation of the project, and request the Scheme manager to consider them. It is suggested that Wiltshire Council is the main point of contact / liaison in relation to any innovation opportunities, for continuity.<br>c) Yes, the Innovation Forum could form part of the Community Liaison Forum; however, it is noted that the Community Liaison is only planned for the initial period of operation, so an additional process or mechanism may need to be put in place. It is suggested that the main liaison for updates of technology, standards or innovation is Wiltshire Council.<br>d) The council does not have any specific examples of an Innovation Forum being used in a large infrastructure project. However, the council does have an example of an Innovation Forum being used throughout the lifetime of the council's contracts with providers in the highways and waste sectors. Particularly the highways maintenance contractors are very | |

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| | | proactive. They have been involved in innovation and research projects elsewhere and bring their learning into the Wiltshire delivery where appropriate. An Innovation Forum meeting is held at least twice a year to talk about developments in the industry which can improve delivery, efficiency, explore opportunities for carbon emissions reduction and increasing resilience and sustainability. There is also the example of the Crossrail Elizabeth Line governance and innovation, which was put in place to ensure integration between its numerous contractors, but also provided the opportunity for anyone to input ideas, from site labourers to project directors. This is an example of a digital platform enabling exchange of ideas and innovation, which could be incorporated into the Lime Down Innovation process / forum. | |
| **Transportation, Traffic and Highway Safety (TT)** | | | |
| TT1.4 | The Applicant | **Highway Improvement Areas Q2**<br>The HIAs are seemingly included in Work Nos. 8A (temporary) and 8B (permanent) of the dDCO and shown in the work plans [APP-007] in different | The Applicant has submitted an updated version of **ES Volume 2, Figure 2-4-1 to 2-4-9: Public Right of Way and Highways [EN010168/APP/6.2 (Rev 2)], ES Volume 2, Figure 3-1 to 3-1-5: Indicative Site Layout Plan [EN010168/APP/6.2 (Rev 2)],** and ES Volume 2, Figure 3- |

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| | | colour/hatching. However, the distinction between temporary and permanent HIAs is not shown in ES Figures 2-4-1 to 2-4-9 [APP-080], 3-1 to 3-1-5 [APP-081] and 3-2 to 3-2-10 [APP-082]. These figures should therefore be amended to delineate temporary and permanent HIA locations in different colours.<br>However, please note that the light pink colour used to identify the HIA areas in ES Figures 2-4-1 to 2-4-9 is too similar to the colour used to delineate<br>B Roads so this requires revision to ensure that the distinction is clear to the viewer.<br>Whilst it is acknowledged that this question was posed to the Applicant, Wiltshire Council agrees that where works in the Highway Improvement Area are to be permanent or temporary this does need to be made clear. This will affect the detailed design of the works in the first instance, and where works are only intended to be temporary, then further drawings will be needed to show how the highway will be reinstated when the temporary works are removed. | 2: Key Construction Phase Features [EN010168/APP/6.2 (Rev 2)]. These now differentiate between HIA which are temporary and permanent in different colours.<br>The colour used to present HIA in ES Volume 2, Figure 2-4-1 to 2-4-9: Public Right of Way and Highways **[EN010168/APP/6.2 (Rev 2)]** has also been updated to avoid any confusion with that used for B roads |

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| TT1.5 | The Applicant | **Construction Access Points**<br>Paragraph 2.1.2 of the oCTMP [REP1-112] states that the 21 accesses required for the solar PV sites would be retained for use by maintenance vehicles once the development is operational. The oCTMP does not include any statement about the retention or otherwise of the accesses into the CRC. Whilst it is acknowledged that the vast majority of access points along the CRC would be existing access points, some new access points are proposed and some of the existing accesses are likely to necessitate widening and formalisation for construction purposes. The ExA is seeking to understand:<br>1. Which new accesses created for construction along the CRC corridor would be closed post construction and the land/ boundary reinstated to its pre-construction state.<br>2. Which existing accesses (for the solar PV sites and CRC corridor) would be retained in their altered | The Applicant notes this comment.<br>The updated Outline CTMP **[EN010168/APP/7.22]** (Revision 3) has been updated to clarify the following: All new accesses created for construction along the CRC corridor would be closed post construction and the land/ boundary reinstated to its pre-construction state unless agreed otherwise with the landowners or Local Authority. Any maintenance would be undertaken via existing field entrances. All existing accesses on the CRC would be reinstated to their pre-altered state/ size unless agreed otherwise with the landowners or Local Authority. All existing accesses to the Solar PV sites would be retained in their altered state/size.<br><br>The requirement for any new or altered access which is proposed to be reinstated to prealtered state/ size will be secured through the **Outline CTMP [EN010168/APP/7.22] (Revision 3)**<br>Negotiations with Wiltshire Council regarding Protective Provisions are ongoing and they are intended to be added to the **Draft Development Consent Order [REP3-005]** at a future examination deadline. |

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| | | state/ size or reinstated to their pre-altered state/ size.<br>3. For any new or altered access which is proposed to be reinstated to its pre-altered state/ size, where this requirement is secured.<br>Whilst it is acknowledged that this question was posed to the Applicant, this query appears to relate in the main to the temporary construction accesses along the Cable Route Corridor (CRC) and reinstatement requirements. As far as question (3) is concerned, the provisions in the pending Wiltshire Council Protective Provisions (once agreed) will hopefully cover off what the council requires in terms of the 'Cable Works' and approval of reinstatement proposals. | |
| TT1.7 | The Applicant<br>The Local Highway Authority (LHA) | **Construction Worker Numbers**<br>Paragraph 3.2.7 of the oCTMP [REP1-112] states that *'on a peak day, assuming the build out of all areas/elements of the scheme concurrently, there is expected to be a peak of 622 workers spread across the solar PV sites. For assessment,* | Vehicle traffic on highway networks and at hotspots are commonly assessed for peak hours (08:00-09:00 and 17:00-18:00). This is because these are peak commuting times, and times when the highway network is at its most sensitive.<br><br>However, in accordance with the **Outline CTMP [REP3-108]** and the Construction Worker Travel Plan, shifts will |

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| | | *construction workers have been spread across the solar PV sites on a proportional basis, based on the size of each area.'* Table 1 of the oCTMP provides an indicative construction programme, which shows Lime Down A, B and D all starting construction at the same time but Lime Down A and B finishing after 9 months. Lime Down C and E would commence around the 8-9 month mark and would be built alongside the rest of Lime Down D. Given that workers to each of these sites would not be compelled to use the company shuttle buses (or car share) and given the different build out periods, the ExA is concerned that spreading out the assessment impact of workers on a proportional basis (and on the assumption that 50% would use shuttle buses and each car would accommodate 1.5 construction workers) is not cautious enough to capture local traffic hotspots at the worst case, and when in the construction period those worst case impacts are likely to occur. The ExA therefore requires the applicant | be organised to avoid construction worker movements between 08:00-09:00 and 17:00-18:00 and arrivals and departures will be spread over more than a single hour. Therefore, the increase in vehicle numbers is unlikely to result in material delays. The site is located within a predominantly rural area where baseline traffic flows on the surrounding highway network are relatively low, and roads generally operate well within capacity. The avoidance of peak period travel ensures that construction worker movements do not contribute to congestion, increased delay, or materially impact junction capacity. The impact is also temporary. Construction worker information was based on information provided by a contractor. The Applicant took the peak number of construction workers (622) over the entire draft construction programme and distributed it proportionally across the solar PV sites. A check was then made comparing the peaks on each construction route against the distributed 622 figure, finding that these peaks were lower. Accordingly, the proportional distribution of 622 workers was assessed as it provided a more robust worst-case for assessment. The draft programme is subject to change and will be set out in the final CTMP. The Applicant therefore used these figures as AADTs in the assessment. This approach was used to provide a worst-case assessment against the methodology used for the ES assessment presented in ES Volume 1, Chapter 13: Transport and Access **[REP3-019]**. The use of shuttle |

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| | | to provide a detailed rationale for their chosen methodology.<br>The ExA also welcomes any comment from the LHA on the appropriateness of the applicant's chosen methodology.<br>The spread of expected construction works across the Lime Down A-E sites based on area size alone is considered somewhat simplistic. It would be expected that the 400kV substation and the BESS, which are both in the Lime Down D area, would attract well above the 'average' for the solar sites. The 400kV substation is currently predicted to be constructed in the first 6 months of the Schedule and the BESS over a 19-month period commencing in month 5 (Table 13-9 of Appendix 13-1 Transport Assessment (Rev 2) [REP1-057]). Whilst a 6-month timescale to construct a 400kV substation is possibly questionable as realistic, particularly given that 19-months is deemed necessary for the BESS, Lime Down D is still likely to be attracting proportionally more workers than other areas because of the BESS works. This is likely to result in greater light vehicle | buses by construction workers can be secured through the detailed CTMP and associated Construction Worker Travel Plan each of which would be Requirements of the DCO. The final CTMP will include details on incentives for use of shuttle bus and car sharing. As set out in the Outline CTMP [EN010168/APP/7.22] (Revision 3), it is likely that the majority of construction workers would be non-local and would be housed together in nearby accommodation and transported to site by minibus. The usage of the minibus can be monitored through the keeping of a logbook, which would be kept in the site management office and made available to the local authority for inspection at any time. |

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| | | construction traffic pressure on the narrow access route between Dyson RBT and Bradfield Cottages. In commenting on the initial Scoping Note for the CTMP and Traffic Statement, the council also commented on the assumed traffic distribution for worker movements, or rather how this has been determined as it wasn't clear. In specific comment it was stated: "What is less clear is how the 'worker' light vehicle arrival / departure trips have been distributed. Whilst it is reasonable to assume that all HGV trips will follow the proposed construction routes to / from M4 Junctions 17 and 18 (which would be imposed by the CTMP anyway), it cannot be assumed that all worker trips will follow the same. In short, the trip origins / destinations will likely have a wider spatial distribution. I suspect the cumulative overall changes shown at the 19nr locations simply assume that all light vehicle construction traffic follows the HGV routes. A more robust assessment based on the population distribution in the area surrounding Lime Down would seem a better and more | |

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| | | realistic approach". However, the Transport Assessment once submitted presented the same simplistic approach. It is accepted that predicting the most likely worker trip origins for a workforce where a large proportion may not be resident is difficult, but it is equally the case that the spatial distribution is unlikely to lead to all light vehicle worker trips arriving / departing along precisely the same routes as the HGVs. | |
| TT1.8 | The Applicant | **Construction Shuttle Buses**<br>The ExA note the applicant's commitment in the oCTMP [REP1-112] to construction worker shuttle buses to minimise traffic during construction, and that it would monitor the uptake of this travel plan measure. The ExA also notes that the applicant assumes that 50% of workers would use shuttle buses and that this is based on a figure used in the Cottam Solar and West Burton Solar Projects. However, the ExA understands that neither of those consented projects have yet to be constructed, so as asked in ExQ1 TT 1.6 (above), how can the ExA be assured that the figures | The use of shuttle buses by construction workers can be secured through the detailed CTMP and associated Construction Worker Travel Plan each of which would be Requirements of the DCO. A shuttle bus mode share of up to 50% for construction workers has been adopted within the assessment. The site is located within a rural area with limited public transport accessibility, meaning that travel to the construction compounds would otherwise be heavily reliant on private car use. To manage this, a dedicated shuttle bus service will be implemented, with pick-up locations established in nearby settlements where the workforce is most likely to be accommodated. Construction worker travel patterns are typically highly regular, with fixed start and finish times and limited flexibility. A shuttle bus provides these workers with reduce fuel and travel costs and removes the need to navigate rural routes. This makes the workforce |

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| | | underpinning the applicant's Transport Assessment are realistic?<br>In addition, the ExA note a lack of a clear performance measure attached to the shuttle bus commitment in the oCTMP and wishes to understand how the applicant intends to deal with low shuttle bus uptake if it arises?<br>Whilst it is acknowledged that this question was posed to the Applicant, in the council's initial Highways Development Management comments on the 'Scoping Note for the CTMP and Traffic Statement' it was stated: *"It is noted that daily estimates of light vehicle construction traffic are based on the expected number of operatives (500 across Lime Down A-E), a car / shuttle bus mode split assumption and split based on the relative sizes of the Lime Down sites. The assumption that "50% of workers will arrive by shuttle bus" does seem high, despite the reasoning set out in paragraph 3.1.12 that this is based on acceptance in solar farm DCO applications elsewhere. I would prefer to see a lower shuttle bus assumed mode share used in Table 3.2 (say 20%),* | particularly suited to organised transport solutions, allowing shuttle services to operate efficiently and align closely with demand. The final CTMP will include details on incentives for use of shuttle bus and car sharing. On-site parking will be controlled and limited, with priority given to essential operational and delivery vehicles. The shuttle bus strategy will be secured through the final CTMP, ensuring implementation, monitoring, and adjustment as necessary. The combination of restricted parking, managed transport provision, and rural site characteristics provides a strong basis for achieving a shuttle mode share of 50%. |

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| | | *although from a local impact perspective, it is likely the HGV numbers will be of greater concern than light vehicle increases, especially when the two-way changes are distributed between sites*". This wasn't followed up in the council's Relevant Representation comments when reviewing the submitted Transport Assessment, namely because the Applicant asserted that this assumption had been previously accepted in review of both the Cottam Solar and West Burton Solar Projects. However, it does remain a council concern that the assumed mode share for shuttle bus usage is 50%, and that a lower figure should have been used, as advised at scoping to examine a 'worst-case' traffic loading on local roads. | |
| TT1.10 | The Applicant | **Construction Phase Traffic Dispersal**<br>ES Chapter 13 [REP1-019] states that the construction vehicle routes to the Order limits would be secured though the CTMP and that there would not be transport and access effects outside these construction vehicle routes. A substantial number of RRs (too many to list) have identified concerns with the | 1. The ES assessments utilise total changes in traffic flow, rather than local capacity assessments. It is not considered, given the controls on traffic movements that have been proposed in the **Outline CTMP [REP3-108]**] that the Scheme would generate sufficient demand within the peak hours to warrant the need for local capacity assessments. LGV and HGV trips associated with the Scheme will take place outside the peak hours, so no capacity assessments are required. A strategic or network |

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| | | narrowness of the construction vehicle routes, so the ExA would like to understand whether the applicant has given any consideration to the likelihood for local traffic dispersal onto other roads (creating rat runs) from local people seeking to avoid the construction vehicle routes and potential conflict with HGVs. Please direct the ExA to where this particular issue has been discussed in the application material, or provide reason for not considering local traffic dispersal and the potential effects that may have.<br>Furthermore, the ExA would like to understand what measures are, or could be, put in place (in addition to the HIAs) to minimise safety concerns for local drivers on the construction vehicle routes?<br>Whilst it is acknowledged that this question was posed to the Applicant, the council considers that the Applicant has not considered the potential for diversion or avoidance routing by existing traffic using the proposed construction routes. In short, traffic volume forecasts assume no re-routing of existing traffic. This | model would not redistribute existing traffic on the basis of the flows set out in t **ES Volume 3 Appendix 13-1: Transport Assessment [REP3-065]** and an existing network that doesn't operate at capacity and is free flowing at all times.<br>2. A Traffic Management and Monitoring System (TMMS) will be considered for implementation as part of the final detailed CTMP to provide details of the technologies and other means employed to monitor HGVs to/from the Compounds (e.g. Global Positioning System (GPS) and Automatic Number Plate Recognition (ANPR)). This will enable the Applicant to monitor the following: a. Compliance with the HGV routes; b. Compliance with the number of HGV limits in terms of the number of deliveries arriving and departing at any one time and over the course of the day; and c. Compliance with the timing restrictions. In addition, the TMMS will also record all LGVs which enter and exit the Solar PV Site, to allow all vehicles to be monitored. In the instance that a complaint has been made in relation to inappropriate routes being used, then this will be cross-referenced with the TMMS to allow appropriate actions to then be taken. The precise form of TMMS will be determined following the appointment of a contractor and will be set out in the final detailed CTMP. This would include a summary of the contractual requirements that those visiting the Solar PV Site will have to adhere to, along with the measures to be taken for noncompliance. The overall management and |

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| | | rationale assumes the achievable hourly link capacity on even the minor roads will not be exceeded with the expected increases in construction traffic. However, this is based on the assumption that 'relatively uninterrupted' 2-way passage can be maintained for vehicular traffic along the narrow rural lanes being proposed for HGV access throughout the construction period, even where passage opportunities for a car / HGV are constrained in many places and where the current opportunities for passing two HGVs are even less. Under this circumstance with regular potential impedance, the achievable 'link' capacities of the minor roads could fall sharply from theoretical maxima based on maintained 2-way flow without opposing passage conflicts. | implementation of the detailed CTMP will be the responsibility of the Applicant. A Traffic Safety Control Officer will be appointed by the Applicant to develop, implement and manage the CTMP. On behalf of the Applicant, the Traffic Safety Control Officer will: a. Implement and monitor the CTMP to identify successful measures and areas for improvement; b. Promote the CTMP to all staff and contractors travelling to and from the Solar PV Site to ensure compliance with its contents; c. Liaise as appropriate with local transport and traffic groups, local planning authorities, local highway authorities and National Highways; d. Monitor data relating to HGV routes, timing of HGV arrivals and departures and compliance with the HGV routing; e. Manage the Car Share Scheme; f. Manage the minibus service between local worker accommodation and the Solar PV Site; and g. Discuss any issues with relevant parties and identify any amendments to the CTMP (including measures) to ensure compliance is maintained. The Applicant will take all reasonable steps to avoid any breach of the detailed CTMP through the implementation of the management measures. However, should any breaches occur, then enforcement procedures will be followed: a. The Traffic Safety Control Officer will notify the Applicant of any breaches of the detailed CTMP arrangements as and when they occur. b. The Applicant will issue a warning letter to the relevant contractor outlining what action would be taken in the event of any |

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| | | | further noncompliance (in general terms). c. The Applicant will report the details of the response to the Traffic Safety Control Officer as part of the monitoring report. The monitoring report will be made available to the relevant local planning authorities and relevant highway authorities at their request to ensure compliance and to demonstrate that action is being taken where necessary. Further detail on the sanctions which could be applied will be included within the detailed CTMP for the Solar PV Site. As well as the above listed, there will be banksmen ensuring safe egress from Sites, and traffic management measures could be put in place if considered necessary - e.g. speed restrictions; temporary traffic lights; stop/go signs. |
| TT1.16 | The Applicant | **The Street, Grittleton**<br>The ExA note the proposal to use The Street, Grittleton as part of the CRC construction vehicle access. What alternative routes exist or were considered to avoid using The Street, and why were they discounted?<br>Whilst the council has no specific comment in response to this question, noting that it is posed to the Applicant, in reviewing the Stop Lime Down Written Representation, the council noted and supported the concerns about the number of HGVs which could use 'The | The Applicant makes note of this comment. The reasons for the selection of this route are set out in the Construction Routes in the Cotswold National Landscape Technical Note [**REP1-131**].' There are only two possible alternative routes: through Hullavington Village and through Stanton St Quinton. Both of these alternative routes were avoided as they routed through village centres and directly passed a primary school. The Grittleton route does not route directly past any school frontage, making it the preferred option. |

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| | | Street' through Grittleton and the impact this could have on the village, notwithstanding the use of Alderton Road for HGV access to the solar farm PV sites (A-C) during the construction phase. In commenting on the SLD submission, it was stated that: "With regards to the specific impact on villages, the council would concur with the SLD view that the HGV trafficking impact of the cable route works on The Street in Grittleton could be underestimated. The establishment of the large compound east of Grittleton does suggest that the simple 'averaging' approach used by the Applicant to estimate HGV movements expected at each cable route access point is not likely to be applicable here. Furthermore, it would be expected that additional HGV trafficking would be needed in creating the compound itself". [REP2-046] | |
| TT1.18 | The Applicant | **Non-Motorised User (NMU) Delay, Amenity, Severance and Safety** Various paragraphs in section 13.10 of ES Chapter 13 [REP1-019] state that NMU flows and activity on local roads | The likely effects of the scheme in relation to severance have been considered in paragraphs 13.10.36 to 13.10.38 of ES Volume 1, Chapter 13 Transport and Access **[REP3-019]** in relation to the temporary construction phase for the Solar PV Panels and in paragraphs 13.10.80 to |

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| | | are observed to be low, and as a result the effects of construction vehicles to the local highway network is not likely to result in any significant delay to NMUs on the local highway network, while the effects of construction vehicles on NMU delay on the local highway network is considered to be minor. Similarly, the applicant has concluded that the likely effects on NMU amenity (including fear and intimidation) during the construction phase would also only be minor adverse and temporary on the local highway network. However, in relation to severance and safety, no consideration at all has been given to the potential impact on NMUs from an increase in HGV movements during the construction (and maintenance) periods.<br>During its unaccompanied site inspections, the ExA observed pedestrians, cyclists and horse riders using the local roads, and due to the lack of dedicated footways at the side of many roads, the ExA itself had cause to regularly walk in the roads (particularly between PRoW links). This suggests that NMU activity on the local road | 13.10.82 in relation to the temporary construction phase for the Cable Route Corridor. These were assessed in line with ISEP guidelines which relates to changes in all traffic flows, rather than only HGVs. As set out in the ISEP guidelines, severance is defined as "the perceived division that can occur within a community when it becomes separated by major transport infrastructure' that 'separate people from places and other people". This relates, for example, to difficulties crossing roads or a physical barrier created by the infrastructure itself. The ability of pedestrians to cross a road is related to the relative gaps between vehicles. The presence of these gaps is not dependent on the classification of the vehicles and the change in HGVs is therefore not a relevant consideration in regard to severance. The likely effects of the scheme in relation to safety have been considered in paragraphs 13.10.53 to 13.10.56 in ES Volume 1, Chapter 13: Transport and Access **[REP3-019]** in relation to the temporary construction phase for the Solar PV Panels and in paragraphs 13.10.96 to 13.10.98 in ES Volume 1, Chapter 13: Transport and Access **[REP3-019]** in relation to the temporary construction phase for the Cable Route Corridor. These considered collision records which relate to all road users, and it was concluded that there would not be a significant effect. Notwithstanding this, the further mitigation measures set out in 13.11 includes for Stage 1 and 2 Road Safety Audits to be undertaken at all access junctions, which would include recommendations for |

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| | | network is more prevalent and unavoidable that the applicant's assessment concludes, meaning that the effects on NMU delay, amenity, severance and safety is likely to be understated.<br>To dispel the ExA's concerns that the applicant has not sufficiently assessed NMU activity on the local road network, can the applicant advise whether it undertook an analysis of local trip generators and amenities in the traffic and transportation study area(s) to identify likely desire lines for pedestrians, cyclists and equestrians?<br>Can the applicant advise what surveys were done in relation to NMU movements on the local highway network, when they were undertaken, and where in the application material the results of those surveys are provided?<br>Can the applicant advise why it has not given any consideration to NMU safety in its assessment of effects from construction traffic?<br>Can the applicant advise that it has had regard to the requirements of the Highway Code sections 213 – 215, and | addressing any safety concerns. It is noted that whilst NMUs may make use of the carriageway, for example to transfer between PRoWs, this is considered in the assessment of the sensitivity of the link and therefore factored into all parts of the assessment. By way of example, pedestrian usage leading to a finding that a link was of high sensitivity would typically be found in an urban area without pedestrian infrastructure that has high pedestrian footfall, such as from a new housing estate to nearby shops. With regard to the specific questions provided by the ExA: A review of local trip generators and amenities was undertaken in preparation of the Environmental Statement, and it was concluded that there are no material trip generators in the vicinity of the construction routes. A plan has been provided showing that trip generators are limited to the Flying Monk Cafe and Taproom at Hullavington and The Vine Tree public house at Norton. Walking and cycling trips in this area are therefore likely to primarily be for recreational purposes, with Bradfield Wood, Surrendell Wood and West Park Wood being common attractors, as well as the villages / hamlets themselves, such as Hullavington, Corston and Norton. To establish the likely potential for pedestrian movements along the construction route at Bradfield Cottages, an assessment of residential trip rates (from the TRICS database) has been undertaken to establish the potential for walking trips associated with Hullavington. The National Travel Survey (NTS) (ref. 0409a), which |

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| | | how these requirements have been factored into their assessment of suitability of the construction vehicle routes?<br>Whilst it is acknowledged that this question was posed to the Applicant, the ExA's view concerning the potential magnitude of the HGV impacts on vulnerable highway users (NMU) using the minor rural lanes is supported, but the council is equally aware that the level of general NMU usage of the rural lanes in the area could be quite seasonal or, for example, more prevalent during the weekends than on a typical weekday. Notwithstanding this, it is considered and agreed that a more robust assessment on NMU usage should have been undertaken where sections of the lanes proposed for HGV construction access are very narrow, or where the road edges lack any verges so requiring pedestrians to remain within the carriageway. In the case of cyclists or equestrians, this would potentially remain the case anyway, with horse riders likely to be particularly impacted by the presence of HGVs. In the case of | includes recreational and leisure trips, has been examined, to determine the proportion of those trips that are for leisure or recreational purposes, which results in a total of 68 walking trips per day. Further, the NTS (ref. 0308) shows that 69% of all walking trips are less than 1 mile in length and 94% are less than 2 miles in length. There would therefore be a very low chance of any pedestrian trips from further afield (such as Corston) affecting this route. The distance for a round trip from Hullavington to the nearest trip generator (Flying Monk Cafe and Taproom) that may affect Bradfield Cottages is in excess of 1 mile. Therefore, there is a maximum potential of 25% of the walking trips associated with Hullavington that could affect this route, which equates to a total of 17 walking trips per day. It should also be noted that the distance for a round trip from the northern to the southern end of Hullavington is in itself in excess of 1 mile, and a proportion of the trips over 1 mile would also not affect Bradfield Cottages. With regard to cycle trips, ATC surveys were undertaken on Bradfield Cottages in January 2024. These showed that the existing cycle movements was 10 per day, with 4 during the proposed delivery hours of the site. The Applicant's analysis is not restricted to January surveys, but also includes bank holiday peaks (see below). Based on the information set out above, it remains the case that the number of pedestrian and cycle movements is not significant and the effect of the Scheme will not be material with regard to |

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| | | the latter, simple consultation with equestrian groups would have quickly established the rural lanes commonly used by horse riders.<br>The council considers that the provision of the proposed permissive paths should be created prior to the start of any works to limit NMU requirement to use the highway network. | NMU delay, amenity, severity or safety. NMU surveys have been undertaken which show that there are up to 10 pedestrians and 26 cyclists on Fosse Way during the proposed delivery hours. There were no equestrians recorded during these hours. It should be noted that the above counts on Fosse Way were recorded on bank holiday Monday 25th May 2026, when NMU flows would be expected to be higher than on a typical day, and the site would not typically operate on a bank holiday. By comparison, the surveys showed 3 pedestrians and 8 cyclists on Fosse Way on average across the delivery hours from Tuesday to Friday. From a review of the survey data, it is also noted that a number of movements were undertaken concurrently, such that there were 4 groups of pedestrians and 17 groups of cyclists on Fosse Way. The combined peak number of pedestrians and cyclists in a single hour was recorded as 12 on Fosse Way. Again, on review of the survey data, there were 2 groups of pedestrians and 3 groups of cyclists on Fosse Way. Based on the above, there is no significant existing usage by NMUs. See above in relation to the assessment of safety.<br>In relation to the requirements of the Highway Code sections referred to: Rule 213 – this section confirms that cyclists and horse riders may ride in the centre of the lane for safety on narrow lanes, that cyclists may ride two abreast, and reminds drivers that cyclists are advised to ride at least a door's width away from parked cars for their safety. It further notes that motorcyclists, cyclists and |

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| | | | horse riders may suddenly need to avoid obstacles and should be given plenty of room in case of sudden changes in direction. Rule 214 – this section relates to animals, confirming that the driver should drive slowly, be given plenty of room, and care should be taken to avoid scaring them by sounding the horn, revving the engine or accelerating rapidly. Rule 215 – this section relates to horse riders and horse-drawn vehicles. Drivers should slow to 10mph, pass wide and slow, and allow at least 2 metres of space. The rule also notes that horse riders are often children, may ride in double file when escorting young or inexperienced riders, and to watch out for signals from the horse rider. These Rules add context to the main rules governing overtaking of NMUs, set out below. The use of the roads forming the construction routes by NMUs has been considered and factored into route selection and the assessment of transport effects. The Outline CTMP [EN010168/APP/7.22 (Rev 3)] includes relevant advice for construction vehicle drivers when encountering equestrian users, noting that Rule 215 emphasises that horses are flight animals and that "there are three brains at work when you pass a horse; the rider's, the driver's and the horse's" (see below). The relevant elements of the highway code that relate to overtaking are below: Rule 163 states: a. allow at least 2 metres of space and keep to a low speed when passing a pedestrian who is walking in the road (for example, where there is no pavement) b. leave at least 1.5 metres when |

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| | | | overtaking cyclists at speeds of up to 30mph, and give them more space when overtaking at higher speeds c. pass horse riders and horse-drawn vehicles at speeds under 10 mph and allow at least 2 metres of space Rule 72 of the Highway Code states: a. When riding on busy roads, with vehicles moving faster than you, allow them to overtake where it is safe to do so whilst keeping at least 0.5 metres away, and further where it is safer, from the kerb edge Combining the results in the following widths: a. Passing Pedestrians – 2m space + 0.5m pedestrian width + 2.5m HGV width = 5m road width b. Passing Cyclists – 1.5m space + 1m cyclist width + 0.5m gap to kerb + 2.5m HGV width = 5.5m road width c. Equestrians – 2m space + 1.5m equestrian width + 2.5m HGV width = 6m road width Whilst these road widths are available at various points along the construction routes the Outline CTMP [EN010168/APP/7.22 (Rev 3)] includes text to advise drivers to adhere to the Highway code and drive carefully and give way where required. These rules have referenced in the Outline CTMP [EN010168/APP/7.22 (Rev 3)]. Additional text in the Outline CTMP [EN010168/APP/7.22 (Rev 3)] Section 6.15 includes advice for drivers when meeting Equestrian users including: a. All drivers will receive a site induction, including: i. Awareness of horse riders Behaviour when encountering horses: ii. Slow to <10 mph iii. Avoid revving engines iv. Do not overtake unless signalled by rider v. Stop engine where necessary. |

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| | | | A number of permissive paths have been provided and set out in the PRoW and Permissive Paths Management Plan [APP-282]. The Applicant considers these to be sufficient however would welcome comments on these permissive paths form WC. |
| TT1.19 | Wiltshire Council (Local Highway Authority) | **Road Safety Data**<br>The applicant states in ES Appendix 13.1 (Transport Assessment) [REP1-057] that it obtained personal injury collision statistics on the local road network from Wiltshire Council. Can the Council advise if it keeps data on road traffic collisions with pedestrians, cyclists and horse riders and if so, whether this data was provided to the applicant and can be submitted into the Examination? The period 2018-2023 is the data period that the applicant has used, so for consistency purposes it is this period which the ExA is interested in. | PIC records are compiled from STATS19 data provided by the Police and relate to all reported incidents. This includes all road users. The accident data was provided in Annex B of the **ES Volume 3 Appendix 13-1: Transport Assessment [REP3-065]** and clearly indicates that it came from Wiltshire Council . |
| | | Wiltshire Council as Local Highway Authority will collect and maintain Personal Injury Collison (PIC) data for its highway network. The PIC data with supporting maps is included in Annex B to the Transport Assessment for the area associated with the Solar PV sites, which contains detailed information for | |

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| | | 2018-2023 which the Applicant has stated has been obtained from Wiltshire Council. This information shows collisions involving a pedestrian, cyclist or horse rider, so the proportion of overall accidents involving an NMU could have been assessed and by sub-area. However, Wiltshire Council, and specifically its Road Safety Team, has no record of providing this information to the Applicant. The council would politely request that it can provide the data that it holds for the five-year period 2018-2023 at Deadline 4. | |

