

Lime Down Solar Park

**Planning Inspectorate Reference:
EN010168**

**Wiltshire Council Response to ExA's
Second Written Questions (ExQ2)**

Deadline 5 (7 August 2026)

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ExQ2	Question to:	Question:
Cultural Heritage (CH)		
Archaeology		
CH2.2	Wiltshire Council	Concrete Feet The ExA note that in Wiltshire Council's relevant representation [RR- 4934] it states that Wiltshire Council Archaeology Service (WCAS) is not supportive of the use of concrete feet as it is considered that is too much risk for impacts upon sub surface archaeology from construction directly over it without mitigation. It also states that WCAS would wish to see panels located away from features in these circumstances so that any impact can be avoided. Is Wiltshire Council able to specify any locations where concrete feet would not be appropriate and where it considers solar PV panels should be removed from the proposed development to prevent unacceptable impacts on sub surface archaeology? Impacts upon high concentrations of archaeological activity, such as enclosed settlements, identified during the trial trenching stage can be mitigated via archaeological excavation. In areas of dispersed activity, such as isolated linear and discrete features, impacts on these individual features can be mitigated by the careful placing of solar panels away from them. The isolated features are listed in the evaluation reports as: A1-01, A1-02, A1-03, A2-01, A3-01, A6-01, A6-02, A7-01, A9-01, A9-02, A10-01, A10-02, B6-01, B9-02, B9-03, B12-01, C1-01, C5-01, C11-01, C11-02, C11-03, C14-01, C30-01, C36-01, C36-02, D20-01, C14-01, E14-01, E20 -01, D1-01, D1-02, D3-01, D6-01, D6-02, D8-01, D11-01, D11-02, D11-03, D21-01, E1-01, E14-01, E14-02, E20-02 and E21-01.
CH2.4	The Applicant	Scheduled Monument - Pillow Mound In Appendix C to its written representation (WR) [REP1-171], Stop Lime Down state that a reasonable worst case for the scheduled monument 'Pillow mound 280m southwest of Surrendell Farm' would be that Horizontal Directional Drilling (HDD) is not viable in this location and a program of strip, map and sample (SMS) is undertaken. Stop Lime Down state that in this case, the residual effect of SMS would be moderate adverse (significant). 1) Although the ExA note that the applicant has confirmed that HDD is currently proposed in this location [REP3-129], should a reasonable worst case for the assessment of effect on this asset be that HDD is not possible and that a program of SMS would be undertaken? 2) What would be the residual effect on this asset if SMS is employed in this location? Whilst it is acknowledged that this question was posed to the Applicant, Wiltshire Council considers that the cable route will avoid the Pillow Mound and will not impact it directly. SMS excavation is proposed along the cable route to the west of the Pillow Mound to record possible archaeological features identified during the geophysical survey of the cable route. Any features exposed by the SMS excavation will be investigated, recorded and preserved 'by record', the residual effect of this would be neutral.
CH2.6	The Applicant Wiltshire Council Historic England	Evaluation Trial Trenching Reports and the Outline Archaeological Mitigation Strategy (oAMS) The ExA note from the statement of common ground (SoCG) between the applicant and both Wiltshire Council [REP4-061] and Historic England [REP4-065] that full evaluation trial trenching reports have been shared with these parties. <u>The Applicant:</u> 1) The applicant is asked to submit the full evaluation trial trenching reports into the examination. <u>The Applicant, Wiltshire Council and Historic England:</u> 2) The parties are each asked to provide an update of any discussions that have been undertaken in relation to the evaluation trial trenching reports and any resultant changes that would need to be made to the oAMS or Requirement 12 of the dDCO. Wiltshire Council anticipate that the Applicant will submit the evaluation reports into the examination once all comments from Historic England and Wiltshire Council have been incorporated into the text.

