Lime Down Solar Park

Planning Inspectorate Reference: EN010168

Wiltshire Council Comments on Submissions Received at Deadlines 2a and 3

Deadline 4 (10 July 2026)

Wiltshire Council

Contents:

1. 2.3 Works Plans (Rev 3) [REP3-004]

1.1. The 23 number works plan drawings identify works proposed within public highway as Works Numbers 8A or 8B. As noted in past highway comments, it is inferred that where lengths of public highway are excluded from these designations on the Works Plan, no mitigation or improvements are deemed necessary by the Applicant to accommodate the increased HGV trafficking expected during construction. The remaining exclusion of certain lengths of the narrow rural lanes on the planned construction routes remains a concern following the review of Annex K to the Transport Assessment [REP3-066] showing the swept path analysis.

2. 3.1 Draft Development Consent Order (Rev 3) [REP3-006] and 3.2 Explanatory Memorandum (Rev 3) [REP3-008]

Article 10

2.1. There are no major changes to this Article in Revision 3, so past comments remain applicable. The DCO needs 'Protective Provisions' for Wiltshire Council (Highways) to be included in Schedule 15, with appropriate reference made to this in this Article as may be required. Article 10(4) states that: "*The powers conferred by paragraph (2) may not be exercised without the consent of the street authority, such consent to be in a form reasonably required by the street authority*". This might usefully cross-reference the said Protective Provisions in due course.

2.2. As noted in the Wiltshire Council response to the ExQ1 (DCO 1.14) [REP3-142], the council do not see why it should be necessary for Article 10 of the

DCO to confer powers under (2) to alter the "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 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 sees no reason why the Applicant should not follow the standard Wiltshire Council s278 Agreement process for developer works to the highway where the works duly required and proposed are outside of the DCO Order Limits.

Article 11

2.3. See separate comments on the provisions within this clause in response to the EXQ1 (DCO 1.15) [REP3-142], and expressly 11(b)(ii) where the completed works may be subject to ongoing HGV construction trafficking associated with the wider development following the expiry of the 12-month maintenance or defects period. The risk of consequent damage by construction trafficking to highway works completed early in the construction phase is an issue, as the council is mindful that construction damage to the narrow rural roads 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. However, it is considered that a proposed change to Article 11(1)(b)(i) would not be unreasonable so requiring:

- The applicant to maintain the altered street (or highway works) or a minimum period of 12-months following works completion or,
- Where LDSF construction trafficking continues, 12-months from the date that construction trafficking along the said length of road ceases.

Article 14

2.4. There is again no drafting change made to this Article in this revision to the DCO, so previous comments remain valid. To reiterate, there is concern about the precise wording of Article 14, as it implies that approval by the highway authority is only required for new access locations proposed beyond those set out in Schedule 7, Parts 1 and 2. In short, all the accesses in Schedule 7, whether permanent or temporary, are seemingly deemed approved in at least principle under powers conferred in Article 14. However, the council does not consider the current level of design sufficient, or that the detailed design and technical approval of permanent highway works is a part of the CTMP process. However, it is accepted that the addition of Wiltshire Council Protective Provisions in Schedule 15 will include a requirement for technical approval of

all works drawings (including Schedule 7 works) and associated Road Safety Audits as part of these provisions once finally agreed.

Article 15

2.5. Article 15 is also unchanged in this revision to the DCO so previous comments remain. The inclusion of bespoke Wiltshire Council 'Protective Provisions' may negate the need for a formal and separate agreement in all cases. Given the powers conveyed under DCO Article 10, and assuming this is backed with Protective Provisions for Wiltshire Council to be added in Schedule 15, it remains unclear as to when the provisions in Article 15 would then be needed. If the DCO articles in themselves give no power to dedicate new land as public highway then this may be one instance, but confirmation is sought.

2.6. Refer also to comments on the 'Applicants Response to the Examining Authority's First Written Questions' [REP3-128] which contains the Applicant's latest position on these DCO Clauses.

Article 40 and Schedule 12

2.7. It is noted that column (2) of the table in Part 1 of Schedule 12 has been updated to refer to the TPO and hedgerow plan rather than the hedgerows plan.

2.8. Wiltshire Council also notes that the hedgerow ID references have been updated column (1) of the table in Part 2 of Schedule 12, and that column (2) now cites the TPO and hedgerow plan rather than the hedgerows plan. The lengths of important hedgerow have also been amended in column (2). These changes do not, however, appear to be listed in the Schedule of Changes table at the front of 3.2 Explanatory Memorandum (Rev 3) [REP3-008] or explained in this document as should have been the case for completeness and transparency.

2.9. The council notes the inclusion of the following footnote to the tables in Part 1 and 2 of Schedule 12:

"*The extent to which each hedgerow listed in this table may be removed is controlled by the ecological protection and mitigation strategy, pursuant to article 40(4) of the Order*."

2.10. It is also recognised that Article 40(4) in Part 6 of the dDCO states:

"*(4) 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).*"

2.11. Paragraph 4.6.11 of the Explanatory Memorandum explains the provisions of Article 40 and states: "*The Article also allows the undertaker to remove those*

hedgerows specified in Schedule 12 (Hedgerows to be removed) Schedule 12 is divided into Part 1 (Removal of hedgerows), Part 2 (Removal of important hedgerows) and Part 3 (Trees subject to tree preservation orders). Article 40(4) clarifies that the power is to remove hedgerows specified in Parts 1 and 2 of Schedule 12, to the extent set out in the Ecological Protection and Mitigation Strategy approved pursuant to Requirement 8 in Schedule 2."

2.12. Whilst the council welcomes the inclusion of the footnote to Part 1 and 2 of Schedule 12, the council was already aware of the provisions of Article 40(4) and does not consider that the amendments overcome or adequately address the concerns and issues it has already raised and detailed in full in previous representations.

2.13. Moreover, no further information has been submitted to substantiate why it is necessary to list every hedgerow within the Order Limits if as the Applicant advises, all hedgerow removal will be controlled by the provisions of Article 40(4) and be undertaken in accordance with that prescribed within the EPMS in any case. Again, the adopted approach to Schedule 12 brings into question why the overly wide powers afforded by Schedule 12 are in fact needed and why the extent of removal cannot be refined within the schedule. The council considers that it should, at the very least, be possible to specify in column (2) of Part 1 and Part 2 of Schedule 12, a range of hedgerow removal i.e. a minimum and maximum extent of hedgerow that may need to be removed from each of the hedgerows listed. This should be possible given the provisions of Article 40(4) and the footnotes in Schedule 12.

2.14. In Wiltshire Council's Relevant Representation [RR-4934], it was highlighted that the stipulation that hedgerow removal within the Bath and Bradford-on-Avon Bat SAC consultation zone will be restricted to 10m has not been transposed into the relevant rows of Schedule 12. Previously this had been ascertained by the council to constitute Sheet 40 to 45 inclusive of the Hedgerow Removal Plans but would now be the relevant sheets in the TPO and hedgerow plans. This request has still not been fulfilled, and no rationale has been provided by the Applicant as to why this is the case. The omission of the restrictions to hedgerow removal proposed in the HRA from the relevant rows of Schedule 12 undermines confidence that the measures set out in the HRA will actually be delivered, despite the footnotes added to Schedule 12, Part 1 and Part 2 and the provisions of Article 40(4). The council is unclear and unconvinced as to why continuity across the dDCO, the EPMS and the HRA has not been deemed permissible by the Applicant in order for the council and ExA to have certainty that Article 40(4) and the footnotes to Schedule 12 will be adhered to strictly.

Article 41 and Schedule 13

2.15. The council considers that all works affecting Category A and Category B trees, Ancient Trees, Veteran Trees, and trees protected by a Tree Preservation Order (TPO) should be appropriately monitored by the Arboricultural Clerk of Works (ACoW), recorded, and reported to the Local Planning Authority (LPA). This includes, but is not limited to:

- Tree removal;
- Canopy damage;
- Root damage;
- Hand-digging and root-pruning; and
- Installation of ground protection.

2.16. Temporary compounds should be located outside the Root Protection Area (RPA) of trees and woodlands. This requirement should be consistent with the guidance relating to "Root loss / damage from excavation or soil compaction within RPAs" and shall take precedence over the requirements set out under "Tree Pruning" where there is any inconsistency.

2.17. Proposed works or removal of any Category A or Category B tree, Ancient Tree, Veteran Tree, or tree protected by a TPO shall be notified in writing to the LPA prior to the commencement of the works.

Replacement Planting

2.18. Wiltshire Council should retain control over the species, size, specification and location of all replacement planting required in lieu of the removal of any Category A, B and / or protected trees.

2.19. A detailed replacement planting scheme should be submitted for approval to the LPA prior to commencement of works, demonstrating no net loss of tree canopy, landscape function or biodiversity value.

Post-Construction / HDD Monitoring

2.20. Clarification is required regarding the monitoring regime for retained trees following construction, particularly where Horizontal Directional Drilling (HDD) is proposed within or adjacent to Root Protection Areas (RPAs).

2.21. Post-construction monitoring should be undertaken by a suitably qualified arboriculturist for an agreed period to assess any delayed impacts on retained trees and identify remedial measures where necessary.

Responsibilities for Planting and Maintenance

2.22. The Applicant should confirm:

- Who will be responsible for implementing replacement planting.
- Who will be responsible for ongoing monitoring and maintenance.
- The duration of the maintenance period.

- The mechanism for replacing failed trees.

2.23. A condition should require that any tree which dies, is removed, becomes seriously diseased or fails to establish within the maintenance period is replaced with a tree of similar species, size and specification unless otherwise agreed by the Local Planning Authority.

Updating Council Records

2.24. The Applicant should set out how Wiltshire Council will be notified of:

- Tree removals undertaken.
- Replacement planting completed.
- Failures and subsequent replacements.

2.25. Provision should be made for updating the council's tree asset and TPO records through the submission of as-built tree plans and monitoring reports.

Future Tree Preservation Orders (TPOs)

2.26. Clarification is required regarding the status of existing and future trees within the Order Limits during the operational life of the solar park.

2.27. The scheme should not prejudice the council's ability to make new Tree Preservation Orders where trees establish sufficient public amenity value during the lifetime of the development and the Applicant should be required to comply with the protections included therein.

2.28. The Applicant should confirm that access, management arrangements and operational requirements will not restrict the designation or protection of trees under future TPOs.

2.29. Furthermore, as previously indicated, the council considers that the Arboricultural Impact Assessment and Aboricultural Method Statement should be certified under Schedule 13.

Schedule 15 Protective Provisions

2.30. Schedule 15 ‘Protective Provisions’ still needs a ‘Part’ added to provide protective measures for the Benefit of the Local Highway Authority (Wiltshire Council), which is currently absent. It is however accepted that this is a matter under discussion with the Applicant, and which is not yet part of the draft DCO. The council’s preferred Protective Provisions are included within Appendix A of its Post Hearing Submissions response, which has also been submitted at Deadline 4.

3. 6.1 ES Volume 1, Chapter 13 Transport and Access (Rev 3) [REP3-020]

3.1. Comments where applicable are made in respect of the revised Transport Assessment [REP3-066] below, as this chapter in Volume 1 of the Environment Statement simply mimics the content of the Transport Assessment for the most part.

3.2. The council's Highways Development Management Officer does however refer to the following:

- Paragraph 13.4.10: This states that "*Other than the Highway Improvement Areas which form part of the Order Limits, the assessment assumes that the road network and existing services will remain the same*". As stated verbally at the ISH3 Hearing, it is considered passing space improvements along the narrow rural lanes forming parts of the HGV construction access routes are needed at locations outside the HIA (which is currently limited to Alderton Road).

- Table 13-20 shows the forecast number of overall HGV movements over the construction period by Lime Down Solar Park site (and mean / 'peak' daily predictions). This remains a subject of disagreement and discussion pending the provision of more information from the Applicant on assumptions and some validation against other Solar Farm forecasts. This was also discussed at length during the ISH3 Hearing, and the council comments further on the 9.34 Applicant's Response to Stop Lime Down Written Representation – Appendix D Transport Report [REP3-133] below.

- Table 13-21 shows the expected number of shuttle buses and car / light van movements associated with the 622 workers expected across the Lime Down Solar Park sites. The assumed 50% mode share taken by the shuttle buses is considered too high to be seen as a worst-case scenario assessment, as made clear in the council's comments at CTMP/TA Scoping stage despite this being accepted on other Solar Farm projects. It is also noted from the table that, of the remaining workers (302), 98 are assumed to be car sharing (32%). As such, the single-occupant car trips are only assumed to comprise an 18% mode share which does seem low.

- Table 13-23 shows the magnitude of the daily construction traffic movements expected along various routes. As noted in the past, whilst the HGVs will be forced to use the prescribed construction routes to the Lime Down Solar Park areas, it seems improbable that light vehicle trips associated with workers will be similarly channeled to just these routes. A wider distribution would be expected and more plausible.

4. 6.1 ES Volume 1, Chapter 8 Landscape and Visual (Rev 2) [REP3-026]

4.1. The council notes the table heading changes from enhancement to mitigation.

5. 6.2 ES Volume 2, Figure 3-4-4.1 and 3-4-4.2 Landscape and Ecology Mitigation Plan (Rev 3) [REP3-037]

5.1. Given the potential for substantial land take requirements, the council considers that indicative footprint areas for potential soil storage stockpiles should be added to the plan to demonstrate that these would not impact upon embedded mitigation buffers and stand offs, and to reduce the risk that these would end up being located within areas of ecological mitigation or enhancement.

5.2. It would also have been helpful if the amendments could be tracked or clearly annotated on the plan, so that it is easier to decipher what the changes to the plan comprise.

6. 6.3 ES Volume 3, Appendix 8-3-2-2 Landscape and Visual Assessment Sheets Significant (Rev 2) [REP3-045]

6.1. The council notes the correction to an advised error contained in the visual assessment sheet for Grain Store Barn.

7. 6.3 ES Volume 3, Appendix 8-3-3 Summary of Visual Effects (Rev 2) [REP3-047]

7.1. The council notes the correction to an advised error contained in the private receptors' summary sheet for Grain Store Barn.

8. 6.3 ES Volume 3, Appendix 13-1 Transport Assessment (Rev 3) [REP3-066]

8.1. As noted in the listed Schedule of Change at Deadline 3, most of the main-body changes to the report are minor and the council's Highways Development Management Officer offers no comment on these. It is also noted that no changes have been made to Annex E, so the supporting calculations underlying the HGV trip generation during the construction phase. The council's latest comments on this element are set out in the response to the Applicant's response to the Deadline 2 submissions [REP3-129], and expressly WCD1-082 to 086.

8.2. The council therefore focuses here on the following changes:

- Annex J: Update of Drawings SP43 to SP46
- Annex K: Update of drawing SP51, SP52, SP54 and SP55 and inclusion of Drawing PL300 and PL301 to demonstrate vertical alignment/visibility.

8.3. At the ISH3 Hearing, it was noted that base topographical survey drawings for 'all' the minor roads forming the HGV construction routes should be provided, with the actual carriageway width dimensions indicated at intervals. It was suggested by Wiltshire Council that each road should employ a chainage line, with widths indicated at, say, 10m intervals. As 5.5m is the minimum width necessary for 2-way HGV passage, and 4.8m for car / HGV passage (MfS), it would be helpful to colour-shade route sections with carriageway widths 5.5m or greater and 4.8-5.5m, with unshaded lengths then indicating lengths with a width of less than 4.8m. This would provide a better 'at a glance' suitability of the existing routes, which is difficult to pick up from the swept path plots where a lot of underlying base detail is masked.