## 2.2 Natural England

**Table 2-2 Natural England**

| ExA | Respondent | Question | Response | Applicant's Response |
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| AQ1.5 | The Applicant<br><br>Wiltshire Council<br><br>Natural England | BESS Impacts on Wildlife, Livestock and Pets<br><br>In the case of a thermal runaway event at the BESS, what effect is this likely to have **on animals, including wildlife, livestock and pets?**<br><br>The applicant is specifically asked to include an assessment on horses in its response to | This question does not fall within Natural England's remit and we therefore will not be providing further comment on this matter. | The Applicant notes this comment. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | take account of the potential effects on equine businesses. | | |
| EB1.1 | Natural England | Environmental Impact (Agricultural) Regulations<br><br>Would **the land within the solar PV panel areas (Lime Down A – E inclusive), be subject to the EIA (Agricultural) (England) (No. 2) Regulations 2006 post-decommissioning given it would be out of agricultural use for a** | Provided that the regulations not change between now and decommissioning of the development, the land would require an EIA Agriculture screening application before being agriculturally improved again. This is because the land would be considered uncultivated after 15 years, a screening decision would therefore need to be taken to return the land to arable use. Grazing with sheep would not change this requirement as ploughing for arable use would be considered as an increase in productivity. | The Applicant notes this comment. Regulation 3 of the Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006 provides that these Regulations apply to any restructuring project or uncultivated land project other than where it is exempt. Regulation 3(2)(a) provides that a project will be exempt where it "*constitutes development to which the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 apply*;". The Applicant is not aware of any legal or policy reason why this exemption should not be extended to development to which the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 applies, and considers it to be an omission that only the Town and Country Planning EIA Regulations are listed.<br><br>The Applicant has therefore updated article 6 of the **Draft DCO** to be submitted at Deadline 4 |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | **period of at least 60 years? Should this be the case, you are asked to provide a commentary as to the requirements of the above Regulations and the process the landowners would need to go through to return the land to agricultural use.**<br><br>Furthermore, if the land under the panels is to be grazed by sheep during the operation phase, what | | **[EN010168/APP/3.1]** (Revision 4) to modify the 2006 Regulations such that a project is exempt where it is development to which the Infrastructure Planning EIA Regulations apply. This ensures that the land can be restored in the manner assessed in the Environmental Statement without requiring further consent under the 2006 Regulations. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | might that mean under the terms of the above Regulations should the intention be to return the land to arable farming instead of grazing. | | |
| EB1.2 | The Applicant<br>Natural England<br>The Environment Agency | Mitigation Hierarchy – CRC<br>ES Chapter 9 [REP1-015] **sets out the approach to survey work undertaken in the CRC. The role of the Ecological Clerk of Works (ECoW) is set out in the** | Natural England has reviewed the applicant's response to this question provided in The Applicant's Response to the Examining Authority's First Written Questions (Lime Down Solar Park Limited, June 2026, Document Reference: EXAM/9.29).<br>We note that the CRC has been subject to baseline habitat surveys which have been used to identify the habitats in the CRC of | The Applicant welcomes Natural England's support for the application of the mitigation hierarchy in the Cable Route Corridor demonstrated within the DCO, including the implementation of avoidance measures such as use of HDD and cable micro-siting to avoid ecological features of greatest value to protected/notable species. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | **outline Ecological Protection and Mitigation Strategy (oEPMS) [REP1-106] in terms of construction of both solar PV sites and the CRC.**<br><br>Given the lack of survey work it is not clear what options would be available to the ECoW to re-route the cable route to avoid protected habitats and species.<br><br>The applicant: | greatest ecological value. Further we note that avoidance measures involving the use of HDD to avoid direct impacts to these habitats is proposed. The applicant has previously discussed the reduced construction working width of the CRC when crossing field boundaries with Natural England, this is welcomed.<br><br>It is noted that further ecological surveys will be carried out to identify features with greatest value to species, the applicant states that the results of these surveys will be used to microsite cable trenches to avoid impacts to these features. The use of micro siting to avoid impacts to these features is welcomed. | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | You are asked to set out how, without specific species and habitat surveys, the construction of the cable route would follow the mitigation hierarchy at set out in NPS EN-1. Specifically, you are asked to demonstrate how the cable route would avoid sensitive habitats and species, as opposed to just mitigate any harms.<br><br>Natural England and the | | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | Environment Agency:<br><br>Do either of you have any comment to make on the applicant's approach. | | |
| EB1.5 | Wiltshire Council<br><br>Natural England | Bat Surveys<br><br>In considering the contents of [REP1-218] **can each party confirm, or otherwise, that you are content with the applicant's approach to bat surveys. If you are not satisfied, please provide details.** | Survey scope was agreed between the applicant and Natural England at an early stage. The agreed survey effort focused on use of a higher number of static detectors than would be expected by best practice guidance given the suitability of habitats present on site for bats. Further, a majority of suitable habitat for bats within the site will be retained. The high number of static detectors used provides a robust image of bat habitat across the site due to the | The Applicant welcomes Natural England's agreement on the scope of bat activity surveys undertaken at the Solar PV Sites, comprising static bat detector surveys, and proportionate approach to the assessment of impacts to bat activity within the Cable Route Corridor.<br><br>The Applicant notes Natural England's comment relating to the level of survey detail provided for Ground Level Tree Assessments (GLTAs) and has responded to Natural England's Relevant Representations (NE-058) on this matter in **Applicant's Response to Relevant Representations (Part 1) [PDA-009]**. The Applicant confirms that, should any trees assessed as having potential to support roosting bats be required to be removed, further inspections and surveys as necessary |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | If parties are satisfied, please provide comment on how it meets the requirements of the mitigation hierarchy. | extent of the areas of the site which was covered by static detectors. Static detectors are more reliable at recording the calls of rarer species such as horseshoe bats which due to the highly directional nature of their calls are often significantly under recorded during transect surveys.<br><br>Winter surveys are not routinely required for developments. Best practice guidance recommends bat activity surveys are undertaken at a site between April to October. Surveys undertaken of the application site cover this period.<br><br>Within the Solar PV area, trees and buildings with roost potential and associated access points and commuting habitat will be retained by development. A highlighted | will be undertaken in line with the most up-to-date best practice guidelines. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | | in Natural England's Relevant Representations, the level of survey detail for Ground Level Tree Assessments is not consistent with best practice guidelines. While currently no impacts are proposed on these features, if additional impacts are identified surveys should be conducted in line with best practice guidelines, i.e. Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition).<br><br>Given the temporary nature of impacts of habitats within the Cable Route Corridor, and the full reinstatement of habitats following construction, full activity surveys of the CRC would not be considered proportionate to the level of impact. Bats have been assumed present within the CRC with | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | | mitigation and avoidance measures are proposed accordingly, including those referenced within the Habitats Regulations Assessment. | |
| EB1.7 | The Applicant<br><br>Natural England | Great Crested Newts<br><br>ES Chapter 9 [REP1-015] **states that the District Level Licencing scheme would be entered into to mitigate effects on Great Crested Newts. Both parties are asked to provide an update on this process and submit a copy of the granted** | The Natural England DLL team can confirm that a DLL certificate has been countersigned for in relation to Lime Down Solar Park. This is the final DLL stage a scheme can get to before their planning (or in this case DCO) is approved.<br><br>Natural England are in agreement with Wiltshire Council that the presence of GCN in any ponds should be properly acknowledged and any associated impacts fully discussed. Natural England are in agreement that the inconsistency between this and the ES should be addressed for clarity, | The Applicant welcomes Natural England's confirmation of the status of the DLL application for the Scheme, and that this licence appropriately addresses potential impacts to great crested newts within the Cable Route Corridor.<br><br>The Applicant has provided response to the specific issue raised by Wiltshire Council in Paragraph 14.5 of their response submitted at Deadline 2 **[REP2-048]**, in WCD1-116 of the **Applicant's Response to Comments Received at Deadline 2 [REP3-129]**. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | **license into the examination.**<br><br>Furthermore, both parties are asked to respond to specific concerns raised by Wiltshire Council in their D2 response paragraph 14.5 [REP2-048]. | although it is also acknowledged that a DLL licence has been applied for and impacts are appropriately addressed through this. | |
| EB1.11 | The Applicant<br><br>Natural England | White-Clawed Crayfish<br><br>Wiltshire Council raise specific concerns over **the applicant's approach to white-clawed crayfish in their D2 submission** | White-clawed crayfish are afforded only partial legal protection under the Wildlife and Countryside Act 1981 (as amended); making it an offence to take, possess or transport, or sell them. Unlike many other species they are not legally protected against killing or injury. However, as the species is severely declining, and they are listed | The rationale for not undertaking specific detailed surveys for white-clawed crayfish is set out in Paragraphs 3.3.100 and 3.3.102 of **ES Volume 3, Appendix 9-1: Ecological Baseline Report [REP1-083]**, with the main rationale being that suitable habitat is relatively limited across the Order Limits, and furthermore any such suitable habitat will be predominantly retained. The Applicant has assumed white-clawed crayfish to be present in all suitable habitat on a precautionary basis and has sought to avoid impacts on suitable |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | **[REP2-048]. In ES Chapter 9 Appendix 9-1 [REP1-083] the applicant has identified suitable habitat for this species at Gauze Brook and Gabriel's Well as well as a number of wet ditches directly connected to these watercourses, thus have assumed their presence.**<br><br>The Applicant:<br><br>You are asked to set out how your approach is consistent | as a Species of Principal Importance under S.41 of the Natural Environment and Rural Communities Act 2006, Natural England supports the application of the hierarchy of avoidance, mitigation and compensation measures. In particular, we strongly encourage schemes to avoid the death of native crayfish wherever possible. This is considered responsible application of a "best practice" approach. To enable schemes to move White-clawed crayfish to safety wherever possible, Natural England does issue a standardised type of licence called a 'class' licence to enable schemes to do this as easily as possible, provided schemes can comply with this licence's conditions. | habitats wherever possible. As described in **ES Volume 3, Appendix 3-2: Cable Route Construction Method Statement [REP3-042],** there are a number of locations where cable installation works will employ trenchless technologies in 'Avoidance Areas'. Avoidance Areas have been embedded into the scheme where the Cable Route Corridor crosses a number of watercourses considered to be suitable for white-clawed crayfish (and thus presence has been assumed).<br><br>This includes all locations where the Order Limits intersect rivers or streams categorised as statutory Main Rivers (which are likely to be of highest suitability for white-clawed crayfish) namely Gauze Brook, Gabriel's Well, Pudding Brook and Byde Mill Brook.<br><br>Further measures expected to contribute to avoidance of impacts on white-clawed crayfish (assuming presence in all suitable habitat) include the imposition of buffer zones from suitable habitat and good practice pollution prevention measures, both of which will seek to avoidance degradation of suitable habitat |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | with Natural England's standing advice relating to white-clawed crayfish.<br><br>Natural England:<br><br>Please comment on the applicant's approach, citing the mitigation hierarchy and having consideration for the three new circa 6m wide permanent accesses for culverts proposed across 'wet' ditches at Lime Down D. You are also asked | Based on the information presented in ES Volume 1, Chapter 9: Ecology and Biodiversity (May 2026), it is unclear whether a protected species licence is being sought. No site-specific surveys have been undertaken; instead, the Applicant has assumed the possible presence of the species based on desk study records and the availability of suitable habitat along the cable route corridor.<br><br>The Applicant has stated that impacts will be avoided, where possible, through micro-siting of the cable route or the use of alternative crossing methods. However, where impacts cannot be avoided, the applicant states that mitigation measures will be implemented. These measures include | during construction and are secured within the **Outline EPMS [REP3-102]**.<br><br>Where suitable habitat for white-clawed crayfish may be impacted in discrete and localised locations, for instance for temporary crossing of ditches or watercourses (outside of Avoidance Areas) within the Cable Route Corridor, the Applicant has committed to adopting measures designed to mitigate impacts as far as reasonably possible as described in Paragraph 9.12.46 of **ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015].** These measures are described in, and secured by, Method Statement 14 of the **Outline EPMS [REP3-102].**<br><br>Such measures include pre-commencement inspections by a suitably qualified Ecological Clerk of Works (EcoCoW) who will oversee works affecting impacted habitat, as well as adopting biosecurity measures to prevent the spread of non-native crayfish as a result of construction activities. As set out in Paragraph 14.3.2 of the **Outline EPMS [REP3-102]**, any requirement for further avoidance/mitigation |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | to comment on whether a license would be required. | approaches designed to minimise damage to ditches and watercourses that may support white-clawed crayfish, as well as to reduce the risk of direct harm to individuals. This may include seasonal timing of works to avoidance sensitive periods.<br><br>Wiltshire County Council are correct to raise that temporary or permanent crossings are proposed with a width of 6m within assumed White Clawed Crayfish habitat. Natural England agrees that more detail is required to understand how the applicant intends to approach White-clawed crayfish- both lawfully and within best practice. Further advice from Natural England on how to undertake developments sensitively around White clawed crayfish | measures and indeed any requirement for licensing will be evaluated by the EcoCoW.<br><br>It is the Applicant's view that the assessment of potential effects on this species and the identification of appropriate avoidance and mitigation measures are in accordance with the Natural England standing advice referenced. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | | habitats is available through our standing advice, which can be found at https://www.gov.uk/guidance/white-clawed-crayfish-advice-for-making-planning-decisions. | |
| HRA1.1 | Natural England | Survey Work<br><br>Given the original HRA [APP-275] **submitted into the examination did not have the benefit of 17ha worth of survey work (the ExA note the missing survey work has now been submitted into the examination),** | The HRA should be based on the most up to date information regarding the scheme, it must be informed by the additional detail referenced in the Examining Authorities question above. However, Natural England is content that a positive assessment of the HRA can be made.<br><br>The BNG Assessment Report confirms that hedgerow loss has been avoided as far as practicable.<br><br>The HRA has assessed the impact of proposed hedgerow losses including the length of | The Applicant welcomes Natural England's conclusion that a positive assessment of the HRA can be made based on the assessment of potential impacts to bats associated with Bath and Bradford on Avon Bats SAC provided in **Habitats Regulations Assessment Report [REP3-091]**. The Applicant welcomes Natural England's support of the proposed avoidance and mitigation measures presented within the HRA.<br><br>The Applicant confirms that a shared position has been reached relating to the extent of functionally linked land within the Order Limits, as reflected in the most recent iteration of the **Statement of Common Ground with Natural England (Rev 2) [REP3-113]** submitted at Deadline 3. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | **does not provide specific details contained in the BNG Assessment Report [REP1-089] regarding hedgerow removal, and lacks specific surveys to fully inform functionally linked land (FLL) to the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC), is Natural England confident a positive** | sections of hedgerow which will be removed within sensitive areas for SAC bat species. It is our understanding that detail regarding hedgerow loss and mitigation included in the most recent HRA and the detail provided in the BNG Assessment Report are consistent. Natural England are content that provided that all measures detailed in the HRA relating to hedgerows are secured, the proposed development would not result in adverse impacts to the integrity of the Bath and Bradford on Avon Bats SAC as a result of fragmentation.<br><br>Bat surveys undertaken provide sufficient information to assess the potential functional linkage of the site to the Bath and Bradford on Avon Bats SAC. The high | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | **assessment of the HRA can be made?**<br><br>The ExA asks that you justify your response. | level of static detector survey effort undertaken across the Solar PV site provides detail on the use of the habitats within the site by different bat species including those associated with the SAC. Assessment of the abundance of calls, and the spread of calls across both the survey season and survey nights (the abundance of calls at different times of the season or night) has been presented in the application documents. Natural England and the applicant have reached a shared position on the assessment of functionally linked land across the application site which has informed the most recent HRA. | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| HRA1.2 | The Applicant<br><br>Natural England | Bath and Bradford-on-Avon SAC<br><br>Following Natural England's WR [REP1-156] **regarding their position on bats and the ability for Lime Down C to provide FLL for lesser horseshoe bats associated with the Bath and Bradford-on-Avon Bats SAC, the applicant and Natural England should provide an update on** | Further discussions have been undertaken regarding assessment of Lime Down C to provide FLL for lesser horseshoe bats associated with the Bath and Bradford on Avon Bats SAC. Through these discussions, the applicant and Natural England have reached a shared position that Lime Down C should be classed as functionally linked to the SAC. As noted in the Examining Authority's question, mitigation measures to reduce harm on lesser horseshoe bats using this area have been agreed between Natural England and the applicant. Provided these measures are secured in the DCO, Natural England consider that the proposed development would not result in adverse impacts to the | The Applicant confirms that a shared position has been reached relating to the extent of functionally linked land within the Order Limits, as reflected in the most recent iteration of the **Statement of Common Ground with Natural England (Rev 2) [REP3-113]** submitted at Deadline 3. The Applicant welcomes Natural England's agreement with the mitigation measures proposed to minimise potential impacts on bats associated with the Bath and Bradford on Avon SAC.<br><br>The Applicant welcomes Natural England's agreement with the proposed avoidance measures at the Solar PV Sites, including the implementation of 15m buffers adjacent hedgerows.<br><br>The Applicant corroborates Natural England's conclusion that avoidance of Solar PV panel installation in low value foraging habitats was not considered necessary to minimise impacts to bats associated with the SAC. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | **their discussions.**<br><br>It is also noted that Natural England and the applicant have agreed mitigation measures to reduce the harm on bats.<br><br><u>Both Parties</u>**:**<br><br>Both parties should comment on what discussions took place **with regard to avoiding any impacts on the SAC, before discussing and agreeing** | integrity of the SAC as a result of loss or fragmentation of functionally linked land in Lime Down C. The applicant has shared a revised HRA with Natural England which reflects the above, Natural England have reviewed and agree with the conclusions set out in this report.<br><br>Regarding avoidance of impacts, previous discussion between the applicant and Natural England included discussion of the inclusion of a minimum of 15m buffer zones to all hedgerows, trees, and woodland edges to avoid impacts specifically to avoid and retain the functionality these habitats provide to bats. Further, retention of potential roosting habitats and associated commuting habitats was discussed and agreed. | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | **mitigation measures.**<br><br>The applicant:<br><br>In addition to the above, the applicant is asked to provide details as to how the mitigation measures would be secured through the dDCO. | Habitats within the Solar PV site largely do not represent high quality foraging habitats for SAC bat species due to the limited insect prey biomass which these habitats support. Avoidance of installation of Solar PV within habitats of low foraging value was therefore not considered necessary to minimise impacts to SAC bat species. | |

## 2.3 Environment Agency

**Table 2-3 Environment Agency**

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| CA1.21 | Statutory Undertakers | **Planning Act 2008** If you have not already done so in a relevant representation (RR) or written representation (WR) to date, please set out your position with regards to the tests under s127 and s138 of the Planning Act 2008, as applicable to your respective interests. | We have now agreed in principle to the applicant's request to disapply the need for Flood Risk Activity Permits under the Environmental Permitting (England and Wales) Regulations 2016; based on the information in REP1-126 9.10 ES Volume 3 Appendix 9-9 Watercourse Crossing Schedule and subject to the inclusion of our standard protective provisions in the Development Consent Order. We note there are some amendments to our standard protective provisions in the draft Development Consent Order REP1-008 EN010168-001285-3.1 Draft Development Consent Order | The Applicant confirms that the Environment Agency's standard protective provisions were included at Part 7 of Schedule 15 to the **Draft DCO [REP3-005]** submitted at Deadline 3. |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | | (Rev 2) Tracked.pdf Our standard protective provisions have been robustly reviewed and they are fit for purpose. Therefore, we do not agree to the proposed changes. | |
| EB1.2 | The Applicant<br>Natural England<br>The Environment Agency | **Mitigation Hierarchy – CRC**<br>ES Chapter 9 [REP1-015] sets out the approach to survey work undertaken in the CRC.<br>The role of the Ecological Clerk of Works (ECoW) is set out in the outline Ecological Protection and Mitigation | We have reviewed ES Chapter 9 and the approach outlined by the applicant, with regards to the species and habitats surveyed within the Cable Route Corridor (CRC) within our remit.<br>The applicant appears to have extrapolated the results from the otter and water vole solar PV sites surveys across the CRC "on account of the similarity of ditch and watercourse networks across the local landscape". The applicant states they have conducted spot checks on | The Applicant refers to the survey methodology for otters and water voles detailed in **ES Volume 3, Appendix 9-6: Otter and Water Vole Survey Report [APP-203]**.<br>Initial habitat suitability assessments for both otters and water voles at watercourses within the Cable Route Corridor (CRC) were undertaken in accordance with established best-practice guidance (including the Water Vole Mitigation Handbook). The competence of all surveyors undertaking these assessments was consistent with the requirements set out in the CIEEM Competencies for Species Survey for these species, as described in Section 1.2 of **ES Appendix 9-6 [APP-203].**<br>The findings of the habitat suitability assessments are presented in Section 1.3 of |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | Strategy (oEPMS) [REP1-106] in terms of construction of both solar PV sites and the CRC.<br><br>Given the lack of survey work it is not clear what options would be available to the ECoW to re-route the cable route to avoid protected habitats and species.<br><br>The applicant:<br><br>You are asked to set out how, without specific | watercourses within the CRC to check for field signs of both species.<br><br>It would be beneficial if the applicant could clarify if the spot check surveys followed standard survey protocol, as outlined by Chartered Institute of Ecology and Environmental Management (CIEEM) and best practice guidelines. This is essential to sufficiently investigate the presence/absence of otters and water voles at the planned watercourse crossings within the CRC, and determine the need for mitigation (e.g. European Protected Species licence).<br><br>The applicant has conducted an Extended UK Habitat Classification survey and a Modular River Physical | **ES Appendix 9-6 [APP-203]** and **ES Volume 2, Figures 9-6-12 to 9-6-16 Otter Survey Results – Cable Route Corridor [APP-130]** and **Figures 9-6-17 to 9-6-21 Water Vole Survey Results – Cable Route Corridor [APP-131]**.<br><br>Although watercourse banksides within the CRC were scanned for field signs of otters and water voles during these assessments, the Applicant acknowledges that this is not equivalent to undertaking detailed species-specific surveys, particularly for water voles, for which best-practice guidance recommends a minimum of two survey visits.<br><br>The rationale for not undertaking detailed species-specific surveys for otters and water voles within the CRC is set out in Paragraph 1.2.20 of **ES Appendix 9-6 [APP-203]**. In summary, all suitable habitat for these species will be retained, with only temporary and localised impacts to watercourse habitats arising from cable installation works. Such habitats will be reinstated following a relatively short construction period. |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | species and habitat surveys, the construction of the cable route would follow the mitigation hierarchy at set out in NPS EN-1. Specifically, you are asked to demonstrate how the cable route would avoid sensitive habitats and species, as opposed to just mitigate any harms.<br><br>Natural England and the | (MoRPh) survey of the watercourses within the CRC, which is standard practice to determine the type and condition of watercourses present. Therefore, the applicant had conducted appropriate habitat surveys on watercourse and ditch habitat within the CRC. | Consequently, the assessment has adopted a precautionary approach by assuming otters and water voles to be present within all suitable habitat and assessing impacts on that basis. The Applicant has also sought to avoid impacts on suitable habitat wherever reasonably practicable.<br><br>The Applicant considers that impacts on those watercourses within the CRC that provide the highest suitability for aquatic and riparian species, including all Environment Agency-designated Statutory Main Rivers, will be avoided through the use of trenchless crossing techniques, as set out in **ES Volume 3, Appendix 9-9 Watercourse Crossing Schedule [REP3-122].**<br><br>Where suitable habitat for otters and water voles may be temporarily affected in discrete and localised locations, for example through the installation of temporary crossings of ditches or watercourses within the CRC, the Applicant has committed to implementing measures designed to avoid or minimise impacts as far as reasonably practicable. These measures are |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | Environment Agency:<br><br>Do either of you have any comment to make on the applicant's approach. | | described in Paragraph 9.12.24 of **ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015]** and secured through Method Statement 10 of the **Outline Ecological Protection and Mitigation Strategy (EPMS) [REP3-102].** They include pre-commencement inspections by a suitably qualified Ecological Clerk of Works (EcoCoW), oversight of works affecting suitable habitat, micro-siting of works to avoid burrows and resting places where practicable, and the design of temporary crossings to maintain the movement of riparian wildlife. As set out in Paragraph 10.3.5 of the **Outline EPMS [REP3-102]**, the need for any additional avoidance or mitigation measures, and any requirement for protected species licensing, will be determined by the EcoCoW based on site conditions encountered during construction.<br><br>The Applicant welcomes the Environment Agency's comments regarding the suitability of habitat-based assessment approaches for watercourses and ditches within the CRC. |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| FHW 1.4 | The Environment Agency<br><br>The Applicant | **Flood Risk Assessment – Flood Zone 3b and Floodplain Impacts.**<br><br>The LLFA considers in Wiltshire Council's LIR [REP1-137] that Flood Zone 3b needs to be defined for effective planning, design and operation of site.<br><br>The applicant explains in its D2 submission [REP2-045] and response to the LIR [REP2- | **Lime Down D Modelling**<br><br>We have undertaken a detailed review of the applicant's hydraulic modelling of the Gauze Brook which passes through the Lime Down D site. We have raised the following comments on the hydraulic modelling for Lime Down D. Firstly, the applicant should simulate the 3.3% (1 in 30) annual exceedance probability (AEP) scenario event (also referred to as the 1 in 30-year event). This is for the purposes of helping to better define the extent of the functional floodplain (Flood Zone 3b) along the Gauze Brook. Secondly, we have asked the applicant to provide more detail on how the design flood flows which are applied to the hydraulic | The Applicant welcomes the Environment Agency's comments.<br><br>In relation to Lime Down D, the Applicant has submitted the **Hydraulic Modelling Report [REP3-131]** for Gauze Brook. This has been prepared to address the Environment Agency's comments and includes the 3.3% AEP event to assist with consideration of Flood Zone 3b, further explanation of the design flood flows, and clarification in relation to riverbank representation and the South Wales Main Line culvert. The report also confirms that predicted floodplain interaction across Lime Down D is generally shallow and that any loss of floodplain storage associated with the Scheme would be negligible.<br><br>In relation to Lime Down E2, the Applicant confirms that hydraulic modelling for Gabriel's Well / Rodbourne Brook is still being prepared. This will include the 3.3% AEP event where relevant to inform the consideration of Flood Zone 3b. The modelling and associated reporting will be provided to the Environment Agency for review once completed. |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | 038] that detailed hydraulic modelling for the Gauze Brook and the Unnamed river has been undertaken at Lime Down D, and that at Lime Down E2 further hydraulic modelling is being progressed in relation to Gabriel's Well to define local flood behaviour, including Flood Zone 3b where relevant. We understand that the details of the | model have been calculated. There is limited detail within the model report as it stands, and we have requested further information so that we can check the flows to ensure that they are of the right magnitude and have been derived using appropriate methods and data.<br><br>Finally, we have raised two specific technical points on the model build itself with regards to riverbank elevation representation in the model and the representation of South Wales Main Line culvert. In both cases there are some discrepancies or areas of uncertainty where we have asked the applicant to provide further details and information so that we can have confidence in the model representation. Our | The Applicant agrees with the Environment Agency that the updated Gauze Brook modelling provides the best available modelling evidence for the consideration of Flood Zone 3b at Lime Down D. The Applicant also agrees that the Gabriel's Well / Rodbourne Brook modelling, once completed and reviewed, will provide the best available modelling evidence for Lime Down E2. The Applicant notes that the identification and application of Flood Zone 3b for planning purposes is undertaken by the relevant local planning authority, informed by the best available flood risk evidence and consultation with the Environment Agency.<br><br>The Applicant welcomes the Environment Agency's confirmation that the use of Risk of Flooding from Surface Water mapping provides a reasonable proxy for understanding fluvial flood risk from the smaller ordinary watercourses and drainage ditches not covered by the Flood Map for Planning. The Applicant also notes the Environment Agency's confirmation that the Manning's assessment provides useful information on the relative change in water levels with increasing flow and |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | modelling are currently with the Environment Agency (EA) for review.<br><br>The Environment Agency:<br><br>The EA is asked to explain if there are any concerns regarding the parameters and outputs of the modelling done so far and the modelling being progressed by the applicant for Lime Down D and E2.<br><br>The EA is asked to explain | understanding is that the applicant is currently in the process of addressing our comments and we expect to see an updated hydraulic model and associated reporting in due course. We will review this to check if our comments have been addressed.<br><br>**Lime Down E2 Modelling**<br><br>With respect to Lime Down E2, we have yet to receive the modelling for this site. We understand the applicant will be sending this to us for review shortly. We will review the modelling and provide comment on its suitability in due course.<br><br>**Sites A, B, C, and E1**<br><br>More widely, sites A, B, C, and E1 are almost entirely | supports the proportionality of the approach adopted for those smaller features.<br><br>The Applicant confirms that Solar PV Panels located within areas of flood risk will be designed to provide a minimum 600 mm freeboard above the applicable design flood level, where relevant to the identified flood mechanism. This will be reflected in the revised **Flood Risk Assessment and Outline Drainage Strategy appendices** submitted at Deadline 4 **[EN01068/APP/6.3]** (Revision 4) and secured through detailed design.<br><br>In relation to the 132 kV substation within Lime Down C1, the indicative location shown in Field C33 will be refined through detailed design.<br><br>The design will first seek to locate the substation platform within the northern, lower-risk part of Field C33 and outside the mapped surface water flow route where practicable. If the final design cannot avoid the mapped flow route in full, the Applicant will maintain or appropriately divert the existing conveyance and storage and demonstrate that flood risk is not increased. Localised assessment, design |

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| | | if the information submitted by SLD, specifically in document [REP1-176] could support an extension to Flood Zone 3b in Lime Down D and if so, to which fields.<br><br>The Applicant:<br><br>The applicant is asked to confirm the freeboard allowances requested by the EA in their document [REP2-049] | within Flood Zone 1. The Flood Map for Planning generally only covers watercourses with a catchment area of greater than three square kilometres. There are several smaller Ordinary Watercourses and drainage ditches which cross these sites which have no associated Flood Zone mapping due to the small size of their respective catchments. In these locations, the applicant has used the Environment Agency's Risk of Flooding from Surface Water (RoFSW) mapping as a proxy for fluvial flood risk. This mapping is derived from direct rainfall hydraulic modelling combined with Light Detection and Ranging (LiDAR) digital terrain model data. | verification or compensatory storage will be provided where required by the final arrangement.<br><br>The Applicant will continue engagement with the Environment Agency and Wiltshire Council through the Statements of Common Ground. |

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| | | | Where the RoFSW mapping has been used in this way we have asked the applicant to undertake checks to ensure that this dataset is representative or conservative in the context of fluvial flood risk and informing the design flood level for the development. The applicant has used the Manning's equation to explore how water levels within the smaller Ordinary Watercourses might respond to increasing flows and has placed this in context with water levels estimated from the RoFSW data.<br><br>The application of the Manning's equation in this context has some limitations. Firstly, the cross sections have been derived from Lidar data rather than channel | |

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| | | | survey. Lidar tends to underestimate channel depth. Additionally, the Mannings equation assumes a depth averaged and spatially uniform velocity across the cross section, which is unlikely to be the case, particularly in the context of floodplain flow. The Mannings calculation does provide some useful information particularly regarding the relative change in water levels with increasing flow which can be useful when trying to understand the risk to solar PV infrastructure.<br><br>This analysis indicates that water levels within these smaller Ordinary Watercourses are relatively insensitive to increases in flow. On this basis, the use of RoFSW mapping is | |

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| | | | considered to provide a reasonable proxy for understanding the fluvial flood risk to the proposed development from these smaller Ordinary Watercourses which are not covered by the Flood Map for Planning.<br><br>In terms of any loss of floodplain storage from the development, the applicant has provided sufficient evidence to demonstrate that this would be negligible in the context of the Gauze Brook and Gabriels Well/ Robbourne Brook and hence has not undertaken "with development" hydraulic modelling for the purposes of quantifying the impact from a loss of floodplain storage. | |