ExQ2	Question to:	Question:
		In terms of an update of discussions, Wiltshire Council received the evaluation trial trench reports on 28 th May 2026. Wiltshire Council Archaeology Service (WCAS) accepted these reports without comment on 17 th June 2026. WCAS have no overriding concerns with these reports. Discussions are currently on-going between WCAS and the Applicant regarding proposed mitigation works as mentioned in the Statement of Comment Ground.
Built Heritage		
CH2.9	Wiltshire Council	Rodbourne Conservation Area The SoCG between the applicant and Wiltshire Council [REP4-061] records Wiltshire Councils position that: <i>Amendments to the Outline CEMP [REP3-092] and Outline CTMP [REP1-112] intended to mitigate the impact on the Rodbourne Conservation Area via the involvement of the Conservation Officer in the design of the works does not provide any effective mitigation, as the design is unknown and there is no certainty that there will be a solution which can prevent the occurrence of harm.</i> Wiltshire Council is asked if it can set out what further design information it would need to be provided with to enable the council to confirm whether or not there could be a potential design solution to mitigate the impact on the Conservation Area? Wiltshire Council was concerned that the scope and detail of the Highway Improvement Works required in this location was largely unknown and hence the level of impact and potential for mitigation were impossible to assess. The Applicant has now confirmed that the nature and usage of the access determine that proposals for upgrading are limited to minor surface works to the track with no junction improvement or widening planned. It is understood that additional text will be added to the Outline Construction Traffic Management Plan (CTMP) [REP4-058] to clarify. As a result, the council's concern that the Highway Improvement Works at this location would have an adverse impact on the character and appearance of the Rodbourne conservation area has been addressed.
CH2.10	Historic England Wiltshire Council	Bradfield Manor Farmhouse (Grade I) The ExA notes that the SoCG between the applicant and Historic England [REP4-065] records that the approach to safeguarding designated heritage assets is agreed. With regards to Bradfield Manor Farmhouse, the SoCG records that Historic England acknowledge that in winter the screening would not be so effective and that in the longer distance views the harm caused by panels would not be mitigated. The SoCG records that Historic England consider that the panels would cause harm, but that harm would be less than substantial. <u>Historic England:</u> 1) Can Historic England confirm if it agrees with the applicant's assessment in the Heritage Statement [APP-219] that the harm to Bradfield Manor Farmhouse Would be at the lower end of the scale of less than substantial harm? <u>Wiltshire Council:</u> 2) Do Wiltshire Council agree with Historic England's position on Bradfield Manor Farmhouse? If not, please explain its position including any additional mitigation measures that would be necessary and the level of harm that Bradfield Manor Farmhouse would experience. The council agrees with Historic England's assessment of the level of harm and also with the Applicant's qualifying assertion that this would be at the lower level of less than substantial harm.
CH2.11	Wiltshire Council The Applicant	Grittleton House (Grade II*) The ExA notes Wiltshire Council's response to ExQ1 CH1.16 that it considers more robust and effective management proposals need to be incorporated in the outline management plans which could assist in mitigating the impact from the scheme on the business and hence on the future viability and conservation of the asset. <u>Wiltshire Council:</u>