Annex J

8.4. It is understood from the Applicant's response to the Wiltshire Council Deadline 2 comments on Annex J that, in respect of the Dyson RBT to Bradfield Cottages section, Drawings SP34-B and SP36-B are now based on a topographical survey base and demonstrate an HGV and car can pass for the vast majority of the route, with the longest length of restricted passage between a car and HGV just under 30 metres in length. Similarly, drawings SP43-SP46 have been updated at Deadline 3 to demonstrate inter-visibility between HGVs and cars on the Fosse Way using a topographical survey base and including indicative widening improvements within the Order Limits, with the longest length of restricted passage between a car and HGV just under 75 metres in length.

8.5. With respect to the Fosse Way drawings, SP44A and SP45A showing the northern section indicates a narrow length of some 168m. Furthermore, proposals for carriageway widening where indicated are very unclear in terms of scale / width upgrade. Furthermore, these passing place improvements will need to cater for the passage of two HGVs, and it is thus unclear as to whether what is shown will achieve this.

8.6. It is noted that Drawings SP38 and SP39A showing swept paths along the road length between the Fosse Way and Lime Down A are still based on OS Land-line mapping. This needs a topographical base to ensure accuracy.

Annex K

8.7. With respect to Drawing SP50A showing the road between the Fosse Way and the Lime Down A access points, the council's comments above also apply. Analysis needs a topographical base. The drawing shows that an HGV on the Fosse Way arriving at the junction would have a 125m sightline to a southbound

HGV leaving Lime Down A. However, it is unclear whether this southbound HGV could pass the other HGV near the junction if proceeding beyond this last available passing point.

8.8. Drawing SP51A shows the route length from Dyson RBT to Bradfield Cottages. Insert 4 has now been added to show that a 10m tipper and a 16.5m articulated HGV could pass using the existing access with the wide concrete apron located midway between Brookside and the Flying Monk Café access. This gives sufficient comfort over HGV passage through this section. However, the limited opportunities for 2-way HGV passage between the café access and the Lime Down D access points remains a concern. Similarly, the section south of the railway bridge extending to the bend is clearly variable in carriageway width and less than 5.5m in several locations. As such, there is a high likelihood the verge here could be regularly overrun and damaged with regular HGV trafficking.

8.9. Drawings SP54A and SP55A show the southern and northern lengths of Fosse Way. As previously noted, passing place spacing for 2-way HGV passage exceeding 300m is not accepted, with this shown to be the case immediately north of the Fosse Lodge junction (SP54A - Inset 2) and just north of the railway bridge (SP55A- Inset 1). With respect to Drawing SP55A, the analysis shows a northbound HGV waiting near the junction with the road to Sherston, but it is unclear whether another HGV turning right from this road could pass another HGV waiting in the location shown.

9. 7.4 Design Principles and Parameters (Rev 3) [REP3-084]

9.1. The council notes that in the Applicant's response to ExQ1 EB1.16 [REP3-128], states that the Design Principles and Parameters (Rev 3) "has been updated at Deadline 3 to include the implementation of a 15m buffer zone for all works to North Bincombe Wood". The council has been unable to locate the aforementioned change within REP3-084, and therefore requests clarification from the Applicant as to where this has been incorporated.

9.2. Therefore, the council's concern regarding the access track at North Bincombe Wood remains unresolved.

9.3. Furthermore, the council has reviewed the included scheme 'Commitments' – Specific elements of the detailed design of the scheme components including considerations such as appearance, materials, colour and alignment included for the works number (1 to 10) in REP3-084. The council considers the following (minor additions) to already advised 'commitments' for the following 'work numbers' and 'scheme components' should be further secured and incorporated to provide more certainty that detailed design solutions will be sympathetic to the rural character of the area.

9.4. The council considers minor additions to two existing detailed design commitments repeated within the tables should be further incorporated. These relate to the:

9.5. 'Perimeter fencing commitment' and the 'highway access point commitment' as incorporated within Section 2.2-2.11, pages 5 to 26, within the following tables.

Table 2-3 (Work No.3) Design Parameters and Commitments

9.6. Work no. 3 - works in connection with on-site substations.

- Deer type wire mesh and wooden post fencing outside of the palisade fencing (Page 13). Add 'Wooden posts shall be round in section and agricultural in appearance.' (or similar wording).

Table 2-5 (Work No.6) Design Parameters and Commitments

9.7. Work No.6 – works (a to k) various ancillary components including, fencing, landscaping etc.

- Perimeter Fencing Commitment (Page 20). Add 'Wooden posts shall be round in section and agricultural in appearance.' (or similar wording).

- Solar PV access tracks commitment (page 21). Add 'Any edge restraints required to form or retain surface materials at access points will be laid to finish flush with adjacent road levels to avoid creation of uncharacteristic upstands' (or similar wording).

Table 2-7 (Work No.8) Design Parameters and Commitments

9.8. Work No. 8a (temporary works) 8b (permanent works) – works to facilitate access to Work Nos. 1 to 7 and 9 to 10.

- BESS and Substation access commitment (page 24). Add 'Any edge restraints required to form or retain surface materials at access points will be laid to finish flush with adjacent road levels to avoid creation of uncharacteristic upstands' (or similar wording).

- In relation to work no's 8a (ii) and 8b (ii) 'Creation of visibility splays' and 8a (iv) 8b (iv) 'offsite works adjacent to highways land including those to structures, boundary features, drainage features on private land, in connection with the movement of abnormal indivisible loads', the council requests the consideration and inclusion of the following additional commitments: Add ''where existing sections of roadside hedgerows or dry stone walls are necessary to remove to facilitate the temporary creation of highway visibility splays and widened access to accommodate AIL's, the removed sections of hedgerow or drystone wall shall be replanted or reconstructed on existing alignments following completion of any temporary works, and on new adjusted alignments

along the back edge of the required visibility splays for any permanent works' (or similar wording to achieve same outcomes).

Table 2-8 Work No.9 Design Parameters and Commitments

9.9. Work No. 9 – works (a to f) to create and maintain habitat management areas.

- Fencing Commitment (page24). Add 'Wooden posts shall be round in section and agricultural in appearance.' (or similar wording).

Table 2-9 Work No.10 Design Parameters and Commitments

9.10. Work No. 10 – creation of permissive paths

- Fencing Commitment (page26). Add 'Wooden posts shall be round in section and agricultural in appearance.' (or similar wording).

Soil Stockpiles

9.11. The council also considers that minimum / maximum design parameters for cross sectional soil stockpile / bund profiles should be added as a specific design parameter. The council suggests incorporating this into **Table 2-5 (Work No.6)** which the council considers should include commitments for maximum height of bunds and minimum cross-sectional widths across the top and base of bund / stockpiles and minimum / maximum stockpile / bund slope angles / gradients.

The Councils Reasons and Justification

9.12. The council considers its requests reasonable in order to mitigate risk from introducing uncharacteristic development components such as square section timber fence posts for fenced boundary treatments over a large, protracted area of rural countryside, and from introducing overly urban fabric components such as raised kerbs at new private access points from the public highway, impacting the character of the local rural roads and lanes. Also to ensure that the AIL works at Grittleton crossroads appropriately mitigate for potential tree loss along the edge of the adjacent woodland and /or removal of the dry-stone wall and to demonstrate soil stockpiles are practically achievable without impacting embedded mitigation or enhancement measures.

10. 7.8 Biodiversity Net Gain Assessment Report (Rev 3) [REP3-086] and 7.9 Biodiversity Net Gain Assessment Appendix Statutory Biodiversity Metric Calculation (Rev 3) Excel [REP3-089]

10.1. Wiltshire Council provided detailed comments on the BNG Assessment Report and the BNG metric submitted in its Written Representation [REP1-138]. During Issue Specific Hearing 3 (ISH3) on 2 July 2026, the ExA raised the

matter of the detailed observations regarding the BNG Assessment Report and Statutory Biodiversity Metric that were made by Wiltshire Council in the aforementioned representation [REP1-138]. Observation 1 was discussed during ISH3, and this matter is considered resolved.

10.2. The ExA requested that Observations 2 to 11 inclusive are discussed between the Applicant and the council by means of the SoCG.

10.3. Wiltshire Council has reviewed 7.8 Biodiversity Net Gain Assessment Report (Rev 3) [REP3-086], 7.9 Biodiversity Net Gain Assessment Appendix Statutory Biodiversity Metric Calculation (Rev 3) [REP3-088] and 7.9 Biodiversity Net Gain Assessment Appendix Statutory Biodiversity Metric Calculation (Rev 3) (Excel) [REP3-089] submitted at Deadline 3 and it evident that no revisions have been made to the aforementioned submissions that address or overcome the observations and concerns raised by the Council.

11. 7.10 Habitats Regulations Assessment Report (Rev 2) [REP3-091]

11.1. The council notes that the HRA has been updated to only address the comments raised by Natural England (NE} and not any of the issues that have been raised consistently by the council since the provision of its statutory consultation response to the PEIR prior to submission of the DCO application. This is evident from a review of the Schedule of Changes at the front of the HRA [REP3-091] which only list amendments undertaken to address comments from NE.

11.2. The council remains concerned about the lack of bat survey within the section of the CRC that coincides with the greater horseshoe bat consultation zone that extends 4km from the Box Mine component of the Bath and Bradford-on-Avon Bats SAC, and the implications for the accuracy, robustness and reliability of the HRA. Sufficient survey should be undertaken to suitably inform the HRA, and it is necessary to be able to draw conclusions in the appropriate assessment regarding whether the project would have an adverse effect on the integrity of the SAC or its qualifying features beyond reasonable scientific doubt.

11.3. The council also remains concerned regarding Schedule 12 of the dDCO and the potential for hedgerow removal to take place that is greater than that specified in the HRA and the EPMS on account of the overly wide scope of, and powers afforded by, Schedule 12 of the dDCO. This concern remains irrespective of the footnotes to Part 1 and 2 of Schedule 12 and the provisions of Article 40(4).

11.4. For full details of the council's concerns please also refer to the council's previous representations, Wiltshire Council's response to Action Point 14 and Action Point 18 assigned by the ExA during Issue Specific Hearing 3 (ISH3)(Item 3 Ecology and Biodiversity) and in the council's ISH3 Post Hearing Summary.

11.5. Whilst Wiltshire Council maintains in stance in respect of the HRA, it is recognised that NE has expressed confidence in the conclusions of the HRA. Moreover, NE comprises the relevant statutory nature conservation body (SNCB) and statutory consultee at the appropriate assessment stage of the HRA process, whereas Wiltshire Council is not the determining or competent authority for this DCO. Therefore, Wiltshire Council will now defer to NE on this matter as it is evident that the respective parties (the Applicant, NE and Wiltshire Council) are not in agreement on all matters within the HRA and that none of the points of concern to the Council have been addressed by the Applicant and are unlikely to be overcome within the Examination timeframe, and that therefore the aforementioned parties are effectively at an impasse.

12. 7.12 Outline Construction Environmental Management Plan (Rev 4) [REP3-093]

12.1. The council notes the amendment to Table 1 with respect to Low Emissions Vehicles. However, it is considered that as the precise specifications of panels and other component parts are not known at this stage, further commitments and mitigations could be included within the Plan once there was more knowledge about carbon emissions, i.e. from the procurement process for scheme construction and materials. Consideration should be given to incorporating requirements for GHG emissions and carbon reduction plans into the specification and contracts.

12.2. The council welcomes the addition to Table 4 regarding North Bincombe Wood, and the Applicant's commitment for the access tracks to maintain a minimum 15m buffer from the boundary of the Ancient Woodland. However, further clarity is required, and the council reserves comment until it has had a chance to review the updated plans showing the position of the realigned access track. The council notes that in the Applicant's response to ExQ1 EB1.16 [REP3-128], it indicates that the "access track has been realigned." In the ExQ1 question response, the Applicant further states that the Design Principles and Parameters (Rev 3) "has been updated at Deadline 3 to include the implementation of a 15m buffer zone for all works to North Bincombe Wood". However, please see separate comment above regarding REP3-084.

12.3. Furthermore, the council notes the Applicant's position as expressed at the Issue Specific Hearings that they still propose to use the existing track as access to the Solar PV site. The council considers that this will result in encroachment within the 15m buffer, which is contradictory to the arboricultural statement where ancient woodland is afforded this protection. Whilst the council appreciates that the existing track may be used by landowners, this would not result in changes to the track surface, and the existing maintenance of the hedgerow on the track side would still be managed by the farmer. Justification of use of the existing track by the Applicant is required, as the council considers that the Applicant should utilise the proposed relocated track for AIL vehicles during the lifetime of the solar development instead.

12.4. The council notes the amendment to Table 5 with respect to rainwater harvesting.

13. 7.13 Outline Operational Environmental Management Plan (Rev 4) [REP3-095]

13.1. The council notes the amendment to Table 1 with respect to Low Emissions Vehicles. However, it is considered that as the precise specifications of panels and other component parts are not known at this stage, further commitments and mitigations could be included within the Plan once there was more knowledge about carbon emissions, i.e. from the procurement process for scheme construction and materials. Consideration should be given to incorporating requirements for GHG emissions and carbon reduction plans into the specification and contracts.

13.2. The council notes the amendment to Table 5 with respect to rainwater harvesting.

14. 7.14 Outline Decommissioning Strategy (Rev 3) [REP3-097]

14.1. The council welcomes the addition that the Community Liaison Group will be required to meet from a date not less than six months prior to the intended date of decommissioning of that part.

14.2. The council notes the amendment to Table 1 with respect to Low Emissions Vehicles. However, it is considered that as the precise specifications of panels and other component parts are not known at this stage, further commitments and mitigations could be included within the Plan once there was more knowledge about carbon emissions, i.e. from the procurement process for scheme construction and materials. Consideration should be given to incorporating requirements for GHG emissions and carbon reduction plans into the specification and contracts.

14.3. The council queries why the amendment to the outline CEMP and outline OEMP in relation to consideration of rainwater harvesting has not been similarly replicated within the outline Decommissioning Strategy.

14.4. The council notes additional commentary added regarding assessment of hedgerows at time of decommissioning.

15. 7.15 Outline Soil Resources Management Plan (Rev 2) [REP3-099]

15.1. Wiltshire Council are pleased that in the decommissioning phase, paragraph 1.8.31 terminology has been amended to include auger boreholes and pits being dug across the site to check for sign of compaction, and that remedial actions such as subsoiling will take place if needed. This issue is now agreed.

16. 7.18 Outline Landscape and Ecological Management Plan (Rev 2) [REP3-101]

16.1. The council notes that paragraph 1.3.34 of the LEMP states:

"*The shrubby element of hedgerows (excluding select hedgerow trees) will be maintained to an optimum height of 4–5 m tall. However, in order to retain an element of open views from the Cotswold National Landscape (CNL), the shrubby element of hedgerows bordering the CNL at the north of C1 and west/southwest boundaries of C1, C6, C8, C9 and C10 will be managed at a minimum height of 1.5 m*."

16.2. In order to avoid duplication, for details of the Council's view on the Applicant's intention to manage most of the hedgerows across the Order Limits at a height of 4-5m AGL as indicated in paragraph 1.3.34 of the LEMP, please refer to Wiltshire Council's Response to ExA's First Written Questions (ExQ1) [REP3-142], specifically the response to question EB1.18 Hedgerow Heights and Density, together with the council's comments on 9.29 Applicant's Response to the Examining Authority's First Written Questions [REP3-128], again specifically in relation to question EB1.18 Hedgerow Heights and Density.

16.3. In summary however, the Council has raised concerns about the intention to maintain all hedgerows across the Order Limits at the height of 4-5m (with the exception of those listed in paragraph 1.3.34 of the LEMP), notably due to the potential for adverse effects on ground-nesting bird species.