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| | | | We have asked the applicant to commit to a freeboard of +600mm above the design flood level for solar panels within any area of flood risk and we are waiting for the applicant to confirm that this will be undertaken. Additionally, we note there is some uncertainty in the placement of the sub-station within Lime Down C. If it is not possible to place this substation outside of the area of flood risk shown by the RoFSW mapping, we have asked that appropriate compensatory storage is provided. Our position on these matters is reflected in our comments in Appendix Two.<br><br>With regards to the impact of the development on surface water runoff, in the context of | |

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| | | | flood risk we would defer to the view of the Lead Local Flood Authority as to whether the proposed technical assessment and mitigation is appropriate. We note that attenuation storage and controlled discharge is proposed for areas of hardstanding, such as the Battery Energy Storage System (BESS). In terms of the solar PV panel areas, we note that the applicant is proposing vegetation cover below the panel areas and will ensure small gaps between each panel to allow water to drip onto the ground below. For any new development we would expect runoff to be limited to greenfield runoff rates such that flood risk elsewhere is not increased. | |

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| | | | **Flood Zone 3b**<br><br>Flood Zone 3b is determined by the Local planning authority. The Planning Practice Guidance states when determining the extent of FZ3b local planning authorities should use the 3.33% Annual Exceedance Probability (AEP) extent to determine the extent of flood zone 3b. In addition to the 3.33% AEP extent, local planning authorities are advised to include land that designed to flood up to the 0.1% AEP, such as flood alleviation schemes. Local planning authorities would not usually take recorded historic flood events into consideration when determining flood zone 3b as the output from hydraulic modelling is the main driver | |

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| | | | for determination. The evidence presented within the SLD report may be taken into consideration by the local planning authority determining if this is reported as a flood event and it can be determined that all flooding occurred from a fluvial source. However, this information needs to be submitted to the local planning authority and then it is up to them to determine if they need to alter the extent of Flood Zone 3b. Furthermore, the applicant is currently undertaking hydraulic modelling for both the Gauze Brook and Rodbourne Brook which includes the 3.33% AEP scenario and will be the best available modelling for the | |

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| | | | determination of Flood Zone 3b. | |
| FHW 1.5 | The LLFA The Environment Agency The Applicant | **Flood Risk Assessment – Manning Calculations Results** Figure 1 (page 10) of SLD's representation [REP1-174] shows the flows calculated using Manning's open channel flow formula. It is in section 'Fluvial Flooding' which discusses in detail the information submitted in the flood risk | The analysis submitted by SLD with respect to the applicant's calculated flows based on the Mannings equation is correct in that the calculated flows are large at some of the cross-sections and unrealistic when placed in the context of catchment area and recorded flows on the River Avon at Fosse Way and Great Somerford, and on the Gauze Brook at Rodbourne for Storm Bert in 2024. As an example, the catchment where the flow calculation of 154.2m3 /s is shown for cross section C1-2 within Lime Down C1 has an area of 3.91km2 based on the Flood Estimation Handbook (FEH) webservice (catchment outlet grid | The Applicant notes the Environment Agency's response.<br>The Applicant agrees with the Environment Agency's interpretation of the Manning's calculations. The Environment Agency confirms that some of the equivalent flow values would be unrealistic if read as actual flows generated by the relevant catchments. This supports the Applicant's position that the values should not be read in that way.<br>The point turns on what the calculation was doing. The Manning's assessment did not predict how much water would flow down each ditch or ordinary watercourse during a flood event. Instead, it used a cross-section through the channel and adjoining floodplain to understand the relationship between water level and flow at that location.<br>SLD compares the Manning's equivalent flow values with recorded flows from Gauze Brook and the River Avon during Storm Bert. That |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | assessments submitted by the applicant.<br><br>All Parties:<br><br>The LLFA, the EA and the applicant are asked to submit a response to the analysis done by SLD and its conclusions. In your response, please set out the implications for the interaction with surface water flood risk and the potential impact to on site and off site flood risk. | reference: 387200,183950). The true peak 0.1% (1 in 1000) annual exceedance probability flow could be potentially an order of magnitude or more lower than 154.2m3 /s based off catchment area.<br><br>Many of the smaller Ordinary Watercourses which cross the site have no associated Flood Zone mapping given their catchment area is less than three square kilometres, which was the lower limit for catchment area used in the New National Modelling (NNM) used to define the Flood Zones within the Order Limits for Lime Down Solar Park. Given the evidence gap in flood risk information for some of the smaller Ordinary Watercourses the applicant proposed to use the Risk of | comparison treats the calculated values as if they were predicted river flows. They are not. They were calculation values used to test how much the indicative water level would change if the assumed flow was increased.<br><br>The Environment Agency's response supports that interpretation. It confirms that, while the Manning's assessment has limitations, it helps to place the 0.1% AEP Risk of Flooding from Surface Water mapping in context and to understand the sensitivity of water levels to increasing flow. The Environment Agency also confirms that the use of the Risk of Flooding from Surface Water dataset is proportionate for the smaller ordinary watercourses and drainage ditches.<br><br>The Applicant therefore considers that SLD's analysis does not undermine the assessment. It confirms that the Manning's values should not be interpreted as actual catchment flows, which is consistent with the Applicant's position.<br><br>The implications for surface water flood risk are limited. The Manning's assessment concerns existing flood behaviour from smaller |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | <u>The Applicant:</u><br><br>Paragraph 25 of the SLD representation refers to inconsistencies/ mistakes between references to the 0.1% Annual Exceedance Probability (AEP) and the 1% AEP events in the flood risk assessments. The applicant is asked to review, confirm and address any inconsistencies in the flood risk assessments. | Flooding from Surface Water (RoFSW) mapping as a proxy for fluvial flood risk. We asked the applicant to undertake some checks to place the RoFSW outputs in context with respect to fluvial flood risk and provide supporting evidence that the RoFSW was reasonable (or conservative) in terms of informing the fluvial design flood for the development in the absence of Flood Zones or more detailed hydraulic modelling.<br><br>Whilst the Mannings analysis does have its limitations as described in our response to question FHW1.4 above, it does help to contextualise how the 0.1% (1 in 1000) annual exceedance probability extent from the ROFSW mapping compares | watercourses and drainage features. It is not the assessment of operational surface water runoff from the Scheme.<br><br>The Applicant's technical position on runoff from panelled areas is set out in **Applicant's Response to Lead Local Flood Authority on Hydraulic Modelling Requirements [REP2-045]**. Solar PV Panels will remain elevated above the ground. Rainfall will drain to the vegetated ground beneath and between the arrays. The panelled areas will not be positively drained to watercourses and will not form connected impermeable drainage catchments.<br><br>The relevant controls for runoff from panelled areas are soil condition, vegetation cover, compaction, surface roughness and hydraulic connectivity. These matters are secured through the **Outline Construction Environmental Management Plan [REP3-092]**, **Outline Soil Resources Management Plan [REP3-098]**, **Outline Landscape and Ecology Management Plan [REP3-100]** and **Outline Operational Environmental Management Plan [REP3-094]**. |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | | against water levels derived at cross sections along with the associated flow and additionally how sensitive water levels are to increasing flows.<br><br>Our view is that whilst the assessment does have its limitations and associated uncertainties, in terms of informing fluvial flood risk to the site, the use of the RoFSW dataset is proportionate for the smaller Ordinary Watercourses and drainage ditches. Noting that only small portions of solar panel areas encroach into the RoFSW extents. In terms of accounting for uncertainty within both the detailed hydraulic model results and any proxy datasets used to inform flood risk such as the RoFSW mapping, we have | Formal impermeable infrastructure is treated differently. The BESS, substations and associated hardstanding will be drained, attenuated and controlled. Where discharge to a watercourse is required, peak discharge rates will be restricted to the relevant greenfield rates, with the detailed design approved under Requirement 11 of the **Draft DCO [REP3-005]**.<br><br>The Applicant confirms that Solar PV Panels located within areas of flood risk will be designed to provide a minimum 600 mm freeboard above the applicable design flood level, where relevant to the identified flood mechanism. This will be reflected in the revised Flood Risk Assessment and Drainage Strategy appendices and secured through detailed design.<br><br>The Applicant has reviewed the references to the 0.1% AEP and 1% AEP plus climate change events in the Flood Risk Assessment and Drainage Strategy appendices. Any inconsistent references will be corrected in the revised appendices. This does not change the assessment conclusions. The 0.1% AEP Risk |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | | asked that the applicant makes a commitment to ensure 600mm (0.6 metres) of freeboard is included above the design flood level for any solar PV panels placed in areas of flood risk. This should help to ensure the development remains operational during times of flood and that flows are not deflected because of inundated panels. We are waiting for the applicant to confirm that they will commit to this.<br><br>We note that the applicant is proposing to sequentially locate any built infrastructure such as the Battery Energy Storage System (BESS) and substations outside of areas of flood risk where possible. We have asked the applicant that where this is not possible | of Flooding from Surface Water mapping remains a conservative proxy for flood extents from smaller ordinary watercourses, and the Manning's calculations remain a proportionate sensitivity check on indicative water levels.<br><br>The Applicant therefore considers that the Environment Agency's response supports the continued use of the Risk of Flooding from Surface Water mapping as a proportionate basis for assessing flood risk from smaller ordinary watercourses. No increased on-site or off-site flood risk is identified from SLD's analysis. |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | | that appropriate compensatory flood storage is provided to ensure no loss of floodplain storage and deflection of flood flow routes (for example in the context of the substation within Lime Down C1). Our position on these matters is reflected in our comments in Appendix Two.<br><br>With regards to offsite flood risk, the Mannings assessment undertaken by the applicant was more of a comparator to help us better understand whether the use of the ROFSW mapping was a suitable proxy for fluvial flood risk and to help understand the sensitivity of water levels to increasing flow. It is not a suitable method for establishing the impacts of the site on flood | |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | | risk elsewhere, particularly in the context of surface water runoff and drainage from hard standing areas of the development and the solar PV panels themselves. From a flood risk perspective, we would defer to the Lead Local Flood Authority's position with regards to the assessment of surface water runoff and the management of surface water runoff from the built aspects of the development. We would expect that any formalised Sustainable Drainage System features are located outside of areas of fluvial flood risk to ensure there is no fluvial-surface water interaction. Additionally, we would expect that runoff is limited to greenfield rates such that flow contributions to watercourses are not | |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | | increased over existing conditions. In terms of managing runoff from the solar PV panel areas, we note the applicant is proposing vegetation cover, gaps between the panels, and management methods to ensure runoff is not increased. | |
| FHW 1.6 | The LLFA<br><br>The Environment Agency | **Flood Risk Assessment – Cable Route Corridor**<br><br>SLD notes in its submission at D2 [REP2-051] that the main risks regarding disruption to existing small scale drainage and potential | The Environment Agency would defer to the Lead Local Flood Authority (LLFA) to give formal assessment of the possibility of groundwater flooding, and the impact the proposed development may have on this. However, through assessing the possible risk of pollution of groundwater and implementing sufficient mitigation the applicant has proposed to undertake pre-construction ground | The Applicant has noted the potential for groundwater to be encountered at relatively shallow depths and can confirm that this will be assessed via pre-construction ground investigation, which is secured via the **Outline Construction Environmental Management Plan [REP3-092].** This will consider the presence of shallow groundwater within the Order Limits and the potential impacts on that groundwater as a receptor and a pathway, with suitable mitigation to be put in place if required. Similarly, the presence of shallow groundwater as encountered during ground investigation will be considered in both the **Outline Operational Environmental Management Plan [REP3-** |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | disturbances to groundwater f low paths are not addressed. Considering this and the information included in the outline manage ment plans, the LLFA and EA are asked to confirm if they think these issues are sufficiently addressed and if not, explain why not and where it should be addressed. | investigations to identify the presence of shallow groundwater. This will help identify the risk of groundwater flooding during the construction phase where the biggest risk may lie. | **094]** and the **Outline Decommissioning Strategy [REP3-096]**, to ensure that potential impacts to shallow groundwater is managed during operation and at the end of the operational left of the scheme. |
| FHW1.10 | The LLFA | **Operation – Surface Wate r Run-off Discharge** | From a flood risk perspective, we would defer to the Lead Local Flood Authority's position with respect to | The Applicant welcomes the Environment Agency's response. |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | The Environment Agency | **to Watercourses**<br><br>The applicant explains in the outline drainage strategies [APP-210 to APP-218] that surface water would be generally discharged into SUDS and local drainage features which would eventually discharge into local watercourses and main rivers.<br><br>Given that quantification of the surface | surface water runoff and the management of surface water runoff from the built aspects of the development. Currently the applicant has proposed that if discharge to watercourses became necessary all formal drainage would discharge at the greenfield runoff rate. This is the rate we would expect all new development to discharge at to ensure there is not increased runoff to watercourses. | The Applicant notes that the Environment Agency defers to the Lead Local Flood Authority on the detailed assessment of surface water runoff from the built elements of the Scheme, but confirms that discharge at greenfield runoff rates is the expected approach to ensure that runoff to watercourses is not increased.<br><br>This is consistent with the Applicant's **Flood Risk Assessment and Drainage Strategy (Appendices 11-1 to 11-9 [REP3-048 to REP3-064])**. Formal impermeable infrastructure, including the BESS, substations and associated hardstanding, will be served by designed drainage systems with attenuation and controlled discharge. Where discharge to a watercourse or local drainage feature is required, peak discharge rates will be restricted to the relevant greenfield rates, with the 1-year and 2-year events restricted to 70% of the corresponding greenfield runoff rates.<br><br>The final drainage calculations, attenuation volumes, flow controls, outfall arrangements, treatment measures and exceedance routes |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | water run-off volumes to be discharged is not available at this point, the LLFA and the EA are asked to provide information regarding the ability of the receiving watercourses to receive these discharges without increasing flood risk in the wider catchment . | | will be confirmed through the detailed drainage design approved under Requirement 11 of the **Draft DCO [REP3-005]**.<br><br>The panelled areas are different. Solar PV Panels will remain elevated above the ground, rainfall will drain to the vegetated ground beneath and between the arrays, and the panelled areas will not be positively drained to watercourses. The Applicant therefore does not consider that the panelled areas will increase peak surface water discharge to receiving watercourses.<br><br>The relevant controls for panelled areas are vegetation cover, soil condition, compaction management, surface roughness and retention of existing flow routes. These are secured through the **Outline Construction Environmental Management Plan [REP3-092]**, **Outline Soil Resources Management Plan [REP3-098]**, **Outline Landscape and Ecology Management Plan [REP3-100]** and **Outline Operational Environmental Management Plan [REP3-094]**. |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | | | The Applicant therefore considers that the Environment Agency's response supports the proposed approach. Formal drainage will be controlled to greenfield rates, and the panelled areas will not create a connected impermeable drainage catchment. The Scheme will not increase peak runoff to receiving watercourses or increase flood risk in the wider catchment. |
| RWM1.3 | The Applicant<br>The Environment Agency<br>All Local Authorities | **Waste**<br>Can each party provide commentary on the proposed development's c ompliance with the Regulations: Waste Electrical and Electronic Equipment (WEEE) 2013? | Reference is made in REP2-022 **7.13 Outline Operational Environmental Management Plan** that the company will follow the WEEE regulations regarding disposal of waste electrical and electronic equipment produced. The applicant should follow the guidance on Gov.uk and adhere to the Requlations: Waste Electrical and Electronic Equipment (WEEE) - GOV.UK and ensure suppliers and disposal routes for electronic and | The Applicant notes the Environment Agency's response and the Applicant will adhere to the Waste Electrical and Electronic Equipment (WEEE) Regulations. |

| ExA | Respondent | Question | Environment Agency's Response | Applicant's Response |
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| | | | electrical equipment are compliant. | |

## 2.4 Historic England

**Table 2-4 Historic England**

| ExA | Respondent | Question | Historic England's Response | Applicant's Response |
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| CH1.2 | The Applicant<br><br>Historic England<br><br>Wiltshire Council | **Heritage Visualisations 1**<br><br>Paragraph 4.5.1 of ES Appendix 12-1 (Heritage Statement) [APP-219] states that heritage visualisations were agreed with Wiltshire Council on January 2024 (Annex E). However, Annex E only provides a list of heritage viewpoints. Can the applicant please direct | HE are satisfied all the visualisations needed have been provided to enable us to make an assessment of harm on Bradfield Manor. We will not be requesting any further visualisations from additional viewpoints. | The Applicant notes this comment and Historic England's satisfaction that the visualisation provided are sufficient to inform the assessment in **ES Volume 1 Chapter 12 Cultural Heritage [REP3-017]**. |

| ExA | Respondent | Question | Historic England's Response | Applicant's Response |
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| | | the ExA to where the visualisations for these viewpoints are provided? If they have not been provided with the application material, then these are to be provided in response to this ExQ.<br><br>Historic England and Wiltshire Council are also invited to suggest additional visualisations which they consider should | | |

| ExA | Respondent | Question | Historic England's Response | Applicant's Response |
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| | | be provided by the applicant to assist the examination, and may find the following documents helpful to inform their consideration – ES Figure 8-10 [APP-099] and ES Figure 12-1 [APP-143]. The applicant is subsequently requested to provide the additional visualisations or justification as to why not. | | |

| ExA | Respondent | Question | Historic England's Response | Applicant's Response |
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| CH1.6 | Historic England<br><br>Wiltshire Council | **Magnitude of Effects**<br><br>Can Historic England and Wiltshire Council confirm if they are satisfied with the applicant's methodology for assessing the impact of the proposed development on heritage assets, particularly the criteria for determining the magnitude of effects, as set out in Table 12-4 of ES Chapter 12 [APP-064]? | We are satisfied with the methodology used. | The Applicant notes Historic England are in agreement with the methodology used for **ES Volume 1**, **Chapter 12 Cultural Heritage [REP3-017]**. |

| ExA | Respondent | Question | Historic England's Response | Applicant's Response |
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| CH1.9 | The Applicant<br><br>Historic England<br><br>Wiltshire Council | **Duration of Harm**<br><br>The applicant states that the proposed development has the potential to indirectly impact heritage assets, but any such effects would be reversible following decommissioning of the proposal. The ExA is concerned about the inference that because the proposal has a capped 60 | While there appears to be no definition of temporary, in terms of time scale within the planning system, we consider that 60 years is a substantial lifespan for any form of development and may not be considered temporary, even if the decommissioning of the development occurs after this time.<br><br>We consider that the principal consideration is that the identified harm would be effective for the length of the proposed development. We therefore give limited weight to the time-capped DCO in terms of heritage impacts.<br><br>We would refer you to our Commercial Renewable Energy Development advice note in particular the section on Duration and | The Applicant notes that Historic England has given limited weight to the time-cap of 60 years and considers that any impacts to buried archaeological remains would be permanent. The Applicant considers this to aligns with their approach to the assessment.<br><br>In terms of understanding the impact of the Scheme, the Applicant highlights that consideration should be given to elements of the scheme that are reversable or temporary (i.e. will cease to occur beyond the duration of the Scheme or an individual phase of the Scheme) compared to those that have the potential to be permanent (i.e. exist beyond the Scheme duration). |

| ExA | Respondent | Question | Historic England's Response | Applicant's Response |
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| | | year duration, th e ensuing harm to heritage assets is someh ow nullified. The issue around whether a 60 year use is 'temporary' cuts across most topic areas, however, specifically for heritage, the ExA require s a clear position from the applicant on the weight they have ascribed to a time capped DCO when assessing the level of harm to | Decommissioning paragraphs 63 and 64 (Commercial Renewable Energy Development and the Historic Environment). This identifies that a 25-30 year temporary permission is effectively a generation so will not seem temporary to the local population. As this is proposed for 60 years that would equate to two generations.<br><br>We would also refer you to the recently published Archaeology and Solar Farms Good Practice Guide Archaeology-and-Solar-Farms-GPG. Section 3.8 Lifespan of a solar farm deals with impacts on archaeology. Any direct impacts on archaeology will be permanent. It also looks at decommissioning and what | |

| ExA | Respondent | Question | Historic England's Response | Applicant's Response |
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| | | heritage assets.<br><br>Historic England and Wiltshire Council may also wish to comment on this matter. | this means for any archaeology preserved within the scheme. | |

## 2.5 Cotswolds National Landscape Board

**Table 2-5 Cotswolds National Landscape Board**

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| LV1.9 | The Applicant<br><br>Wiltshire Council<br><br>Cotswolds National Landscape Board<br><br>Stop Lime Down | **Cotswold National Landscape – Setting**<br><br>The parties are asked to define in spatial terms the extent of the area outside of the boundary of the Cotswolds National Landscape (CNL) that is considered to form the setting of the CNL. | In the Applicant's Response to Relevant Representations (PDA-009)to the comments of the Board at CNL-054 (page 582), the Applicant states *"The Applicant agrees that Lime Down A, B and C and parts of the Cable Route Search Corridor are located within the setting of the Cotswolds National Landscape and that sites D and E are not".* This is also confirmed in respect of Sites A, B and C at paragraph 3.6.3 of ES Appendix 8-6. The Board agrees with this statement.<br><br>The Board's Development in the Setting of the Cotswolds AONB Position Statement | The Applicant notes the CNL Board agrees that: *The Applicant agrees that Lime Down A, B and C and parts of the Cable Route Search Corridor are located within the setting of the Cotswolds National Landscape and that sites D and E are not".*<br><br>**ES Volume 1, Chapter 8 Landscape and Visual [REP3-025]** and **ES Volume 3, Appendix 8-6 Assessment of Effects on the Cotswolds National Landscape and its Special Qualities [APP-197]** has considered and assessed the impact on views to and from the CNL. |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | states *"The Board considers the setting of the Cotswolds AONB to be the area within which development and land management proposals, by virtue of their nature, size, scale, siting materials or design can be considered to have an impact, positive or negative, on the landscape, scenic beauty and special qualities of the Cotswolds AONB".* The Position Statement clarifies this further stating: "*The surroundings of the Cotswolds AONB are also important to its landscape character and quality. There are views out of the AONB and across back into land within the AONB and views towards or into it from surrounding areas, all of which can be very significant.* | |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | *Development proposals that affect views into and out of the AONB need to be carefully assessed to ensure that they conserve and enhance the natural beauty and landscape character of the AONB".* | |
| LV1.11 | The Applicant<br><br>Cotswolds National Landscape Board | **Cotswolds National Landscape – Potential Main Issues for Examination**<br><br>In its RR, the CNLB [RR-0944] refers to 8 Potential Main Issues for Examination (PMIE) agreed with the applicant (also | The Board notes the draft Statement of Common Ground with the Cotswolds National Landscape Board (May 2026, Revision 1, REP2-029) and the Applicant's position on this matter which is stated at Reference 3.1.17, page 14 of the document: *"The final iteration of the Scheme includes the avoidance of panels in the southern part of Field A1, the remainder of Field C6 and Fields C7. These areas are identified for* | Reference to 3.1.17 of the **Statement of Common Ground with the Cotswolds National Landscape Board [REP2-029]** refers to a matter under discussion and includes typographical errors and should have read as follows: *"The final iteration of the Scheme includes the avoidance of panels in the **northern** part of Field A1, the* remainder of Field C6 and **C8***".* As noted, these areas are identified for habitat enhancement".<br><br>The text refers to the Scheme as proposed in the Application. As such, it is not the Applicant's intention to remove Solar PV panels from the southern part of Field A1 or Field A7. |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | set out by the applicant in [APP-289]). The CNLB state that PMIEs 2, 3 and 5 have been resolved.<br><br>With Regards to PMIE 3, the applicant and the CNLB are asked to clarify how its recomm endation that consideration should also be given to removing the southern part of Field A1 was dealt with and whether the CNLB still | *habitat enhancement"* (our emphasis). As such the Board understands and supports the Applicant's position that Solar PV panels are to be removed from the southern part of Field A1. | Solar infrastructure in Field C7 was tested through the production of Sections (submitted into the Examination as Annex F in response to the **LV1.11** in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**). It is noted that "*The CNLB support the decision to remove Solar PV Panels in the remainder of Field C6 and note field C7 has been tested through sections to show that visibility would be limited"* (Ref 3.1.19 of the Statement of Common Ground with Cotswolds National Landscape Board [REP2-029]).<br><br>Following the **Change Notification [REP3-013]** Solar PV Infrastructure has been removed from Lime Down Field C9 in response to CNL Board feedback. |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | consider that panels should be removed in this location?<br><br>The RR from the CNLB refers to the production of a series of sections to illustrate the degree of potential visibility of Solar PV Panels in Field C7 from publicly accessible viewpoints within the CNL. The applicant is asked to submit these sections into the | | |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | examination or identify where they are already provided. | | |
| LV1.12 | Cotswolds National Landscape Board | **Cotswold National Landscape – Special Qualities**<br><br>In its RR, the CNLB states [RR-0944] that it considers it likely that construction traffic would have a significant adverse impact upon the tranquillity of the National | The Board notes the Applicant's assessment of the impact of the Scheme on the 14 identified special qualities of the CNL, as summarised in Table 18 of Appendix 8-6 of the ES (APP-197). The Applicant also summarises the effects of the Scheme on the CNL's special qualities in Table 2-1 of their Tranquillity Technical Note (PDA-010).<br><br>In both documents the Applicant concludes that there would be no direct significant effects on the special qualities of the CNL. The Board disagrees with this assessment for the reasons | The Applicant notes that the CNL Board agrees that Special Qualities 2, 3, 7 and 8 are scoped out of the Assessment and that in relation to Special Qualifies 1, 4 and 14 the Board agrees these would be unaffected by the Scheme.<br><br>The Applicant welcomes acknowledgement that Special Quality 5 will have Indirect Negligible Beneficial Effects and Special Quality 6 will have Indirect Minor Beneficial Effects.<br><br>With reference to Special Quality 10. Dark Skies- refer to the Applicants response to questions LV1.16 and LV1.17 of the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]** page 399 and page 401 respectively. |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | Landscape (one of its special qualities). Other than disagreeing with the applicant's assessment of the impact on the special quality of tranquillity, do the CNLB agree with the applicant's conclusions on the assessment of effects on the CNL's other special qualities as summarised in table 18 of the applicant's ES | outlined in our previous representations and expanded upon below.<br><br>Please see below the Board's comments on each of the CNL's 14 special qualities listed at Section 4 of the Cotswolds National Landscape Management Plan 2025-2030:<br><br>We agree that the following special qualities should be scoped out of any assessment:<br><br>2. The Cotswold escarpment, including views from and to the National Landscape;<br><br>7. Ancient broadleaved woodland particularly along the crest of the escarpment; and | With reference to Special Quality 11. Distinctive settlements the CNL Board disagree that with the Applicant's assessment that there would be negligible neutral indirect effects on a small number of settlement-edge receptors due to the Moderate (Significant) effects the assessment recorded to Landscape Character within the 1km Study Area.<br><br>The Applicant would like to refer to Paragraph 2.4.6 of **ES Volume 3, Appendix 8-6 Assessment of Effects on the Cotswolds National Landscape and its Special Qualities [APP-197]** which states:<br><br>"*The significant effects within the 1 km local study area as shown above are primarily related to the change in land use from agriculture to the solar farm. This change does not directly affect the CNL as the buffer to the development provided by the avoidance measures contains the development away from the edge of the CNL. As such, the development would be barely discernible from within the CNL. Harm to the CNL itself would* |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | Appendix 8-6 [APP-197]? | 8. Variations in the colour of the stone from one part of the National Landscape to another which add a vital element of local distinctiveness.<br><br>We consider that in addition to the above, the following special quality should also be scoped out due to the distance of the Scheme from the High Wold LCT:<br><br>The high wolds – a large open, elevated predominately farmed landscape with commons, 'big' skies and long-distance views.<br><br>We also agree that the following special qualities would be unaffected by the Scheme: | *be minimal with beneficial effects in the long term which further the purposes of the designation*." As such, effects on settlements within the CNL such as Sherston and Alderton would not be affected by the Scheme due to the removal of panels within the CNL's setting.<br><br>With reference to Special Quality 12 - An accessible landscape, the Applicant notes that the CNL board considers that overall (in consideration of beneficial new footpaths and adverse effects on some localised routes) there would be an indirect, minor adverse effect on access and recreational opportunities within the CNL.<br><br>With reference to Special Quality 13; Archaeology and historic associations, the applicant acknowledges that the CNL board agree with the Applicant's assessment that the effect on this special quality is direct, minor adverse (not significant).<br><br>In relation to Special Quality 9 – Tranquillity, the CNL Board notes there will be temporary direct Moderate Adverse effects on the CNL |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | 1. The unifying character of the limestone geology – its visible presence in the landscape and use as a building material;<br><br>4. River valleys, the majority forming the headwaters of the Thames; and an important water resource; and<br><br>14. A vibrant heritage of cultural associations.<br><br>Therefore, we make the following comments regarding the remaining special qualities:<br><br>5. Distinctive dry-stone walls: Although dry-stone walls are not a characteristic feature of this immediate part of the CNL, the Board understands that the Scheme would | due to traffic during the Scheme's construction and decommissioning periods and that as a result there would be a net adverse effect upon the CNL's special qualities. The Board do not state whether the net effect would be significant or not.<br><br>The Applicant is intending to submit an updated Tranquillity Assessment at Deadline 5.<br><br>The Applicant considers that the avoidance measures embedded within the scheme to protect the CNL and its special qualities (including its distinctive settlements – Special Quality 11) and the long-term benefits of the enhancements measures which help to further its purpose which are in line with the CNL Management Plan and Nature Recovery Strategy are not Significant. |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | include the restoration of some short stretches of dry-stone wall within the CNL's setting as part of the proposed embedded mitigation (as outlined at ES Appendix 8-6, paragraph 2.3.19). Therefore, this comprises an indirect, negligible beneficial effect to this special quality.<br><br>6. Flower-rich grasslands including floodplain meadows and neutral grasslands and particularly limestone grasslands: There would be no direct impact on flower-rich grasslands within the CNL as the Scheme is located within its setting. The Applicant identifies the delivery of approximately 119.7 hectares of flower-rich neutral grassland, some of | |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | which is located on land adjacent to the CNL's boundary and the Board considers its creation to be an enhancement associated with the Scheme. Therefore, this comprises an indirect, minor beneficial effect to this special quality.<br><br>10.Extensive dark sky areas: The Applicant discusses this matter at paragraphs 3.4.58 – 3.4.72 of ES Appendix 8-6 (APP-197) and concludes that "the Scheme has been designed to ensure that the CNL's dark skies remain entirely intact" (paragraph 3.4.72). Whilst the Applicant's approach as outlined in Appendix 8-6 is acknowledged, it is noted that no detailed lighting plans or lighting strategy have been | |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | submitted and accordingly we also note the Examining Authority's questions at ExQ1 LV1.16 and LV1.17. As such we would wish to comment further on this matter following the Applicant's response to these questions and potential submission of further information, if possible, by Deadline 4 (10 July 2026).<br><br>11.Distinctive settlements, developed in the Cotswold vernacular with high architectural quality and integrity: Effects on settlements within the CNL would be indirect and principally would relate to changes in landscape character and visual impact. As outlined below, the Applicant identifies an indirect | |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | significant adverse effect on landscape character within the 1 km local study area, an area which includes CNL settlements such as Sherston and Alderton. As such we disagree with the Applicant's assessment that there would be negligible neutral indirect effects on a small number of settlement-edge receptors and consider there would be an indirect, moderate adverse effect on this special quality.<br><br>12.An accessible landscape for quiet recreation for both rural and urban users, with numerous walking and riding routes, including the Cotswold Way National Trail: The Applicant assesses "a Minor adverse indirect effect at Year 1 affecting short stretches of certain routes but | |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | not the overall recreational experience. By Year 15 the effect would reduce to Negligible". The Board agrees that there may be a slight indirect beneficial impact arising from the creation of new additional and linking 'permissive' Public Rights of Way routes in terms of increasing opportunities to access countryside for informal recreation, although overall we consider that users' experiential and/or perceptual experience of rural countryside within the setting of the CNL would likely be negatively influenced by the contrasting nature and scale of the introduced operational energy infrastructure and ancillary development. As such, we consider that | |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | overall, there would be an indirect, minor adverse effect on access and recreational opportunities within the CNL.<br><br>13.Significant archaeological, prehistoric and historic associations dating back 6,000 years, including Neolithic stone monuments, ancient drove roads, Iron Age forts, Roman villas, ridge and furrow fields, medieval wool churches and country estates and parks: The Applicant outlines at paragraphs 3.4.97 to 3.4.107 of ES Appendix 8.6 how they have sought to minimise the impact of the Scheme on heritage assets within the CNL, in particular on views from Footpath WT\|LUCK\|35 which crosses the boundary of the CNL near Site C which have been | |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | protected by the removal of panels in C1-C4 to maintain open views of Alderton Church and in Site A fields A11 and A12 would remain as set aside to protect views from Footpath WT\|SHER\|15 to Sherston Church. This approach has been informed by consultation with the Board. We agree with the Applicant's assessment that the effect on this special quality is direct, minor adverse.<br><br>Whilst acknowledging the ExA's question recognises our previous comments on tranquillity, for completeness in terms of comments on the CNL's special qualities, we briefly highlight that 'the tranquillity of the area, away from major sources of | |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | inappropriate noise, development, visual clutter and pollution' is special quality 9. Our detailed comments on the potential impacts of construction traffic on the tranquillity of the CNL are outlined below, under 'PMIE 4', though having reviewed the additional information submitted by the Applicant on this matter we consider that the Scheme would lead to a direct, major/moderate (significant) adverse effect on the tranquillity of the part of the CNL through which construction traffic is to be routed during the Scheme's construction and decommissioning periods. Although these periods would last several years it is | |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | | acknowledged that this would be a 'temporary' effect in EIA terms.<br><br>Therefore, overall, the Board considers the Scheme would have a net adverse effect upon the CNL's special qualities. | |
| LV1.14 | Wiltshire Council<br><br>Cotswolds National Landscape Board | **Visual Impact – Photomontages**<br><br>Wiltshire Council and the CNLB are asked to confirm if they are satisfied with the viewpoint and photomontage locations? If not, provide reasoning and a marked-up plan | The Board is satisfied with the selection viewpoint and photomontage locations. During consultation the Board requested several additional viewpoints (CNL A to CNL G) which have been included and assessed within the submission. | The Applicant notes this comment. |

| ExA | Respondent | Question | Cotswolds National Landscape Board's Response | Applicant's Response |
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| | | showing any additional viewpoint or photomontages that are considered necessary to assess the impact of the proposed development on landscape and visual receptors. | | |