ExQ2	Question to:	Question:
		1) Wiltshire Council are asked to clarify whether its concern is in relation to an adverse socio-economic impact which may have an indirect impact on the conservation of the asset, or is it primarily an impact on the setting of the asset in heritage assessment terms which in turn impacts the economic viability of the business (or both)? The council's concerns primarily relate to the adverse socio-economic impact stemming from construction within its setting which has potential to have an indirect impact on the conservation of the asset. Whilst related, the impact on the setting of the asset in purely heritage assessment terms is agreed to be minor and mitigated by temporary duration, and this is a secondary concern for the council. <u>The Applicant and Wiltshire Council:</u> 2) Both parties are asked to provide an update of any further discussions that have taken place regarding further mitigation measures that could be put in place, while the applicant is asked to provide commentary on the level of engagement it has had with the owners of Grittleton House on this matter. The council has recently discussed this matter with the Applicant at meetings on 29 July 2026 in relation to the council's SoCG. The Council advised that in their opinion the following mitigation should be considered: 1) The council's preferred option would be the re-location of the compound. 2) This would leave the cable works themselves – here, further mitigation should be considered in discussion with the owners and should include a mechanism for liaison to secure agreement / certainty around the timing and duration of the cable works. 3) A comprehensive compensation scheme should be agreed with relevant stakeholders (as requested by the council's Socio-Economic team – see response to SE2.3 below). In the council's discussions with the Applicant, it was considered that the Community Liaison Group, which would be established should the scheme be consented, could be one mechanism for the engagement sought in point 2 above. The Applicant informed the council that they would be having further discussions with the business owners at Grittleton House. The council will re-engage with the owners once notified that those meetings have taken place and concluded.
CH1.12	The Applicant Wiltshire Council Historic England	Adaptive Management of Mitigation With regards to the approach to mitigation for built heritage, the SoCG between the applicant and Wiltshire council [REP4-061] records that Wiltshire Council consider that the deadline 3 updates to the oCEMP [REP3 092] in line with the outline Landscape and Ecological Management Plan (oLEMP) [REP3-100] do not include any proposals for monitoring or assessing the efficacy of the landscaping in providing the mitigation envisaged or for making amendments if required in the future. <u>The Applicant:</u> 1) The applicant is asked to review and respond with proposed measures for the adaptive management of mitigation. <u>Wiltshire Council and Historic England:</u> 2) Wiltshire Council and Historic England are asked to propose any changes that should be made to the management plans to secure adequate monitoring, assessment of efficacy and adaptations to the mitigation measures as they deem necessary. The Outline Landscape and Ecological Management Plan [REP3-100] is intended to secure measures to minimise adverse effects on visual amenity, including the establishment, monitoring and management of hedgerow, tree and woodland planting intended to screen views of the authorised development from public rights of way, heritage assets, highways and residential receptors. From a heritage perspective, the Applicant's Heritage Team should provide a list of heritage receptors where enhanced landscaping is being relied upon to achieve lowered residual effects (e.g. Bradfield Manor). Provision should be made in the plan for monitoring at appropriate timings throughout the operational phase to identify where screening objectives are not being achieved (for example due to changing climate and / or individual species

ExQ2	Question to:	Question:
		pathology) and should specify how remedial management measures (including appropriate timescales for implementation) will be presented to and approved by the LPA. More specific objectives for screening outcomes will need to be included in the detailed management plans and should refer back to the list noted above, which is assumed will form part of the Heritage Chapter. Objectives could be incorporated within the Management Prescriptions timetable. Please also see the response to DCO2.1 below.
CH1.13	The Applicant Wiltshire Council Historic England Stop Lime Down	Noise Impacts In response to Stop Lime Down's WR [REP1-167], it is noted that the applicant states [REP2-039] that the noise impact on built heritage assets has been assessed to not constitute a significant effect on health and quality of life. The applicant is asked whether the significance of effect on health or quality of life is an appropriate threshold for determining whether noise from the proposed development would have an adverse impact on the setting of heritage assets or whether noise can have a significant effect on the setting and understanding of a heritage asset without crossing the threshold of significance for health or quality of life? In response, please provide references to any relevant guidance. Wiltshire Council, Historic England and Stop Lime Down may also wish to comment on this matter. The council does not consider that the significance threshold used in the assessment of effects on health or quality of life is the appropriate threshold for assessing noise impacts on heritage assets. The receptors and policy tests in each case are quite different. With regard to heritage assets the question, in the context of this scheme, is most likely to relate to whether operational noise (for example from inverters, transformers, substations, battery storage facilities or associated infrastructure) will unacceptably reduce a sense of quietness and tranquillity, which contributes to the understanding and experience of an asset, to the extent that its significance will be adversely impacted. If the significance of an asset relied heavily upon its experience and appreciation within a quiet, tranquil or remote environment, very low levels of additional noise (below those which constituted the threshold of significance for health or quality of life) could have a significant impact. An example might include the impact on a conservation area whose current character includes an absence of modern mechanical noise. The Planning Practice Guidance (Historic Environment) and Historic England GPA3: The Setting of Heritage Assets (2017) both provide relevant guidance but neither provides detailed advice on the assessment of noise or tranquillity and their contribution to setting.
Draft Development Consent Order (dDCO)		
Questions within this section refer to the dDCO updated at Deadline 4 [REP4-004] (clean version) / [REP4-005] (tracked version)		
General Matters		
DCO2.1	All Interested Parties and Statutory Undertakers	Residual Issues with the dDCO and Management Plans The dDCO is an important document and the ExA is under a duty to provide the SoS with a recommended version of the DCO. This is because the SoS is the decision maker. Therefore, even if the ExA were to recommend to the SoS that development consent should not be granted, the ExA must still append a recommended version of the DCO, thus it is important that the ExA is able to put forward the best DCO that it can. The dDCO has been revised four times during the examination to date. A proportion of what has been requested by interested parties has been included in the Order, another proportion has been addressed through the updating of associated management plans, and other elements the applicant has resisted with reasons. While the position of many interested parties and/or statutory undertakers may be that development consent should not be granted, without prejudice to your position, you are invited to: 1) Outline any remaining or residual issues that you have with any articles, requirements or schedules of the dDCO, set out why the applicant has not yet resolved your concerns or why you are not content with the applicant's justification, and define what remedy or solutions you are seeking (including suggested redrafting if applicable) to address your concerns, and explain (make your case) why the applicant, the ExA and the SoS should consider such amendments to the dDCO. Statutory Undertakers are also alerted to ExQ2 DCO2.23 which specifically relates to protected provisions.