16.4. Paragraph 1.3.140 of the LEMP specifies: "*The area of mitigation habitat required, and further habitat prescriptions will be set out within the detailed LEMP document. Currently, nine fields are proposed for the provision of ground-nesting bird mitigation habitat, shown in Table 7 below.*"

16.5. Table 7 specifies that field numbers B1, B12, C1 and C6, covering a total area of 54 ha, are proposed ground-nesting bird mitigation in the form of set aside, and field numbers A11, A12, C10, C24 and C28, covering an area of 72.2ha, are proposed diverse wildflower meadow. It is evident that apart from the northern boundary of C1 and the west / southwest boundaries of C1, C6 and C10 which will be managed at a minimum height of 1.5 m, the other fields being put forward as ground-nesting bird mitigation will be managed at a much higher height of 4-5m AGL. The council is not clear why the boundary hedgerows to all the fields being proposed as mitigation for ground-nesting birds cannot also

be managed at the lower height of 1.5m in order to maintain open sightlines and reduce vantage points for raptors. The council requests that further justification and consideration is given to this matter.

16.6. In addition, it is understood that Fields C2, C3 and C4 have been physically removed from the Order Limits red line boundary between PEIR and DCO submission. It is unclear why the Applicant didn't opt to retain these fields within the Scheme boundary and propose their use as additional habitat mitigation areas for ground-nesting birds instead to ensure that sufficient habitat is provided to compensate for the loss of ground-nesting bird habitat.

17. 7.20 Outline Skills Supply Chain and Employment Plan (Rev 3) [REP3-105]

17.1. Wiltshire Council welcome the additions and clarifications the Applicant has provided in this document. Should the scheme be consented, the council will work with the Applicant to ensure the plan is delivered, which is considered will help to mitigate some of the economic impact of the scheme.

18. 7.22 Outline Construction Traffic Management Plan (Rev 3) [REP3-109]

Section 2.3 Detailed Design

18.1. Previous council comments still apply. The detailed design of permanent highway works is not considered to be an OCTMP matter. The Wiltshire Council Protective Provisions to be included in Schedule 15 to the DCO will cover these requirements and more, such as Bond sums, inspections, indemnity provision and certification. It is suggested this section need only refer to the Protective Provisions or at least reference them.

Section 6.12 Road Condition Surveys

18.2. It remains the council's preference that that all matters relating to the Highway Condition surveys are included in a separate s59 Agreement, as opposed to be subsumed into the OCTMP. It is stated that "The extent of the survey will be agreed with the local highway authority prior to commencement and as part of the Final CTMPs". However, it is unclear as to why this cannot be determined now as all the roads likely to be impacted by extraordinary HGV trafficking are known and so a plan included within a s59 Agreement. It is the council's view that the LDSP HGV construction trafficking along the narrow rural lanes will be extraordinary in the context of the definition set out in s59 of the Highways Act. There is thus a concern that the use of the wording "defects that can reasonably be attributable to construction activities at the site" leaves a lot of potential for potential arguments about remediation unless this is accepted by the Applicant.

18.3. It is not considered that simple video surveys of the roads to be included will suffice. Plans showing each road length to be included will be needed, with a chainage shown and the location of all photographs taken indicated. The latter should include the location of all existing defects found in the pre-construction condition survey. A separate Schedule would additionally be desirable describing the defects with some indication of severity. This may be useful to agree on any pre-emptive highway works, which may be needed to prevent early deterioration caused by regular HGV trafficking.

19. 9.29 Applicant's Response to the Examining Authority's First Written Questions [REP3-128]

AQ1.5

19.1. The Applicant's response to this question from the Examining Authority (ExA) has been reviewed. It includes the following:

"*In conclusion, the assessment demonstrates that, in the unlikely event of a BESS thermal runaway fire, no significant adverse effects on wildlife, livestock, pets or horses are expected at off-site locations*."

19.2. The council has insufficient information regarding species / species group presence / likely absence to be able to verify the conclusion.

DCO1.14

19.3. The Applicant response to general powers conferred under (2) states that "The article provides general power to alter the layout of streets in recognition that, as the detailed design develops, there is potential for works to the highways to be identified as necessary that were not previously known. In such a circumstance, the works may be carried out pursuant to the powers in the Order (rather than needing to rely on provisions of the Highways Act 1980 etc. (Ref 19)), provided always that the consent of the street authority (which, in respect of public highways, will be the local highway authority) is obtained. This general power ensures that unforeseen highway works can be carried out with the agreement of the local highway authority and avoiding the fragmentation of the powers under which such works are carried out". The council position is that that such far-reaching powers beyond the Order Limits are not required or warranted. The 6-week limit for 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 sees 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.

DCO1.15

19.4. The Applicant has rejected the ExA proposal for extending the 12-month maintenance or defects period where wider LDSP HGV construction trafficking is to continue well beyond this date. It is stated "At the expiry of 12 months, responsibility for maintenance reverts to the street authority. This approach reflects the typical sharing of responsibility for highway works". See above (Draft DCO) [REP3-006] for the council's comments on this point. For early completed highway works, there is a concern that ongoing regular HGV construction trafficking associated with the wider LDSP sites 'could' lead to defects and damage to these works after the normal maintenance period (12-month) expiry. However, the Applicant makes the point that the requirement for periodic highway condition surveys written into the CTMP (or a bespoke s59 Agreement preferred by the council) could cover off highway damages incurred to completed works due to ongoing HGV construction trafficking after the issue of the Final Certificate. This point is accepted.

DCO1.47

19.5. The Applicant's response includes the following statement:

"*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 [REP1 100].*"

19.6. This is at odds with the council's Ecology Officer's response to this question in its response to the ExA.

EB1.10

19.7. The council's Ecology Officer is in general agreement with the Applicant's response to question EB1.10 to the ExA but suggests that the protective buffer zones may not be wide enough to fully encompass the areas within which impacts could occur. The Applicant likewise appears to be aware of this potential issue as their response specifies that the undeveloped buffers encompass most of the area in which impacts are likely to arise from beaver activity; the inference being that the buffer zones may not cover the entire area within which impacts could occur.

19.8. The council considers that the ES Volume 1, Chapter 9: Ecology and Biodiversity (Rev 2) [REP1-016], the Outline Ecological Protection and Mitigation Strategy (EPMS) (Rev 3) [REP3-103] and the Outline Landscape and Ecological Management Plan (LEMP) (Rev 2) [REP3-101] are updated to incorporate and expand upon as required, the measures discussed in the Applicant's Response to this question in order to ensure that this matter is covered within the ES and control documents.

EB1.13

19.9. The Applicant's response is noted, however, the council has insufficient information to be able to agree or corroborate the conclusions therein.

EB1.18

19.10. The council's Ecology Officer concurs with a number of the points made in the Applicant's response. However, the response does not identify or discuss that maintaining all hedgerows within the Order Limits at a height of 4.5m above ground level (AGL) will reduce the structural diversity of the hedgerows, which in turn could have an adverse effect on species diversity and /or abundance.

19.11. In response to question EB1.18 from the ExA, the council specified that the management of hedgerows to a height of 4.5m AGL, 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.

19.12. Similarly, the Applicant's response states: "*It is possible that increases in hedgerow height from baseline levels may reduce the suitability of fields for ground-nesting bird species, such as skylark, that rely on open-sightlines when nesting*." The response then specifies: "*In order to compensate for the loss of suitable skylark habitat within the Solar PV Sites as a result of the Scheme, and to mitigate for the resulting loss of skylark breeding territories as detailed within ES Volume 1, Chapter 9: Ecology and Biodiversity [REP1-015], nine fields within the Order Limits are proposed as ground-nesting bird mitigation habitat. These fields have been selected based on their large size, limited extent of adjacent woodland, and few potential vantage points for predators. An increase in hedgerow height from baseline levels to 4.5m is not considered to compromise the ability of these fields to deliver mitigation for ground nesting birds, as areas of ground-nesting bird mitigation habitat are proposed in fields that meet the above criteria and the height of hedgerows are thus not critical."*

19.13. The council cannot corroborate the conclusion put forward in the last sentence of the aforementioned extract which seems to conflict with the first sentence of the extract, and considers that insufficient information has been included within the response to substantiate that the open sightlines would not be obstructed, especially if fields to be set-aside as mitigation for ground-nesting birds and which lie adjacent to each other are intersected / bordered by hedgerows which will be maintained at a height of 4.5m AGL.

19.14. As such, the council questions why it is necessary for the hedgerows bordering the fields that are to be set-aside and used as mitigation for ground-nesting birds, to be maintained at 4.5m AGL. The council suggests that instead these hedgerows should be maintained at a lower height to ensure there are open sightlines and that any current unobstructed or relatively unobstructed views remain so.

LV1.1

19.15. The council understand the question was directed to the Applicant seeking further clarity surrounding the effects to the soft landscape fabric components, and the extent to which proposed planting is for the purposes of mitigation or enhancement. The Applicant was asked by the ExA to ‘’quantify the following by planting typology:

1) Loss of landscape fabric components.

2) Additional landscape fabric components, including both mitigation and enhancement measures.

3) Extent of proposed planting under point 2) above that would be required for the purpose of mitigating adverse landscape or visual effects.

4) Extent of proposed planting under point 2) above that would be for enhancement only.”

19.16. In response to questions 1-4, the Applicant has provided tabled information within [REP3-128] attached as Annex C LV1.1 – Landscape Fabric – Quantifying Loss and Provision.

19.17. The council notes that within ‘Table 4 - Extent of proposed planting under item 2 (above) that would be for enhancement only’, the Applicant has included under ‘proposed groundcover’ 47.18 hectares of ‘Proposed ground nesting bird mitigation set-a-side land.’ The council questions this inclusion under ‘enhancement only’ for two reasons. The first is that set-a-side is still technically arable / agricultural land in a state of rest and would need cultivation on a rotational basis (typically 3-5 years) so this would be a neutral effect in terms of groundcover, and the second is that if this land is required to mitigate specific ecological harms caused by the development how can it be considered as enhancement only.

19.18. The council questions whether the total for proposed groundcover enhancement within Table 4 should be 57.62 hectares and not 104.80 hectares as currently included.

LV1.3

19.19. In response to ExA’s request for a plan, the Applicant has provided an annotated version of the ‘Tree Protection Order and Hedgerow plan’ [APP-011] to show hedgerows which would be managed to a height of 4.5m.

19.20. The council raises concern in relation to the proposed holistic management of all existing and new hedgerows within the order limits at 4.5 metre heights on this Hedgerow Height Plan (Annex D LV1.3) [REP3-128], noting single exception at Alderton Road, where hedgerows are proposed to be maintained

at existing baseline heights, circa 1.4m high to conserve the existing open aspect with the CNL across Alderton Road.

19.21. The council considers that the mitigation could and should differentiate between those hedgerows within the order limits that are being relied upon to provide screening and those that are not, with a view to maintaining hedgerows at lower existing levels where they are not being relied upon for screening purposes. The council understands that 4.5m high hedgerows are proposed to provide long term visual screening of renewable energy scheme components and substations, so the council is confused as to why all short sections of hedgerow within and crossing the CRC are proposed to be managed at 4.5m heights, given the nature of the works are primarily underground and long-term visual mitigation is not required.

LV1.4

19.22. The council notes the question was for the Applicant. 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:

1) 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?

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?

19.23. In the council's opinion the Applicant doesn't answer either of these two questions within their written response to ExQ1 LV1.4.

LV1.6

19.24. The first part of this question is for the Council and Stop Lime Down, while the second part is directed to the Applicant. The council has answered the first part of this question within its response to ExQ1 LV1.6 at page 38-39 [REP3-142]. The council notes the Applicant's response to the second part of this question but does not agree with the Applicant's justification of their approach to their assessment of landscape character (or assessment of landscape components (fabric) informing and feeding into the separate assessment of character).

19.25. 'Wiltshire Council considers the Applicant's 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.'

19.26. The council notes within the Applicant's justification for their approach ''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.''

19.27. The council considers that the Applicant should have carried out their holistic assessment of the patchwork of landscape character as a logical final step in the landscape assessment process (bringing everything together), rather than not including landscape character types and character areas as specific landscape receptors. The boundaries of landscape character types and areas are not arbitrary lines, their boundaries align with distinctive character changes, some abrupt others more subtle. The assessment of specific unique character types and areas would help the Applicant better understand how the scheme impacts and influences key features and distinctive character attributes of the landscape and the condition of the landscape in different areas and would assist with their holistic assessment. It certainly wouldn't prevent the Applicant from carrying out a holistic assessment of landscape character as a final stage in the process.

LV1.7

19.28. This question was directed to the Applicant. The council notes the Applicant's response to Question 1, ''the reduction in the significance of landscape effects at year 15 of operation is as a result of the maturing mitigation measures within the Sites which will, as it matures, strengthen the level of vegetation and assimilate the development into the landscape.''

19.29. The council does not agree that the visual mitigation strategy (higher hedgerow management and introduced screen planting) will substantially change the significance of effects for landscape character at year 15. The Applicant's consideration of resulting character effects relies on the visual mitigation strategy to achieve this reduced effect for character. It also relies on a partial assessment of landscape components (fabric). Also important to consider in this regard is that the visual assessment confirms that numerous visual receptors assessed at year 15 as illustrated in some cases by the year 15 photomontages demonstrate that some panel areas and substations located on rolling ridgelines, or where visual receptors are slightly elevated, or where development areas are on slightly higher topography will remain visible beyond year 15.

19.30. The council maintains its position as presented within its Local Impact Report [REP1-137] that significant adverse effects for landscape character will remain until the energy infrastructure scheme is decommissioned and removed from the landscape.

LV1.9

19.31. The parties were asked to define in spatial extents the setting to the CNL. The council provided its response to ExQ1- LV1.9 in [REP3-142].

19.32. The council notes the Applicant's submission of a plan 'Spatial Extent of the Setting of the Cotswolds National Landscape' included as Annex E, LV1.9 [REP3-128] in their response to the first part of this question. This plan is understood to define the spatial extent of the setting of the CNL as far as the Applicant is concerned.

19.33. The council considers that setting to the CNL should be considered and can be impacted in different ways. Defining the setting to a National Landscape needs to consider both physical landscape components and perceptual and visual qualities that together define its character and special qualities.

19.34. The council disagrees with the Applicant's defined spatial extent of the setting of the CNL and considers that the field areas have been identified and included largely on the basis of adjacent physical proximity to the CNL boundary or where field parcels had the greatest visibility from within the CNL. While the plan(s) identifies individual field parcels within the DCO Limits, the plan doesn't attempt to define the setting for this part of the CNL impacted by the development.

LV1.19

19.35. Following the opportunity to view the relationship of site areas during ExA ASI 1 [EV5-001] from habitable rooms inside two of these worst impacted residential properties and from their associated garden areas, the council agrees with the Applicants' justification and reasoning included in their written response to this question.

19.36. The council confirmed to the ExA verbally during the course of hearing discussions at ISH2 that it no longer considers that a Residential Visual Amenity Assessment is required for any residential dwelling contained within the DCO Order Limits (Site Areas A to E), based on the high-level thresholds required to trigger RVAA assessment. The council considers that the assessment scores for these residential receptors as currently included within the Applicant's LVIA are sufficient to inform the ExA on appropriate levels of resulting harm for these impacted residential receptors.

LV1.26

19.37. The council acknowledges this was a question for the Applicant to explain how the proposed access points from the public highway would be designed to be appropriate to the receiving landscape character and minimise impacts on landscape and visual receptors. The Applicant's response was requested to also include its position on whether there should be tighter controls within the Design Principles and Parameters [REP1A-008] to ensure that the design of access points would be appropriate to the receiving landscape character.