## 2.6 Wiltshire Wildlife Trust

**Table 2-6 Wiltshire Wildlife Trust**

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| EB1.6 | The Applicant<br><br>Wiltshire Wildlife Trust | **Bat Behaviour**<br><br>[REP1A-069] suggests that bats are confusing solar PV panels for water and that the panels are acting as sensory traps. You are both asked to comment on this submission. | Wiltshire Wildlife Trust (WWT) was asked to comment on the REP1A-069 submission.<br><br>REP1A-069's comment suggesting that bats are confusing solar PV panels for water and that the panels are acting as sensory traps is supported by WWT. The impact on bat foraging behaviour that solar panel installation can have is referenced in WWT's original response to the proposed development (submitted to info@limedownsolar.co.uk on 13th March 2025) in the second paragraph under the subheading 'Bats'.<br><br>REP1A-069's comment references one recent (<5 | A response to REP1A-069 was provided by the Applicant at Deadline 2 within the **Applicant's Response to Deadline 1A Submissions [REP2-032]**. Responses to comments TW-001 and TW-002 regarding the suggestion that bats may confuse solar PV panels for water and that panels act as sensory traps were provided. The Applicant notes the provision of the article reference published by The Pulse in April 2026.<br><br>Having reviewed the article (https://www.ecoportal.net/en/bats-confuse-solar-panels-with-water/20246/), several references are made to a UK-based research study on the effects of solar panels on bats, but no specific reference or link to the research is provided.<br><br>Although the precise research referred to in the article submitted in REP1A-069 has not been identified, the Applicant consider this is in reference to studies which demonstrate |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | | years old) scientific journal and one online article supporting their objection. Whilst peer reviewed scientific literature is currently limited, there is evidence to suggest that bat foraging is negatively impacted by solar developments, and the impact would be especially negative on bats in this development area due to its proximity to the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC).<br><br>Additional evidence can be found in the following scientific papers:<br><br>Baudouin, A., Hette-Tronquart, N., Brun, C., Gay, N., Chartendrault, V. and Kerbiriou, C., 2026. Balancing renewable energy | that bats use echolocation to detect and recognise water bodies, and that smooth surfaces can be perceived by bats as water bodies using the same cues (Greif & Siemers, 2010) & Russo et al (2012). This has led to some concern that the presence of solar panels may have adverse impacts on bats when echolocating, for instance by confusing solar panels for waterbodies, from which bats both glean insects and drink.<br><br>These studies into this potential impact do not make any reference to solar panels or indicate any potential significant ecological impact is presented by this behaviour. Furthermore, these studies have shown how bats are adept at quickly modifying their behaviour to avoid attempting to glean or drink from smooth surfaces. These studies do not identify any evidence that such behaviour results in significant mortality, population-level effects, or other ecologically significant impacts on bats.'<br><br>The Applicant acknowledges the additional studies referred to by WWT which appear to |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | | and biodiversity: Assessing solar farm effects on bat activity. Biological Conservation, 314, p.111661. https://doi.org/10.1016/j.biocon.2025.111661<br><br>Barré, K., Baudouin, A., Froidevaux, J.S.P., Chartendrault, V., Kerbiriou, C., 2023. Insectivorous bats 407 alter their flight and feeding behaviour at ground-mounted solar farms. J. Appl. Ecol. n/a. 408 https://doi.org/10.1111/1365-2664.14555 | show a detrimental impact on bat activity resulting from ground-mounted solar panel installation, however there are other studies which have indicated no impacts (e.g. Szoldatis et al, 2025). As recognised within Paragraph 4.4.6 of the Chartered Institute of Ecology and Environmental Management's Bat Mitigation Guidelines (2025), there remain important limitations in the available evidence base, including a lack of robust before-and-after studies capable of isolating the effects of solar development from other factors influencing bat activity. Consequently, the current evidence does not provide a clear consensus regarding the effects of solar farms on foraging bats.<br><br>The Applicant maintains that the uncertainty over how bats use solar farms has been appropriately considered within paragraphs 9.10.187 to 9.10.192 in **ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015].** Whilst acknowledging the potential for some bat species to avoid areas occupied by solar panels, the Applicant considers any such effects are likely to be |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | | | offset by the creation and long-term management of higher-value habitats across the Scheme, including species-rich and low-input grassland habitats, the retention of key commuting and foraging features, and the provision of substantial development-free buffer zones around habitats of greatest value to bats. Given the predominantly arable baseline condition of much of the Site, the Applicant considers that the operational Scheme will continue to provide suitable foraging and commuting opportunities for bats and that no significant residual adverse effects are anticipate**.**<br><br>Impacts to populations of bats associated with the Bath and Bradford-on-Avon Special Area of Conservation (SAC) have been considered and assessed within **ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015]** and the **Habitat Regulations Assessment Report [REP3-090].** Both documents conclude that the Scheme would not result in significant adverse effects on the SAC. The Applicant notes that Natural |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | | | England are in agreement with the conclusion.<br><br>Studies referred to:<br><br>Greif, S., and Siemers, B. M. (2010) Innate recognition of water bodies in echolocating bats. Nat. Commun. 2(1):107<br><br>Russo, D., Cistrone, L., and Jones, G. (2012) Sensory ecology of water detection by bats: a field experiment. PLoS ONE. 7(10): e48144'<br><br>Szoldatis K.E., Walston, L.J., Hartmann H.M., Fox, L., Stanger, M.E., Steele, S.E., Hogstrom, I. & Macknick, J. (2025) Bat activity at ecovoltaic solar energy developments in the Midwestern United States. Global Ecology and Conservation. 63 e03864 |
| EB1.8 | The Applicant<br><br>Wiltshire Wildlife Trust | **Bird Surveys**<br><br>In its LIR [REP1-137] Wiltshire Council comment that | Wiltshire Wildlife Trust (WWT) was asked to comment on the suitability of the applicant's approach to breeding and wintering birds | The Applicant respectfully disagrees with Wiltshire Wildlife Trust on the matter and considers that a suitably precautionary and reasonable assessment of impacts for breeding and wintering birds has been undertaken pertaining to the Cable Route Corridor, and does not consider it necessary |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | given the lack of breeding and wintering bird surveys in the CRC the impact of the cable rout e construction on birds cannot be fully known.<br><br>The applicant:<br><br>Explain beyond what has already bee n submitted how the applicant has have fully considered the potential impact on breeding and wintering birds taking the mitigation hierar chy into account and how | in the cable route corridor (CRC).<br><br>WWT supports Wiltshire Council's comment that given the lack of breeding and wintering bird surveys in the CRC the impact of the cable route construction on birds cannot be fully known.<br><br>According to the documents EN010168-000629-6.3 (paragraph 1.2.14) and EN010168- 000632-6.3 (paragraph 1.2.17) no detailed wintering or breeding bird surveys have been carried out within the CRC. The applicant justifies this with the temporary nature of potential impacts and limited width (typically 25 m wide) of the area to be impacted by construction. | or proportionate to have undertaken detailed surveys for these taxa to underpin the impact assessment. This is on account of the short-term, temporary, and progressive nature of the works associated with this element of the Scheme, whereby habitat will be reinstated on completion of works in any one area, following a relatively short construction period.<br><br>Detailed breeding and wintering bird surveys were completed for the Solar PV Sites, where impacts are greater in magnitude and duration. The extensive dataset gathered from these surveys, as well as the findings of a desk study, have been used to inform the evaluation of the breeding and wintering bird assemblage within the Cable Route Corridor.<br><br>This is considered appropriate given the similarity of the habitats between the Cable Route Corridor and the Solar PV Sites (as identified through detailed surveys). Both the Solar PV Sites and Cable Route Corridor predominantly comprise lowland mixed farmland fields, with a higher proportion of |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | this has informed the CRC.<br><br>Wiltshire Wildlife Trust:<br><br>You are requested to comment on the suitability of the applicant's approach to breeding and wintering birds in the CRC. | The justification that impacts are temporary and confined to a 25 m corridor is not sufficient to rule out significant effects on wintering or breeding birds. Linear infrastructure can result in disturbance effects extending well beyond the working width, particularly during sensitive breeding and overwintering periods.<br><br>In the absence of seasonally appropriate surveys, the applicant has not demonstrated that protected or notable bird species are absent, nor that disturbance would not result in offences under the Wildlife and Countryside Act 1981 or adverse effects on populations. | arable land compared to pasture coverage within each, and it is therefore reasonable to assume a similar assemblage of birds are present across the Order Limits.<br><br>It is entirely conceivable that potentially adverse impacts on breeding and wintering birds will occur within the Cable Route Corridor, as reported in **ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015]**. However, no permanent habitat removal will occur within the Cable Route Corridor, and it is noted that the habitat type of any one field can change both during and between years in response to typical rotational agricultural practices (and thereby the suitability for birds).<br><br>As such, detailed surveys for breeding or wintering birds are considered highly unlikely to have shaped the siting of the Cable Route Corridor, or the determination of appropriate avoidance or mitigation measures.<br><br>Appropriate avoidance and mitigation measures for both breeding and wintering birds, to minimise impacts resulting from |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | | Without survey data, it is not possible to assess potential functional linkage to designated sites or to design appropriate, evidence-based mitigation. The ecological assessment is therefore incomplete and WWT therefore finds that the applicant's approach to breeding and wintering birds in the CRC is not suitable. | cable installation works, have been considered and detailed within the **Outline EPMS [REP3-102]**, which is secured by Requirement 8 of the **Draft DCO [REP3-005]**.<br><br>For breeding birds, avoidance measures relevant to cable installation works include inspections for nests within all suitable nesting habitat to be removed (including hedgerows, trees and the open fields) prior to commencement of works, where they take place during the breeding season. Should any nests be identified, these will be safeguarded with appropriately sized and adequately protected buffer zones. If necessary, works may also need to be delayed to avoid impacts on nests. Such measures are secured within Method Statements 5 and 10 of the **Outline EPMS [REP3-102]**.<br><br>With respect to wintering birds, this includes an inspection of new fields immediately prior to the commencement of works during the winter months, to identify any flocks of birds susceptible to disturbance by cable |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | | | installation works. If such flocks are identified, works will be delayed until the flocks have moved on, to avoid impacts as far as possible. This is secured as part of Method Statement 11 of the **Outline EPMS [REP3-102]**.<br><br>These measures will be adopted in all areas of the Cable Route Corridor, exercising the precautionary principle, and are not discriminatory with regard to the suitability of habitat for breeding or wintering birds. The measures seek to avoid impacts in the first instance (for example by delaying works or avoiding identified nests) and then implementing appropriate mitigation measures if impacts cannot be avoided. It is the Applicant's view, therefore, that the mitigation hierarchy has been correctly and appropriately considered with respect to both breeding and wintering birds in the Cable Route Corridor. |
| n/a | n/a | Additional point raised by the | The applicant does not appear to have proposed any substantial mitigations in | The Applicant notes this comment and supports community-owned renewable energy projects such as Wiltshire Wildlife |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | Wiltshire Wildlife Trust | response to the concerns raised in WWT's original response to the proposed development. We therefore refer to WWT's original response and WWT's position statement on solar farms, below:<br><br>Climate change represents the greatest risk to nature's recovery and Wiltshire Wildlife Trust recognises the crucial role that solar energy must play in decarbonising our electricity supply and achieving Net Zero. Wiltshire Wildlife Community Energy (WWCE), develops community-owned renewable energy projects with the key objectives of using their resources to improve outcomes for nature and reduce carbon in Wiltshire. After servicing debts all | Community Energy. The Applicant also notes that Wiltshire Wildlife Trust acknowledges that given the scale of the energy transition challenge, solar needs to be developed at scale.<br><br>The **Statement of Need [REP1-086]** further explains why solar is required at the scale of the Scheme to meet the government's clean energy targets as set out in the Clean Power 2030 Action Plan. Relevant planning policy (specifically NPS EN-1 paragraph 3.3.12) recognises that meeting the country's energy needs requires the use of largescale, centralised electricity generating facilities via a high voltage transmission system, which enables the pooling of both generation and demand, which in turn offers a number of economic and other benefits, such as more efficient bulk transfer of power and enabling surplus generation capacity in one area to be used to cover shortfalls elsewhere. Further, NPS EN-3 paragraph 2.10.31 recognises that at this scale, solar development is likely to use some agricultural land. The Applicant has taken a sequential approach to its site |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | | profits go to benefit community projects which meet either or both of their core objectives.<br><br>Given the scale of the energy transition challenge, we understand that solar farms will need to be developed at commercial scale alongside an expansion of rooftop installations. However, we believe their placement and management should prioritise biodiversity, conservation and sustainable land use. We want solar farms to be established on brownfield sites or low-grade agricultural land where possible, minimising the impact on valuable habitats and wildlife. Furthermore, we encourage the incorporation of biodiversity enhancement measures into solar farm | selection assessment, prioritising brownfield and lower grade agricultural land, as set out in further detail in **ES Volume 3, Appendix 4.1: Site Selection Assessment Report [APP-185]**.<br><br>The Applicant is supportive of smaller scale schemes (including rooftop and community schemes) but aligns with the Government's position, for reasons described in the **Statement of Need [REP1-085]** that such schemes are needed alongside, rather than as an alternative to, large scale schemes such as this Scheme.<br><br>With regard to the ecological mitigations and enhancements proposed for the Scheme, The Applicant highlights the considerable extent of hedgerows, tree planting and species-rich grassland that have been incorporated into the Scheme design. As described in **Biodiversity Net Gain Assessment Report [REP3-087**] approximately 173 ha of newly established species-rich 'other neutral grassland' habitat is expected to be delivered at the Scheme, along with 4.43 ha of mixed |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | | designs, such as wildflower meadows, conservation grazing, hedgerows, and tree planting, to create thriving ecosystems within and around the sites. This is what WWCE do with their solar arrays at Braydon and Chelworth and the new array at Silverwood School in Rowde.<br><br>We believe a balanced approach can be achieved where solar energy is generated, carbon footprints minimised and wildlife allowed to thrive. By carefully considering site selection, implementing biodiversity-friendly practices, and engaging with local communities, we ensure that our solar farms contribute positively to both our energy needs and the conservation | scrub, 11.37 ha of broadleaved woodland and 25.17 km of hedgerow and line of tree planting among other habitat creation and enhancement measures. The proposed habitats are shown within **ES Volume 2, Figures 3-41 to 3-4-5 Landscape and Ecology Mitigation Plan [REP1-029 to REP1-032]**. It is the Applicant's view that this is entirely in accordance with WWT's position statement regarding the incorporation of biodiversity enhancement measures within solar schemes. |

| ExA | Respondent | Question | Wiltshire Wildlife Trust's Response | Applicant's Response |
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| | | | of our natural environment. Wiltshire Wildlife Trust was the first Trust in the UK to form its own independent solar energy company on brownfield sites in Wiltshire. We continue to support Solar but only in the right place, being the right size and serving nature as well as the local community. For more information, contact WWCE. | |

## 2.7 National Grid Electricity Transmission

**Table 2-7 National Grid Electricity Transmission**

| ExA | Respondent | Question | National Grid Electricity Transmission's Response | Applicant's Response |
|---|---|---|---|---|
| GCT1.4 | The Applicant<br>National Grid Electricity Transmission Plc | **Works at Melksham Substation**<br>The applicant:<br>1) You are asked to detail how the proposal ties in with the necessary works at Melksham substation to facilitate the grid connection.<br>2) Does the ES consider these works and if so please signpost where this has been | The applicant has a connection offer from NESO to connect 500MW of solar at Melksham 400kV substation. NGET and the applicant have not yet started detailed discussions regarding the works required at connection point. Detailed discussions will be required for NGET to understand the extent of the connection works required and to ensure adequate agreements and protections are in place. | The Applicant refers NGET to its response to question GCT1.4 in the **Applicant's Responses to the Examining Authority's First Written Questions [REP3-128]**. It is agreed that detailed discussions on the technical design of the connection point works have not yet started. These discussions will take place post-consent as part of the detailed design of the Scheme.<br><br>As set out in **[REP3-128]**, the Existing National Grid Melksham Substation is included within the Order Limits of the Scheme. As described **in ES Volume 1, Chapter 3: The Scheme [APP-055]**, the Grid Connection Cables would connect to the national grid at the Existing National Grid Melksham Substation. Minor modifications would be undertaken by National Grid relating to extending the existing busbars within the substation under the powers of the Applicant's DCO (or NGET's existing permitted development rights). Works undertaken by the Applicant would comprise the installation of a |

| ExA | Respondent | Question | National Grid Electricity Transmission's Response | Applicant's Response |
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| | | considered? If not, please provide these details.<br>3) To secure these works should the dDCO include a Grampian style requirement?<br>National Grid Electricity Transmission Plc:<br>You are asked to provide an update on discussions regarding the grid connection and the works required at Melksham substation | | new 400kV feeder bay and associated connection works. Accordingly, the necessary works to the Existing National Grid Melksham Substation comprise Work Number 4 'works to the National Grid substation to facilitate connection of the authorised development to the National Grid including population of the substation bay' and Work Number 5 'works in connection with electrical cabling' as set out in Schedule 1 to the **Draft DCO [REP3-005]**.<br><br>The Applicant has also included protective provisions for the benefit of NGET within the **Draft DCO [REP3-005]** at Part 3 of Schedule 15. The Applicant and NGET are also in discussions in respect of bespoke protective provisions to be included within the Draft DCO and negotiations are ongoing. |

## 2.8 National Highways

**Table 2-8 National Highways**

| ExA | Respondent | Question | National Highways' Response | Applicant's Response |
|---|---|---|---|---|
| DCO1.44 | The Applicant National Highways | **Requirement 15 - Construction traffic management plan** Should Requirement 15(3), which requires the relevant planning authority to consult with South Gloucestershire Council and the relevant highway authority before approving the Construction | Yes. NH is responsible for the safe and efficient operation of the Strategic Road Network. Construction traffic can materially affect the capacity, safety, and physical integrity of that network. Being consulted on the CTMP enables NH to assess and mitigate risks arising from increased HGV movements, abnormal loads, and cumulative impacts at critical junctions and links on the SRN. Consultation with NH is essential to ensure that construction-phase impacts arising from the development are properly managed through appropriate routing, | Requirement 15(3) of Schedule 2 already requires National Highways, in its capacity as the relevant highway authority for the strategic road network, to be consulted in respect of the CTMP. It is also noted that the Applicant proposes to utilise the normal process for AIL movements, and is not seeking to approve the detail for these through the CTMP.<br><br>The Applicant and National Highways have also agreed in principle the form of bespoke protective provisions included in the **Draft DCO [REP3-005]** at Deadline 1 subject to agreement on a on a select number of outstanding points. The protective provisions afford additional protections and controls to National Highways in respect of the SRN. |

| ExA | Respondent | Question | National Highways' Response | Applicant's Response |
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| | | Traffic Management Plan, also include the requirement to consult with National Highways? | timing, and traffic management measures. | |
| TT1.11 | The Applicant National Highways | **Construction Delivery Times**<br><br>The National Highways consultation response which is summarised in ES Chapter 13 [REP1-019], notes that junctions 17 and 18 of the M4 experience peak hour congestion. The | The SRN experiences its busiest periods during the weekday morning (08:00-09:00) and evening (17:00-18:00) peak hours. It is during this time that congestion is most prevalent, and increases in vehicular traffic can have the largest impact on the safe and efficient operations of the network. Heavy goods vehicles (HGVs) and construction traffic generally has a larger impact on the operation of the network, given their relatively | The transport assessment doesn't predict significant increases in HGV's as a result of construction trips however delivery time restrictions are included in the **Outline Construction Traffic Management Plan (CTMP) [REP3-108]** and restrict deliveries to site on a weekday from between 0930-16-30. The travel time from junction 18 to Lime Down A is approximately 18 minutes, and to Lime Down C is approximately 14 minutes.<br><br>The travel time to Lime Down D from the M4 junction 17 is approximately 5 minutes and to Lime Down E is approximately 3 minutes. None of these trips are likely to be accessing or egressing the M4 junctions 17 or 18 in the |

| ExA | Respondent | Question | National Highways' Response | Applicant's Response |
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| | | applicant states that it is their intention to aim to reduce network peak hour construction vehicle movements by requiring deliveries to be scheduled between 09:30 and 16:30 where possible.<br><br>The Applicant:<br><br>Can the applicant clarify:<br><br>1) Whether its intention is for deliveries to be scheduled to | slow speeds compared to ordinary traffic, and the time taken for them to get up to speed when entering and leaving junctions. Significant increases in these slower moving vehicles can have a disproportionately large impact on the operation of junctions, and impacts on the free flow of traffic on the SRN.<br><br>The simplest way of mitigating this potential harm is to restrict these heavy and slower moving vehicles from periods of the network when their impact is most likely to cause problems during the morning and evening peak times. We therefore required in our consultation response | traditional highway network peak hours of 0800-0900 and 1600-1700hrs.<br><br>Therefore, the current **Outline CTMP [REP3-108]** provides enough control over construction delivery timings. |

| ExA | Respondent | Question | National Highways' Response | Applicant's Response |
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| | | pass through junctions 17 and 18 and be on local roads only after 09.30 and before 16.30, or whether those quoted delivery movement times relate to the arrival and departure times at the construction access points;<br><br>2) Whether any of the construction vehicle routes pass by primary or secondary schools (and if so where); and | that Due to existing levels of congestion, It is expected that no construction traffic would pass through junctions 17 and 18 of the M4 during these peak hours, therefore vehicles should not pass through these junctions until after 09:30 and before 16:30 on weekdays. This would logically mean that vehicles would be arriving on site later than 09:30 depending on the travel time from the M4 to the various site access points. | |

| ExA | Respondent | Question | National Highways' Response | Applicant's Response |
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| | | 3) How its delivery vehicle movements would be monitored, recorded and regulated to ensure that those vehicles are not on the local road network outside the specified times, and not on nonconstruction route roads at any time? The ExA note the oCTMP [REP1-112] commitment to a delivery slot booking system, | | |

| ExA | Respondent | Question | National Highways' Response | Applicant's Response |
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| | | but to what extent is monitoring and compliance, or non-compliance with that system to be communicated with the local highway authority and/ or National Highways?<br><br>National Highways:<br><br>Can National Highways provide further information on whether deliveries to the proposed development | | |

| ExA | Respondent | Question | National Highways' Response | Applicant's Response |
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| | | through junctions 17 and 18 should take place after 09:30 and before 16:30 on weekdays (or some other times)? | | |

## 2.9 Easton Grey Parish Council

**Table 2-9 Easton Grey Parish Council**

| ExA | Respondent | Question | Easton Grey Parish Council's Response | Applicant's Response |
|---|---|---|---|---|
| FHW1.14 | The Applicant<br><br>Easton Grey Parish Council | **Impact on Existing Water Infrastructure**<br><br>Easton Grey Parish's post hearing submission [REP1A-018] refers to impact from the scheme on the community sewage plant.<br><br>The Applicant:<br><br>The applicant is asked to explain if the proposed development could impact on the community sewage plan and if | In response to your question at FHW1.14 addressed to Easton Grey Parish I can confirm that there has been no correspondence with Wessex Water in connection with the Lime Down proposal concerning the village sewage treatment works. | The Applicant notes Easton Grey Parish Council's confirmation that there has been no correspondence with Wessex Water in relation to the village sewage treatment works.<br><br>The Applicant does not identify any mechanism by which the Scheme would affect the community sewage treatment works. The Scheme does not require a foul water connection to that facility, does not propose to discharge operational foul water to it, and does not rely on it for surface water drainage.<br><br>Surface water from the Scheme would be managed separately through the drainage strategy. Solar PV Panels will drain to the vegetated ground beneath and between the arrays, and formal impermeable infrastructure will be drained, attenuated and controlled through the detailed drainage design approved under Requirement 11 of the **Draft DCO [REP3-005]**. |

| ExA | Respondent | Question | Easton Grey Parish Council's Response | Applicant's Response |
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| | | so, how it would be mitigated.<br><br><u>Easton Grey Parish Council:</u><br><br>Easton Grey Parish Council is asked to explain if there has been any communication with Wessex Water regarding the impact of the development on the sewage plan and if so, to submit the relevant information and correspondence. | | Temporary construction welfare facilities would be self-contained and managed by the appointed contractor, including tankered removal where required. They would not discharge to the community sewage treatment works unless a formal connection and agreement with the relevant undertaker were obtained.<br><br>If any Wessex Water apparatus or other utility infrastructure is identified within or close to the relevant working area, it will be protected or managed through the normal utility interface process. Protective provisions for the protection of electricity, gas, water and sewerage undertakers are included as Part 1 of Schedule 15 of the **Draft DCO [REP3-005]**, which provides protection for Wessex Water's assets.<br><br>The Applicant therefore considers that the Scheme would not impact the Easton Grey community sewage treatment works. |

## 2.10 Lacock Parish Council

**Table 2-10 Lacock Parish Council**

| ExA | Respondent | Question | Lacock Parish Council's Response | Applicant's Response |
|---|---|---|---|---|
| CE1.2 | All Local Authorities | **List of Cumulative Projects**<br><br>The applicant considered a long list of projects when assessing cumulative effects. Are there any updates or comments regarding any of those applications identified, or have any new applications come to light that are significant enough to require consideration | Lacock Parish Council wishes to respond briefly to Question CE1.2 regarding the cumulative impact of the proposed Lime Down Solar Project and associated infrastructure. As a neighbouring authority situated immediately adjacent to the wider Melksham Substation area, Lacock Parish Council strongly endorses the submission and concerns raised by Community Action: Whitley and Shaw (CAWS) regarding cumulative impact pathways. The Parish Council wishes to highlight the following local constraints and pressures that should be rigorously considered by the Examining Authority as | **Traffic and Transport**<br><br>Construction traffic within the vicinity of Lacock will be related to the cable route corridor works. These result in relatively low daily vehicle trips and have been assessed within **ES Volume 1, Chapter 13 Transport and Access [EN010168/APP/6.1]** (Revision 4) submitted at Deadline 4, which concluded no significant impact.<br><br>**Flood Risk and Drainage**<br><br>The Applicant notes Lacock Parish Council's comments regarding cumulative flood risk and drainage.<br><br>The Parish Council does not identify any specific new project, drainage connection, receiving watercourse capacity issue or catchment mechanism that would alter the hydrology and flood risk assessment for the Scheme. |

| ExA | Respondent | Question | Lacock Parish Council's Response | Applicant's Response |
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| | | cumulatively with the proposed development?<br><br>Your response should consider the D1A submission by Community Action: Whitley and Shaw (CAWS) Annex A Energy and Enabling Schemes in Shaw, Whitley and the Wider Melksham Substation Area [REP1A-019] | part of the cumulative impact assessment:<br><br>**Traffic and Transport**: The rural road network through Lacock and surrounding lanes are already under significant pressure. The cumulative impact of construction traffic, construction disruption, and cable trenching across multiple proposed or consented energy and housing developments in the Melksham cluster presents a severe risk of local gridlock and damage to minor roads.<br><br>**Flood Risk and Drainage:** The local area has well-documented sensitivities regarding surface water drainage and flooding. The vast scale of proposed solar installations and enabling works connecting to the Melksham Substation should not be assessed in isolation, as their | The cumulative flood risk assessment has considered the Scheme in the context of other relevant developments where information is available. The Scheme does not rely on a shared drainage network with other proposed energy schemes in the Melksham Substation area, and the Solar PV Sites occupy separate local catchments.<br><br>The Scheme's drainage strategy is also designed so that the Scheme does not increase flood risk elsewhere. Solar PV Panels will remain elevated above the ground, rainfall will drain to the vegetated ground beneath and between the arrays, and the panelled areas will not form connected impermeable drainage catchments. Formal impermeable infrastructure will be drained, attenuated and controlled through the detailed drainage design approved under Requirement 11 of the **Draft DCO [REP3-005]**.<br><br>Where formal discharge to a watercourse or local drainage feature is required, peak discharge rates will be restricted to the relevant greenfield rates. The 1-year and 2-year events |

| ExA | Respondent | Question | Lacock Parish Council's Response | Applicant's Response |
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| | | | collective impact on the local catchment area could exacerbate flood risks for surrounding parishes, including Lacock.<br><br>**Heritage and Environmental Constraints:** Lacock is a historic parish with highly sensitive landscape, ecological, and heritage assets (including extensive Grade I and II listed structures and National Trust protections). The sheer scale and concentration of industrial scale energy projects connecting to the nearby substation risk fundamentally altering the rural character and setting of the wider area.<br><br>Lacock Parish Council urges the Examining Authority to ensure that the cumulative impact assessment is broad enough to encompass all housing, | will be restricted to 70% of the corresponding greenfield runoff rates.<br><br>Other developments would be required to manage their own surface water runoff and demonstrate that they do not increase flood risk elsewhere through their own consenting processes. The Applicant therefore does not consider that the general cumulative concern raised by Lacock Parish Council changes the conclusions of **ES Volume 1, Chapter 11: Hydrology, Flood Risk and Drainage [REP3-015]** or the **ES Volume 3, Appendices 11-1 to 11-9: Flood Risk Assessment and Drainage Strategy suite [REP3-039, REP3-049, REP3-051, REP3-053, REP3-055, REP3-057, REP3-059, REP3-061 and REP3-063]**.<br><br>**<u>Heritage and Environmental Constraints</u>**<br><br>**ES Volume 1 Chapter 12 Cultural Heritage [REP3-017]** has not identified any impact to any heritage assets as a result of the Scheme in Lacock. No heritage-based significant cumulative impacts have been identified as a result of the Scheme and other forthcoming developments (see Section 12.12 and Table |

| ExA | Respondent | Question | Lacock Parish Council's Response | Applicant's Response |
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| | | | highways, and energy schemes currently planned or foreseeable in this specific pocket of Wiltshire, rather than viewing the Lime Down Solar Project in isolation.<br><br>Thank you for considering our representation. | 12-24 of **ES Volume 1 Chapter 12 Cultural Heritage [REP3-017]**).<br><br>**Broadness of Cumulative Assessment**<br><br>The Applicant reaffirms that it has responded to comments relating to cumulative effects in detail in on page 806-807 and page 870-871 of the Applicant's Response to Relevant Representations [PDA-009], where it is explained that full and extensive engagement, consideration, assessment and reporting of intra- and inter-project cumulative effects, including housing, mixed use and energy schemes identified in the shortlist of 41 schemes for assessment **[Table 21-4 in ES Chapter 21 Cumulative and In-Combination Effects [APP-073]** has been undertaken with the conclusions set out within **ES Chapter 21 Cumulative and In-Combination Effects [APP-073]**. |