ExQ2	Question to:	Question:
		In the council's Post Hearing Submissions for ISH4 Action Point 2 [REP4-092], the council suggested revised drafting for the definition of 'maintain' as Article 5(3) only acts to constrain "scheduled replacement" and "replacement" to the environmentally assessed parameters in the ES. This was considered to still leave a very broad definition of 'maintain' that could permit whole-scheme replacement and re-powering by stages, that is not subject to appropriate development controls. The suggested drafting by the council was as follows (additions in blue and underlined): "maintain" includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace (including scheduled replacement <u>of components of the authorised development where such replacement remains within the parameters assessed in the environmental statement and secured by the documents certified under article 42 and the requirements</u>) and improve any part of the authorised development, <u>but does not include the removal, reconstruction or replacement of the whole of the authorised development other than such scheduled replacement where it remains within those assessed and secured parameters</u>, and "maintenance" and "maintaining" are to be construed accordingly; As the Applicant has not yet provided a response to this suggested drafting, the council maintains its position in seeking this amendment. Furthermore, as the council has not yet had the opportunity to review the Applicant's proposed Permitted Preliminary Works Environmental Management Plan, the council maintains its position that this should be secured by Requirement for the undertaker to submit the Plan to the LPA for approval prior to works commencing. The current definition of 'permitted preliminary works environmental management plan' would require amendment and a new Requirement added into Schedule 2. As set out in its Post Hearing Submissions for ISH4 [REP4-092], the council considers that Article 9 should be amended as follows: • Replace Article 9(2)(a) with: "a permit may not be refused, or granted subject to conditions, solely on the basis that the permit authority has imposed restrictions under section 58 (restrictions on works following substantial road works) or section 58A (restrictions on works following substantial roads works) of the 1991 Act" • Delete Article 9(4) • Add an Article 9(3)(b): "where Wiltshire Council is the permit authority, or where the refusal, condition or dispute relates to works to which Part 11 of Schedule 15 applies, Schedule 16 does not apply to any refusal of a permit, the grant of a permit subject to conditions, or any dispute arising under this article, and any such matter must be determined in accordance with the dispute resolution procedure in Part 11 of Schedule 15." Furthermore, as indicated repeated, and most recently in its response to DCO2.8 below, the standard timescale for a major permit is 12 weeks, and not the 4 weeks currently noted in Article 16. However, as a means of compromise, as stated at ISH4, the council would be willing to accept 8-weeks for this scheme. With respect to Article 10, the council welcomes the recent changes from "may" to "must", but as set out in its comments on Deadline 4 submissions, considers that Article 10(4) should cross reference the LHA Protective Provisions in Part 11 to Schedule 15. Furthermore, the council re-iterates that the 6-week time limit for determination / approval under Article 47(3) 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. It is also unclear whether Schedule 16 is to apply in respect of highway technical approvals or consents. Regarding Article 11, the council is seeking a formal s59 Agreement (Highway Act 1980) within the DCO to cover potential damage to the wider network caused by extraordinary trafficking. If this is in place, then this would potentially cover damage defects liability for included road lengths which have been subject to construction trafficking beyond the 12-month period. The council considers that Article 14(a) and (b) should specifically refer to the requirement for detailed design approvals to be sought in accordance with the LHA Protective Provisions in Part 11 to Schedule 15.