19.38. The council notes the Applicant's comments in relation to the permanent change to landscape character associated with the planting of a secondary screening hedgerow at retained operational site access points (referred to as 'hedge line hooks' during ISH2 by the Applicant). However, the council views the addition of short sections of a secondary hedgerow locally associated with site access points as small-localised changes, which would not be out of keeping with the rural character, to be preferable to the alternative of leaving open public views of solar PV infrastructure through these physical gaps and over any associated lowered hedge lines to maintain entrance visibility splays for the 60 year life of the scheme.

LV1.27

19.39. While it was understood that this question was for the Applicant to provide further explanation of how the energy storage facility (Work No. 2) and the onsite substations (Work No. 3) would be 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, the Council comments as follows on the Applicant's written response to this question.

19.40. The council notes the Applicant references within their response 7.4 Design Principles and Parameters (Rev 2) [REP1A-007] (note the council considers the reference should be to [REP1A-008] Work No.2(b) BESS Container Commitment. This states that BESS containers 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. That 'colours will be carefully selected in subdued, non-reflective tones to sit as discreetly as possible within the landscape.'

19.41. During the course of discussions at ISH2 (Landscape and Visual), it became apparent to the council that there is no certainty that BESS containers would be controlled and externally finished as described, and not for example end up being white in colour due to manufacturer specification or availability and further design considerations including around safety (to reflect sunlight / heat). Practically speaking, the council will have little or no option but to approve white BESS containers at detailed design stage, should the Applicant assert no other options are available at point of detailed submission, despite the Applicant's design / aesthetic commitments included under Work No.2b. The commitment is in effect toothless in so far as it relates to BESS containers.

19.42. Alongside the colour treatment of this new fabric component, the council notes that the Applicant proposes to surround and visually screen the BESS compound and its containers with a 2m high x 3m wide earth bund constructed from excavated site soils, with a 2m high acoustic fence on top and tree and scrub planting on the outward facing slopes of this bund. Given these containers could be finished in white, the council supports the use of soil bunds to provide screening for this development component. However, the council

highlights that a 2m high bund with a 3m wide cross-sectional footprint, could only be constructed as a triangular pointed bund. The council considers that bund profiles will require a rounded or flat-topped profile of at least a metre width in order to structurally support a 2m high solid fence susceptible to wind throw forces.

19.43. The council also considers that the Applicant's proposed bund slope profiles are unlikely to be achieved at slopes greater in angle than 45 degrees (absolute worst case). Assuming 45 degree slope angles are the maximum parameters employed for construction of this bund (1 in 1 gradients), the cross sectional footprint requirement for a 2m high bund would be 4m at base (with a pointed bund top), but more likely to be in the region of minimum 5m width at base (with a 1m wide rounded or flat bund top), not the 3m width stated by the Applicant for a 2m high bund. The Applicant's currently proposed bund profile would result in slope angles in the order of 52.5 degrees, which are not viewed by the council as credible cross-sectional profiles for the creation of long-term soil storage stockpiles or screening bunds.

19.44. The council notes the action point ISH2 Action Point 18 [EV8-010] for the Applicant to provide maximum parameter commitments such as footprint, height and angle of slopes for long-term soil stockpiles. The council will review and provide further comment on this detail following its submission at Deadline 4. The council would request the Applicant to include design parameters and commitments for soil stockpiles and earth bunds (further discussed and detailed in the council's comments for 7.4 Design Principles and Parameters (Rev 3) [REP3-084], under comments for Work no.8.

SE1.3

19.45. Whilst Wiltshire Council accept that the economic impact of the scheme across the whole county will only be adverse, the council is still of the opinion that the impact on local businesses within a minimum of 5km of the scheme and along the cable route, without a comprehensive compensation scheme will be significant, though mainly confined to periods of construction / decommissioning and for at least one year post the work being completed. The council notes that there have been a significant number of representations which support this opinion.

19.46. The council also considers that further justification of the 20km limit is required. Due to its road network, most commuting in Wiltshire is East / West rather than North / South. Whilst it would include the population centres of Chippenham and Malmesbury, both these areas have low rates of unemployment. The council suspects that the development will attract staff from Swindon and Bristol, along to a lesser extent Melksham and Trowbridge.

19.47. The council considers that it would also be helpful if the Applicant could confirm whether any mapping has been done to show potential supply chain businesses that might benefit from this scheme within the 20km study area.

TT1.3

19.48. The ExA commented that "The ExA considers that there is inadequate descriptive and illustrated detail of the highway improvement works (particularly the areas that require widening) that would take place in each of the HIAs". This certainly reflects the view of the council, and comments on the drawing showing proposed works along Alderton Road in Annex I to Environmental Statement Volume 3, Appendix 13-1 Transport Assessment (Rev 2) were made in the council response at Deadline 2 [REP2-048]. It is noted that the Applicant intends to provide more intended works detail at Deadline 4.

TT1.5

19.49. The Applicant states "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 otherwise agreed with the landowners or Local Authority. Any maintenance would be undertaken via existing field entrances. All existing accesses along 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". This is as understood by the Council previously.

TT1.6

19.50. The Applicant states in part response to the question on the robustness of forecasting that "If the figures in the final CTMP are greater than those assessed when it comes to be implemented, further assessment would be required to demonstrate the traffic volumes remain not significant". This assumes the actual level of generated traffic is not significant and is a real concern during the construction phase if the level of HGV trafficking is duly shown to be notably underestimated.

TT1.7

19.51. The Applicant response states that "in accordance with the Outline CTMP [REP1-112] and the Construction Worker Travel Plan, shifts will 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". This response doesn't seem to answer the ExA question about the assumed worker numbers employed at each site. The council has provided its own response to the assumed methodology, including the assumed distribution of light vehicle trips. It cannot be assumed that these vehicle trips would be solely confined to the prescribed construction routes.

TT1.8

19.52. It remains the council's view that a 50% uptake assumption is optimistic, despite it being accepted on other Solar Farm studies. The Applicant states "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" and "Construction worker travel patterns are typically highly regular, with fixed start and finish times and limited flexibility. A shuttle bus provides these workers with reduced fuel and travel costs and removes the need to navigate rural routes. This makes the workforce particularly suited to organised transport solutions, allowing shuttle services to operate efficiently and align closely with demand". It would not be atypical for employee start / finish times to be regular, but it seems to the council that the attractiveness of the shuttle bus service will be more governed by the distribution of the 'home' locations of workers and convenience of the 'pick-up' points. Also, how long the shuttle bus 'round trip' would take when compared with a direct car / van trip to the site from the home location. It is accepted that parking controls at the various Solar Park sites can be used as a 'stick' measure to discourage work trips being made by car, but effectiveness will depend on whether on-street parking at points along the rural lanes is possible and, if so, whether it can be prevented.

TT1.10

19.53. Whilst there is no specific Highways Development Management comment, it is considered that the Applicant has not really answered the ExA question about the risk of local traffic rerouting to avoid conflict with HGVs using the narrow rural lanes earmarked for Lime Down Solar Park construction access. The simple fact is no diversion has been assumed, as the Applicant considers the Traffic Management and Monitoring System (TMMS) to be considered for implementation as part of the final detailed CTMP will effectively manage HGV conflicts and prevent operational delays for other existing traffic.

TT1.12

19.54. This Applicant response explains why the fixed solar panel assumption used in the Transport Assessment (as opposed to the use of tracker panels) results in a worst-case HGV delivery trip estimate. The reasoning given states "a fixed south-facing panel achieves lower energy generation to a tracker panel. This is because the tracker panel follows the sun for a greater proportion of the day. However, when considering panels in a fixed area of land, a greater installed capacity can be achieved through the use of fixed panels. This is due to efficient layouts of tracker panels requiring greater spacing. A fixed panel layout will therefore be denser than a tracker panel layout, require a greater number of panels, and accordingly, a greater number of vehicle movements to deliver those panels". This is fine, but in referring back to the response to the SLD Written Representation [REP3-133], it would be helpful if the Applicant could confirm the fixed PV Module per acre density assumed, what density of tracker panels would be needed to achieve the same power output and the HGV load

capacity per vehicle if used. It would also be useful to know what is proposed in terms of the PV Module type, or types, and their proportions.

TT1.18

19.55. It is noted that this was covered in depth at the ISH3 Hearing, and thus the council offers no further comments at this stage. It is understood that further NMU surveys are planned by the Applicant.

TT1.19

19.56. The council will provide the data in response to this question in a separate submission, also to be submitted at Deadline 4.

TT1.20

19.57. The Applicant response to the ExA question on assessed NMU safety states that "Road Safety Audits (RSA) are undertaken in accordance with DMRB GG119, which states that they apply "Where there are physical changes to the highway impacting on road user behaviour or resulting in a change to the outcome of a collision on the trunk road and motorway network". The usage of existing roads by construction traffic would therefore not typically fall within the remit of RSA, as it does not constitute a 'physical change to the highway'". This is true and accepted, although given the level of proposed HGV trafficking along the narrow rural lanes, it would have been expected that some sort of Risk Assessment would have been carried out. The Applicant further states that "The suitability of the use of these routes is therefore considered in relation to personal injury collision records and professional judgement". The only issue with over-reliance on historical PIC records is that the development and regular HGV trafficking during LDSP construction will create a 'step change' in the size / weight of the vehicles using these lanes, which would not have been present as a potential accident causation factor in the past record.

20. 9.30 Applicant's Response to Comments Received at Deadline 2 [REP3-129]

Comment WCD1-073

20.1. The council raised concerns relating to the fact that it was not clear as to which fields / areas development was proposed on the viewpoint panoramas. There has been no adequate response to this in the Applicant's response to the query, apart from to state that the Council did not originally request the panel fields, substations and BESS locations, resulting in their omission.

20.2. The council would respond that providing this information forms an integral part of the ES process and therefore would not have expected the Applicant to fail to submit such important information for either the council or other parties to make interpreting the information and making reasoned judgements difficult.

Comment WCD1-078

20.3. The Applicant states “It is accepted that the drawings (Transport Assessment - Annex C) are regarded as preliminary and that detailed design approval will be covered by Wiltshire Council Protective Provisions included in Schedule 15 to the Development Consent Order”. This is noted and accepted.

Comment WCD1-080

20.4. The Applicant states “It is accepted that the drawings (Transport Assessment - Annex D) are regarded as preliminary and that detailed design approval will be covered by Wiltshire Council Protective Provisions included in Schedule 15 to the Development Consent Order”. This is noted and accepted.

Comments WCD1-082 to WCD1-084

20.5. The Applicant states “The quantities of PV Modules and Module Mounting Structures for each of the Lime Down sites (A-E) is based on the areas to be occupied by panels and initial layouts and indicative designs prepared by the Applicant. These densities are comparable to other solar schemes.” However, it is still by no means clear how the proposed density compares to other solar farms sites, as the Applicant has not commented on the comparative HGV / ha ratios in Table 2 of the SLD Written Representation (Appendix D - Transport Report). See council officer’s comments on the Applicant’s response to SLD Written Representation [REP3-133] on this point below.

Comment WCD1-085

20.6. The Applicant states “It has been assumed that any excavated material will remain on site. In the event of any spoil being taken off site, where possible this will be undertaken by the same tippers used for incoming supply of aggregate”. This is a big concern given the circa 139,000 cubic metres of unsuitable material identified in the Outline Waste Management Plan. Furthermore, assuming the supplier delivering aggregate will also be happy to employ the same tippers to remove all waste spoil offsite to tip is also not a worst-case scenario, but rather the ideal.

Comment WCD1-086

20.7. The Applicant still does not clarify whether the base depths used should be 0.5m or 0.8m or, if both, whether the differing construction depths are included in the calculations for this element.

Comment WCD1-087

20.8. The council notes the comments and the 0.3m and 0.5m (BESS) typical access track depths used are accepted.

Comments WCD1-089 to WCD1-093

20.9. The Applicant states that "The Applicant accepts that General Arrangement and a full pack of detailed drawings based on a topographical survey base would be submitted to Wiltshire Council for full technical approval as part of the DCO protective provisions". This is acceptable although, for the purposes of the Transport Assessment, it would be helpful to see some more information shown on the drawing in Annex I, such as dimensions showing the proposed carriageway widths through the passing area sections and the lengths of the respective widening treatments.

Comment WCD1-094

20.10. The Applicant advises that "there are frequent opportunities for two HGVs to pass on the section of road between the junction with The Street and the first proposed area of works to the north of the village. Drawing SP52 in Annex I of ES Volume 3, Appendix 13-1: Transport Assessment (Rev 2) [REP1-057 and REP1-059] will be updated at Deadline 3 to demonstrate inter-visibility between HGVs turning left into and right out of Alderton Road". Comment on this has been provided in the review of the latest Revision 3 to the Transport Assessment [REP3-066] above.

Comments WCD1-097 to WCD1-099

20.11. The Applicant states in respect of the road between Dyson RBT and Bradfield Cottages that "Drawings SP34 and SP36 have now been superseded by Drawings SP34-B and SP36-B provided in Annex J of ES Volume 3, Appendix 13-1: Transport Assessment (Rev 2) [REP1-057 and REP1-059] at Deadline 1. Drawings SP34-B and SP36-B are based on a topographical survey base and demonstrate an HGV and car can pass for the vast majority of the route. The longest length of restricted passage between a car and HGV is just under 30 metres in length, which is reasonable" and "SP43-SP46 in Annex I of ES Volume 3, Appendix 13-1: Transport Assessment (Rev 2) [REP1-057 and REP1-059] have been updated at Deadline 3 to demonstrate inter-visibility between HGVs and cars on the Fosse Way based on topographical survey base and to include indicative widening improvements within the Order Limits. This demonstrates an HGV and car can pass for most of the route. The longest length of restricted passage between a car and HGV is just under 75 metres in length, which is considered reasonable".

20.12. It is encouraging to learn that the Applicant is now using topographical survey coverage of the narrow rural lanes to inform swept path analyses, as opposed to former reliance on OS-Landline mapping. Additional carriageway widening along the Fosse Way is welcomed, but the improvements where proposed will need to cater for the passage of two 16.5m articulated HGVs.

Comment WCD1-101

20.13. The Applicant states "The drawings have been based on OS mapping as this section of road presents a number of clear opportunities for HGVs to pass".

However, in the council's response at Deadline 2 [REP2-048] it was noted "It would be helpful to see some dimensions added to the plan to show the 'actual' carriageway widths through some of the passing sections. The 'base' used for tracking should also be a topographical survey due to the inherent inaccuracies with OS Landline data, noting that even small-width errors could be significant". Concerns about widths here were also raised by both SLD and the ExA at the ISH3 Hearing, so it is necessary to see a topographical survey of this road length with actual carriageway widths indicated at intervals (say at 10m chainage points).

Comments WCD1-102 to WCD1-104

20.14. The Applicant maintains that no mitigation works to improve HGV passage under the DCO are needed through the section between The Street junction and the access to the Flying Monk Café / Taproom. As far as the section between the Flying Monk Café access to the proposed Lime Down D access points (Refs 7, 8 and 20) is concerned, the council's expressed view at Deadline 2 was "it would be preferable to see some mitigation works considered and included to improve passing opportunity provision". In short, nothing in the way of HGV passage improvements is still proposed on any part of the route between The Street and Bradfield Cottages. As noted at the ISH3 Hearing, it remains a council concern that no HIA works are included along this very sensitive part of the access route to Lime Down area D.

Comment WCD1-105

20.15. The Applicant states that "For incoming vehicles arriving earlier than their allocated 'slot 'time, or possibly later due to travel delays suggested holding locations have been included in the updated Outline CTMP". However, the response goes on to say that "It is the Applicant's position that holding areas for incoming deliveries will not be required". These statements do seem to rather contradict each other.

Comment WCD1-106

20.16. The Applicant refers to an update of this drawing in Revision 3 to the Transport Assessment. The council's Highways Development Management Officer has commented on this in reviewing the changes to the Transport Assessment [REP3-066] above.