## 2.11 Melksham Town Council

**Table 2-11 Melksham Town Council**

| ExA | Respondent | Question | Melksham Town Council's Response | Applicant's Response |
|---|---|---|---|---|
| CE1.2 | All Local Authorities | **List of Cumulative Projects**<br><br>The applicant considered a long list of projects when assessing cumulative effects. Are there any updates or comments regarding any of those applications identified, or have any new applications come to light that are significant enough to require consideration cumulatively with | Melksham Town Council represents the residents of Melksham and has a direct interest in developments that affect the town and its surrounding area, including transport links, local infrastructure, residential amenity, landscape, flooding and drainage. While the Lime Down Solar Project is not located within the town boundary itself, Melksham Town Council recognises that Melksham will experience indirect and cumulative impacts arising from the scale, location and interrelationship of energy and enabling schemes in the wider Melksham area. The Town Council supports the concerns raised by Community Action: | The Applicant has responded to comments relating to cumulative effects in detail in on page 806-807 and page 870-871 of the **Applicant's Response to Relevant Representations [PDA-009]**, where it is explained that full and extensive engagement, consideration, assessment and reporting of intra- and inter-project cumulative effects has been undertaken with the conclusions set out within **ES Volume 1 Chapter 21 Cumulative and In-Combination Effects [APP-073]**. With regard to inter project effects, a full assessment has been undertaken, considering 358 long list developments and 41 short-list developments. Taking a conservative worse case approach, significant cumulative effects are identified at a limited and discrete number of receptors comprising tourism and recreation impacts during the construction phase on Corsham Park, PRoW WT\|CORM\|122, long path and |

| ExA | Respondent | Question | Melksham Town Council's Response | Applicant's Response |
|---|---|---|---|---|
| | | the proposed development?<br><br>Your response should consider the D1A submission by Community Action: Whitley and Shaw (CAWS) Annex A Energy and Enabling Schemes in Shaw, Whitley and the Wider Melksham Substation Area [REP1A-019] | Whitley and Shaw (CAWS) regarding cumulative effects, including the matters identified in Annex A: Energy and Enabling Schemes in Shaw, Whitley and the Wider Melksham Substation Area [REP1A-019]. Melksham Town Council considers that the cumulative assessment should not examine the Lime Down Solar Project in isolation, nor be constrained by parish or town boundaries. Instead, it should fully take into account all known and emerging energy, grid, battery storage, substation, cable routes, highway works, construction access arrangements and enabling works that may affect Melksham and neighbouring communities. The Town Council is particularly concerned that the combined effect of these schemes could | Sustrans Cycle Route 403, and on skylark at a District level. |

| ExA | Respondent | Question | Melksham Town Council's Response | Applicant's Response |
|---|---|---|---|---|
| | | | result in significant cumulative impacts on local roads and traffic within Melksham, construction movements through the town, residential amenity, public rights of way used by town residents, landscape character, flooding and drainage, local infrastructure and the overall day-to-day amenity of the town. These impacts extend across administrative boundaries and should therefore be assessed on a wider area basis. Assessing each project or component separately risks underestimating the overall effect on Melksham and the surrounding area. Melksham Town Council therefore asks that the Applicant and the Examining Authority fully review and update the cumulative effects assessment, taking into | |

| ExA | Respondent | Question | Melksham Town Council's Response | Applicant's Response |
|---|---|---|---|---|
| | | | account the schemes identified by CAWS and any other relevant schemes known to the Applicant, Wiltshire Council, parish councils, town councils, statutory bodies, National Grid, infrastructure providers or other relevant organisations. | |

## 2.12 Melksham Without Parish Council

**Table 2-12 Melksham Without Parish Council**

| ExA | Respondent | Question | Melksham Without Parish Council's Response | Applicant's Response |
|---|---|---|---|---|
| CE1.2 | All Local Authorities | **List of Cumulative Projects**<br><br>The applicant considered a long list of projects when assessing cumulative effects. Are there any updates or comments regarding any of those applications identified, or have any new applications come to light that are significant enough to require consideration cumulatively with | Melksham Without Parish Council submits the following response to ExQ1 CE1.2. As the parish council for a directly affected area, the northern part of our parish covers Shaw, Whitley and Beanacre, including the location of the Melksham substation at Westlands Lane, Beanacre. The Council has direct local knowledge of the communities, roads, public rights of way, local infrastructure, landscape, flooding issues and residential areas that may be affected by the Lime Down Solar Project and by other energy and enabling schemes in the wider Melksham and surrounding areas. The Council supports the concerns raised by Community | The Applicant has responded to comments relating to cumulative effects in detail in on page 806-807 and page 870-871 of the **Applicant's Response to Relevant Representations [PDA-009]**, where it is explained that full and extensive engagement, consideration, assessment and reporting of intra- and inter-project cumulative effects has been undertaken with the conclusions set out within **ES Volume 1, Chapter 21 Cumulative and In-Combination Effects [APP-073]**. With regard to inter project effects, a full assessment has been undertaken, considering 358 long list developments and 41 short-list developments. Taking a conservative worse case approach, significant cumulative effects are identified at a limited and discrete number of receptors comprising tourism and recreation impacts during the construction phase on Corsham Park, PRoW WT\|CORM\|122, long path and |

| ExA | Respondent | Question | Melksham Without Parish Council's Response | Applicant's Response |
|---|---|---|---|---|
| | | the proposed development?<br><br>Your response should consider the D1A submission by Community Action: Whitley and Shaw (CAWS) Annex A Energy and Enabling Schemes in Shaw, Whitley and the Wider Melksham Substation Area [REP1A-019] | Action: Whitley and Shaw (CAWS) in relation to cumulative effects, including the matters identified in Annex A: Energy and Enabling Schemes in Shaw, Whitley and the Wider Melksham Substation Area [REP1A-019]. Melksham Without Parish Council considers that the cumulative assessment should not look at the Lime Down Solar Project in isolation, or only within individual parish boundaries. The assessment should take full account of all known and emerging energy, grid, battery storage, substation, cable route, highway, construction access and enabling works in the wider Shaw, Whitley and Melksham substation area. The Council is particularly concerned that the combined effect of these schemes could result in | Sustrans Cycle Route 403, and on skylark at a District level. |

| ExA | Respondent | Question | Melksham Without Parish Council's Response | Applicant's Response |
|---|---|---|---|---|
| | | | significant cumulative impacts on local roads, construction traffic, residential amenity, public rights of way, landscape character, flooding and drainage, local infrastructure and the day-to-day amenity of local communities. These impacts are shared across parish and town boundaries and should therefore be assessed on a wider area basis. Looking at each project or component separately risks underestimating the overall effect on this part of Wiltshire. Melksham Without Parish Council therefore asks that the Applicant and the Examining Authority fully review and update the cumulative effects assessment, taking into account the schemes identified by CAWS and any further relevant schemes known to the Applicant, Wiltshire Council, | |

| ExA | Respondent | Question | Melksham Without Parish Council's Response | Applicant's Response |
|---|---|---|---|---|
| | | | parish councils, town councils, statutory bodies, National Grid, infrastructure providers or other relevant organisations. | |

## 2.13 Grenergy Renewables UK

**Table 2-13 Grenergy Renewables UK**

| ExA | Respondent | Question | Grenergy's Response | Applicant's Response |
|---|---|---|---|---|
| CA1.17 | Any Affected Person<br><br>Interested Parties | **Accuracy of the Book of Reference, Land Plans and Points of Clarification Q 2**<br><br>The Book of Reference (BoR) [REP1-011] identifies on a plot by plot basis, all parties who own or occupy land and/or have an interest in or right over the land affected by the proposal, and/or who may be entitled to | Grenergy notes that the latest version of the Book of Reference fails to account for Grenergy's Category 2 interest in land. The Applicant is aware of the location of Grenergy's interest within the draft Order limits and should update the Book of Reference accordingly.<br><br>Grenergy met the Applicant's team to discuss interactions between respective projects on 14 May 2026. The parties agreed to seek to enter into a cooperation agreement to resolve Grenergy's concerns. A draft agreement is currently awaited from the Applicant's team.<br><br>Should an agreement not be reached with the Applicant | In relation to Grenergy's response regarding Category 2 interest in the Book of Reference, the Applicant has addressed the comments by updating the Book of Reference, evident in plot **15-014** in the **Book of Reference [REP3-009].**<br><br>Drafting of a cooperation agreement is currently being undertaken by the Applicant. |

| ExA | Respondent | Question | Grenergy's Response | Applicant's Response |
|---|---|---|---|---|
| | | make a 'relevant claim', as defined in section 57 of the Planning Act 2008. Are any Affected Persons or Interested Parties aware of any inaccuracies in the BoR, in the SoR [APP-018] or Land Plans [REP1-004]? If so, please set out what these are and provide the correct details. | prior to the close of examination, Grenergy will be seeking protective provisions to safeguard its interests.<br><br>For the avoidance of doubt, Grenergy maintains its objection to the compulsory acquisition of any land in which it has an interest. | |

## 2.14 Roberts Berry Farm

**Table 2-14 Roberts Berry Farm**

| ExA | Respondent | Question | Roberts Berry Farm Response | Applicant's Response |
|---|---|---|---|---|
| CA1.24 | Roberts Berry Farm / Cole Family | **Plan of Agricultural Landholdings/ Agricultural Tenancies Q3**<br>The ExA note y our RRs [RR-2028], [RR-3732] and [RR-4027] whereby you collectively state that the proposed cable route bisects your pasture land causing access and grazing issues, and entailing the destruction of historic pastur | Please see attached map produced by applicant. The proposed cable route is shown running from North to South. It first enters our land coming, we understand, under the Gauze Brook into historic pasture land. Without knowledge of the technical possibilities, we imagine that the tunnelling process will have to be carried out in dry conditions. This pasture land regularly floods in the winter. If this process is carried out in the summer, then this will prevent livestock movement to the linking pasture fields for the duration of the installation process. The proposed cable corridor of 60m will necessitate the | The Applicant acknowledges that the respondent has refused to sign a voluntary Heads of Terms agreement which is referenced in the **Land and Rights Negotiations Tracker [REP3-011].** The Applicant redistributed the voluntary Heads of Terms document on the 21 October 2025 with the specific referenced clause removed. The Applicant then received on the 09 December 2025 that the respondent will not sign the voluntary Heads of Terms agreement. Since the Compulsory Acquisition hearing on the 30th June 2026, the Applicant has invited the respondent via a letter distributed on the 6 July 2026 to a meeting to discuss concerns raised at the hearing. This is referenced in the **Land and Rights Communication Log [REP3-130].** The Applicant would also like to acknowledge a Landowner Questionnaire which was distributed to the respondent on the 13 March 2024 which requested the respondent inform |

| ExA | Respondent | Question | Roberts Berry Farm Response | Applicant's Response |
|---|---|---|---|---|
| | | e<br>land and establi<br>shed biomass<br>crop, and the<br>removal<br>of mature<br>trees. The ExA<br>would find it<br>helpful if you<br>could submit a<br>plan showing<br>your agricultural<br>landholdings/<br>tenancies in the<br>context of the<br>local Order<br>limits<br>and indicating th<br>e land where<br>the<br>applicant is see<br>king permanent<br>acquisition,<br>permanent right<br>s or TP. Any | destruction of the trees ( some of which are mature) at the pasture boundary. The cable then crosses into grade 3a arable land currently growing winter wheat. This land has been drained but is still wet in the winter months. The cable route runs between mature trees before crossing through a hedge and cutting through an established biomass crop of Miscanthus cane. This is lighter land. Miscanthus takes 3-4 years to establish. In discussions with the applicant, we tried to put forward the case that the cable route really should go through Jonny Walker's land as far as possible, because he is a beneficiary of the project and we are an uninterested party. His land runs parallel to the proposed | the Applicant what crops are currently being grown on the land.<br><br>Working in line with the Compensation Code, should the respondent experience business losses demonstrable from project works, they are eligible to submit a claim for compensation. Any claim should be submitted in writing to the Applicant's land agents with relevant and appropriate evidence showing the actual loss.<br><br>As set out within **Environmental Statement Volume 1, Chapter 4: Alternatives and Design Evolution [APP-056]**, the design evolution of the Cable Route Corridor and the alternatives that have been considered from non-statutory consultation up to DCO Application submission. In summary, four routes were initially considered, as shown on **ES Volume 2, Figure 4-5: Indicative Cable Route Corridors [APP-089]** which were assessed against a range of criteria such as the length of the route, the number of rail and road crossing, number of hedgerows and watercourses. Routing the cable route corridor through Jonny Walkers land would have |

| ExA | Respondent | Question | Roberts Berry Farm Response | Applicant's Response |
|---|---|---|---|---|
| | | other information on how each of the land parcels are used (pastoral, grazing, arable, mixed, agri-environment scheme) and their agricultural land classification, would also be considered a useful submission, along with a summary of negotiations with the applicant to date. | route further to the north west. This was turned down apparently for technical reasons. We did not sign the Heads of Terms primarily because of the gagging clause contained within in it. Whether it is compulsory acquisition or not, it is our opinion that this project is unwise and lacks foresight. As far as the figures are concerned, we are unaware as to how they were arrived at. We were not consulted about the type of crops grown on the route, or any disruptions, inconveniences, costs or long term loses that will inevitably be incurred. This proposed project has already caused disruption to the business, with considerable time being spent on something that we | resulted in a longer cable route overall as it would have entered the Lime Down sites less centrally and required crossing more woodland than proposed route.<br><br>Works to construct the Cable Route Corridor are to be temporary in nature, with the requirement for the land to be restored once construction works are completed secured through the **Outline CEMP [REP3-092]** by Requirement 13 of Schedule 2 to the **Draft DCO [REP3-005]**. As such, the Applicant does not consider that there is likely to be significant effects to this business, nor to the agricultural industry in local communities. The assessment of total agricultural employment and economic losses due to the Scheme are assessed in **ES Volume 1, Chapter 16: Socio-Economics, Tourism and Recreation [APP-068]** finds the economic loss to agriculture arising from the Scheme is approximately £628,000 GVA per annum, representing 20 full-time equivalent jobs. This represents less than 0.3% of the agricultural industry in Wiltshire, and therefore is not considered to be a significant effect. |

| ExA | Respondent | Question | Roberts Berry Farm Response | Applicant's Response |
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| | | | did not ask for or think is a good idea. Should this proposal be approved, the overall distribution to the business and the local community will be significant. We hope this answers the your questions. | |

## 2.15 Stop Lime Down

**Table 2-15 Stop Lime Down**

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| LV1.6 | Wiltshire Council<br><br>Stop Lime Down<br><br>The Applicant | **Landscape Character – Assessment Methodology**<br><br>In the ES [APP-060] the applicant has assessed effects to landscape character relative to each study area (1km, 2km, 5km) as a single receptor rather than each of the separate landscape receptors (LCTs, LCAs) that make up each study area. The ExA | 2.1.2. In SLD's landscape expert's opinion, the Applicant's approach is acceptable for the purposes of this exercise, but it could be improved.<br><br>2.1.3. In fact, in Ms. Tinkler's experience, it is unusual for LVIAs not to assess and report effects on character types / areas, as advised in the Landscape Institute's Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3), and instead assess / report effects on all landscapes within geographical areas with arbitrary distance-related | The applicant considers that the LVIA methodology as set out in **ES Volume 3 Appendix 8-1 Landscape and Visual Impact Assessment Methodology [REP1A-006]** is robust.<br><br>Please refer to the Applicants detailed response to SLD's LVIR and the Study Area approach to the Assessment set out in **Applicant's Response to Stop Lime Down Written Representation Appendix B Landscape and Visual Report [REP2-044]**.<br><br>The landscape Institutes Guidelines for Landscape and Visual Impact Assessment Volume 3 (GLVIA3) does not suggest that an LVIA should consider individual Landscape Character Areas (LCAs) or Landscape Character Types (LCTs) as individual Landscape Receptors, rather that LCAs / LCTs are used to identify the Baseline. GLVIA3 sets out that the 'study area should include the site itself and the extent of the |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | understands that the intention of this approach is to look at the effects of the proposed development on the holistic patchwork of landscape character within each study area. However, it is not clear to the ExA that this approach captures the impacts on the different landscape receptors and the individual characteristics identified in the relevant | boundaries, which is what the Applicant's LVIA has done.<br><br>2.1.4. While this overview of the baseline situation of, and effects upon, the landscapes of the Proposed Development and wider area taken as a whole is useful, it could be helpful if effects on each NCA, LCT, and LCA were also assessed and reported, as this would add another dimension to the assessment of effects which, in the LVIA, lacks granularity– as explained in SLD's LVIR.<br><br>2.1.5. GLVIA3 addresses the approach that should be followed: see, for example §§5.12– 5.18, and §5.50 which explains that "The | wider landscape around it which it is likely that the proposed development may influence.' And that 'This will normally be based on the extent of Landscape Character Areas likely to be significantly affected either directly or indirectly' not that these LCAs should be identified as individual receptors.<br><br>Landscape Character Types and Areas are described in detail in the LVIA set out in **ES Volume 1 Chapter 8 Landscape and Visual [REP03-025]** and the Published Landscape Character Assessments are within **ES Volume 3: Appendix 8.4 Landscape Character Area Descriptions [APP-195]** and can be seen on Figures contained within **ES Volume 2, Figure 8-5-1 to 8-5-3 Landscape Character Areas [APP-094]**.<br><br>The detailed assessment of potential effects to Landscape Character are set out within **6.3 Environmental Statement Volume 3 Appendix 8-3-2-2 Landscape and Visual Assessment Sheets Significant (Rev 2) [REP3-044].** |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | landscape character assessments.<br><br><u>Wiltshire Council and SLD:</u><br><br>Wiltshire Council and SLD are asked if they consider that the applicant's approach is acceptable?<br><br><u>The applicant</u>:<br><br>The applicant is asked to either:<br><br>Provide further justification for its approach including reference to relevant guidance and precedent from | geographical area over which the landscape effects will be felt must also be considered," and "The extent of the effects will vary widely depending on the nature of the proposal." It goes on to list several categories of scale at which LVIAs may be carried out, but emphasises that "there can be no hard and fast rules about what categories to use"– ultimately, therefore, it is a question of professional judgement.<br><br>2.1.6 The scales are as follows (with original emphasis):<br><br>"at the **site** level, within the development site itself;<br><br>at the level of the **immediate setting** of the site; | The applicant welcomes that SLD recognises that that levels of effects would decrease gradually with distance from the development and would vary in distance depending on area-specific factors.<br><br>Following ISH2, the Applicant has committed to providing an assessment of the landscape character effects relative to the separate landscape character areas and types. |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | other Nationally Significant Infrastructure Project (NSIP) scale solar projects; or<br><br>Provide an updated assessment defining the effects relative to the separate landscape receptors rather than to each study area as a whole. | at the scale of the **landscape type or character area** within which the proposal lies;<br><br>on a **larger scale**, influencing several landscape types or character areas."<br><br>2.1.7. In this case, "larger" (the largest) scale is appropriate because the scale of the development is very large–see [REP1-170], §§8.2.10 8.2.17 (if consented, Lime Down would be one of the largest solar NSIPs in the UK). It certainly would influence (and be influenced by) several landscape types or character areas, and the Applicant's LVIA recognises and acknowledges this. | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | | 2.1.8. However, although only in the context of visual assessments, GLVIA3 also advises (see for example §6.21) that assessments should be "reasonable" and "proportional", "in relation to the scale and nature of the development proposal and its likely significant effects" (emphasis added), which in Ms. Tinkler's opinion applies to character assessment as well.<br><br>2.1.9. Here, given the large scale and associated large extent of influence, it may be acceptable for the Applicant to assess effects within geographical areas as opposed to published character areas / types on the landscapes which lie a certain distance from the Scheme (for example | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | | beyond the point where it is agreed that effects would cease to be "significant"), whereas closer to the sites, and on the sites themselves, it is likely that the boundaries between the areas / types, and notable localised variations within them, would be distinct, and effects upon them would be easier to discern.<br><br>2.1.10. As set out in SLD's LVIR, in Ms. Tinkler's opinion, many of the significant adverse indirect effects on landscape character would a) extend further than 1km, which is what the LVIA concludes; and b) last for the duration of the operation, which the LVIA assumes would not be the case. | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | | 2.1.11. The effects assessment should focus on the areas where the highest levels of effects would occur, factoring in that levels of effects tend to decrease gradually with distance from the development. In Ms. Tinkler's opinion, as explained in LVIR§8.5.10, at and just beyond the 1km study area boundary there would be significant indirect adverse effects, up to Major/Moderate Adverse (significant). Beyond, gradually, the levels would decrease with distance to Neutral. At some point between 1km and 5km from the Order Limits, the level would be as predicted in the LVIA, i.e. Moderate/Minor Adverse (not significant). This point would vary in | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | | distance depending on area-specific factors.<br><br>2.1.12. The findings should be cross-referenced with the distance related effects assessments. As advised in GLVIA3, assessors should check that the published assessments are suitable for the purpose, and identify and factor in any notable localised variations identified within the character areas / types (the LVIA does not identify such variations, ascribing the same levels of sensitivity to very large geographical areas).<br><br>2.1.13. Also, the assessment would be carried out with consideration of comments made in SLD's LVIR about the LVIA's approach generally, especially method | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | | / technical matters. It is hoped that the landscape experts will be able to engage as part of the SoCG process in due course.<br><br>2.1.14. In addition, it is important to establish the "significance" threshold that would be used for these and other exercises. As explained in SLD's LVIR at §§3.4.22- 3.4.28, whilst Ms. Tinkler agrees with the LVIA's set threshold of Moderate, with the point scales used in the LVIA, the Moderate level is not in the middle as it should be, so judgements about whether or not an effect is significant are not properly balanced.<br><br>2.1.15. Finally, see the point made in LV1.24 below, about considering the size of the | |

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| | | | area / type and then calculating the proportion / percentage that would be adversely affected, as well as– importantly– to what degree. | |
| LV1.9 | The Applicant<br><br>Wiltshire Council<br><br>Cotswolds National Landscape Board<br><br>Stop Lime Down | **Cotswold National Landscape – Setting**<br><br>The parties are asked to define in spatial terms the extent of the area outside of the boundary of the Cotswolds National Landscape (CNL) that is considered to form the setting of the CNL. | 2.1.16 Ms. Tinkler's opinion is that, from the CNL's eastern boundary, the CNL's setting extends eastwards to a line east of Norton and west of Hullavington, parallel to the Fosse Way, so Lime Down A, B and C lie within the setting.<br><br>2.1.17. On balance, Lime Down D and E are not considered to lie within the CNL's setting.<br><br>2.1.18 Notwithstanding this, it could be argued that the western edges of Lime Down D are also within the setting, as it is the same distance | With reference to the CNL Position Statement – Development in the setting of the Cotswolds AONB the setting of the Cotswolds AONB is considered to be:<br><br>"…*the area within which development and land management proposals, by virtue of their nature, size, scale, siting materials or design can be considered to have an impact, positive or negative, on the landscape, scenic beauty and special qualities of the Cotswolds AONB*".<br><br>Following on site discussions with the CNL the applicant considers that intervisibility is a key factor in determining the extent of the CNL's setting. The CNL position statement notes: "*The surroundings of the Cotswolds AONB are also important to its landscape character and quality. There are views out of the AONB and across back into land within* |

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| | | | from the CNL's western boundary as the eastern parts of Lime Down B and C; however, Lime Down B is also within the setting of the CNL to the north, and relatively close to (c. 250m from) the northern boundary, albeit currently, panels are set back. The boundaries of Lime Down C are broadly c. 2km from the boundary at their furthest points. At its closest point, Lime Down D lies c. 2.5km from the CNL boundary.<br><br>2.1.19. Ms. Tinkler's opinion is mainly due to the fact that the degree of intervisibility between the CNL and the Scheme decreases gradually with distance from west to east. Therefore, levels of adverse effects within the CNL's setting (and thus | *the AONB and views towards or into it from surrounding areas, all of which can be very significant.*<br><br>The Applicant considers the setting of the CNL to extend across parts of Lime Down A, B and C, but not across the entirety of the three sites. The Applicants position is that the setting of the CNL extends as far as to where development or land management proposals, can be considered to have an impact (positive or negative) upon the CNL.<br><br>As there are no direct impacts on the CNL as a result of solar infrastructure, intervisibility is the key factor in determining the CNLs setting and intervisibility (defined as the mutual line of sight between two points) is primarily affected by a number of factors:<br><br>Topography - terrain & elevation: High ground (like ridges, peaks, or convex slopes) blocks visibility, creating "dead ground" where objects fall below the line of sight);<br><br>Physical Obstacles: Vegetation, forests, and man-made structures (buildings, |

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| | | | indirect effects on the CNL itself) would be "significant" adjacent to the CNL's boundary, but are unlikely to be "significant" at distances over c. 3km from it.<br><br>2.1.20. For the purposes of the Applicant's assessments, the extent of the CNL's setting was agreed with the CNLB–or at least, that Sites Lime Down A, B, and C (or parts of them–see below) lie within the CNL's setting.<br><br>2.1.21. It is not clear what criteria the Applicant applied in determining the extent of the setting, and clarification of this would also be helpful. It may be as confirmed in [APP-197] that the CNLB defines the CNL's setting as "the area within which development and land | communication towers) obstruct direct sightlines;<br><br>the Earth's curvature: Over long distances (typically beyond 5 km on flat terrain), the curvature of the Earth causes the surface to drop out of the line of sight; and<br><br>Distance: Even without obstructions, distance degrades object recognition and resolution for the human eye.<br><br>The above factors were used to determine where avoidance measures were required to reduce Significant effects on the CNL. These are as shown on Annex E LV1.9 – Spatial Extent of the Setting of the Cotswold National Landscape in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. This Annex clearly illustrates the areas of Lime Down A, B and C are considered to be within the CNL. |

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| | | | management proposals, by virtue of their nature, size, scale, siting materials or design can be considered to have an impact, positive or negative, on the landscape, scenic beauty and special qualities of the Cotswolds AONB."<br><br>2.1.22. Also, para. 1.7.7 of [APP-197] explains, "It is agreed with the Cotswolds National Landscape Board that parts of Sites A, B, and C are within the setting of the CNL"(emphasis added).SLD have not been able to ascertain which parts of Sites A, B, and C are considered to be within the CNL's setting. Clarity is also sought on this point. SLD are of the view that all parts lie within the setting. | |

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| | | | 2.1.23. While Lime Down D and E are not considered to lie within the CNL's setting because of lack of intervisibility, it must be borne in mind that Lime Down D and E are physically linked to the rest of the Scheme which lies to the west (Lime Down A, B and C), which runs to the CNL boundary. Therefore, as people travel through / in proximity to the Scheme on their way to / from the CNL, the whole Proposed Development could be experienced over a distance of several kilometres. From the Scheme's eastern boundary, the effects would start a long distance from the CNL. | |

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| LV1.19 | Wiltshire Council<br><br>Stop Lime Down | **Visual Impact - Residential Visual Amenity Assessment**<br><br>SLD explains in its Landscape and Visual Impact Report [REP1-170] that it disagrees with the applicant's approach that a residential visual amenity assessment (RVAA) is not required and states that the level of effect that would be experienced by receptors at Grain Store | 2.1.24. In Ms. Tinkler's opinion, as a minimum, the residential properties which should be subject to a "full" RVAA are those listed in[APP-191] Appendix 8-3-2-2-2: Visual Assessment Sheets of Private Receptors (Significant), Table 5.2 Private Receptor–Individual. Or, at least, those properties at which the LVIA categorises receptor value as Lowin that Table. (Note Table 5.1 Private Receptor–Group should also be included but this is already identified in the ExA's question).<br><br>2.1.25. Ms. Tinkler disagrees with the Applicant's RVAA's conclusion that none of the receptors identified required | Within LVIA, consideration of visual impacts of a proposed development is usually restricted to potential impacts on public visual amenity i.e. publicly accessible locations.<br><br>However, it is not uncommon for significant adverse effects on views and visual amenity to be experienced by people at their place of residence as a result of introducing a new development into the landscape. It is a commonly understood position that private individuals do not have an automatic right to a view (as established in 1610 by Aldred's Case [1558–1774]) and where a new development significantly changes a view from a private property, this is not normally grounds for a refusal of planning permission, even in the case of significant impacts to residents' outlook.<br><br>The exception to this approach is when a visual impact on a private property is so severe that it may affect the residential amenity of a dwelling. |

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| | | Barn does cross the threshold for 'full' RVAA. SLD also states that may also be the case for other residential receptors.<br><br>Wiltshire Council:<br><br>Do Wiltshire Council agree with the applicant's approach that a RVAA is not required? If it does not, provide reasoning and identify the residential receptors that you consider | a 'full' RVAA, as explained in SLD's LVIR at §§10.4.14–10.4.31.<br><br>2.1.26. Ms. Tinkler considers that the level of effect that would be experienced by receptors at Grain Store Barn does cross the threshold for "full" RVAA, and that that is likely also be the case for other residential receptors, especially where arrays would wrap around property boundaries, resulting in a high degree of horizontal visual encapsulation.<br><br>2.1.27. The main reason for the difference of opinion, as explained (and queried) in the LVIR, is that the LVIA judges the level of the residential receptor's visual value to be Low, despite | Residential Visual Amenity Assessment (RVAA) is the process by which the potential visual impact of a development on the residential amenity of a private property can be objectively assessed.<br><br>The Landscape Institute TGN 02/2019 Residential Visual Amenity Assessment sets out the approach to assessing the potential impact of a development upon Residential Visual Amenity and is based on the principles and process established in GLVIA3 and draws on principles established in Planning Appeals by planning inspectors. Factors that contribute to this judgement include whether a development is: Overwhelming in views in all directions. Inescapably dominant. Unpleasantly encroaching.<br><br>A key consideration was the Burnthouse Farm windfarm inquiry (Burnthouse Farm Windfarm, SoS Decision (APP/D0515/A/10/2123739) 6th July 2011) (which forms a key consideration within the Landscape Institutes TGN 02/2019 on Residential Visual Amenity Assessment (RVAA)) in which the Inspector stated: |

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| | | should be scoped into a RVAA and why?<br><br><u>Stop Lime Down:</u><br><br>SLD are asked to identify any other receptors they consider should be subject to a full RVAA. | having concluded that the landscapes which are viewed by residents are of High value. This has led to levels of adverse visual effects having been underestimated, and therefore, effects at some properties should, properly assessed, would be above the "full" RVAA threshold.<br><br>2.1.28. There are other residential receptors in proximity to those on the above list and elsewhere, mostly in / around Norton, and in the area between Lime Down A and the Fosse Way, but Ms. Tinkler has not visited the properties.<br><br>2.1.29. This exercise could be undertaken if required. However, as explained in Section 10.4 of the LVIR, | "*No individual has the right to a particular view but there comes a point when, by virtue of the proximity, size and scale of a given development, a residential property would be rendered so unattractive a place to live that planning permission should be refused. The test of what would be unacceptably unattractive should be an objective test.*"<br><br>At paragraph 120 of the Burnthouse Farm report the Inspector comments further on the threshold for determining unacceptable effects on visual amenity: "*There needs to be a degree of harm over and above an identified substantial adverse effect to take a case into the category of refusal in the public interest. Changing the outlook from a property is not sufficient.*"<br><br>The LVIA set out in **ES Volume 1 Chapter 8 Landscape and Visual [REP3-025]** has considered the Visual Amenity of nearby residential properties. This being the overall quality, experience and nature of views and outlook available to occupants of residential |

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| | | | Ms. Tinkler has concerns about the RVAA method / its interpretation which, in her opinion, need to be addressed prior to further evaluation.<br><br>2.1.30. In Ms. Tinkler's opinion, the published RVAA guidance is not clear about certain matters which affect judgements about whether a "full" RVAA is required. For example, the guidance does not explain (nor does the Applicant's LVIA) how to establish the criteria for judgements about what constitutes the "largest" or "greatest" magnitude of effect.<br><br>2.1.31. Also, the guidance does not state that the RVAA threshold only applies to residual effects, i.e. once | dwellings, including views from gardens and domestic curtilage.<br><br>The findings of the LVIA are considered robust and as such, whilst views of the array are acknowledged, these would not trigger the requirement for a RVAA. |

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| | | | proposed screening measures are assumed to have become effective (in this case, Year 15): the Applicant's RVAA has adopted this approach. However, in Ms. Tinkler's opinion, the threshold can be met between Year 1 and Year 15, because until mitigation in the form of screen planting became fully effective (assuming it did– see below), certain residential receptors would experience levels of adverse effects high enough to breach the RVAA threshold.<br><br>2.1.32. Regarding mitigation proposed to lower levels of adverse residual visual effects, as explained in Section 7.5 of SLD's LVIR, the Applicant's LVIA relies heavily on existing and | |

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| | | | proposed vegetation to reduce high levels of adverse effects by screening / filtering views of the Scheme (as does the glint and glare study). However, it is unlikely that all existing / proposed screening vegetation would remain in place for the lifetime of a development, as the LVIA assumes.<br><br>2.1.33. Furthermore, and importantly, the Applicant's RVAA does not factor in that whilst the proposed planting may screen views of the Scheme, it would also result in the total loss of view, resulting in high levels of adverse visual effect, as noted in SLD's LVIR. | |
| LV1.23 | The Applicant | **Cumulative and Combined** | 2.1.34. In response to Wiltshire Council's RR[RR- | **ES Volume 1 Chapter 8 Landscape and Visual [REP3-025]** includes a Cumulative |

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| | Wiltshire Council<br><br>Stop Lime Down | **Effects - Cumulative Sequential Visual Effects**<br><br>Both Wiltshire Council [REP1-137] and SLD [REP1-170] raise concern that the applicant's assessment of cumulative landscape and visual effects does not consider sequential visual effects. Wiltshire Council identified [REP1-137] routes that the sequential assessment | 4934], the Applicant had agreed to assess the cumulative sequential visual effects along the Fosse Way, the A429, and A350 routes, and at Deadline 1, submitted a Technical Note on Cumulative Sequential Visual Effects[REP1-123].<br><br>2.1.35. In this question, SLD is asked by the ExA "to identify any other routes that it considers should be included in an assessment of [cumulative] sequential visual effects".<br><br>2.1.36. Please note that here, Ms. Tinkler is only considering inter project cumulative effects, not intra-project, the latter occurring sequentially whilst travelling through / around the | Assessment, which at the request of Wiltshire Council was extended to 10km. However, the LVIA uses a 2km Study Area to assess visual effects, and so the 10km Cumulative Study Area was restricted to record Cumulative Landscape Effects only.<br><br>As set out in the **ES Volume 3 Appendix 8-1 Landscape and Visual Impact Assessment Methodology [REP1A-007]**, the Cumulative Site landscape and visual effects relating to the Cumulative Sites (the individual Lime Down A – E sites) effects have been considered as part of the LVIA.<br><br>Cumulative Site effects relating to the Scheme are considered within the Cumulative Site Assessments for both Landscape and Visual receptors.<br><br>On Cumulative Site Effects the Methodology in section 8.7 of the LVIA [APP-060] states: *"Due to the dispersed nature of the Solar PV Sites within the Scheme, an assessment of the landscape and visual effects of Lime Down A - E, taken together, has been undertaken to determine the effects of the* |

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| | | should include and the applicant provided a Technical Note on Cumulative Sequential Visual Effects [REP1-123].<br><br><u>The Applicant:</u><br><br>The applicant is asked to provide an assessment of the sequential visual effects from cumulative developments on users of the Wiltshire Cycleway within the 10km study area. | perimeter of the Proposed Development.<br><br>2.1.37. SLD suggests two long-distance routes. The first is a main road used mainly by people in cars / on bicycles; the second follows PRoWs and minor roads / lanes, used by people walking / cycling / on horseback. Both routes appear to be well-used by people visiting the region, since they run between strategic touristic locations such as the CNL and larger towns.<br><br>2.1.38. Route 1 runs along the A429 between Chippenham (south) to Crudwell (north) (from Crudwell, the A429 continues north / north east to Cirencester). The A429 | *Solar PV Sites as a whole. The cumulative effects of each of the Solar PV Sites are assessed and the combined set of effects of the Scheme to reach an overall conclusion on where likely significant effects might occur as a result of the Scheme."*<br><br>For each visual receptor assessed, the visibility of the Scheme was identified firstly to the Lime Down Site in closest proximity (Primary Site/); secondly to the visibility of any other site (Secondary Site(s)) and thirdly to the Included Cumulative Development Sites.<br><br>There are therefore three assessments for each identified Visual Receptor which are set out in:<br><br>• **ES Volume 3 Appendix 8-3-2-1 Visual Assessment Sheets (NonSignificant) [APP-190]**; and<br><br>• **ES Volume 3, Appendix 8-3-2-2 Landscape and Visual Assessment Sheets (Significant) [APP-191]**.<br><br>The Cumulative Landscape Assessment of the Scheme (which includes the Cable Route |

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| | | Wiltshire Council:<br><br>Wiltshire Council is asked to confirm if it agrees with the applicant's methodology and conclusions in its Technical Note on Cumulative Sequential Visual Effects [REP1-123] that there would not be any additional significant adverse sequential visual effects on users of the Fosse | bisects Lime Down D and E. As well as Lime Down, receptors could potentially experience five other solar developments.<br><br>2.1.39. Route 2 runs south-east– north-west between Chippenham and the CNL at Sherston (the latter being a village with good facilities including accommodation for visitors, especially walkers, so a popular destination).<br><br>2.1.40. It must be noted that there are numerous alternative routes between Chippenham and the CNL at Sherston, so travellers may not necessarily experience solar developments at multiple locations; however, during site surveys Ms. Tinkler met walkers and cyclists using this particular | Corridor (CRC)) as set out in Section 4 of **ES Volume 3 Appendix 8-3-2-2 Landscape and Visual Assessment Sheets Significant [REP3-044]** undertakes an assessment of the Scheme (assessed against the existing baseline) against a future baseline position containing the included 14 CD sites within the 10km Study Area.<br><br>Within the LVIA, the cumulative visual effects have been assessed within the 2km Study Area. However, no cumulative visual effects were recorded as there are no CD Sites within the 2km Study Area.<br><br>The Applicant has prepared a **Technical Note on Sequential Visual Effects [REP1-123]** in which at the request of WC, the Applicant has provided an assessment of the sequential visual effects on the Fosse Way, the A429 and the A350 routes. Sequential Effects relate to the visual experience of recognised routes and occur when the observer has to move to another location to see different developments. |

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| | | Way or A429/A350.<br><br><u>Stop Lime Down:</u><br><br>SLD is asked to identify any other routes that it considers should be included in an assessment of sequential visual effects. | route who said they were travelling from Sherston to Chippenham, and knew of others who used it.<br><br>2.1.41. Also, as explained at LVIR §8.6.47, research suggests that some or all of this route is of historic interest.<br><br>2.1.42. From Chippenham, the route runs through Kington St. Michael, passing two identified cumulative development sites along the way. There is a c. 3km gap between these sites and the southern boundary of Lime Down, where the route runs along Pig Lane, through Lime Down C. It continues north-eastwards, crossing the proposed cable corridor and the Fosse Way, running through Lime Down A for a | This Technical Note confirms that no additional Significant Adverse Sequential Effects (above those identified within **ES Volume 1 Chapter 8 Landscape and Visual [REP3-025]**) on the amenity of users of the Fosse Way have been identified, and that whilst the individual Cumulative Development Sites (CD Sites) could result in adverse effects in localised views from the A429 / A350 that given the limited visibility of the Lime Down Scheme in views from the A429 combined with its separation to the A350 by the M4 motorway and the distances between the CD sites and Lime Down, the sequential visual effects associated with the Scheme on the users of the A429 / A350 (Receptor TR004-TR007) would be no greater than those identified in the LVIA.<br><br>The Applicant is undertaking an assessment of Sequential Visual Effects on the Wiltshire Cycleway within the 10km Study Area for Deadline 4. The applicant wishes to express that having undertaken an assessment of sequential effects on the Fosse Way and the A429 and the A350 routes as requested by |

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| | | | distance of c. 2km, and crossing Foxley Lane just south of Sherston. | Wiltshire Council and provided at Deadline 1 as **Technical Note on Cumulative Sequential Visual Effects [REP1-123]**, it is their professional opinion that an assessment on the Wiltshire Cycleway is likely to conclude similar effects. |
| LV1.24 | The Applicant<br>Wiltshire Council<br>Stop Lime Down | **Cumulative and Combined Effects – Cumulative Effects on Landscape Character**<br>The ES [APP-060] assesses cumulative effects to landscape character relative to study area distances offset from the boundary of Lime Down sites A to E. The ExA note from Figure | 2.1.43. Ms. Tinkler's position on the correct scale of area to assess the cumulative effects to landscape character is that it should follow the approach set out in GLVIA3, which is considered to be the most appropriate starting point for this exercise. Ms. Tinker accepts that percentage cumulative land use change can be relevant here, as is explored below.<br>2.1.44. In summary, the guidance explains that the scale of the area should be commensurate with the scale and geographical extent of the project, which, | The Applicant considers that the scale at which cumulative landscape character effects should be assessed depends on a number of factors which are specific to a particular project and location. Fundamentally it relates to the scale of the project and the nature of the receiving landscape and its capacity to accommodate change which relates to its aesthetic and perceptual qualities.<br>The LVIA Cumulative Assessment set out in **ES Volume 1 Chapter 8 Landscape and Visual [REP3-025]** has been undertaken with consideration of the appropriate and relevant guidance and robustly assesses both the Cumulative landscape and visual effects of the Scheme. |

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| | | 8-15-7 of the ES [APP-106] that the percentage of the area of LCA8 (Hullavington Rolling Lowlands) that is currently taken up with solar development is 0.57%. The proposed development and other solar applications would increase that to 5.15% with the proposed development forming the largest share at 3.41%. The ExA seek to understand the | in the case of Lime Down, the guidance would categorise as "larger" (i.e. the largest) scale, because it would cover and influence "several landscape types or character areas".<br>2.1.45. Firstly, GLVIA3§7.27 explains that "The approach to assessing the significance of cumulative landscape effects should be guided by the same principles as the approach to the initial project assessment". At §7.25, GLVIA3 explains that cumulative landscape and visual effects assessments should consider effects on the same / similar receptors to those identified in the effects assessments carried out for the stand-alone scheme, i.e. i) landscape "fabric", ii) aesthetic / perceptual / experiential landscape aspects; and iii) | The LVIA Cumulative Assessment follows the principles of the Landscape Institute's Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3). The assessment of cumulative effects is required both by the EIA and the Strategic Environmental Assessment (SEA) Directives and by the associated Regulations.<br><br>**ES Volume 3 Appendix 8-1 Landscape and Visual Impact Assessment Methodology [REP1A-007]**, was included within the initial Scoping Application and through consultation with Officers has been updated with feedback from Wiltshire Council (WC) prior to the DCO Application.<br><br>The LVIA Methodology (which includes the Cumulative Assessment) has been agreed with both WC and the CNLB as set out within their corresponding Statements of Common Ground: **Statement of Common Ground with Wiltshire Council [REP2-025]** and **Statement of Common Ground with** |

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| | | different parties views on the scale at which cumulative landscape character effects should be assessed and have the following questions:<br><u>The Applicant:</u><br>1) Can the applicant explain why cumulative effects to landscape character were not defined in relation to the scoped in | overall character / key characteristics.<br>2.1.46. Secondly, at §7.28, GLVIA3 states that "The most significant cumulative landscape effects are likely to be those that would give rise to changes in the landscape character of the study area of such an extent as to have major effects on its key characteristics and even, in some cases, to transform it into a different landscape type".<br>2.1.47. The Summary advice on good practice at the end of Cumulative Landscape Effects Chapter 7 is that "Cumulative landscape effects must be considered particularly in terms of consequences for the key characteristics of the landscape in question".<br>2.1.48. In summary, Ms. Tinkler's opinion reflects her | **Cotswolds National Landscape Board [REP2-029]**.<br><br>Through consultation with Wiltshire Council, the Study Area for the assessment of Cumulative Effects was extended to 10km. This is defined as the Cumulative Study Area and focuses on cumulative development sites within a 10km radius of the solar PV sites.<br><br>The LVIA Cumulative Assessment is an additional stage beyond LVIA. It takes the findings of the LVIA and then tests these against the Cumulative Baseline to give an understanding of the likely significant effects of all the developments when taken together.<br><br>Cumulative effects are defined in a broad generic sense as *'impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project'* (GLIVIA3 paragraph 7.1).<br><br>GLVIA3 (Para 7.5) states that the key for all cumulative impact assessments is to focus on |

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| | | landscape receptors e.g. LCAs/ LCTs?<br><u>Wiltshire Council:</u><br>2) Can Wiltshire Council and SLD provide their position on the correct scale of area to assess the cumulative effects to landscape | response to LV1.6 above, i.e. it would be helpful if the LVIA assessed and reported cumulative effects on each NCA, LCT, and LCA, as this would add another dimension to the more in-depth analysis of landscape effects that may be necessary, but that it should factor in comments relating to method and scope.<br>2.1.49. Regarding Point 3), in Ms. Tinkler's opinion, the percentage cumulative land-use change within LCA8 should be used as an indicator of the significance of cumulative adverse effect to the landscape character of the receptor. The extent of this as an indicator is moderate, because other factors apply.<br>2.1.50. The relevant factors are set out in GLVIA3 paras. 5.49– 5.50, and are 'distinct' | the likely significant effects and in particular those likely to influence decision making:<br><br>*"It is always important to remember that the emphasis in EIA is on **likely significant effects** rather than on comprehensive cataloguing of every conceivable effect that might occur"* [Author's emphasis].<br><br>And that:<br><br>*"The emphasis must always be on the main project being assessed and how or whether it adds to or combines with the others being considered to create a **significant cumulative effect**"* [Author's emphasis].<br><br>GLVIA3 Para 7.13 sets out that the Baseline for the Cumulative Assessment (Cumulative Baseline) should include:<br><br>*"The baseline for assessing cumulative landscape and visual effects should then include those schemes considered in the LVIA and in addition potential schemes that are not yet present in the landscape but are at* |

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| | | character ?<br><br><u>All Parties:</u><br>The applicant, Wiltshire Council and SLD are asked whether, and to what extent, they consider that the percentage cumulative land-use change within LCA8 should be used as an indicator of the significance of cumulative adverse effect to the landscape character of the receptor? | from one another. They comprise 1) Size or scale, and 2) Geographical extent.<br>2.1.51. Size and scale are relevant here, as in most cumulative effects assessments, because whilst effects on landscapes / elements may not occur over a large geographical area, they may nonetheless be 'significant', for example if the landscapes / elements are of high value / sensitivity, and the adverse effects accrue.<br>2.1.52. Geographical extent is also relevant here, as in most cumulative effects assessments, because, as GLVIA3 para. 3.50 explains, the area within which effects occur may be small or large. Theoretically, and subject to levels of sensitivity and the size and scale of effects, the larger the area affected, the | *various stages in the development and consenting process:*<br><br>• *Schemes with planning consent;*<br><br>• *Schemes that are the subject of a valid planning application that has not yet been determined."*<br><br>GLVIA3 states at Para 7.14 that:<br><br>*"Schemes that are at the pre-planning or scoping stage are not generally considered in the assessment of cumulative effects because firm information on which to base the assessment is not available and because of uncertainty about what will actually occur, that is, it is not 'reasonably foreseeable'."*<br><br>However, GLVIA3 goes onto state that:<br><br>*"But there may be occasions where such schemes may be included in the assessment if the competent authority or consultation bodies consider this to be necessary. Such a request should only be made if absolutely* |

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| | | | higher would be the level of effect on the area overall. | *necessary to make a realistic assessment of potential cumulative effects. It should be noted that in England and Wales guidance from the Planning Inspectorate explicitly indicates that nationally significant infrastructure applications should consider this aspect in scoping their cumulative effects (Planning Inspectorate, 2012)."*<br><br>This approach was requested by WCC and there are 7 schemes that were included upon the 'Short List' that are at the Scoping or Screening Stage.<br><br>The focus of the LVIA Cumulative Assessment is on the combined effect of the Lime Down Scheme in conjunction with those other identified developments which have yet to receive planning approval and are still within the planning process – this being those schemes included on 'The Short List'.<br><br>GLVIA3 Para 7.10 states that:<br><br>*"…the focus of the cumulative assessment will be on the additional effect of the project in* |

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| | | | | *conjunction with other developments of the* ***same type*** *(as, for example, in the case of wind farms; see SNH, 2012)"* [Author's emphasis].<br><br>Given GLVIA3 Para 7.10 the Short List is then further refined to identify those proposed developments which are of a similar nature, eg Renewable Infrastructure. It is then these developments which are carried forward into the LVIA Cumulative Assessment.<br><br>Other developments on the Short List that do not fall into the category of Renewable Infrastructure are considered for their potential inclusion as additional visual receptors. For example, a large scale urban extension, where future residents may have views of the Development, and as such are included within the Visual Assessment component of the LVIA Cumulative Assessment.<br><br>Of the schemes from the 'Short List' a total of 14 schemes have been identified as being of the same type of infrastructure as The Lime |

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| | | | | Down Solar Project and have been included within the LVIA Cumulative Assessment. The following schemes are also set out in **ES Volume 2, Figure 8-15-1 to 8-15-7 Cumulative Sites [APP-106].**<br><br>The applicant considers that the percentage cumulative land-use change within LCA8 should not be considered a finite indicator of the significance of cumulative adverse effects to the landscape character of the receptor. |
| LV1.28 | The Applicant<br><br>Stop Lime Down | **Glint and Glare – Stop Lime Down Assessment**<br><br>SLD provided a Glint and Glare Assessment at D1 [REP1-178]. The applicant is asked to consider the conclusions and recommendations set out in | 2.1.53. As part of the ongoing SoCG process the Applicant and SLD have been in contact regarding a meeting between experts, including the Glint and Glare experts. SLD and the Applicant will explore the items identified, and anything else thought relevant to Glint and Glare, as part of that process. It is hoped that SLD and the Applicant will be able to | The Applicant welcomes further engagement with SLD, including a planned meeting between the Glint and Glare experts.<br><br>The Applicant maintains that the **ES Volume 3, Appendix 20-4 Solar Photovoltaic Glint and Glare Assessment [APP-261]** is robust and assesses glint and glare impacts in line with Pager Power's accepted and widely used methodology.<br><br>The Applicant has submitted **Glint and Glare Modelling Outputs [REP3-137 and REP3-138]** in response to a request from SLD. |

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| | | SLD's assessment, and in the forthcoming SoCG between the parties, the applicant and SLD are asked to set out where agreement can be found in relation to the assessment methodology, including but not necessarily limited to:<br>The model output data.<br>The assessment of impact on local roads. | provide a further update on this issue at the next Deadline. At this point, SLD fully maintains the position of its expert set out in Appendix G to its Written Representation [REP1-178].SLD also note the comments in the Applicant's Response to Written Representations [REP2-039]at §SLD 120 and from §SLD-196. SLD's Appendix G already identifies the flaws in and absence of information provided by the Applicant. Following a meeting as requested by the ExA SLD will comment further, but notes the absence of concrete information on methodology and outputs. | |

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| | | Impact significance definition.<br><br>How the cumulative footprint of the proposed development is assessed, including in relation to Badminton and Bowldown Farm Airfields.<br><br>The assessment of train driver safety. | | |
| LV1.1 | The Applicant | **Landscape Fabric – Quantifying Loss and Provision** | 3.1.1. In relation to quantifying losses / gains / extent of planting, and explaining which measures are mitigation / enhancement, it would be helpful if the Applicant | In response to the Examiner's Questions the Applicant has defined and quantified the loss and provision to Landscape Fabric in Annex C LV1.1 – Landscape Fabric –Loss and Provision in the **Applicant's Response to** |

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| | | Wiltshire Council raises concern in its LIR [REP1-137] that effects to landscape fabric are under-assessed. SLD also raises concern in its D1 submission [REP1-170] that mitigation measures have been double counted as enhancement. Table 8-15 and 8-16 in the ES [APP-060] present the proposed planting as landscape enhancements but the same | marked the information on a plan (for example [APP-084] Landscape and Ecology Mitigation Plan), perhaps using different colours for each.<br><br>3.1.2. It would also be helpful if the Applicant could clarify the extent of what the LVIA calls "legacy" i.e. post-decommissioning landscape benefits. SLD's landscape expert agrees that there could be a slight positive impact for some landscape "fabric" components.<br><br>3.1.3. Note that post-decommissioning impacts are subject to factors such whether operational mitigation and enhancement "fabric" planting measures are retained / can be secured, and if retained, | **the Examining Authority's First Written Questions [REP3-128]**.<br><br>Hedgerow management post decommissioning will be secured within the **Outline Decommissioning Strategy [REP3-096]** as detailed in the **Outline LEMP [REP3-100]**. Following successful removal of panels and associated infrastructure, all hedgerows within the Order Limits will be assessed to consider best ecological and land management practices applicable at the time of decommissioning.<br><br>Consideration should be given to hedgerow heights, widths, overall plant health, species diversity, landscape character, visual amenity, as well as use by protected or notable wildlife species etc. If appropriate at the time, measures to reduce the height of hedgerows to their current would take place during the two-year decommissioning phase and would be programmed to follow the removal of infrastructure to ensure that landscape and visual effects are as assessed in the LVIA. Any cutting to reduce heights of hedgerows |

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| | | overall figures for each planting typology in Table 8-16 are identified as mitigation measures in Table 8-18.<br><br>To provide clarity surrounding the effects to landscape fabric and the extent to which proposed planting is for the purposes of mitigation or enhancement, the applicant is asked to quantify the following by | whether the operational hedge heights would be reduced (to avoid the continuation of negative operational landscape / visual impacts from the blocking of views). | would take place outside of the key nesting bird season in line with best practice. |

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| | | planting typology:<br><br>Loss of landscape fabric components.<br><br>Additional landscape fabric components, including both mitigation and enhancement measures.<br><br>Extent of proposed planting under point 2) above that would be required for the purpose of mitigating adverse landscape or visual effects. | | |

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| | | Extent of proposed planting under point 2) above that would be for enhancement only. | | |
| LV1.17 | The Applicant | **Visual Impact – Security Measures**<br><br>Work No. 6(b) in the dDCO [REP1-007] includes *'works for the provision of security and monitoring measures including CCTV columns, lighting columns and lighting, cameras, weather* | 3.1.4. It would also be helpful to understand how the Applicant intends to ensure that security measures such as CCTV cameras/ motion sensors / infra-red beams would operate effectively without visual obstruction from existing / proposed hedges and trees along / in proximity to the security fences along which much of the surveillance equipment that would be installed.<br><br>3.1.5. Also, due to the risk of solar crime, in responses to | The CCTV and lighting posts are usually placed at main access locations into the Solar PV Sites. The exact locations will all be determined at the detailed design stage along with the weather station/SCADA locations. In terms of visual impact, these elements of the Scheme are lower than the 4.5m Solar infrastructure and there will be no greater impact than that identified for the solar infrastructure itself. Permanent lighting is not required within the Solar Arrays for the operational phase but is expected to be needed for some maintenance activities as set out within the **Outline OEMP [REP3-094]**. Motion sensing security lighting will be provided within substations and within the |

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| | | *stations, communication infrastructure, and perimeter fencing'*. Work No. 6 appears on the Works Plans [REP1-005] to cover all the solar PV, BESS and substation areas. The applicant is asked to provide details of where CCTV columns, lighting columns and lighting, cameras, weather stations and communication infrastructure would be | applications for solar developments, some Police Designing Out Crime Officers (DOCOs) recommend that in order to maintain visual transparency, where potentially accessible to thieves / vandals, security fences should not be lined with hedges / trees. However, this may conflict with the need to screen views. The indicative plans for Lime Down suggest that on the whole, security fences would be separated from hedges / trees by an open buffer, but there are instances where hedges are proposed along the fencelines. | BESS to be used only for maintenance and security purposes.<br><br>All regulatory requirements relating to security measures proposed within the Scheme , including the use, positioning and operation of CCTV, would be considered at the detailed design stage. These measures would be implemented with due regard to maintaining effective surveillance, avoiding unnecessary visual effects.<br><br>Temporary site lighting during construction will be required to enable safe working during construction and decommissioning during hours of darkness and will be designed as far as reasonably practicable to minimise potential for light spillage outside the Scheme and Cable Corridor, particularly towards houses, traffic and ecological habitats. Standard good practice measures would be employed to minimise light spill, including glare during construction, operation and decommissioning. The only part of the Scheme within the CNL relates to temporary construction routes which would not require |

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| | | located and to explain how the visual impact of these components has been taken into account? | | lighting. However, it can be confirmed that any lighting within the setting of the CNL would be compliant with the requirements within Guidance Note 01/21 on 'The Reduction of Obtrusive Light', published by the Institution of Lighting Professionals (ILP) (which forms Appendix 2 of the CML Board's Position Statement on Dark Skies and Artificial Light, Ref 37). |
| LV1.27 | The Applicant | **Design – Energy Storage Facility and Substations**<br><br>The applicant is asked to provide further explanation of how the energy storage facility (Work No. 2) and the onsite substations (Work No. 3) would be | 3.1.6.Ms. Tinkler notes that usually there is little potential for design flexibility for substations and associated infrastructure / elements.<br><br>3.1.7. Substations are utilitarian industrial structures designed to perform specific functions within tightly-defined parameters, so unless enclosed / covered in some way, there is little scope for mitigation. However, it is noted that the usual | As set out in **Design Principles and Parameters [REP3-083]** Work No.2(b) BESS Container Commitment states that they will be externally finished to be in keeping with the prevailing surrounding environment with the exact colour subject to manufacturer specifications and agreed with the relevant planning authority prior to construction. It will be carefully selected in subdued, non-reflective tones to sit as discreetly as possible within the landscape. Work No. 3 commits that the control buildings will be finished in neutral colours in keeping with the prevailing surrounding environment. |

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| | | capable of being laid out and designed (including through use of colour and materials) in order to promote the best possible aesthetic and visual appearance and to minimise landscape and visual effects? | substation colour palette is relatively "neutral", comprising metallic frameworks, galvanized steel security fencing / support structures, and battleship grey transformers / circuit breakers. These colours tend to not result in high levels of contrast when seen against many landscape backdrops, but silhouetting occurs against sky.<br><br>3.1.8. Regarding other elements, the choice of colour and materials is always important, especially for Lime Down: given the large size and scale of the Proposed Development, and its high degree of visibility, the adverse effects resulting from inappropriate, industrialising forms, colours and materials within this | Onsite substations will also be screened in accordance with the **Outline LEMP (Section 1.3) [REP3-100]** and secured by the **Draft DCO [REP3-005]**. A 2m high and 3m wide bund is proposed surrounding the eastern and southern sides of the BESS.<br><br>Along with a 2m high fence, tree and scrub planting on the bund is proposed to screen the BESS. In addition to this a native woodland block is proposed along the railway line.<br><br>To further minimise landscape and visual effects, matte, non-reflective RAL colours (typically below a 30% gloss level) would be proposed which would match the specific seasonal and tonal properties of the local environment. These colours would assimilate with the local dominant tones to promote the best possible aesthetic and visual appearance of the infrastructure. |

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| | | | rural landscape would extend very widely. Combined with other design measures, the careful use of colour / materials can not only help to camouflage / visually integrate built form into the receiving context's palette, but also to reduce the perception of scale and mass.<br><br>3.1.9. Colour contrast is an important consideration: for example, white against a dark background can result in far higher levels of adverse visual effects than when colour and tone are integrated into the backdrop. Note that under certain light conditions, solar panels may appear black, which can usually assimilate quite well into most contexts. However, the panels' mountings are | In response to 3.1.11, please refer to the Applicant's response to Action Point 22 in Section 2 of the **Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 2 and Responses to Action Points [REF]**, pages 62–63. |

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| | | | usually metal, so the eye is drawn to the geometric shapes and patterns created by the contrast in tone.<br><br>3.1.10. For solar and BESS structures / units, usually a choice of white, grey, or green is proposed, to suit the contextual backdrop colour. However, the following should be borne in mind:<br><br>· From different locations, the same built form / structures may be seen variously against woodland, grass, crops, soil, solar panels, other built form / structures, water, sky, and so on, with resulting contrast and / or silhouetting.<br><br>· The majority of solar and BESS structures / units are delivered as industry standard, and are usually | |

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| | | | either white, or the manufacturer's interpretation of green (which can be difficult to integrate successfully into a visually diverse landscape backdrop).<br><br>· Tonality is just as important as hue: for example, tones of "grey" vary from almost black to almost white.<br><br>3.1.11. In Ms. Tinkler's opinion, it would be helpful if the Applicant demonstrated more precisely how the adverse landscape and visual effects of colour, material, and scale would be mitigated. An Environmental Colour Assessment (ECA) would be the most appropriate form of assessment to ensure the most appropriate choices of | |

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| | | | colours and materials: this should be considered in this case. 3.1.12. See, for example, the Landscape Institute's Technical Information Note (TIN) 04/2018 https://www.landscapeinstitute.org/technical-resource/environmental colour-assessment/. Provision for this should be made in the draft DCO or in the relevant Outline Plan. | |
| TT1.7 | The Applicant<br>The Local Highway Authority | **Construction Worker Numbers**<br><br>Paragraph 3.2.7 of the oCTMP [REP1-112] states that *'on a peak day, assuming the build out of all* | 3.1.13. SLD's transport expert, Bruce Bamber of Railton TPC, notes that the Applicant has purported to spread construction workers across the solar PV sites "on a proportional basis." However, in reality, the 400kV substation and the BESS, both in Lime Down D, are likely to attract well | Worker trips were based on a breakdown of worker trips provided by a contractor based on the draft layouts and programme. The peak worker trips in a month (622) were distributed to all sites proportionally based on areas. Resulting in 295 workers in A,B and C and 327 workers in D and E.<br><br>A check was undertaken to establish whether the daily peaks within any months exceeded these trips. It was concluded that they were |