Comments WCD1-107 and WCD1-108

20.17. The Applicant refers to updates to these drawings in Revision 3 to the Transport Assessment. The response does not comment on the need for additional highway works to improve passing provision for two HGVs, despite the council's expressed view that "mitigation will be needed in the form of additional passing bay works which aren't currently proposed" for the Fosse Way (South) length possible to review in full at Deadline 2. The Applicant states "While intervisibility between passing places for two HGV's exceeds 200 metres in places, the Fosse Way is a straight and relatively flat road ensuring good visibility between

passing places". However, as discussed at length at the ISH3 Hearing, it is the council's view that there is a maximum desirable spacing distance beyond which driver perception of the passage conflict and simultaneously taking action to use a passing point which may be available becomes more difficult, even on straight lengths of narrow road.

Comment WCD1-131

20.18. The council had raised the concern that the current scheme does not allow for any review of the performance of the proposed landscape mitigation and whether it is achieving the required benefits, or provision for amendment or adaptative management should this be found to be required.

20.19. The Applicant's response at Deadline 3 is that Table 6 of the Outline CEMP [REP2-019] has been updated to ensure monitoring for heritage purposes is undertaken in line with the Outline LEMP [APP-283]. The updating referred to in the Outline CEMP [REP2-019] notes that "Monitoring of the effectiveness of proposed planting will be undertaken in line with Annex A of the Outline Landscape and Ecological Management Plan (LEMP) [EN010168/APP/7.18] and replacement planting will be undertaken in line with Sections 1.3.15 to 1.3.18 of the LEMP." However, the details set out in the Outline LEMP [APP-283at paragraphs 1.3.15 – 1.3.18 simply include the usual provisions for replacing dead and dying specimens and carrying out essential maintenance to ensure the landscaping remains in situ; these do not include any proposals for monitoring or assessing the efficacy of the landscaping in providing the mitigation required or for making amendments if required.

20.20. The council's concern therefore has not been addressed.

Comment WCD1-132

20.21. The council had raised the concern that guidance to the contractor to undertake works as 'far away from heritage assets as reasonably practicable' is advisory only and cannot be considered to secure any additional mitigation from potential harm.

20.22. The Applicant's response at Deadline 3 is a reminder that construction activities are temporary and reversible in nature and reiterates that the update will minimise any temporary visual effects where practicable. However, the council's concern extends to temporary impacts (see comments set out in detail in respect of Grittleton House in paragraphs 5.81 – 5.85 of the Wiltshire Council Comments on Submissions Received at Deadline 2 [REP3-141] and it remains the case that a purely advisory comment cannot be considered to secure any specific mitigation.

20.23. The council's concern therefore has not been addressed.

Comment WCD1-134

20.24. The council raised the concern at Deadline 2 [REP2-048] and Deadline 3 [REP3-141] that the update made to Table 6 of the Outline CEMP [REP2-019] and Outline CTMP [REP1-112] which provided for the design of highway improvement works to the track to the southwest of Rodbourne Road (Works Number 8b) needed to facilitate permanent access to Lime Down Site E (Work Nos. 1 to 6 and 9 to 10), to be undertaken in consultation with the Wiltshire Council Conservation Officer cannot in itself be considered to safeguard the conservation area. It is currently unclear what the highways requirement will be or whether there will be any scope for amendment or mitigating the impact of the requirements and, whilst the provision provides the opportunity to influence the works if this is possible, it does not ensure that there will be any solution which can prevent the occurrence of some harm.

20.25. The council's concern therefore has not been addressed.

Comment WCD1-139

20.26. This comment repeats the arguments set out against Comment WCD1-131 (as above). The council's concern therefore has not been addressed.

Comment WCD1-140

20.27. This comment repeats the arguments set out against Comment WCD1-134 (as above). The council's concern therefore has not been addressed.

Comment WCD1-148

20.28. The council raised concern that there has been very little information given as to the landscape and visual effects of decommissioning, and potential further adverse landscape and visual effects. The council is also concerned that some of the embedded mitigation may not be appropriate to reinstate the rural agricultural landscape to its baseline state.

20.29. The Applicant's response that: although an adverse effect will be experienced during decommissioning this will cease at the end of decommissioning, which will be short term, although the length of this has not been given, but could be several years. Likewise, apart from stating that there would be an overall benefit to the area with mitigation retained, and that this would be a long-term benefit, there has been no attempt to show how this will not affect the current baseline state and that it will not affect the baseline character of the landscape.

Comment WCD1-175

20.30. In reference to the Technical Note on Landscape Fabric and Landscape Character [REP1-121], the Council maintains its current position that Wiltshire Council's Relevant Representation [RR-4934], pages 20-21, paras 8.12 to 8.15 & pages 23-24, paras 8.27 to 8.31 remain unresolved.

***8.12**. The issue of concern relates to the limited examples included in the definition of 'Landscape Fabric' within this assessment's 'LVIA Glossary' which does not include any representative 'built elements' or 'perceptual or aesthetic' qualities. It only includes the more natural elements such as landform, woodland, hedges, tree cover and vegetation.*

***8.13**. The definition of the term Landscape fabric needs to encompass all the physical and spatial components that combine and interact with each other. These include natural, cultural and historic features, land-use and current management practices, built elements such as infrastructure and roads, settlement pattern, including perceptual and aesthetic aspects such as relative tranquillity and sense of openness / enclosure and ruralness, all of which collectively define the baseline landscape fabric and combine and interact to form the characteristics of the site and the receiving landscape context. At present, the limited nature of landscape fabric components that the Applicant has considered within their assessment (both existing and introduced), is contributing to assessment scores which are not considered to give a true reflection of change to the baseline landscape fabric components, which in turn, collectively comprise to give overall baseline landscape character.*

***8.14**. The various introduced 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 are all components that together influence the baseline landscape fabric, including its perceptual and aesthetic qualities.*

***8.15**. The council believes this contributes to the obvious shortcomings of the assessment of 'Landscape Fabric' included within the LVIA (this is discussed further under Landscape Fabric).*

Comment WCD1-176

20.31. The council maintains its position that the assessment of landscape fabric / elements / components must contain the built form, land use and the road network through the receiving landscape.

Comment WCD1-177

20.32. The council considers the assessment of landscape fabric components cannot be limited to natural landscape components only and should not be as it must consider all those elements which combine to influence the Landscape Character as a whole, not those only capable of potentially resulting in positive effects within the DCO site areas.

20.33. The Applicant states: *The definition of Landscape Fabric was included in the LVIA Scoping and PEIR reports and the LVIA Methodology in ES Volume 3, Appendix 8-1 Landscape and Visual Impact Assessment Methodology [APP187] at section 1.6 on Landscape Receptors is clear about the approach of the assessment on Landscape Fabric as a separate receptor. Please see*

response below regarding the physical changes to Landscape Fabric as a result of the Scheme (WCD1-178).

20.34. The council raises concerns that the Applicant is not treating the landscape fabric elements (where they have actually been identified) separately, as should be the case, but is grouping them together as a single receptor, which is clearly not the case.

Comment WCD1-179

20.35. The Technical Note on Intra Project Cumulative Visual Effects [REP1-122] only refers to visual issues and not landscape character effects, previously raised as a concern of the council. The Technical Note does not address the fundamental issues relating to the establishment of either cumulative visual or landscape effects. Cumulative effects are exactly that, an accumulation of effects from two or more sites or, in this case, project areas. They are assessed at a high level but should be assessed separately from the individual components of the view or the landscape. They cannot be determined by simply averaging the impacts of individual components. Paragraphs 2.2.4 and 2.2.5 of the Technical Note bring in 'inter cumulative' sites, the Council does not understand where this has arisen from and why it is relevant to Intra project cumulative effects.

20.36. The Applicant's response has been to merely reiterate the assertions made in the Technical Note, with which the council disagrees.

Comment WCD1-181

20.37. Technical Note Section 4: Significant Intra Project Cumulative Visual Effects [REP1-122] states that that the intra project cumulative visual effects have been robustly assessed, however the council maintains its disagreement with this and finds that the Technical Note provides no additional evidence that the effects have been adequately or accurately assessed and therefore maintains its view that it does not agree with the Applicant's methodology or findings in this respect.

20.38. The Applicant does not agree with the council's position on this matter.

Comment WCD1-182

20.39. The Technical Note on Cumulative Sequential Visual Effects [REP1-123] only considers inter-project cumulative effects (that is, Lime Down with 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, or an individual development area from a sequence of viewpoints. These effects are of particular relevance to residents and other receptors travelling through the site. However, the Applicant has not considered these potential effects and, as it has with the Combined Cumulative effects discussed above' has decided to rely on the individual effects on certain

parts of the routes, giving the justification that: *"These routes all utilise a combination of PRoW and Public Highway, and as such are made up of lots of individual sections of various footpaths, bridleways, roads etc. as identified within Table 8-23 of the LVIA. Sequential Effects for users of these Recreational Routes are not considered to be any greater than those effects identified for the individual sections as set out within ES Volume 3, Appendix 8.3 ES LVIA Assessment Sheets [APP 191]."* This does not address the sequential effects of those passing along the well-used yet minor roads passing through the site at all.

20.40. The concern is explained in full at paragraph 8.23 of Wiltshire Council's Relevant Representation [RR-4934], which states:

"Secondly, a sequential assessment must be undertaken. Sequential visual effects occur when an observer moves along what would be considered to be a well-travelled route. 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 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 area and therefore the sequential effects of travelling along them must be assessed."

20.41. The council's position remains unchanged in that the Applicant's ES places undue emphasis on major roads, while overlooking the well-used minor routes that help define the character of the Lime Down project area and from which intra-project sequential effects are likely to be most noticeable.

Comment WCD1-183

20.42. The council does not accept that Sequential Cumulative effects have been adequately assessed and cannot agree the content of the Technical Note. The Applicant disagrees with this position.

Comment WCD1-189

20.43. The Applicant confirms an error in methodology wording. The council notes the Applicant's confirmation that changes to the photomontages are not consequentially required. The council's request for further clarification has therefore been suitably addressed.

Comment WCWR-002

20.44. The Applicant's response is predicated to the council's view on Stop Lime Down's Written Representation comments, as included at para. 3.5.5 [REP1-167], that it is too simplistic to suggest that the landscape sensitivity decreases from west to east, as the influence of the CNL decreases further from the National Landscape boundary.

20.45. The council notes that the Applicant confirms that Lime Down Sites A, B and C fall within the setting of the CNL. However, that does not mean that areas outside the CNL setting are not of High Value and of High Susceptibility to change from the scale and nature of the development proposed. Thus, areas of development around Norton and in the vicinity of Rodbourne (Areas D and E) are likely to be in landscapes of High Value and, depending on the exact development form, the landscape will have a High Susceptibility to change, resulting in a High Sensitivity.

20.46. The Wiltshire Council Renewable Energy Study Landscape Sensitivity Assessment 2023 states: *"Landscape sensitivity to these very large schemes would be categorised as "high" sensitivity regardless of location, requiring developers to pay particular attention to this issue in their specific applications"*. Therefore, as the site has an accepted 'High' Sensitivity, its Value and Susceptibility to the change proposed can only be 'High'.

Comment WCWR-003

20.47. The Applicant's response does not address the council's concerns at paragraph 8.37 to its Relevant Representation [RR-4934] which states: There is also concern that some essential mitigation measures necessary to mitigate ecological harm are also being presented and possibly double counted as landscape enhancement, but without also acknowledging the harm it seeks to mitigate or compensate for, potentially skewing assessment scores. This is viewed to be relevant to consideration of positive environmental enhancement within the overall consideration of planning balance.

20.48. Therefore, the council's concern remains extant at this time and has not been adequately addressed.

Comment WCWR-005

20.49. The council agrees with the points made by Stop Lime Down (SLD) about over-reliance on existing vegetation providing screening throughout the whole operational lifespan of development. The future management of 3rd party hedgerows and woodland over the very large project area would reasonably and foreseeably include periodic hedgerow reductions cutting / laying, harvesting timber from managed woodland, or tree loss through disease or climatic effect etc.

20.50. The Applicant's response does not make clear the way in which this issue could be effectively dealt with throughout the lifespan of the project.

Comment WCWR-006

20.51. From a landscape and visual perspective, the council largely agrees with the SLD report.

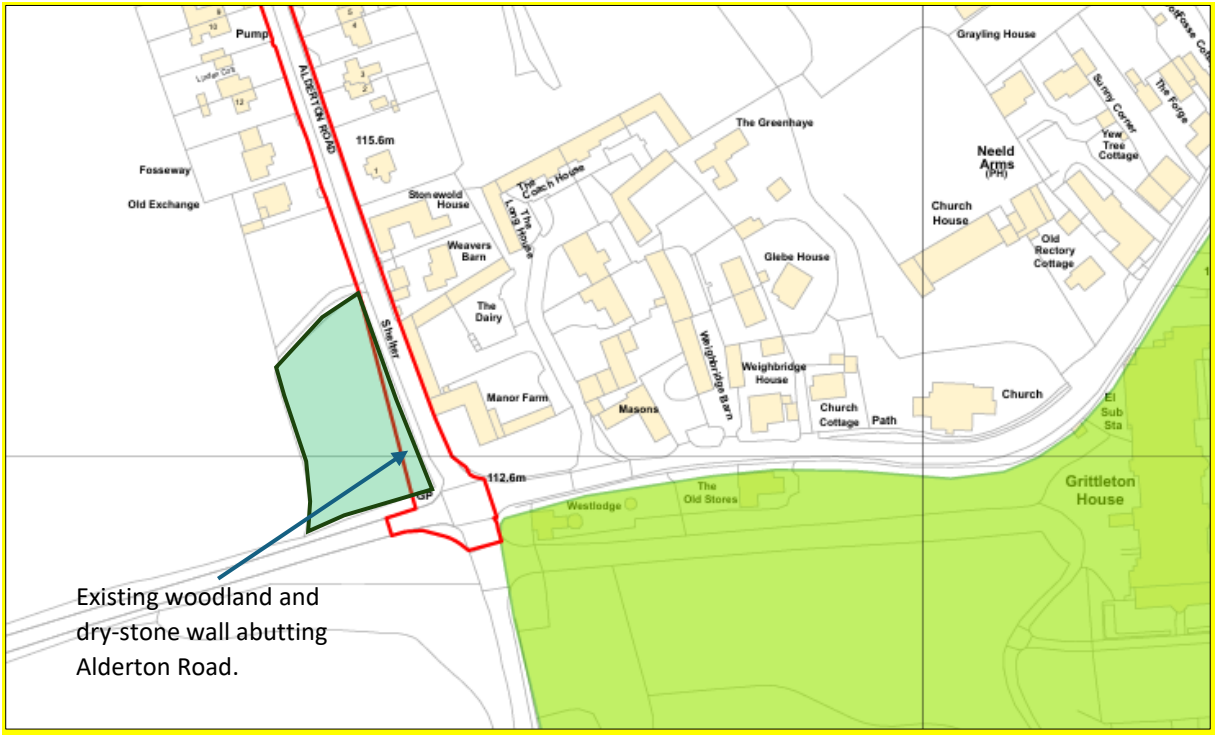
Comment WCWR-009

20.52. With respect to cumulative and in-combination effects raised by SLD Appendix B to Landscape and Visual Report [REP1-170], please refer to comments included under WCD1 179 – 181 for the council's response to the Applicant.