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| | | *areas/elements of the scheme concurrently, there is expected to be a peak of 622 workers spread across the solar PV sites. For assessment, construction workers have been spread across the solar PV sites on a proportional basis, based on the size of each area.'* Table 1 of the oCTMP provides an indicative construction programme, which shows | above the "average" for the solar sites. The 400kV substation is now predicted to be constructed in the first 6 months of the schedule and the BESS over a 19-month period commencing in month 5 (see Table 13-9 of the May 2026 TA, [REP1-058]). Connectedly, Mr. Bamber would question whether a 6-month timescale to construct a 400kV substation is realistic, particularly given that 19 months is allowed for the BESS. Even if the 400kV substation were to be constructed within 6 months, Lime Down D is still likely to be attracting proportionally more workers than other areas because of the BESS works.<br><br>3.1.14. Mr. Bamber shares the concern raised in respect | lower with 289 workers in A, B and C and 313 in D and E.<br><br>In terms of distribution of Construction workers, they are split between:<br><br>• Those whose permanent residence is within the Study Area (within 20km of area); and<br>• Construction workers whose permanent residence is outside of the Study Area (beyond 20km) and they either stay in temporary accommodation or travel from their permanent residence, most likely by train.<br><br>**ES Volume 1, Chapter 16 Socio Economics, Tourism and Recreation [APP-068]** states that on a peak day, 59.5% are estimated to relocate from across the UK to the Study Area, private rental accommodation, hotels and serviced accommodation. Based on 40.5% workers in the Study Area already working in the |

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| | | Lime Down A, B and D all starting construction at the same time but Lime Down A and B finishing after 9 months. Lime Down C and E would commence around the 8-9 month mark and would be built alongside the rest of Lime Down D. Given that workers to each of these sites would not be compelled to use the company shuttle buses (or car share) and given | of the Applicant's assumption that 50% of workers would arrive by shuttle bus and that average car occupancy would be 1.5. Mr. Bamber would add that an average shuttle bus occupancy of 20 workers has been assumed (see Annex E of TA). This would appear to be ambitious. | 'Construction of utility projects' employment subsector.<br><br>Whilst the shuttle bus will be available for all workers it is expected that it will primarily serve the 59.5% as these will be workers staying known locations in larger groups and suitable pick up and drop off shuttle bus points can be easily arranged.<br><br>Examples of percentage shuttle bus use for consented DCO solar farms include:<br><br>• Gate Burton – at post decision stage – 55% shuttle bus<br>• Beacon Fen Energy Park – in examination – 55%<br>• Tillbridge Solar Project – post decision stage – 47%<br>• Stonestreet Green Solar – post decision stage – 75%<br>• Longfield Solar Farm – post decision stage – 55%<br>• Cleve Hill Solar Farm – Delivered – 100% |

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| | | the different build out periods, the ExA is concerned that spreading out the assessment impact of workers on a proportional basis (and on the assumption that 50% would use shuttle buses and each car would accommodate 1.5 construction workers) is not cautious enough to capture local traffic hotspots at the worst case, and when in the | | Based on this, the assumption of 50% shuttle bus usage is justified, with potential for shuttle bus usage to be higher, and for it to also serve local workers. The shuttle bus will be managed through measures set out in the Construction Worker Travel Plan, which will form part of the Final CTMP. This will include details on pick-up and drop-off locations and limits placed on on-site contractor parking provision. |

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| | | construction period those worst case impacts are likely to occur. The ExA therefore requires the applicant to provide a detailed rationale for their chosen methodology.<br><br>The ExA also welcomes any comment from the LHA on the appropriateness of the applicant's chosen methodology. | | |

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| CH1.2 | The Applicant<br>Historic England<br>Wiltshire Council | **Heritage Visualisations 1**<br><br>Paragraph 4.5.1 of ES Appendix 12-1 (Heritage Statement) [APP-219] states that heritage visualisations were agreed with Wiltshire Council on January 2024 (Annex E). However, Annex E only provides a list of heritage viewpoints. Can the applicant please direct the ExA to where the visualisations for | 3.1.15. SLD's built heritage expert, Lucy Nicholson of Marrons, considers that it would also be helpful for visualisations to be include the "wireframe" to show the height of the installed infrastructure. The height of the panels will have an obvious impact on the amount of visibility and impact. | The Applicant has produced the visualisations in line with the request from Historic England and Wiltshire Council (see Historic England Representation on the 9th January), as set out in in **Technical Addendum to Chapter 12, Appendix 12-1: Heritage Viewpoints [EN010168/EXAM/9.36]**. The agreed scope of the requested visualisations did not include wireframe or wireline representations. The Applicant notes Historic England's agreement that the submitted visualisation is sufficient for the purposes requested (see response CH1.2 above and their letter dated 9th April **[REP1-152]**) |

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| | | these viewpoints are provided? If they have not been provided with the application material, then these are to be provided in response to this ExQ.<br><br>Historic England and Wiltshire Council are also invited to suggest additional visualisations which they consider should be provided by the applicant to assist the examination, and may find the following | | |

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| | | documents helpful to inform their consideration – ES Figure 8-10 [APP-099] and ES Figure 12-1 [APP-143]. The applicant is subsequently requested to provide the additional visualisations or justification as to why not. | | |
| CH1.3 | The Applicant | **Bradfield Manor Visualisations**<br><br>At D1A the applicant submitted visualisations showing the view of the proposed | 3.1.16. As above, any visualisations prepared should provide the "wireframe" to show the height of the installed infrastructure. The height of the panels will have an obvious impact on the amount of visibility and impact. | The Applicant disagrees with the need for heritage visualisations to include a wireframe. It should be noted that Historic England are content with the visualisation produced to support **ES Volume 1 Chapter 12 Cultural Heritage [REP3-017]** (see response CH1.2 above)<br><br>Photomontages with wireframes have been produced to support the Scheme and are |

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| | | development from Bradfield Manor [REP1A-014]. The visualisations appear to just highlight the footprint of where solar development would be located. Given the height of the solar PV panels, the applicant is asked whether, at both year 1 and year 15, the existing field pattern would be legible from these views or would the collection of fields where solar PV panels are proposed | | considered sufficient (see **[APP-103]** to **[APP-105]**) |

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| | | appear as a single mass of solar development? | | |
| CH11.9 | The Applicant<br>Historic England<br>Wiltshire Council | **Duration of Harm**<br>The applicant states that the proposed development has the potential to indirectly impact heritage assets, but any such effects would be reversible following decommissioning of the proposal. The ExA is concerned about the inference that because the | 3.1.17. SLD notes also that, by way of example, the mitigation proposed to reduce visibility from the panels at Bradfield Manor may well continue to exist after decommissioning. This will have an impact on the heritage asset beyond the 60-year duration which the Applicant should assess. | The Applicant considers the mitigation in the form of enhancement of hedgerow adjacent to Bradfield Manor to be in line with the historic character of the landscape surrounding the asset. For example the 1841 tithe map of Hullavington records a large area of woodland directly to the north of the heritage asset. |

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| | | proposal has a capped 60 year duration, the ensuing harm to heritage assets is somehow nullified. The issue around whether a 60 year use is 'temporary' cuts across most topic areas, however, specifically for heritage, the ExA requires a clear position from the applicant on the weight they have ascribed to a time capped DCO when assessing the | | |

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| | | level of harm to heritage assets.<br><br>Historic England and Wiltshire Council may also wish to comment on this matter. | | |

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| GCT1.11 | The Applicant | **Land Availability and GHG Assessment**<br><br>Paragraph 5.1.2 of the SoR [APP-018] states that option agreements have been entered into with each of the owners of 8 landholdings that make up the 5 solar PV sites. The length of those option agreements was discussed briefly at Issue Specific Hearing 1, and it was identified that the | 3.1.18. SLD will comment on the Applicants answer to this question at the appropriate Deadline. However, see below comments of SLD on the Applicant's response to Written Representations [REP2-039] which also raise this issue. SLD agree that such information should be provided. | The Applicant refers to its response in GCT1.11 of the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]** for this matter. Additionally, regarding the GHG assessment of a possible 40 years lifespan, please see the Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 1 and Responses to Action Points **[REP1A-012]** which addresses this on pages 24 and 25. |

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| | | applicant cannot confirm that it has secured options over all of the solar PV sites to cover the 60-year lifetime of the project.<br><br>You are asked to provide a breakdown of land parcels within the solar PV sites which have not been secured in option agreements for the lifetime of the project, along with the timeframe that | | |

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| | | has been secured.<br><br>While the ExA appreciates that you are seeking the fallback of CA over all of the solar PV land parcels, which means you could secure a 60 year operating period over them, it was made clear to the ExA at Issue Specific Hearing 1 that in circumstances where you are unable to extend the term of a lease by agreement, the relevant part of | | |

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| | | the scheme would be required to be decommissioned earlier than the maximum 60 year lifespan (because by then it would be time barred from employing CA powers). Based upon that, the ExA would like you to explain whether a reduced operating capacity on those affected land parcels has been factored into the lifetime | | |

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| | | GHG assessment.<br><br>Please also explain what implications may arise when those affected land parcels are required to be decommissioned but contain supporting infrastructure for other parts of the project, which remain in operation. | | |
| DCO1.5 | The Applicant<br>Wiltshire Council | **Article 2(1) (Interpretation) Q6**<br><br>The definition of "permitted preliminary works" (PPW) is | 3.1.19. SLD also raised concerns about the width of "permitted preliminary works" at p.126 of the SLD WR. This was particularly directed to (c) "preparation", (d) "remedial works", and (h) "site clearance". The | The Applicant refers SLD to its response to question DCO1.5 in the **Applicant's Responses to the Examining Authority's First Written Questions [REP3-128]**, which was submitted at Deadline 3.<br><br>As set out in **[REP3-128]**, the Applicant has considered the approach taken on the Lower |

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| | | a broad list. The ExA understands that PPW sit outside the scope of commencement and could be carried out prior to the discharge of the requirements contained in Schedule 2 of the DCO and the approvals required therein. However, there is no associated control document(s) or DCO requirement to govern the scale and extent of PPW, or how the | Applicant in its Response to Written Representations [REP2-039] at §SLD-420 states that these works are not expected to give rise to environmental effects requiring mitigation. SLD does not agree; clearly, all of these works have the potential for landscape harm, ecological harm, and noise-related harm (to name a few examples). While these may well be open to mitigation, excluding them from the control of the Schedule 2 Requirements does not secure that mitigation.<br>3.1.20. SLD agree with the ExA's suggested approach. Alternatively, SLD consider that the approach taken in recently granted Springwell DCO may manage this issue. In that DCO certain preliminary works were reinserted within the | Thames Crossing project and acknowledges that the use of a management plan for permitted preliminary works provides clarity for all parties that the carrying out of such works will not give rise to new or materially different environmental effects, by securing compliance with the relevant embedded mitigations.<br><br>Accordingly, the Applicant is preparing a Permitted Preliminary Works Environmental Management Plan (PPWEMP), which will set out the methodology to be used for any permitted preliminary works, including any restrictions, for example to avoid ecological impacts from site clearance. The PPWEMP will be submitted to the examination at a future deadline.<br><br>In anticipation of this, the Applicant has updated Requirement 13 (Construction Environmental Management Plan) in Schedule 2 to the **Draft DCO [REP3-005]** to require that the permitted preliminary works are carried out in accordance with the PPWEMP. |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | applicant should report any environmental impacts or potential environmental impacts encountered while carrying out PPW.<br><br>The Applicant:<br><br>1) The ExA refers the applicant to Requirement 4(1) of the A122 (Lower Thames Crossing) DCO 2025, which required preliminary works to be | definition of commencement in specific Requirements (see Requirement 8, 9, 11, 12 and 14) so that those preliminary works were still subject to Outline Plans. For example, in Requirement 8(4) the LEMP still applied to the works of site clearance. It will be noted that the definition of "commence" in the present draft DCO already envisages certain circumstances where PPW are included in the definition of commencement (by including the words "except where stated to the contrary").<br><br>3.1.21. SLD will comment on the remainder of §SLD-420 below. SLD may provide further comment following submissions from the Applicant and Council. | The Applicant therefore considers that the concerns raised by SLD regarding the absence of controls over PPW are addressed by the approach now being taken. |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | carried out in accordance with a preliminary works environment management plan. [REP9-190] in the Lower Thames Crossing DCO Examination Library provides the final draft version of the preliminary works environment | | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | management plan that fed into Requirement 4(1). The ExA asks the applicant whether it would consider taking a similar approach to the Lower Thames Crossing DCO?<br>2) If not, the applicant is required to explain and justify why PPW seem to be uncontrolled, | | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | particularly when they are able to occur anywhere within the Order limits, at any time after the DCO comes into effect, and without any reporting mechanisms to or oversight from a consenting authority, such as Wiltshire Council, the Environment Agency, Natural | | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | England or similar.<br>Wiltshire Council:<br>The Council is asked:<br>1) If the definition of PPW is too widely drawn;<br>2) Whether greater control over PPW should be included within the dDCO; and if so<br>What information the Council requires to be provided and when (for | | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | example during the examination and in a dDCO Requirement or just in a dDCO Requirement for their approval post consent, but prior to any PPW taking place)? | | |
| DCO1.37 | The Applicant<br>Wiltshire Council | **Requirement 5 - Detailed design approval**<br><br>The Applicant:<br><br>Requirement 5 is missing a '—*(1)'.* Please insert at next iteration of the dDCO.<br><br>Both Parties: | 3.1.22. SLD raised similar concerns regarding the scope of Works Nos 1, 2 and 3 in the SLD WR at p.130. SLD accepts that fencing and similar forms of enclosure are controlled by the fencing condition in the draft DCO (Requirement 10). However, SLD considers signs, CCTV, and lighting columns (identified by the ExA) are not so controlled and should be added. As SLD explained at p.130 of | The Applicant refers SLD to its response to question DCO1.37 in the **Applicant's Responses to the Examining Authority's First Written Questions [REP3-128]**.<br>As set out in **[REP3-128]**, the Applicant does not consider that signs, CCTV and lighting columns should be added to the list of details to be approved under Requirement 5, as these elements are already subject to approval under other Requirements. Signage, CCTV and lighting form part of the **Outline CEMP [REP3-108]** and will be approved under Requirement 13. Each of these Requirements must be approved prior to |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | On the basis that Work Nos 1, 2 and 3 would include some form of fencing, gates, boundary treatment, other means of enclosure, signs, and CCTV and lighting columns, the ExA considers that this detail may need to form part of the detailed design approval, and thus may need to be included as a new sub point 5(1)(h).<br><br>Both parties are asked to | the SLD WR, that mirrors other made DCOs.<br>3.1.23. The Applicant's response at §SLD-429 of its Response to Written Representations [REP2-039] relies upon Requirements 7, 11, 13, 14, and 19. SLD does not consider that these currently meet the specific items identified by the ExA. It may be that these matters can be managed through the Outline Plans, but wording securing detailed design control over them should be included. Mirroring other made DCOs, however, SLD considers the proper approach would be to include these in Requirement 5.<br>3.1.24. SLD may provide further comment following submissions from the Applicant and Council. | commencement of that part of the authorised development. |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | comment on that suggestion.<br><br>In addition, both parties are asked to comment on whether the following tailpiece in **bold** text should be added to Requirement 5(2):<br><br>*(2) The details submitted must accord with Table 2-1, Table 2-2 and Table 2-3 (as applicable) of the design principles and parameters,* ***and the relevant planning authority must*** | | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | ***be* satisfied that there would be no materially new or materially different environmental effects to those identified in the environmental statement.** | | |
| DCO1.40 | The Applicant | **Requirement 8 - Ecological protection and mitigation strategy**<br><br>The ExA seeks comment on whether it is necessary to include reference to PPW in Requirement 8(1) as noted in | 3.1.25. SLD note that this raises functionally the same issue as is addressed under DCO1.5. SLD agree that some form of control is required over some or all of the PPW and this may be a further way of managing those works insofar as they relate to site clearance.<br><br>3.1.26. SLD may provide further comment following submissions from the Applicant. | The Applicant refers SLD to its response to question DCO1.5 in the **Applicant's Responses to the Examining Authority's First Written Questions [REP3-128]**, which was submitted at Deadline 3 as well as its response given above in respect of the same question. |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | **bold** text as follows:<br><br>*8.—(1) No part of the authorised development may commence,* ***and no permitted preliminary works comprising site clearance may take place*** *until a written ecological protection and mitigation strategy has been submitted to and approved by the relevant planning authority in consultation with the relevant* | | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | *statutory nature conservation body.* | | |
| DCO1.43 | The Applicant | **Requirement 12 - Archaeology**<br><br>Delete the following symbols [ … ] around Requirement 12(1).<br><br>Also, the ExA seeks comment on whether it is necessary to include reference to PPW in Requirement 12(2) as noted in **bold** text as follows: | 3.1.27. SLD note that this raises functionally the same issue as is addressed under DCO1.5. SLD agree that some form of control is required over some or all of the PPW and this may be a further way of managing those works insofar as they relate to intrusive archaeological surveys.<br><br>3.1.28. SLD may provide further comment following submissions from the Applicant. | The Applicant refers SLD to its response to question DCO1.5 in the **Applicant's Responses to the Examining Authority's First Written Questions [REP3-128]**, which was submitted at Deadline 3 as well as its response given above in respect of the same question. |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | *12 (2) No part of the authorised development may be commenced* ***and no permitted preliminary works comprising intrusive archaeological surveys may take place*** *until a written scheme of investigation for that part has been submitted to and approved by the relevant planning authority.* | | |
| DCO1.44 | The Applicant | **Requirement 15 -** | 3.1.29. Given the relevance of the Strategic Road | The Applicant refers SLD to its response given above to National Highways in respect |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | National Highways | **Construction traffic management plan**<br>Should Requirement 15(3), which requires the relevant planning authority to consult with South Gloucestershire Council and the relevant highway authority before approving the Construction Traffic Management Plan, also include the requirement to | Network, SLD agrees that this is an appropriate addition to the DCO.<br>3.1.30. SLD may provide further comment following submissions from the Applicant. | of DCO1.44. National Highways will be consulted where it is the relevant highway authority. |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | consult with National Highways? | | |
| DCO1.45 | The Applicant | **Requirement 16 - Public rights of way and permissive paths**<br><br>The ExA seeks comment on whether it is necessary to include reference to PPW in Requirement 16(1) as noted in **bold** text as follows:<br><br>*16.—(1) No part of the authorised development may commence **and no*** | 3.1.31. SLD note that this raises functionally the same issue as is addressed under DCO1.5. SLD agree that some form of control is required over some or all of the PPW and this may be a further way of managing those works insofar as they relate to works affecting existing public rights of way.<br><br>3.1.32. SLD may provide further comment following submissions from the Applicant. | The Applicant refers SLD to its response to question DCO1.5 in the **Applicant's Responses to the Examining Authority's First Written Questions [REP3-128]**, which was submitted at Deadline 3 as well as its response given above in respect of the same question. |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | ***permitted preliminary works which may affect existing public rights of way may take place*** *until a public rights of way and permissive paths management plan for that part has been submitted to and approved by the relevant planning authority.* | | |
| DCO1.46 | The Applicant | **Requirement 17 - Soil management**<br><br>The ExA seeks comment on | 3.1.33. SLD note that this raises functionally the same issue as is addressed under DCO1.5. SLD agree that some form of control is required over some or all of | The Applicant refers SLD to its response to question DCO1.5 in the **Applicant's Responses to the Examining Authority's First Written Questions [REP3-128]**, which was submitted at Deadline 3 as well as its |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | whether it is necessary to include reference to PPW in Requirement 17(1) as noted in **bold** text as follows:<br><br>*17.—(1) No part of the authorised development may commence* ***and no permitted preliminary works comprising environmental surveys, geotechnical surveys, intrusive archaeological surveys and*** | the PPW and this may be a further way of managing those works insofar as they relate to works affecting environmental surveys, geotechnical surveys, intrusive archaeological surveys, other investigations for the purpose of assessing ground conditions, site clearance, remedial works, or diversion and laying of apparatus.<br><br>3.1.34. SLD may provide further comment following submissions from the Applicant. | response given above in respect of the same question. |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
|---|---|---|---|---|
| | | ***other investigations for the purpose of assessing ground conditions, site clearance, remedial work in respect of any contamination or other adverse ground conditions, or diversion and laying of apparatus may take place*** *until a soil resources management plan for that part has been submitted to and approved by the* | | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | *relevant planning authority.*<br><br>The ExA also seeks comment on whether the Requirement needs to be extended to add provision for the submission of a remediation strategy and verification plan prior to commencement of the development or PPW? | | |
| ALT1.1 | The Applicant | Site Selection Criteria<br><br>The applicant's Site Selection Assessment | 3.1.35. This was a concern that SLD raised in respect of the process of site selection in the SLD WR at Appendix L[REP1-186] §21 onwards. | The Applicant notes this comment and the additional submissions that SLD has made in Appendix 1: Comment on Technical Note on Site Selection as part of its **Responses to the** |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | Report [APP-185] details a range of initial sites that were considered for a solar farm with a specific search criteria. However, having not identified a suitable and available site within the parameters identified in Stages 1 - 4 the applicant widened the criteria at Stage 5 to include Grade 3 best and most versatile (BMV) agricultural land and land within | That the Applicant did not consistently apply the criteria is now reflected in the commentary in the Technical Note on Site Selection Assessment [REP2-043] (TN SSA). The Applicant's assertion that redrawing against new criteria was not proportionate is not accepted (given, among other things, the limited number of PDAs for which redrawing was required). SLD is aware that the Applicant has produced the TN SSA and this is commented upon in an Appendix to this submission below. | **ExA's first written questions [REP3-173]** submitted at Deadline 3.<br><br>The Applicant considers its approach to alternatives, as set out in the **ES Volume 1 Chapter 4: Alternatives and Design Evolution [APP-056], ES Volume 3, Appendix 4:1 Site Selection Report [APP-185],** and the **Technical Note on Site Selection Assessment [REP2-043]** to be proportionate and in line with NPS EN-1 (including but not limited to paragraphs 4.3.22 – 4.3.29), NPS EN-3 (including but not limited to paragraphs 2.10.18 – 2.10.34) and the requirements of Regulation 2 and paragraph 2 of Schedule 4 to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.<br><br>The Applicant does not intend to repeat its previous submissions in relation to site selection and alternatives considered and refers the ExA and SLD to the submissions made in the above documents.<br><br>The Applicant has made general comments on SLD's Appendix 1 in its response to SLD- |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | flood zones 2 and 3 and Stage 6 to include land with a higher gradient. However, it is not clear if these criteria were re-applied to those areas previously considered to ensure a consistent approach.<br><br>You are asked to explain this apparent lack of consistency in approach to site selection. If necessary, re-apply a consistent approach to all considered sites | | 060 within **Applicant's Response to D3 Submissions [EN010168/EXAM/9.46].** |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | and update the Site Selection Assessment Report [APP-185], the Planning Statement [APP-267] including Annex C – Sequential and Exception Test, and relevant parts of the ES as appropriate. | | |
| ALT1.2 | The Applicant | **Site Selection – Order Limits**<br><br>In considering the selection of the specific Order limits at Lime Down, it has not been explained how this land was | 3.1.36. This was a concern that SLD raised in respect of the process of site selection in the SLD WR at Appendix L [REP1-186] §35. SLD consider such further information, which is not contained in the TN SSA, is highly relevant both to understanding the process itself, but also the Applicant | The Applicant notes this comment and has responded to the ExA's First Written Question on this point in the **Applicant's Response to the Examining Authority's First Written Questions [REP3-128]**. |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | determined – other than a potential landowner willingness. For example, areas of Grade 3a land and land within flood zones 2 and 3 have been included but it is not clear if this is necessary considering the potential land available adjacent to the Order limits.<br><br>You are asked to explain why areas identified as constraints are included within the Order limits and | providing a lawful description of reasonable alternatives and an explanation of the main reasons for selecting the chosen option (as required by the EIA Regulations). | |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | provide a justification. Could land elsewhere in the immediate vicinity of the Order limits have been used to avoid BMV, areas of flood risk and ecologically sensitive habitats? | | |
| LSF1.3 | The Applicant | **Permanent or Temporary Loss**<br><br>Given there is no secure commitment to return the land to agricultural use at the end of 60-year | 3.1.37. SLD will comment on the Applicant's reply. However, for the moment, SLD note three things. First, SLD note that a return to agricultural use is not secured in decommissioning (it is understood that the Applicant considers such a return cannot be secured). This is pertinent when | The Applicant refers SLD to its response to question LSF1.3 in the **Applicant's Responses to the Examining Authority's First Written Questions [REP3-128]**.<br><br>The Applicant does not agree that a return to agricultural use is not secured in decommissioning. As set out in the **Applicant's Responses to the Examining Authority's First Written Questions [REP3-128]** in response to LSF1.5, the |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | operational lifespan, should the ExA consider this land to be permanently removed from agricultural use? | assessing the likely significant effects of the Proposed Development now in EIA terms. Second, SLD consider the answer to EB1.1 to be pertinent here, as the Environmental Impact Assessment (Agricultural) (England) (No.2) Regulations2006 (SI 2006/2522) may (practically or legally) weigh against such a return. Third, SLD consider that its analysis of the planning policy in favour of extension of and repowering of PV generating installations to be pertinent here. As is explained by SLD's experts in Appendix A to the SLD WR[REP1-169] from §5.2, there is a strong policy weight in favour of extensions and repowering. This weighs against the loss | Decommissioning Strategy is secured by Requirement 20 in Schedule 2 of the **Draft DCO [REP3-005]** and must be in substantial accordance with the **Outline Decommissioning Strategy [REP3-097]**, which states that when the operation and maintenance phase ends, all of the land will be returned to its original use and condition as far as practicable. This means that, post-decommissioning, the land will be immediately available for agricultural use. The Applicant does, however, acknowledge that the landowners may choose to continue managing the land as ecological habitat rather than revert back to arable production. This mirrors the existing position whereby there is no obligation on landowners to farm agricultural land.<br><br>Please refer to the Applicant's response to Natural England in respect of EB1.1. The Applicant notes that developments to which the Town and Country Planning (Environmental Impact Regulations) 2012 apply are exempt from the EIA (Agriculture) (England) (No. 2) Regulations 2006 and |

| ExA | Respondent | Question | Stop Lime Down's Response | Applicant's Response |
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| | | | being temporary, and/or means less weight should be given to the consideration of the Proposed Development being temporary. | considers the omission of development to which the equivalent Infrastructure Planning (EIA) Regulations apply to be an omission. The draft DCO has been updated to address this omission, ensuring that the (Agriculture) Regulations do not restrict or impede the assessed restoration of the land within the Scheme at decommissioning.<br><br>The Applicant also refers SLD to its response to question EB1.1 in the **Applicant's Responses to the Examining Authority's First Written Questions [REP3-128]**. As set out therein, the Applicant maintains that the Scheme is reversible, with all fields returned to landowners' control following decommissioning. It would be open to the original landowner to return the land to its original land use or another land use they wish to pursue, including arable farming or grazing. The Scheme does not prevent this. |

## 2.16 Clyde Stanley Burgess and Claire Burgess

**Table 2-16 Clyde Stanley Burgess and Claire Burgess**

| ExA | Respondent | Question | Clyde Stanley Burgess and Claire Burgess' Response | Applicant's Response |
|---|---|---|---|---|
| CA1.29 | Clyde Stanley Burgess<br><br>Claire Burgess | Plan of Agricultural Landholdings/ Agricultural Tenancies Q8<br><br>The ExA note your RRs [RR-0853] and [RR-0916] whereby you state your concerns about the project directly impacting your ability to grow crops, feed livestock, and earn a living from your land. The ExA would find it helpful if | The land subject to the proposed Lime Down Solar Scheme cable run is of significant importance to the farm. It is one of the most productive fields on the farm and estimated to be Grade 2, boarding on Grade 1 land quality. In addition to the arable cropping, which produced 4 tonnes per acre of winter barley for the past cropping year, plus 2 tonnes per acre of straw, the land is used for winter sheep grazing and supports an SFI scheme. The accompanying plan shows the cable route (orange) and the additional area being sought for the scheme. This is an extensive area which will materially | The Applicant acknowledges that plots 09-009, 09-010 and 09-011 are to be used for the construction of the Grid Connection Cable and siting of a construction compound, and as such, this may have a temporary effect on crop growing or grazing in this location during the construction phase. The Applicant is not able to determine from these representations how much of the Burgess' landholding or tenancy this covers.<br><br>That notwithstanding, the Applicant is committed to ensuring works at this location are only in place as long as is necessary to construct the Grid Connection Cable and the reinstatement of the land to current conditions is secured through the **Outline CEMP [REP3-092]** by Requirement 13 of Schedule 2 to the **Draft DCO [REP3-005]**.<br><br>The Applicant confirms negotiations of Heads of Terms to seek voluntary agreement for the acquisition of land and rights, including |

| ExA | Respondent | Question | Clyde Stanley Burgess and Claire Burgess' Response | Applicant's Response |
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| | | you could submit a plan showing your agricultural landholdings/ tenancies in the context of the local Order limits and indicating the land where the applicant is seeking permanent acquisition, permanent rights or TP. Any other information on how each of the land parcels are used (pastoral, grazing, arable, mixed, agri-environment | affect the future productivity and overall nature of the farm. Heads of Terms negotiations are still on-going and no agreement has yet been reached with Island Green Power or Dalcour Maclaren. | temporary rights, needed for the implementation of the Cable Route Corridor are ongoing, and hopes to be able to reach agreement with the landholders on suitable remediation.<br><br>The construction methodology will seek to minimise damage to soils in accordance with the **Outline Soil Resources Management Plan [REP3-098]**. Impacts to farming enterprises can be mitigated using various measures, including the installation of crossing points.<br><br>Under the provisions of the **Draft DCO [REP3-005]**, the Land Compensation Act 1961, the Land Compensation Act 1973 and the Compulsory Purchase Act 1965, reasonable losses incurred by the landowner or occupier as a result of the Applicant's works are recoverable following claims to the Applicant with reasonable and appropriate evidence.<br><br>The land was subject to an Agricultural Land Classification survey, as reported in **ES Volume 3, Appendix 17-1: Agricultural Land Classification and Soil Survey Report** |

| ExA | Respondent | Question | Clyde Stanley Burgess and Claire Burgess' Response | Applicant's Response |
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| | | scheme) and their agricultural land classification, would also be considered a useful submission, along with a summary of negotiations with the applicant to date. | | **[REP3-068]**. The Applicant confirms that the land is of Best and Most Versatile quality in Subgrade 3a with the western of three observed profiles bordering on Grade 2, however there is no evidence that it includes or borders on Grade 1. |