Accompanied Site Inspection (ASI1) [EV5-001]

20.53. During the course of ASI1, a specific area of woodland located at the southwestern edge of Grittleton, was identified by a Grittleton Parish Council representative, Figure 1 (below). They pointed out that the eastern side of this area of mature woodland, will be impacted by the planned construction works to widen the Grittleton Crossroads junction layout, to facilitate the planned AIL / HGV construction route to Lime Down areas A, B and C along Alderton Road. The council further identifies that an existing dry-stone wall is also present bordering the northwest quadrant of this crossroads separating the woodland from the highway within DCO limits which may also be impacted.

Figure 1. Extract from Hedgerow Height Plan (Rev A) (Sheet 18 of 23) [REP3-128]



20.54. The council highlights it is currently unclear as to the extent of likely required tree removals or length of dry-stone wall required to facilitate the junction 'improvement' works, and correspondingly what the effects will be for these existing woodland or drystone wall landscape fabric components.

20.55. The council confirms that this woodland and the dry-stone wall are wholly contained within the designated 'Grittleton Conservation Area' and the 'Cotswold National Landscape'. The potential demolition / partial demolition of this dry-stone wall, alongside removal / felling of trees within Grittleton Conservation Area are viewed by the council as material planning considerations. Depending on the permanence of highway improvement works at this junction, woodland edge re-planting and the re-construction of the dry-stone wall along the back edge of new junction sightlines should be secured as mitigation for these landscape fabric components impacted by the development to conserve important rural fabric components and character of the Conservation Area and CNL.

21. 9.33 Climate Response to Wiltshire Council Appendix B of Written Rep and SLD Appendix J1 [REP3-132]

21.1. Following review of the 9.33 Climate Response to Wiltshire Council Appendix B of Written Rep and SLD Appendix J1 [REP3-132], the council considers that there are outstanding issues that are considered significant which remain largely unresolved by the Applicant.

21.2. The methodology review carried out by CEE, as contained within the report appended to Wiltshire Council's Written Representation, identified various problems and inconsistencies with the Applicant's approach including areas of incompleteness in the assessment, errors in the execution and a lack of evidence supporting some assumptions. CEE attempted to sense check some of the embodied emissions calculations using Environmental Product Declarations (EPDs) from comparable products and concluded that emissions were likely to be underestimated.

21.3. Not all of the points raised in the Applicant's Climate Response relate or are relevant to the analysis carried out by CEE on behalf of the council on the GHG assessment within the Environmental Statement, so the following paragraphs are structured to mirror the relevant sections and paragraphs within the Applicant's Climate Response for easy reference. The following should be read alongside the Applicant's response, as the Applicant's comments have not been reproduced in the text below to keep the document concise:

In Response to 2.1.1

21.4. The IEMA document provides an overview of the GHG accounting methodology but is not itself a referenced standard for industry. The IEMA guidance itself states that:

"The methodology chosen should follow best practice guidance, such as the GHG protocol, and it is not the aim of this guidance to provide this." (Page 19)

21.5. It follows that the GHG Protocol for Project Accounting [https://ghgprotocol.org/project-protocol] is arguably the most appropriate standard to which the IEMA refers.

21.6. The underestimation of embodied carbon emissions (A1–A3 product stage) is a principal concern, as the Applicant's methodology:

- Uses incomplete and sometimes incorrect estimates for raw material emissions (A1).
- Only partially accounts for supply chain transport emissions (A2).
- Omits manufacturing emissions altogether (A3).
- Relies on material-based estimates rather than product-level evidence such as Environmental Product Declarations (EPDs).

21.7. CEE's assessment is that the embodied emissions associated with PV panels may have been underestimated by approximately 3.6–4.2 times when compared with comparable products that have published EPDs.

In Response to 2.1.2

21.8. EPDs were used in the CEE analysis to highlight the difficulty in making carbon assessments of third-party products without detailed knowledge of typical product supply chains. Calculations provided by the Applicant for the Product Stage (A1-A3) were clearly incomplete. Estimates of embodied emissions of the raw materials (A1) were incomplete and in some cases incorrect (e.g. use of steel in PV panels as opposed to alloys). Transport emissions (A2) included shipping and haulage of assembled products from the factory to the site but ignored transport emissions within supply chains. Meanwhile emissions associated with the manufacturing processes (A3) were not included at all.

21.9. CEE does not accept that EPDs would necessarily commit a developer to a single product in advance of the detailed design stage, and the UoE analysis used an average of a range of similar panel types from different manufacturers based on weight and power output to demonstrate where estimates from the Applicant showed deviated from those of the actual manufacturers. Where information on supply chains is unknown or unavailable, EPDs provide a useful reference as they are produced according to a replicable standard which includes emissions at all of these stages.

21.10. CEE used the Applicant's data to replicate, and used their own analysis to provide contextual comparisons, and found significant errors and weaknesses in the GHG assessment methodology. This critique of the methodology was provided in detail in their original report and almost none have been addressed in the Applicant's response.

Compliance with NPS requirement to assess emissions from all stages of development:

21.11. CEE highlights NPS EN-1 paragraph 5.3.8, which requires applicants to assess GHG emissions from all stages of development.

21.12. CEE's view is that:

- Important emissions have been excluded from the Product Stage (A1–A3).
- These omissions propagate through later lifecycle stages.
- The Applicant should revisit the calculations and assumptions before it can be concluded that the assessment fully satisfies NPS requirements.

Operational and lifecycle impacts are affected because construction emissions are underestimated.

21.13. CEE argues that the issue is not confined to construction emissions, because panel replacement assumptions are based on the construction-stage embodied carbon figures, and any underestimation in panel manufacturing emissions carries through to operational emissions and later lifecycle phases. This means the whole lifecycle inventory may be materially understated.

Proposed increase in panel numbers:

21.14. CEE notes that they were not involved in discussions increasing panel numbers from approximately **598,000 to 842,000 panels** (around a **41% increase**). Their concern is that:

- This should increase emissions across construction, operation and decommissioning.
- Additional panels are likely to require more inverters, transformers, mounting structures, shipping and transport.
- It is difficult to reconcile a >40% increase in panel numbers with a reported emissions increase of only 4.38%.

Carbon benefits and avoided-emissions claims may be overstated

21.15. CEE does not challenge the value of solar generation itself but questions aspects of the Applicant's avoided-emissions narrative.

21.16. Key concerns are related to the fact that grid carbon intensity is expected to decline rapidly during the lifetime of the Scheme, therefore it was felt that it was potentially misleading to suggest that the avoided grid emissions in the first year of operation would be maintained throughout the life of the project.

21.17. Depending on which DESNZ Green book factors are used, grid emissions fall below the operational emissions for the scheme quoted by the Applicant within 4–6 years. For the remainder of the project lifetime grid emissions factors are projected to be lower and continue to decrease to near zero by 2049.

Lack of transparency over overseas supply-chain emissions and significance

21.18. CEE disagrees with the Applicant's focus on territorial emissions in terms of assessing the Scheme's emission and their significance.

21.19. Paragraph 5.2.3 notes that grid intensity figures do not include GHG emissions from imported products and materials, while the Scheme's GHG assessment included within **ES Chapter 7 [APP-059]** does, resulting in an asymmetrical comparison. The council understands the complexity of assessing significance of the magnitude of emissions.

21.20. The NPS in Section 5.3.4 is clear that residual emissions are to be expected within energy infrastructure projects but does not specify that GHG assessments should be carried out on a territorial basis. The SoS determination is also made without reference to individual projects for their contribution to carbon budgets (5.3.12) so it seems unnecessary and arguably less transparent to model emissions significance on a territorial basis alone where a large proportion of emissions are generated overseas.

21.21. In relation to paragraph 6.1.1 and 6.1.2 CEE observations were designed to demonstrate that the concept of significance cannot be sensibly determined on the basis of an isolated percentage. It does not seem true to say that because 0.49% is a 'small' number in relative terms, 0.49% of the UK annual carbon budget is also not significant. When the SoS makes their eventual determination, it will presumably be with more complete knowledge of comparable schemes which will provide the necessary context. The council and CEE can therefore make no judgment about the relative significance of the scheme but highlight instead the shortfall of the metric provided in isolation.

21.22. UK GHGI and carbon budgets are reported on a territorial basis so that they can be brought together with those of other counties to assist with reporting on global budgets. UK greenhouse gas emissions (GHGs) are also reported on a production and consumption basis because taken together these provide a more complete picture of the sources and magnitude of our emissions.

22. 9.34 Applicant's Response to Stop Lime Down Written Representation – Appendix D Transport Report [REP3-133]

22.1. In paragraph 2.1.7 it is stated that "The figures within the Applicant's analysis were derived from a detailed breakdown of construction activities provided by

a contractor based on the layouts design by the Applicant" and "It is noted that NPS EN-3, paragraph 2.10.17, indicates that 2-4 acres will be required for each MW of output, with 50MW of generation requiring 125 to 200 acres and 100,000 to 150,000 panels. This equates to a panel density of 750 to 800 panels per acre; or, were one to fit 150,000 panels on only 125 acres, a maximum density of 1,200 panels per acre. The fenced area containing solar panels in Lime Down is 469 ha (1159 acres). Assuming this area was entirely filled with panels (which the Applicant does not consider to be realistic), this would still only result in 1,390,800 panels being laid within the 1159-acre area". Annex E to the latest Transport Assessment (Rev 3) [REP3-066] still advises that the overall PV component quantum over the five Lime Down Solar Park sites is expected to be 588,988, which based on the 469ha (1159 acre) area would yield a PV Module density of 508 per acre. This would appear to be insufficient to generate the 1MW output sought from every 2.4-acre area equipped with panels.

22.2. The Applicant's response further states that "The Applicant's HGV analysis includes 1200 Solar PV Panel deliveries on standard HQ containers carrying 500 in each (600,000 panels). If high cube containers are used these can transport 720 Solar PV Panels each, which would equate to 864,000 Solar PV Panels". This is noted but, even if this was done, it would just reach the bottom end of the desired density range to generate 1MW for each 2.4-acre area equipped with panels (745 per acre). It also presupposes high cube containers would be available for all PV module deliveries.

22.3. No part of the Applicant's response responds to Table 2 in the SLD report, which showed the typical HGV / ha ratios for PV Module / Mounting Structure deliveries at other solar array sites. This remains a concern, as what is assumed for Lime Down is clearly less than any of the other comparison sites by a considerable margin. As noted, the Applicant has not responded to or sought to rebut the information in this table or explain why the predicted HGV / ha ratio PV Module / Mounting Structure deliveries is so low in the case of Lime Down and reasons for it.

22.4. Paragraph 2.1.22 states that "An allowance for the removal of spoil was included within the HGV trip generation figures under general, however, it is proposed that spoil will remain within the Order Limits. In addition, a 50% uplift has been applied to all projected HGV construction movements. This has been incorporated across all construction activities and delivery operations including the removal of spoil and building compound areas". The assertion that spoil will remain within the Order Limits seems at odds with the 7.16 Outline Site Waste Management Plan (Revision 2) [REP1-103]. Table 3 to the OSWMP estimated that the volume of excavated soil that was likely to be deemed unsuitable for refill and compaction was circa 139,666 cubic metres. As this is defined as a Waste Type, then it would not be unreasonable to assume that the entirety of this volume, or at least a proportion, would need to be exported off-site by HGVs (10m tippers). It is unclear what would be done with this quantum of unacceptable material if left stockpiled on site.

22.5. With respect to the 'Highway Code' and passage safety widths between NMU and HGVs the Applicant concludes:

- Passing Pedestrians - 2m space + 0.5m pedestrian width + 2.5m HGV width = 5m road width
- Passing Cyclists - 1.5m space + 1m cyclist width + 0.5m gap to kerb + 2.5m HGV width = 5.5m road width
- Equestrians - 2m space + 1.5m equestrian width + 2.5m HGV width = 6m road width

22.6. This is less than the 5.5m and 6.0m assessed by SLD for pedestrians / cyclists, as the Applicant makes no allowance for any margin between the vehicle and the nearside carriageway edge. This could thus lead to the vehicle wheel-track being along the extreme edge of these rural carriageways which are generally not kerbed, so increasing the risk of localised edge damage / failure. It is clear from the swept path analysis carried out to date for a car / HGV and two HGVs that this minimum width considered desirable for NMU safety will not be met along long lengths of the narrow rural lanes proposed for construction access. However, it is accepted that, in some locations, the presence of suitable flat verges will give pedestrians an opportunity to stand clear of the carriageway when an HGV passes.

23. Responses to ExA's First Written Questions (ExQ1) from January Farrington [REP3-163]

23.1. Wiltshire Council are pleased to note that following its suggestion, which was also supported by the ExA, the Applicant is currently carrying out a survey of the equine sector. The Applicant has not supplied the details or who they have sent the survey to, therefore the council reserves comments on its relevance or robustness until it has had a chance to review the results.

24. Written Representation from Vanessa Jayne Shipp [REP3-174]

24.1. As previously commented, Wiltshire Council are in agreement with Ms Shipp's assessment of the impact of the proposed compound on the business that operates at Grittleton House, with the potential repercussions on the maintenance of a significant historical building. The council's preferred option would be the re-location of the compound. Failing that then a comprehensive compensation scheme should be agreed with relevant stakeholders, as previously proposed.

25. Responses to ExA's First Written Questions (ExQ1) from Natural England [AS-018]

EB1.2

25.1. Natural England's (NE) response has been reviewed and the council notes that its includes the following statement: "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."

25.2. Wiltshire Council maintains its stance that 'further ecological surveys' should have been undertaken early in the design process and prior to submission of the DCO application rather than any such necessary survey being delayed until the detailed design and micro-siting stage. It is noted that NE specifies that the surveys will identify features with greatest value to species. Nonetheless, the Council's view is that this should have already been established to ensure that adequate ecological baseline data regarding the presence / likely absence of species / species groups together with details of species assemblages and population sizes had been collated in order to inform 6.1 ES Volume 1 Chapter 9 Ecology and 7.10 Habitats Regulations Assessment Report (HRA) and to inform the formulation of appropriate and adequate avoidance, mitigation and compensation measures in full accordance with the principles of the mitigation hierarchy and best practice as detailed in Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine (CIEEM, 2018) and BS 42020:2013 Biodiversity: Code of practice for planning and development (British Standards Institute, 2013). Suitably comprehensive ecological baseline data is also needed to enable determination regarding whether any protected species mitigation licences are required to allow works to proceed lawfully by virtue of a legal derogation from the protective legislative provisions. This is notwithstanding that only likely species absence can be ascertained through survey rather than definite species absence and that as such, even if an appropriate level of Phase 2 survey is undertaken early on in the design of a Scheme, the potential for a previously unencountered protected species to be identified at a later stage, such as during pre-commencement surveys or once works have commenced, cannot be completely discounted. In that situation therefore, it may become apparent that a protected species mitigation licence is required.

25.3. Suitably comprehensive ecological baseline data obtained early on in the design stage is also imperative to ensure the Scheme design, layout and cable route is informed by the identified ecological features in full compliance with the mitigation hierarchy; and to ensure the Examining Authority (ExA) has sufficient robust information upon which to base its decision regarding whether to recommend the DCO application for approval.

25.4. Wiltshire Council remains of the view that the methodology employed by the Applicant to determine the ecological baseline, both in terms of the desk study

and field survey, particularly in respect of the Cable Route Corridor (CRC), is insufficient and not suitably comprehensive to ensure that the Scheme has been designed in a manner that has enabled full application of the mitigation hierarchy. This is especially important given the Applicants decision to rely on the 'Rochdale Envelope' approach.

25.5. A full discussion on the matter of the mitigation hierarchy and approach to survey work is set out in Wiltshire Council's response to Action Point 14 assigned by the ExA during Issue Specific Hearing 3 (ISH3)(Item 3 Ecology and Biodiversity) and in the Council's ISH3 Post Hearing Summary.

EB1.5

25.6. Natural England's response to question EB1.5 has been noted by the council. As specified in the council's representations to date, a full suite of bat activity survey within the entire Cable Route Corridor (CRC) was not expected or deemed necessary and would be disproportionate and as such, the council agrees with NE in that regard. Nonetheless, for the reasons already detailed in previous representations on the DCO application, the council would have expected survey of the likely important / key habitats within the section of the CRC that coincides with the greater horseshoe bat consultation zone that extends 4km around the Box Mine component of the Bath and Bradford-on-Avon Bats SAC, as such habitat would likely comprise functionally linked land (FLL).

25.7. The proposed avoidance and mitigation measures within CRC where it overlaps with the Bat SAC consultation zone are acknowledged and welcomed. It is also recognised that 6.1 ES Volume 1 Chapter 9 Ecology and 7.10 HRA has assumed presence of all bat species, and that therefore this must include the Annex II species associated with the SAC (greater horseshoe bat *Rhinolophus ferrumequinum*, Bechstein's bats *Myotis bechsteinii* and lesser horseshoe bat *Rhinolophus hipposideros).* It is considered, however, that the assumption of presence shouldn't preclude proper consideration of the requirements and triggers for survey set out in Natural England's standing advice relating to bats Bats: advice for making planning decisions - GOV.UK). It also shouldn't preclude proper consideration regarding whether the proposed avoidance and mitigation is appropriate and sufficient, as well as ascertaining whether a mitigation licence could be necessitated as a result of the proposed construction and site / vegetation clearance activities.

25.8. A full discussion on the council's view on the matter of bat surveys is detailed in its previous representations and in Wiltshire Council's response to Action Point 14 assigned by the ExA during Issue Specific Hearing 3 (ISH3)(Item 3 Ecology and Biodiversity) and in the Council's ISH3 Post Hearing Summary.

EB1.7

25.9. Natural England's response includes the following statements:

"*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. 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, although it is also acknowledged that a DLL licence has been applied for and impacts are appropriately addressed through this."

25.10. Wiltshire Council notes that NE's response appears to suggest that a great crested newt (GCN) district level licensing (DLL) application has been submitted to NE for the entire Scheme / Order Limits. As stipulated in Wiltshire Council's representations to date, most recently in its comments on Deadline 2 submissions [REP3-141], it is understood that the GCN DLL application relates to the CRC only and not to the Solar PV Sites. This is also evident from a review of the Impact Assessment and Conservation Payment Certificate (IACPC) [REP2-041] submitted to the ExA during Examination, as it details that the application pertains to the CRC element of the Scheme only. Thus, it is not apparent whether NE recognise that the GCN DLL application and resulting IACPC pertain to the CRC only and that it does not cover the Solar PV Sites as well.

25.11. As per Wiltshire Council's comments in paragraph 2.13. of its Written Representation [REP1-138], although the presence of GCN has been confirmed within the Solar PV Sites, the decision regarding whether to obtain a mitigation licence to allow works within the Solar PV Sites to legally derogate from the respective legislative provisions and the proposed mitigation strategy remains unclear.

25.12. The council seeks clarification on whether appropriate licensing will be secured and how legal compliance will be ensured in relation to the Solar PV sites.

25.13. For further details of the council's concerns and queries on this matter, please refer to its Written Representation [REP1-138] and review the commentary provided under the sub-heading 'Great Crested Newts and Mitigation Strategy for the Solar PV Sites'.

25.14. Furthermore, Wiltshire Council considers that it shouldn't be particularly onerous for the Applicant to apply for GCN DLL for the Solar PV Sites as well as the CRC, or to apply to extend the coverage of the existing IACPC; especially as the application already submitted includes survey information collated for the Solar PV Sites (which is also an issue previously raised by the Council given that the DLL application pertains to only the CRC). Obtaining a DLL for the Solar PV Sites in addition to the CRC would ensure legal compliance and that adequate safeguards and compensation will be implemented for the European Protected Species (EPS).

25.15. The council deems that the Applicant has not provided a robust rationale to defend its current position; nor has sufficient evidence to demonstrate that the works within the Solar PV Sites has a low likelihood of resulting in an offence as a result of impacts on GCN and / or its habitat / resting places been provided. It is considered that the proposed avoidance and mitigation measures will not sufficiently reduce the risk of harm to the species or the risk of contravening the legislative provisions. Moreover, there appears to be no sound reason not to acquire a GCN DLL for the whole Order Limits and the ExA is strongly encouraged to insist on this approach, should the ExA be minded to recommend approval of the DCO application.

EB1.11

25.16. Natural England's response includes the following:

> "*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.*
>
> *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. 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 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.*
>
> *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 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.*"

25.17. Wiltshire Council welcomes and concurs with much of the response provided by NE and therefore maintains the stance already set out in REP2-048 that the assumption of presence shouldn't preclude proper consideration of the requirements set out in Natural England's standing advice relating to White-Clawed Crayfish. It also shouldn't preclude consideration of whether the proposed avoidance and mitigation is sufficient or whether additional measures are required, as well as whether a mitigation licence could be required to permit

some works, especially in light of the three new circa 6m wide permanent accesses for culverts proposed across 'wet' ditches at Lime Down D.

25.18. As the Council has already specified in previous representations, given the scope of proposed works, especially at Lime Down D where suitable habitat for white-clawed crayfish exists, it is considered that the rationale for the lack of any dedicated survey is somewhat weak as there could still be adverse impacts on the species, if present, despite the mitigation put forward. Also, it is possible that undertaking targeted survey may have led to the conclusion that further mitigation and compensation over and above that proposed, and possibly even a mitigation licence may be necessary to permit some of the work depending on survey results, however this is not known as survey has not been conducted and has not been discussed in the DCO application documents.

HRA1.2

25.19. Natural England's response to question HRA1.2 from the ExA states:

"*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 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.*

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. 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."

25.20. Wiltshire Council notes NE's response to this question but would just highlight that it has consistently raised concern regarding the approach to bat survey and the implications for the robustness and accuracy of the HRA. The council remains concerned in this regard for the reasons already set out in its previous representations on the DCO application, and as discussed in Wiltshire Council's response to Action Point 14 assigned by the ExA during Issue Specific Hearing

3 (ISH3) (Item 3 Ecology and Biodiversity) and in the Council's ISH3 Post Hearing Summary.

25.21. NE's response indicates that their view is based on the assumption that a minimum 15m buffer will be implemented alongside hedgerows, trees and woodland. The council, however, has consistently raised concern about the potential for hedgerow removal afforded by the overly wide scope of Schedule 12, Part 1 and 2 of the dDCO. The council remains concerned about Schedule 12 irrespective of the inclusion of footnotes to Part 1 and Part 2 cross-referencing to hedgerow removal prescriptions set out in the EPMS and the inclusion of Article 40(4). The council has also consistently raised concern about the potential for adverse impacts to ancient woodland, notably North Bincombe Wood bordering Lime Down E where there is potential for adverse impacts and damage to the edge of the woodland which has been subsumed within Order Limits boundary, and that as such, the required 15m buffer zone would not be applied at this location. Full details of our comments on this matter are provided in its Relevant Representation [RR-4934] and Local Impact Report [REP1-137].

25.22. Wiltshire Council requires clarity on the access track near North Bincombe Wood. There have been contradictory statements from the Applicant regarding its alignment and use. The Deadline 3 submissions from Lime Down Solar Park Ltd do not appear to include any plans that illustrate that the proposed internal access track has been realigned to avoid incursion into either North Bincombe Wood itself or the requisite 15m buffer to the ancient woodland. The council considers it should be wholly feasible for this information to be provided at this juncture in order to provide sufficient information regarding the purported change in proposals.

25.23. As it stands, the council's concerns on this matter have not been allayed. Furthermore, the council is not entirely assured that the measures discussed in NE's response and which NE's support are predicated upon, will be wholly implemented across the Order Limits.

26. LLFA Position Statement on Hydrology, Flood Risk and Drainage Matters

Introduction

26.1. The Lead Local Flood Authority (LLFA) has reviewed the Deadline 3 submissions insofar as they are relevant to hydrology, flood risk, surface water drainage, runoff generation, erosion risk, soil compaction, vegetation cover, groundwater interaction, watercourse protection and construction-phase water management.

26.2. This review has considered material contained within the Ecology and Biodiversity chapter, Soils and Agriculture chapter, Landscape and Visual Impact Assessment material, Cotswolds National Landscape assessment,

Lime Down A-E desk studies and the revised Outline Construction Traffic Management Plan, but only where those documents are relevant to hydrological performance and flood risk management. Relevant documents include:

- ES Volume 1 Chapter 9 Ecology and Biodiversity (Rev 2) [REP1-016],
- ES Volume 1 Chapter 17 Soils and Agriculture (Rev 2) [REP1-026],
- ES Volume 3 Appendix 8-1 LVIA Methodology (Rev 2) [REP1A-007],
- ES Volume 3 Appendix 8-6 Cotswolds National Landscape Assessment (Change Application) (Rev 1) [CR1-035],
- ES Volume 3 Appendix 19-1 to 19-5 Lime Down A-E desk studies (Rev 3) [REP3-070 to REP3-078], and
- 7.22 Outline Construction Traffic Management Plan (Change Application) (Rev 3) [CRI-042].

26.3. The LLFA's review has also been informed by discussions with the Applicant and by technical review of relevant management plans by Wiltshire Council's drainage consultancy support, which is provided by Atkins. The purpose of this submission is to identify matters that are now considered resolved, matters that have been substantially narrowed, and those hydrology-related matters that remain under discussion through the Statement of Common Ground process.

Hydrology-Focused Review and Interpretation of Deadline 3 Evidence

Hydrology-Focused Interpretation

26.4. The LLFA considers that the Applicant's updated evidence supports the conclusion that the principal hydrological controls for the Scheme are not traditional piped drainage infrastructure alone, but the combined performance of soils, vegetation, land management, erosion control, watercourse buffer protection and construction-phase drainage management. This is an important shift in understanding because it means that long-term flood risk performance depends on the Site continuing to function hydrologically as intended throughout the operational lifetime of the Scheme.

26.5. The soil-related evidence supports the conclusion that compaction management is central to runoff control. Where soils are compacted, infiltration capacity can be reduced, surface runoff can increase and flow can become more concentrated. Conversely, where soil structure is protected and restored, the Site is more likely to maintain infiltration and reduce rapid runoff response. This makes soil monitoring and remediation a core flood risk matter, not merely an agricultural management issue. This is why the LLFA considers ES Volume 1 Chapter 17 Soils and Agriculture important to the hydrology assessment.

26.6. The vegetation-related evidence supports the conclusion that ground cover beneath and around panels is a key mitigation mechanism. Vegetation can reduce raindrop impact, slow overland flow, increase surface roughness and reduce erosion potential. However, those benefits depend on vegetation being successfully established, maintained and remediated where necessary. Consequently, the LLFA considers ES Volume 1 Chapter 9 Ecology and

Biodiversity relevant only insofar as it gives confidence that vegetation relied upon for hydrological performance will be established, monitored and remediated where necessary.

26.7. The desk studies show that the proposed Solar PV Sites are not hydrologically uniform. Individual sites contain different combinations of watercourses, ponds, alluvium, groundwater vulnerability, Source Protection Zones, groundwater flood susceptibility and Flood Zone constraints. This means that site-specific management is important. A generic management approach may not be sufficient unless it is clearly translated into site-specific inspection, monitoring and remediation requirements. This is particularly relevant to Lime Down C, D and E, where watercourses, flood-sensitive corridors and groundwater sensitivities are prominent features.

26.8. The CTMP demonstrates that the Applicant can provide a clear governance structure where required. It includes monitoring arrangements, reporting procedures, responsibilities, complaints mechanisms and corrective action processes. The LLFA considers this useful because it provides a benchmark for the level of governance clarity that could also be applied to hydrological performance monitoring. In other words, if traffic impacts can be monitored through defined roles, reporting and escalation procedures, then similar clarity should be achievable for drainage, runoff, soil condition and vegetation performance.

Hydrology-Focused Review

26.9. The Deadline 3 submissions demonstrate a more developed understanding of the mechanisms by which the Scheme could influence surface water runoff, flood risk, erosion risk and drainage pathways. In particular, the Applicant's updated material places greater emphasis on soil condition, vegetation cover, compaction control, erosion prevention, watercourse buffers, groundwater sensitivity and construction-phase management as key controls for maintaining hydrological performance across the Site.

26.10. The Ecology and Biodiversity documentation is relevant to the LLFA only insofar as it provides commitments relating to vegetation establishment, habitat maintenance and long-term land management. From a flood risk perspective, these matters are important because vegetation condition can influence infiltration, surface roughness, runoff velocity, erosion resistance and the potential for concentrated flow paths to develop beneath or between panel arrays. This is considered within ES Volume 1 Chapter 9 Ecology and Biodiversity.

26.11. The Soils and Agriculture chapter is directly relevant to hydrological performance because it addresses soil resources, soil structure, compaction risk and restoration measures. The LLFA considers these matters central to runoff management because soil permeability and compaction condition influence infiltration capacity, runoff generation, erosion susceptibility and the likelihood of channelisation. These matters are considered within ES Volume 1 Chapter 17 Soils and Agriculture.

26.12. The Lime Down A-E desk studies provide important baseline hydrological and hydrogeological context. They identify relevant features including topography, soils, superficial deposits, bedrock aquifers, Source Protection Zones, groundwater vulnerability, ponds, streams, watercourses, flood zones and groundwater flood susceptibility. These matters are relevant to the LLFA because they inform understanding of existing flow pathways and sensitive receptors. These matters are addressed in the Lime Down A Desk Study, Lime Down B Desk Study, Lime Down C Desk Study, Lime Down D Desk Study and Lime Down E Desk Study.

26.13. For Lime Down C in particular, the LLFA notes the presence of multiple watercourses, ponds and drainage features, areas of Flood Zone 2 and 3 associated with watercourses, high groundwater vulnerability, Source Protection Zone status, Principal and Secondary A aquifers, and nearby private water supply abstractions; these matters reinforce the need for site-specific hydrological controls, construction-phase pollution prevention, groundwater protection and monitoring.

26.14. The Lime Down D Desk Study is particularly relevant from an LLFA perspective because it identifies Gauze Brook, associated unnamed watercourses, areas of Flood Zone 3 and areas of groundwater flood susceptibility. This information is relevant to understanding runoff pathways, floodplain function and the need to ensure that construction and operational activities do not increase flood risk or adversely affect watercourse behaviour. These matters are addressed in ES Volume 3 Appendix 19-4 Lime Down D Desk Study.

26.15. The Lime Down E Desk Study is also relevant because it identifies Gabriel's Well, associated tributaries, alluvium, Flood Zone 3 extents, groundwater flood susceptibility, Secondary A aquifers and Source Protection Zone 1c status. These features indicate that runoff management, compaction control, sediment control and construction-phase drainage measures are important to avoid adverse effects on watercourses and groundwater receptors. These matters are addressed in ES Volume 3 Appendix 19-5 Lime Down E Desk Study.

26.16. The landscape and Cotswolds National Landscape material is relevant to the LLFA only where it relates to vegetation establishment, land management, surface roughness, erosion control and the long-term maintenance of vegetated buffers. The LLFA does not rely on those documents for landscape judgement but recognises that landscape planting and long-term vegetation management may also perform hydrological functions where they contribute to runoff slowing, infiltration, erosion resistance and watercourse buffer performance. These matters are considered in ES Volume 3 Appendix 8-1 and ES Volume 3 Appendix 8-6.