## 2.17 Bridget Maries Gregory

**Table 2-17 Bridget Marie Gregory**

| ExA | Respondent | Question | Bridget Marie Gregory's Response | Applicant's Response |
|---|---|---|---|---|
| CA1.28 | Bridget Marie Gregory | **Plan of Agricultural Landholdings/ Agricultural Tenancies Q7**<br>The ExA note y our RR [RR-0542] whereby you state that the cable ro ute will pass directly through several fields of your farm, including one only metres from a farm building and slurry lagoon due to be built this spring, which would con siderably | Please refer to the uploaded maps of the Applicant's Works Plan sheets 12, 13 and 14 for the proposed cable route which will pass through around 80% of our farm. Land that we farm has been outlined in yellow and land use is indicated on all maps. All the relevant land is in agri-environment schemes (SFI Sustainable Farming Incentive and/or HLS Higher Level Stewardship) and the hamlet of Easton is in a Conservation Area. Land classification is Grade 3 arable. Easton Court Farm is a tenanted mixed dairy and arable farm; arable blocks are labelled (mainly sheet 13) and the dairy cows and youngstock are grazed on the pasture and grass blocks | The Applicant notes Ms Gregory's comments.<br>The permanent cables will be installed below ground and will not create an operational surface water discharge to the stream, the proposed slurry lagoon or any farm drainage infrastructure. The Applicant also recognises the importance of the proposed slurry lagoon and associated pipework to the continued operation of the dairy enterprise. If present at the time of construction, this infrastructure will be treated as an existing private asset and managed through detailed design, landowner liaison and construction planning.<br>Where the cable route crosses or passes close to watercourses, land drains, farm drainage assets or private infrastructure, these will be identified through pre-construction surveys and detailed design. Existing drainage functions will be protected, diverted or reinstated where required. |

| ExA | Respondent | Question | Bridget Marie Gregory's Response | Applicant's Response |
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| | | disrupt your business regarding crops and livestock grazing. The Ex A would find it helpful if you could submit a plan showing your agricultural landholdings/ tenancies in the context of the local Order limits (as well as the location of the proposed farm building and slurry lagoon referred to in your representation) and indicating the land where the applicant is see king permanent | surrounding the farm (sheet 14); youngstock are also grazed on the Low Input Grassland (sheet 13). Arable harvests supply the cattle with grain for food and straw for bedding and food. In addition to grazing, the grass and pasture fields supply the cattle with harvested forage (silage and hay). Our land north of the A4 road (sheets 12 and 13) is home to sizeable numbers of hares (protected species). In order to comply with Government Farming Rules for Water we have applied for and been granted planning permission (at a cost of around £10,000) for a slurry lagoon (sheet 14). This will allow us to have 6 months slurry storage and ensure we can continue business as a dairy farm. Slurry will be separated into solid and liquid, the solid | Potential construction-stage pollution risks to the stream used by cattle would be controlled through the detailed CEMP and Water Management Plan secured under Requirement 13 of the **Draft DCO [REP3-005]**. These controls will include temporary drainage, sediment control, pollution prevention, watercourse protection, spill response and reinstatement.<br><br>Potential effects of cabling works within the Cable Route Corridor on brown hare are assessed in **ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015]**, which considers impacts on habitats and species during construction, operation and decommissioning and identifies measures to avoid, mitigate and compensate for potential impacts. The assessment concludes that no significant adverse effects on brown hare are anticipated as a result of cable installation works. The **Outline EPMS [REP3-102]** sets out protection and mitigation measures designed to avoid impacts on brown hare and ensure |

| ExA | Respondent | Question | Bridget Marie Gregory's Response | Applicant's Response |
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| | | acquisition, permanent rights or TP. Any other information on how each of the land parcels are used (pastoral, grazing, arable, mixed, agri-environment scheme) and their agricultural land classification, would also be considered a useful submission, along with a summary of negotiations with the applicant to date. | diverted to an existing store and the liquids to underground tanks; a pipe will pass down the field and feed the lagoon. The cable route will pass directly across the slurry pipe and the works area is on the site of the lagoon. The total estimated cost of our slurry infrastructure project is estimated at £240,000. We will not be able to continue as a dairy farm if this project is not completed. To the north and south of the lagoon the cable route will also pass through our livestock grazing areas very close to the farmstead. Construction work will prevent us using these fields for grazing both milking cows and youngstock and harvesting forage and hay. The proximity of the cable route to the farmstead will mean considerable noise and | habitat is reinstated on completion of temporary works.<br><br>The Applicant therefore considers that the hydrology, drainage and water quality risks raised by Ms Gregory are capable of being appropriately managed through the secured detailed design and construction controls.<br><br>The Applicant acknowledges that the Cable Route Corridor traverses a large quantity of arable and grazing land associated with Easton Court Farm, and there will be substantial, albeit temporary disruption to cropping and grazing on this land. This disruption can however be restricted to the width required for cable trenching works and any associated haul route and access points. Where fields have been bisected, working practices around cable laying works should allow for access to be maintained to both sides of the Cable Route Corridor to allow for arable farming and grazing to be continued even during construction. The **Outline CEMP [REP3-092]** furthermore commits to a number of controls on minimising noise and vibration and the reinstatement of land affected by cabling works as soon as practicable to allow for agricultural use of the |

| ExA | Respondent | Question | Bridget Marie Gregory's Response | Applicant's Response |
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| | | | dirt affecting our day to day business running. The grass paddock within the arable block (sheet 13) is used to graze expectant mothers and young calves; as cable construction is planned to cross the access lane from the farm (Easton Lane) we will be unable to use the paddock during that time. We do not have surplus land for these uses. Where the cable route is intended to pass through our arable fields, construction work will make it difficult to cultivate, treat and harvest the crops in field. The disruption to Easton Lane described above will interfere with access to some fields. After the cable route passes through the Low Input Grassland it turns north to cross a stream; this stream provides drinking water for our cattle grazing that field | land to recommence as soon as construction of that section of cable route is complete. This is secured by Requirement 13 of Schedule 2 to the **Draft DCO [REP3-005]**. |

| ExA | Respondent | Question | Bridget Marie Gregory's Response | Applicant's Response |
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| | | | and there is a potential pollution hazard for them during construction works. Thus far the Applicant has not replied to my concerns which were registered in their initial interested party surveys. There has been no negotiation with the Applicant regarding the potential impact of the cable route construction on our farm business. | |

## 2.18 Matthew Newman

**Table 2-18 Matthew Newman**

| ExA | Respondent | Question | Response | Applicant's Response |
|---|---|---|---|---|
| CA1.26 | Matthew Gerard Newman | **Plan of Agricultural Landholdings/ Agricultural Tenancies Q5**<br><br>The ExA note your RR [RR-3090] and WR [REP1-228] whereby you state that you will be directly affected by the cable route, it would cut your modest holding in two, leaving you with no access to one half of the farm, thus ending your business | The holding known as Newlands farm, Grittleton comprises approximately 202 acres (81 ha) of predominantly grade 3 farmland. No formal and specific appraisal has been undertaken, however I estimate a split of 60:40 in favour of 3b to 3a (the proposed route being similar).<br><br>There is one parcel of note in permanent pasture with the rest of the farm in an arable rotation in conjunction with a countryside stewardship mid-tier agreement and sustainable farming incentive agreement, including enhanced overwintered stubbles for food and habitat for overwintering species. | The Applicant acknowledges that plot 08-006 is to be used for the construction of the Grid Connection Cable, and as such, this may have a temporary effect on crop growing or grazing in this location during the construction phase.<br><br>The Applicant is committed to ensuring works at this location are only in place as long as is necessary to construct the Grid Connection Cable and the reinstatement of the land to current conditions is secured through the **Outline CEMP [REP3-092]** by Requirement 13 of Schedule 2 to the **Draft DCO [REP3-005]**.<br><br>The Applicant confirms negotiations of heads of terms to seek voluntary agreement for the acquisition of land and rights, including temporary rights, needed for the implementation of the Cable Route Corridor are ongoing, and hopes to be able to reach agreement with the landholders on suitable remediation. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | and 5 generations of farming. The ExA would find it helpful if you could submit a plan showing your agricultural landholdings/ tenancies in the context of the local Order limits and indicating the land where the applicant is seeking permanent acquisition, permanent rights or TP. Any other information on how each of the land parcels are used (pastoral, | Half the cable route would affect these areas at any given time and over a 2 year period all of it.<br><br>All arable fields have areas of environmental improvement/protection in them with no insecticides or pre-harvest dessicants used. These measures form an integral part of the business and no assessment has been made by the applicant of the impact of the project on our specific environmental or commercial interests. We have planted approximately 80 hedgerow trees (outside of any schemes) and in a recent survey it was noted there was a notable population of skylarks, a farmland indicator and red list species.<br><br>The environment has become an important consideration in | The Applicant has been engaging with the respondent's land agent, and since the Compulsory Acquisition hearing on 30 June 2026, the Applicant has invited the respondent via a letter distributed on the 6 July 2026 to a meeting to discuss concerns raised at the hearing. A record of this previous engagement can be seen in the **Land and Rights Communication Log [REP3-130]** and the **Land and Rights Negotiations Tracker [REP3-011].** The Applicant acknowledges that reasonably incurred professional fees that is appropriately evidenced from work directly relating to the project can be reimbursed through the project. The Applicant requests that any claims are submitted through the land agents appointed by the Applicant.<br><br>During the programme of Agricultural Land Classification (ALC) and soil surveys, all land within the Cable Route Corridor to which access permission was granted by the respective landowner was surveyed. Where no 'formal or specific appraisal' has been undertaken, the reason is that access was not granted to do so. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | grazing, arable, mixed, agri-environment scheme) and their agricultural land classification, would also be considered a useful submission, along with a summary of negotiations with the applicant to date. | the enterprise not least financially as driven by government via its schemes. We have 5 ponds on the farm which are presumably "habitats of principal importance", yet no surveys have been undertaken. The few surveys that have occurred have been strictly on the depicted route (and we have been denied access to them) despite the effects being widespread and indeed the route indicated is 50m wide but I believe this is only indicative and could be considerably more; if 1m more then the surveys do not cover it.<br><br>I have asked my agent to provide a resume of his dealings with the applicant but no-one from the applicant or their agents have contacted me for months; so | Potential impacts to breeding birds including skylarks are assessed within **ES Chapter 9 [REP1-015]** for the entire Order Limits, including as a result of temporary works along the Cable Route Corridor. The assessment identifies avoidance, mitigation and enhancement measures to address potential impacts on breeding birds. With identified embedded and additional mitigation measures in place, the assessment concludes that no significant adverse effects on breeding birds are anticipated as a result of the Scheme, with the exception of ground-nesting birds of open habitats at the Solar PV Sites as a result of displacement. Residual significant adverse effects on these receptors are anticipated at a local-level of geographical importance only for skylark, and at site level for other ground-nesting bird species. These effects are transparently reported within **ES Chapter 9 [REP1-015]**.<br><br>Embedded and additional mitigation measures designed to avoid and reduce impacts on bird populations present in the Cable Route Corridor (including skylarks) include sensitive timing and methods of vegetation removal, |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | | to see them claim I am not responding/engaging is galling. From record of "negotiations", which is pretty thin gruel, it can be seen that there is no genuine attempt to engage; and to deny reasonable costs is I believe unique, even on this project. I repeat my view that the applicant is assuming comp. acq. Powers on gaining a DCO and are simply waiting to dictate terms. It could be viewed as threats with menaces.<br><br>Please find attached the plans of the proposed cable route as supplied by Dalcour Maclaren, the applicants agent and a map of the holding that shows the land with areas in Govt. schemes etc. and record. | presence of an Ecological Clerk of Works (EcoCow) to oversee certain works potentially affecting birds, and ensuring habitat removed to facilitate cable installation will be re-instated following construction. All such measures are described in the **Outline Ecological Protection and Mitigation Strategy (EPMS) [REP3-102]** and will be secured via DCO Requirement<br><br>The Applicant acknowledges the locations of the 5 ponds and notes these lie outside of the Order Limits, with the closest pond being approximately 45 m away. The Applicant confirms these have not been subject to survey. As reported in ES Volume 1, Chapter 9: Ecology and Biodiversity, no significant adverse effects on ponds are anticipated as a result of the Scheme. This is predominately due to the retention of all ponds, as well as particularly given no ponds will be directly impacted, as well as the adoption and implementation of the **Outline CEMP [REP3-092]** and the **Outline EPMS [REP3-102]** which set out measures to avoid and minimise the risk of indirect impacts from damage, run-off and pollution. |

## 2.19 Julian Brunt

**Table 2-19 Julian Brunt**

| ExA | Respondent | Question | Response | Applicant's Response |
|---|---|---|---|---|
| CA1.25 | Manor Farm / Brunt Family | **Plan of Agricultural Landholdings/ Agricultural Tenancies Q4**<br><br>The ExA note y our RRs [RR-2517], [RR-2611], [RR-2845] and [RR-2921] whereby you state that your family are deeply concerned about the impac t the solar park would have on the future of your farm. Th e ExA would fin d it helpful if you | We are deeply concerned that we have had no contact from the applicant or their agents with regard to the compulsory acquisition of a strip of woodland which we own in the conservation area in the heart of the village of Grittleton. Despite written comments to the contrary nobody has been in touch with us, in fact I took the initiative to contact the agents in March 2026 for this project to make my deep concerns known, one of their operatives told me a specific team was dealing with these such matters, and they would be in contact directly with us. NO CONTACT HAS BEEN MADE as of 2nd June 2026. I would like to reiterate that I | The parcel referred to (09-003) in the **Land Plan [REP1-004]** is subject is temporary possession not compulsory acquisition of rights. The area includes the highway verge and a small area of woodland adjacent to Alderton Road, Grittleton, therefore the Applicant is not expecting to cause any damage to the nearby arable land.<br><br>As highlighted in the **Land and Rights Communication Log [REP3-130]** and the **Land and Rights Negotiations Tracker [REP3-011],** the Applicant intends to negotiate a temporary licence agreement for the temporary access prior to the commencement of works post consent.<br><br>The Applicant appreciates the stress of planning application and reiterates that the Applicant has directly assessed the impacts on community culture and identity as an indicator for mental health and wellbeing, as a result of changes to the visual rural character of the affected communities, and the extent to which |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | could submit a plan showing your agricultural landholdings/ tenancies in the context of the local Order limits and indicating th e land where the applicant is see king permanent acquisition, permanent right s or TP. Any other information on how each of the land parcels are used (pastor al, grazing, arable, mixed, agri-environment scheme) and | am strongly opposed to this project which will cause untold harm, both physically and mentally to the local community our our farming livelihood. | these communities connect to their surroundings, sense of place, and each other. The assessment also considers community resilience and influence on their surroundings in parallel, based on understanding how mental wellbeing is tied to the quality and quantity of engagement and influence in changes to the built and natural environment around them. The assessment in **ES Volume 1, Chapter 18: Human Health [APP-070]** finds no greater than a long-term minor adverse effect to community culture and identity, or to community resilience and influence, which are therefore not considered significant effects. Furthermore, the assessment in **ES Volume 1, Chapter 16: Socio-Economics, Tourism and Recreation [APP-068]** finds the economic loss to agriculture arising from the Scheme is approximately £628,000 GVA per annum, representing 20 full-time equivalent jobs. This represents less than 0.3% of the agricultural industry in Wiltshire, and therefore is not considered to be a significant effect. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | their agricultural land classification, w ould also be considered a useful submission, along with a summary of negotiations with the applicant to date. | | |

## 2.20 Andrew Greenhill

**Table 2-20 Andrew Greenhill**

| ExA | Respondent | Question | Andrew Greenhill's Response | Applicant's Response |
|---|---|---|---|---|
| CA1.27 | Jackie Greenhill<br><br>Andrew Greenhill | Plan of Agricultural Landholdings/ Agricultural Tenancies Q6<br><br>The ExA note your RRs [RR-0252] and [RR-1978] whereby you state that you will be losing Grade 2 agricultural fields, which would make it impossible for you to keep farming. The ExA would find it helpful if you could submit a | I am unable to upload a plan of my agricultural land holdings/tenancies today, but confirm that 82 acres of tenanted grade 2 agricultural land is earmarked for permanent acquisition. That would leave me with approximately 100 acres in total which is permanent grassland or in environmental schemes. None of the 100 acres remaining would be suitable for growing cereals commercially. | The Applicant acknowledges that plots 07-041, 07-042, 07-043, 07-044, and 07-045 are to be used for siting of Solar PV infrastructure, and as such, this will cease for the long-term the ability for crop growing in this location; from the start of construction to the completion of decommissioning activities on these plots.<br><br>The Applicant has made enquiries with other landowners within the scheme and confirms that potential opportunities on land of a similar quality are expected to arise in the short to medium term. While acknowledging that such opportunities are not in the same nearby location as plots 07-041, 07-042, 07-043, 07-044, and 07-045, the Applicant is committed to supporting discussions regarding further opportunities should this land no longer be available under the current tenancy arrangement<br><br>As set out in the Applicant's own response to ExQ CA1.27 in **Applicant's Responses to the** |

| ExA | Respondent | Question | Andrew Greenhill's Response | Applicant's Response |
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| | | plan showing your agricultural landholdings/ tenancies in the context of the local Order limits and indicating the land where the applicant is seeking permanent acquisition, permanent rights or TP. Any other information on how each of the land parcels are used (pastoral, grazing, arable, mixed, agri-environment scheme) and their agricultural | | **Examining Authority's First Written Questions [REP3-128],** the Applicant stated that the landowner, supported by the Applicant, is committed to further discussions with the tenants regarding the potential arrangements that may apply if the Scheme was to be consented and land is required to be surrendered from the existing tenancy. In those circumstances, the landowner has indicated the tenants would be offered suitable compensation in respect of the affected land for the remainder of the applicable tenancy period. This would be considered alongside any relevant surrender provisions and break clauses contained within the existing tenancy arrangements. Any commercial income designed to meet historic agricultural returns received in connection with the surrender of land could provide the tenant with an opportunity to secure or farm alternative land of a similar agricultural quality and productive yield, subject to availability and the tenant's own commercial decisions. Should the Scheme be granted consent, the Applicant would continue to support engagement between the |

| ExA | Respondent | Question | Andrew Greenhill's Response | Applicant's Response |
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| | | land classification, would also be considered a useful submission, along with a summary of negotiations with the applicant to date. | | affected landowner and tenant, where appropriate, with the aim of facilitating a voluntary arrangement that takes account any effects on the agricultural holding. |

## 2.21 Ashton Hawker

**Table 2-21 Ashton Hawker**

| ExA | Respondent | Question | Response | Applicant's Response |
|---|---|---|---|---|
| CA1.22 | Hawker Farms<br><br>Ashton Hawker | **Plan of Agricultural Landholdings/ Agricultural Tenancies Q1**<br><br>The ExA note your RRs [RR-0431] and [RR-1793] whereby you state that the proposed CA of land that you own, plus an additional approximately 100 acres that you rent, would critically undermine your business model. The ExA would find it helpful if | Book of reference 09-012, 09-013, 09-015, 09-016, 08-001,08-002,08-003. acquisition<br><br>of rights imposition of restrictions<br><br>09-014 Temporary use of land<br><br>04-028, 09-015 – Rented<br><br>In respond to the questions raised regarding the proposed cable route and its impact on my farming business. | The Applicant acknowledges that each of the plots listed are to (or in the case of 04-028 may) be used for the construction of the Grid Connection Cable, and as such, this may have a temporary effect on crop growing or grazing in this location during the construction phase. Whilst the majority of impacts would be limited to the working width of the Cable Route Corridor, larger areas would be required for the sending and receiving pits for horizontal directional drilling where needed to cross the South Wales Main Line railway, and the M4 motorway.<br><br>The Applicant is committed to ensuring works at this location are only in place as long as is necessary to construct the Grid Connection Cable and the reinstatement of the land to current conditions is secured through the **Outline CEMP [REP3-092]** by Requirement 13 of Schedule 2 to the **Draft DCO [REP3-005]**.<br><br>The Applicant confirms negotiations to agree voluntary Heads of Terms for the acquisition of |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | you could submit a plan showing your agricultural landholdings/ tenancies in the context of the local Order limits and indicating the land where the applicant is seeking permanent acquisition, permanent rights or TP. Any other information on how each of the land parcels are used (pastoral, grazing, arable, mixed, agri-environment scheme) and | Whilst the latest plans show a more detailed route, and has provided some welcome clarification, significant uncertainty still remains regarding the extent of land required both during construction and permanently following completion of the works.<br><br>Based on the information currently available, I estimate that approximately 55–70 acres of land farmed by my business may be affected. One rented block at Happy Lands, Hill Hayes Lane, comprising approximately 15 acres, appears to become entirely unusable during the construction period at least. For the remaining land, it is difficult to assess the practical impact as the route crosses the centre of a number of fields, potentially restricting | land and rights, including temporary rights, needed for the implementation of the Cable Route Corridor are ongoing. The Applicant hopes to be able to reach agreement with the landholders on suitable remediation.<br><br>During the programme of Agricultural Land Classification (ALC) and soil surveys, all land within the Cable Route Corridor to which access permission was granted by the respective landowner was surveyed. The only definitive means to classify agricultural land by grade is for this survey work to be undertaken.<br><br>All soil movements, as well as vehicle movements across land, will be subject to best practice measures to be detailed in the Soil Resources Management Plan (SRMP), which is secured by Requirement 17 in Schedule 2 of the **Draft DCO [REP3-005]**. Broad principles are set out in the **Outline SRMP [REP3-098]** and aim to avoid or minimise damage such as compaction through appropriate handling. The **Outline CEMP [REP3-092]** confirms that land used temporarily will be reinstated where practicable to its preconstruction condition and use (or a condition agreed with the landowner), |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | their agricultural land classification, would also be considered a useful submission, along with a summary of negotiations with the applicant to date. | access for farm machinery and my normal farming operations.<br><br>The loss or disruption of any land would have a direct effect on my farming business.<br><br>Every available acre is required to support forage and feed production for my livestock. Should these areas become unavailable, alternative cropping land may need to be secured, although locating replacement land within a practical distance of the farm is both limited and uncertain. Consequently, there is likely to be a financial impact on the business. I am unable to be more specific based on the limited information available.<br><br>I am also concerned about the long-term effects of | and the **Outline SRMP [REP3-098]** confirms that any defects identified and agreed will be ameliorated before the land is handed back.<br><br>Working in line with the Compensation Code, should the respondent experience business losses or crop losses demonstrable from project works including the reinstatement of land, they are eligible to submit a claim for compensation. Any claim should be submitted in writing to the Applicant's land agents with relevant and appropriate evidence showing the actual loss.<br><br>The Applicant welcomes the opportunity to discuss the voluntary Heads of Terms agreement including specific clauses such as cable depth, with the respondent at a mutually agreeable location and date. The Applicant will contact the respondent through established channels to arrange this meeting. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | | excavation and cable installation on soil quality and agricultural productivity. We have recently undertaken extensive soil sampling across the farm, which demonstrates that the soils are currently in very good condition. Although no formal Agricultural Land Classification assessment has been undertaken, both my agronomist and I believe that parts of the affected land are likely to fall within Grades 2 and 3a.<br><br>I have direct experience of both a new water main and new sewerage line being installed across my land – with a construction strips of 20 metres maximum. Land reinstatement following this type of major groundworks, results in significant reduction in soil performance and crop | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | | yields which persists for many, many years.<br><br>The fields are currently being used for grass, cereal and maize production as part of a rotational farming system that also incorporates livestock grazing.<br><br>The route affects two environmental scheme areas and appears to remove mature hedgerows and trees. On location 3 the Flower rich margins and plots have been established over a 16-year period. I would need further clarification regarding the actual area affected, measures proposed to mitigate the impact and details on restoration of affected habitats before I can approach Defra to establish how they will penalise me for | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | | losses under my current environmental schemes.<br><br>Negotiations to date with the Applicant are very limited – despite what is recorded on the Land negotiation tracker. We received unsolicited correspondence including Heads of Terms dated 8th September which referred to draft Head of Terms sent to our Agent on 2nd June. I have no agent and I did not receive any draft Heads of Terms. However, the ones I did receive were, in my opinion, threatening, bullying and bordered on bribery. 2 sets of revisions have since been received but the survey and access options are long and I am concerned about the depth of cable. 1.2 meters 'save where impracticable due to engineering reasons. Land | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | | is to be used for livestock and I would want assurance that there is a minimum of this depth. There is no detail regarding any above-ground or permanent infrastructure, including whether inspection chambers or similar structures are proposed within my productive agricultural fields. I also question how cabling will be removed during decommissioning should the scheme proceed.<br><br>I have not been inclined to engage any further until a decision on the DCO is actually reached. | |

## 2.22 January Farrington

**Table 2-22 January Farrington**

| ExA | Respondent | Question | Response | Applicant's Response |
|---|---|---|---|---|
| AQ1.5 | The Applicant<br>Wiltshire Council<br>Natural England | **BESS Impacts on Wildlife, Livestock and Pets**<br>In the case of a thermal runaway event at the BESS, what effect is this likely to have on animals, including wildlife, livestock and pets?<br>The applicant is specifically asked to include an assessment on horses in its response to take account of | The Examining Authority's questions about horses<br><br>5.1 I support all three of the Examining Authority's questions. To my mind, the fact that the Examining Authority has had to ask them shows that the equine assessment is still unresolved, the questions reflect the very concerns I raised in my representations.<br>5.2 Horses are not standard recreation receptors. A stud is a workplace with valuable, unpredictable animals, and the safety risk to horses, handlers and riders is real. Assessing it through views and hacking routes misses the point. | In response to the Examining Authority's request in ExQ SE1.9, the Applicant is undertaking further detailed assessment of the impacts on job losses and business viability of the equine sector beyond the information already presented. This is due to be submitted at Deadline 5. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | the potential effects on equine businesses. | 5.3 There should be a proper assessment of the job losses and business viability across the equine sector and the businesses that depend on it including vets, farriers, feed, transport and skilled stud staff, rather than the limited information in Table 2OBJ10 of Appendix 16OBJ2 [APPOBJ241].<br>5.4 The map of equestrian facilities within 20km should be produced with each one named,<br>described and split into stud farms, livery and stabling, and other types. REDACTED TEXT should be shown correctly as a thoroughbred stud.<br><br>6. What I am asking from the applicant:<br>• carry out a real, evidence-based assessment of the effect of the Scheme on equine | |
| SE1.9 | The Applicant | **Equine Health**<br>Concerns have been raised that the applicant has not undertaken a proper assessment of impacts and effects on equine health and businesses. ES Chapter 16 [APP-068] states that such businesses are of '*local importance and therefore low sensitivity*', however IPs | | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | have suggested this underplays the economic importance of stud farms in the vicinity on the wider economy. For example, [REP1-158, REP1-202 and REP1-214] have provided evidence that equine health can be adversely impacted by noise and construction activities, whilst further concern has been raised about the sensitivities that horses | health, welfare and business viability, dealing with my concerns and the other evidence the Examining Authority has identified;<br>• look again at treating equine businesses as "low sensitivity" recreation receptors. | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | experience when encountering electromagnetic fields. [REP1-191] further details the potential adverse effects on this IP's stud business arising from construction and maintenance activities.<br><br>Given the unpredictable nature of horses and the impact that this could have on the safety and welfare of both horses and riders/handlers, | | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | you are asked to provide justification for considering these to be standard recreation receptors.<br><br>Given the number of equine related representations, you are also requested to provide a more detailed assessment of the impacts on job losses in and business viability of the equine sector (and its supporting industries) beyond the | | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | information presented in Table 2-10 of ES Appendix 16-2 [APP-241].<br><br>When providing your response you are asked to consider the specific concerns from the above noted submissions focusing on evidence relating to equine health.<br><br>You are also asked to submit a map showing the location of equestrian facilities with a commentary of the name, address and | | |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | business activities. This should be split between stud farms, stabling/livery yards and details of any other equine facility type within the 20km study area. | | |

## 2.23 Simon Henry Durrant

**Table 2-23 Simon Henry Durrant**

| ExA | Respondent | Question | Response | Applicant's Response |
|---|---|---|---|---|
| OEM1.1 | The Applicant<br>Mr Simon Durrant | **400kV Cable Lifespan**<br>Mr Durrant's D1 submission [REP1-239] provides comment that a typical 400kV cable typically has a 40-year lifespan.<br>Applicant:<br>Please provide comment and, if necessary, detail any maintenance work required to renew the cable and update the | The SSEN document referenced can be downloaded here: TEXT REDACTED<br>As this system will not allow me to paste the document (pdf) here, I have sent an email to limedown@planninginspectorate.gov.uk that has both the link for download and the document as an attachment. It may be that your email system will send any mail with either or both a link and an attachment to "junk" if you have not already received my email, please check there. When you do read the document, please note the other warnings included; the size of the trench and construction requirement is significantly greater then that stated by | The Scottish and Southern Electricity Networks paper sets out that challenges presented are specific to the undergrounding of cables at 400kV for SSEN Transmission's projects assuming a double 400kV circuit. The Scheme uses a single 400kV circuit and the Applicant has full confidence in the approach to cable installation, and confirms that project specific parameters, are set out within **ES Volume 1, Chapter 3: The Scheme [APP-055]** and **Volume 3, Appendix 3-2 Cable Route Construction Method Statement [REP3-042]** including in relation to cable trench depth, cable trench width, dimensions of associated components, and working width within the cable route corridor, along with construction, maintenance and decommissioning activities. The Applicant is confident the Scheme specific parameters have been assessed in the ES technical chapters **[APP-059 to APP-072**, as updated by **REP1-015 to REP1-028**, **REP2-008**, **REP3-015** to **REP3-026]**. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | oOEMP [REP1-098].<br><br>Mr Durrant:<br><br>Please provide a copy of '*The challenges with undergrounding at 400kV'* by Scottish and Southern Electricity Networks as referenced in your WR [REP1-239]. | Lime Down, the implications for maintenance in case of a fault or damage imply extended loss of connectivity with Lime Down. This aspect makes Lime Down, with 15 miles of indefensible cable route, a prime target for terrorist and enemy alike; hardly the kind of frailty admissible in key nationally important infrastructure<br><br>Document linked here. | The Applicant has provided a response on terror risk in the Applicants Response to Relevant Representations – Part 2 [PDB-004] in response O-28 on page 972. The Applicant considers the risk of war or terrorism to be very low and notes that terrorism was screened out of **ES Volume 1, Chapter 20: Other Environmental Matters [APP-072]** Section 20.7, Major Accidents and Disasters, an approach agreed by the Planning Inspectorate at scoping and consistent with other solar NSIPs. |

## 2.24 John Baillie

**Table 2-24 John Baillie**

| ExA | Respondent | Question | Response | Applicant's Response |
|---|---|---|---|---|
| CA1.30 | John Baillie | **Plan of Agricultural Landholdings/ Agricultural Tenancies Q9**<br><br>The ExA note your RR [RR-2342] whereby you state your concerns about the project impacting upon your field drains, which cross one of the solar fields, and the lack of assurance about how this is going to be addressed. The ExA would find it helpful if you could submit a | I have been asked to show map of where my field drainage is affected by Limedown D. The field in question was originally joined as one field with the field of Solar panels and was drained as one field. The drainage water goes I assume to water coarse beyond solar fields on Court Farm. I have attached 1. Limedown map of Solar site D, 2. My field plan map showing affected field (field1842) and 3. Limedown's own Geo physical survey map showing field drains field in question is F150 on this map. | The Applicant notes Mr Baillie's submission and the plans provided.<br><br>The Applicant understands Mr Baillie's concern to relate to field drainage associated with field 1842 and the area identified as F150 on the submitted geophysical survey plan. The Applicant notes Mr Baillie's position that this land was previously drained as one field with land now within Lime Down D, and that the drainage is understood by Mr Baillie to discharge towards a watercourse beyond the solar fields on Court Farm.<br><br>The Applicant will review the information provided by Mr Baillie alongside the Scheme design, land plans, available drainage information and pre-construction survey information. The Applicant will continue engagement with Mr Baillie in relation to any private field drains that may be affected by the Scheme. |

| ExA | Respondent | Question | Response | Applicant's Response |
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| | | plan showing your agricultural landholdings/ tenancies in the context of the local Order limits, indicating the location of the field drain(s) in question, and any land where the applicant is seeking permanent acquisition, permanent rights or TP. Any other information on how each of the land parcels are used (pastoral, grazing, arable, mixed, agri-environment scheme) and their agricultural land | | Where existing field drains are identified, they will be avoided where practicable. Where avoidance is not practicable, affected drains will be appropriately protected, diverted, repaired or reinstated so that the existing land drainage function is maintained.<br><br>This will be managed through detailed design, landowner engagement and construction method statements, with relevant construction controls secured through the **Outline CEMP [REP3-092]**. |

| ExA | Respondent | Question | Response | Applicant's Response |
|---|---|---|---|---|
| | | classification, would also be considered a useful submission, along with a summary of negotiations with the applicant to date. | | |