26.17. The revised Outline Construction Traffic Management Plan is relevant to hydrology because construction access formation, haul roads, temporary surfacing, vehicle movements, soil disturbance and compaction can alter runoff pathways and increase sediment mobilisation if not properly managed. The CTMP provides an improved governance framework for monitoring, reporting,

responsibilities, complaints handling and compliance. However, the LLFA considers that equivalent clarity is still required for temporary drainage, runoff control, sediment management and construction-phase flood response. These matters are set out in the Outline Construction Traffic Management Plan.

26.18. The LLFA considers that the Deadline 3 evidence now provides a stronger basis for understanding how the development seeks to manage runoff and avoid adverse flood risk effects. However, the residual hydrology concerns relate to whether the relied-upon measures – vegetation establishment, soil condition protection, compaction remediation, erosion management, construction-phase drainage controls and long-term monitoring – are sufficiently defined, governed and verified throughout construction and operation.

Matters Now Considered Resolved

26.19. The LLFA considers that substantial progress has been made on a number of hydrology-related issues raised earlier in the examination.

26.20. First, the Applicant has demonstrated an intention to retain existing ground levels across much of the Site and avoid unnecessary regrading. From a hydrology perspective, this reduces uncertainty regarding the creation of new artificial overland flow routes and supports the retention of existing drainage patterns where appropriate.

26.21. Second, the Applicant has now more clearly recognised that soil condition and compaction are important factors influencing runoff generation. Earlier LLFA concerns related to whether compaction risks had been sufficiently recognised as a hydrological issue. The updated Soils and Agriculture material addresses soil structure, compaction and restoration more directly.

26.22. Third, the LLFA acknowledges that commitments relating to compaction avoidance and remediation are now incorporated within the wider management framework. Although further detail remains desirable regarding operational monitoring and verification, the principle that compaction requires management is no longer disputed.

26.23. Fourth, the ecological and landscape material demonstrates stronger commitments to vegetation establishment and long-term land management. From the LLFA's perspective, these commitments are relevant because well-established vegetation can support infiltration, reduce erosion and increase surface roughness.

26.24. Fifth, the LLFA welcomes the greater consideration of watercourse buffers and natural flood management opportunities, particularly in the context of Lime Down D where Gauze Brook and associated Flood Zone 3 constraints are identified.

26.25. Finally, firewater containment principles have developed to a stage where they no longer represent a principal unresolved LLFA concern, subject to detailed design and implementation through the relevant management controls.

Matters Considered Substantially Narrowed

26.26. Several matters remain under discussion but have been substantially narrowed.

26.27. Hydraulic modelling requirements were a prominent issue earlier in the examination. Following review of further evidence and discussions with the Applicant, the LLFA no longer considers additional scheme-wide hydraulic modelling to be the most productive means of resolving residual uncertainty.

26.28. The Applicant has provided a clearer explanation of the relationship between runoff generation, vegetation cover, soil condition, compaction control and erosion management. This has improved the LLFA's understanding of the conceptual basis of the flood risk strategy.

26.29. Concerns relating to whether solar panels alone would materially alter runoff behaviour have also reduced in significance. The LLFA's focus is now on the condition of the land beneath and around the panels, including vegetation cover, soil structure, erosion control and long-term maintenance.

26.30. The residual concerns therefore now relate primarily to implementation, monitoring, governance and verification, rather than to the overall assessment methodology.

Updated LFFA Position on Hydraulic Modelling and Residual Hydrology Matters

Why the LLFA Is Not Seeking Additional Scheme-Wide Hydraulic Modelling

26.31. The LLFA's position has evolved through the examination process. Earlier concerns reflected uncertainty regarding the evidence available to demonstrate that the development would not increase flood risk.

26.32. Following detailed consideration of the Deadline 3 material, the LLFA accepts that there are practical limitations associated with attempting to undertake blanket hydraulic modelling across extensive solar panelled areas. Runoff behaviour is influenced by vegetation condition, soil structure, soil compaction, erosion processes and land management practices.

26.33. The Applicant has explained that no recognised methodology currently exists that would reliably quantify runoff differences between agricultural land and managed grassland beneath solar arrays. The LLFA considers this explanation reasonable, particularly given that the dominant residual risks relate to how land condition will be maintained over time.

26.34. Consequently, the LLFA no longer considers that further scheme-wide hydraulic modelling would materially improve understanding of the principal residual risks. Instead, the LLFA considers that attention should focus on the measures relied upon by the Applicant to manage hydrological performance and, critically, how those measures will be monitored, maintained and verified throughout the operational lifetime of the development.

Core Hydrology Matters Remaining

26.35. Although the LLFA is no longer seeking additional scheme-wide hydraulic modelling, this does not mean that all hydrology matters are resolved.

26.36. The Deadline 3 evidence demonstrates that the Applicant has now identified the relevant hydrological mechanisms. However, the remaining question is whether those mechanisms are sufficiently secured, monitored and verified through the management framework.

26.37. The LLFA considers that the core hydrology matters remaining are:

1) whether existing runoff pathways will be retained and protected;
2) whether vegetation beneath and around panels will provide sufficient surface roughness, infiltration support and erosion resistance;
3) whether soil structure and permeability will be maintained during construction and operation;
4) whether soil compaction will be identified, remediated and verified;
5) whether drip-line erosion, rilling or channelisation will be monitored and addressed;
6) whether temporary drainage and sediment control measures during construction will be sufficiently robust;
7) whether watercourse buffers and low-lying drainage pathways will be protected in practice;
8) whether site-specific hydrological sensitivities identified in the Lime Down A-E desk studies are translated into monitoring and management controls; and
9) whether monitoring arrangements include clear triggers, responsibilities, reporting and corrective actions.

26.38. These matters are hydrological in nature. They are not simply ecological, agricultural or construction-management issues. The Applicant's approach relies upon the long-term functioning of vegetation, soils, drainage pathways, watercourse buffers and management controls to avoid increased runoff, erosion and flood risk.

26.39. Accordingly, the LLFA considers that the remaining matters are best addressed through targeted amendments to the management plans and supporting documentation, rather than through further broad-scale hydraulic modelling.

Updated LLFA Position on Flood Risk Assessment Matters

26.40. The LLFA has reviewed ES Volume 1 Chapter 11: Hydrology, Flood Risk and Drainage, together with the supporting Flood Risk Assessment and Drainage Strategy appendices, insofar as they relate to flood risk from fluvial, surface water, groundwater, artificial and drainage sources.

26.41. The LLFA notes that the Applicant's assessment uses the Environment Agency Flood Map for Planning, updated surface water flood risk mapping, LiDAR-

derived topographic information and site-specific assessment to inform the baseline flood risk position. The LLFA also notes that site-specific hydraulic modelling has been undertaken for Gauze Brook at Lime Down D, where Flood Zone 3 and overland flow risk are more prominent.

26.42. The LLFA acknowledges that the Applicant has sought to apply a sequential design approach by locating more flood-sensitive infrastructure, including the BESS and substations, within areas identified as being at low probability of flooding where practicable. The LLFA also notes the Applicant's design commitments relating to existing overland flow route preservation, permeable access tracks, watercourse buffers, flood-resilient electrical infrastructure and controlled drainage for formal infrastructure areas.

26.43. The LLFA further notes that climate change has been considered within the Applicant's assessment, including the application of rainfall and fluvial climate change allowances, and that SuDS features for formal drainage areas are proposed to manage the 1 in 100 year rainfall event plus climate change.

26.44. On the basis of the Deadline 3 material reviewed, the LLFA is not currently seeking further scheme-wide hydraulic modelling. The LLFA's remaining concerns do not principally relate to the mapping of flood extents or the prediction of flood levels across the wider Scheme. Rather, the LLFA's residual concerns relate to the long-term delivery, monitoring, maintenance and verification of the hydrological and drainage controls relied upon by the Applicant to ensure that flood risk is not increased during construction, operation or decommissioning.

26.45. These controls include the protection of existing runoff pathways, maintenance of vegetation cover, soil compaction avoidance and remediation, erosion control, temporary drainage, sediment management, watercourse buffer protection and operational drainage maintenance. The LLFA therefore considers that the remaining flood risk and hydrology matters are capable of resolution through refinement of the relevant management plans and continued engagement through the Statement of Common Ground process.

26.46. The LLFA also notes the more detailed Lime Down D / BESS Drainage Strategy, including the Applicant's position that infiltration is not feasible, that surface water discharge from the BESS Area would be restricted to 8.64 l/s, and that attenuation storage of approximately 6,494 m³ is proposed for the 1 in 100 year plus 45% climate change rainfall event. The LLFA further notes the proposed use of lined drainage, automatic isolation valves and firewater containment measures for the BESS and substation areas, together with maintenance arrangements to be secured through the relevant operational management plans. These matters support the LLFA's view that the remaining issues relate to detailed design, maintenance, governance and verification.

Residual Theme 1 – Interrelationship Between Documents

26.47. This remains one of the strongest residual themes. Atkin's review identified that hydrology-related controls are distributed across several documents rather than being presented within a single cohesive framework.

26.48. The FRA, Drainage Strategy, LEMP, SRMP, CEMP, OEMP and supporting documents all contain controls relevant to hydrological performance. Individually, many of these controls appear appropriate. However, it is not always clear how they work together to maintain runoff management, soil condition, vegetation condition, erosion resistance and watercourse protection.

26.49. The LLFA is therefore seeking a clearer explanation of the relationship between these documents and how they collectively address runoff management, soil structure protection, compaction control, vegetation establishment, erosion prevention, watercourse buffers, temporary drainage, operational monitoring, remediation and corrective action.

26.50. This matter is appropriate for resolution through the SoCG process because it relates to document integration and management plan clarity.

26.51. The LLFA also notes that the draft DCO contains drainage-related mechanisms, including Requirement 11 for approval of surface and foul water drainage schemes, Article 17 relating to discharge of water, and protective provisions for drainage authorities. The LLFA considers it important that the final management plan framework clearly explains how these DCO mechanisms interact with the FRA, Drainage Strategy, CEMP, OEMP, Water Management Plan and ordinary watercourse protection requirements.

Residual Theme 2 – Long-Term Vegetation Monitoring and Management

26.52. The Applicant has placed substantial reliance on vegetation as a runoff and erosion control measure. The Ecology and Biodiversity chapter, LVIA Methodology and Cotswolds National Landscape Assessment contain relevant commitments around vegetation establishment and long-term management.

26.53. However, the LLFA considers that further clarification is required regarding how vegetation condition will be monitored specifically for hydrological performance. Particular attention should be given to sparse ground cover, beneath-panel vegetation condition, drip-line erosion, channelisation, rilling, bare ground, flow concentration and remedial measures where vegetation fails.

26.54. These matters are important because deterioration in vegetation condition could reduce infiltration, increase runoff velocity and increase sediment mobilisation. The LLFA therefore considers that vegetation monitoring should not be treated solely as an ecological requirement, but also as part of the flood risk management framework.

Residual Theme 3 – Recognition of the Hydrological Function of Vegetation and Soils

26.55. The LLFA considers that the Applicant's documents appropriately recognise ecological and agricultural objectives. However, the hydrological function of vegetation and soils is often implicit rather than explicit.

26.56. Vegetation contributes to infiltration, surface roughness, raindrop interception, erosion resistance and the slowing of shallow surface flows. Soil structure influences permeability, storage, infiltration and runoff response. These matters are relevant to both ES Volume 1 Chapter 9 and ES Volume 1 Chapter 17.

26.57. The LLFA considers that future management plans should explicitly identify vegetation and soils as hydrological assets. This would better align the management framework with the Applicant's explanation that runoff behaviour is influenced by soil condition, vegetation cover, compaction and erosion processes.

Residual Theme 4 – Soil Compaction Monitoring and Remediation

26.58. The Soils and Agriculture chapter demonstrates a much stronger appreciation of soil compaction risk than was evident earlier in the examination.

26.59. Nevertheless, the LLFA considers that additional information is still required regarding long-term operational monitoring and verification. The relevant issues include how compaction will be inspected, what inspection methodology will be used, what thresholds will trigger intervention, what remediation standards will apply, how remediation success will be verified, how repeat compaction will be prevented and how operational access and maintenance activities will be managed.

26.60. This issue is hydrologically important because compacted soils can reduce infiltration and increase runoff. The LLFA therefore considers that compaction monitoring should be treated as a flood risk management measure, not simply as an agricultural restoration measure.

Residual Theme 5 – Construction Phase Drainage and Monitoring

26.61. The revised CTMP contains a much stronger governance framework than earlier versions, including monitoring, reporting, responsibilities, complaints handling, compliance and corrective action.

26.62. The LLFA welcomes this improvement. However, the remaining concern relates specifically to construction-phase water management, rather than traffic governance itself.

26.63. Further clarification would be beneficial regarding temporary drainage arrangements, runoff control during soil stripping and access construction, sediment control, temporary storage, watercourse protection during

construction, maintenance of temporary drainage measures, flood response procedures, inspection during wet weather, management of haul roads and temporary hardstanding, and reinstatement of temporary drainage pathways.

26.64. Construction activities have the greatest potential to disturb soils, alter runoff pathways and increase sediment mobilisation. The LLFA therefore considers that construction-phase drainage controls should be clearly defined and linked to monitoring and corrective action.

Residual Theme 6 – Monitoring, Governance and Performance Triggers

26.65. This remains one of the most important residual themes.

26.66. The CTMP demonstrates that the Applicant can establish a structured governance framework with monitoring, reporting, responsibilities, complaints handling and escalation. The LLFA considers that a similar level of clarity should be provided for hydrological performance monitoring.

26.67. The LLFA would welcome clearer information regarding inspection frequencies, responsible parties, monitoring parameters, performance indicators, trigger thresholds, corrective actions, reporting mechanisms, audit procedures, escalation routes, and links to the SoCG and management plan review process.

26.68. These arrangements are important because the Applicant's strategy relies on maintaining vegetation, soils and drainage function over time. Without clear trigger thresholds and corrective actions, there is less certainty that deterioration in hydrological performance would be identified and addressed before adverse effects occur.

Relationship to the Statement of Common Ground

26.69. The six residual themes are high-level groupings for a wider set of detailed hydrology-related SoCG matters.

26.70. The table below sets out how the themes may translate into SoCG matters. The LLFA anticipates that many of these matters could be resolved through refinement of the LEMP, SRMP, CEMP, OEMP and related supporting documents.

Residual theme	Likely SoCG matters
Document integration	Management plan hierarchy, cross-references, hydrological control framework
Vegetation monitoring	Sparse cover, drip-line erosion, channelisation, intervention triggers
Hydrological function	Recognition of soil and vegetation as drainage/flood risk controls

Residual theme	Likely SoCG matters
Soil compaction	Inspection methods, thresholds, remediation and verification
Construction drainage	Temporary drainage, sediment control, flood response, maintenance
Governance	Monitoring frequencies, reporting, responsibilities, corrective actions

26.71. Consequently, the themes should be viewed as organisational categories.

Overall LLFA Position at Deadline 4

26.72. The LLFA acknowledges the substantial progress made by the Applicant during the examination and welcomes the constructive engagement that has taken place.

26.73. The LLFA is no longer seeking additional scheme-wide hydraulic modelling and considers that many previously raised concerns have either been resolved or substantially narrowed.

26.74. The most significant remaining issues relate to integration of hydrology-related controls across documents, vegetation monitoring as a runoff and erosion control measure, recognition of the hydrological function of vegetation and soils, soil compaction monitoring and remediation, construction-phase drainage and water management, and long-term monitoring, governance and performance triggers.

26.75. The LLFA does not currently consider these matters to represent fundamental concerns to the overall flood risk strategy. Rather, they relate to ensuring that the long-term management, monitoring, maintenance and verification framework is sufficiently robust to maintain hydrological performance throughout the operational life of the development.

26.76. The LLFA therefore considers that the remaining issues are capable of resolution through further refinement of the relevant management plans and continued engagement through the Statement of Common Ground process.