ExQ2	Question to:	Question:
		The council's previously stated concerns regarding Article 15 remain due to the broad powers conferred. As indicated in DCO2.11 below, the council considers that Article 40 should be amended as follows: “(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 specific in the table in Part 1 and the table in Part 2 of Schedule 12 (hedgerows to be removed) only to the extent set out in the ecological protection and mitigation strategy approved pursuant to requirement 8 in Schedule 2 (requirements).” Furthermore, in accordance with Wiltshire Council's consistently raised concern (most recently in the council's Post Hearing Submissions [REP4-092] and in comments on the Deadline 4 submissions to be submitted at Deadline 5), regarding the overly wide powers afforded by the scope of Schedule 12 and the inclusion of all hedgerows across the Order Limits, the council reiterates that it considers in the interests of precision, enforceability and avoiding uncertainty, the specific lengths of hedgerow authorised for removal should be stated within Schedule 12, thereby replacing the generic term “part” with a quantified measurement (metres) corresponding to the approved plans. The stated measurements should, at the very least, specify the minimum and maximum extent of hedgerow that may need to be removed from each of the hedgerows listed. However, the stated measures should not be interpreted as a requirement to remove the full permissible length. Where detailed design, construction requirements, or site circumstances allow, the Applicant should seek to minimise impact and retain greater lengths of hedgerow. Accordingly, removal of a lesser extent should always be considered and implemented where practicable, with the objective of avoiding unnecessary loss of hedgerow habitat and associated landscape, ecological and arboricultural value. This would ensure continuity across the DCO documents, notably in this regard, the dDCO Schedule 12, the EPMS and Hedgerow Removal Plans contained therein at Annex A, and the HRA, and would provide greater certainty and assurance of the imposition of the restrictions set out in the EPMS and as cited in Article 40(4) and the footnotes in Schedule 12. With regards to Article 41, Wiltshire Council considers that the five working day notice period set out in paragraph 4(b) should be extended to include trees within Conservation Areas that are subject to the notification requirements of Section 211 of the Town and Country Planning Act 1990. This would ensure that trees contributing to the character and appearance of Conservation Areas are afforded equivalent consideration and protection. With regards to Article 47, please see council's concerns relating to highway matters in relation to the deemed consent provision. In Schedule 2, Requirement 2, the council maintains that the written scheme in (1) should be submitted to and approved by the relevant planning authority, rather than just submitted to it. This requested drafting is in a number of made solar DCOs and therefore there is substantial precedent for it. The council maintains that the Community Liaison Group secured through Requirement 4 of Schedule 2 should remain in operation during the construction, operation and decommissioning stage, in relation to the activity that is being undertaken. The council considers that it should remain as originally established for a period of 6 years in initial operation, and then be reconvened during periods of maintenance / replacement and for decommissioning. The Council considers that Requirement 7 (LEMP) should include a specific landscape monitoring and adaptive management measure. See comments under part 2 of this question for [REP3-100] Outline LEMP (Rev 2) for further justification and comment. The Council suggests the following rewording of Requirement 7 as follows; 7. (1) No part of the authorised development may commence until a written landscape and ecological management plan has been submitted to and approved by the relevant planning authority for that part in consultation with the relevant statutory nature conservation body.

ExQ2	Question to:	Question:
		(2) The Plan shall include management and monitoring of prescribed ecological and landscape mitigation and enhancement measures against specific detailed objectives and associated success criteria at regular intervals, set out reporting arrangements and remedial or adaptive management measures where monitoring clearly identifies that the prescribed landscape, ecology, or visual screening objectives are not being achieved. (3) The Plan shall include measures to minimise adverse effects on visual amenity, including the establishment, monitoring and management of hedgerow, tree and woodland planting intended to screen views of the authorised development from public rights of way, heritage assets, highway and residential receptors as identified within the ES/LVIA. (4) Monitoring shall identify where landscape and ecology objectives and success criteria are not being achieved and specify remedial and/or adaptive management measures. (5) The landscape and ecological management plan must be substantially in accordance with the outline landscape and ecological management plan. (6) The landscape and ecological management plan must be implemented as approved.” In the council’s response to Action Point 5 arising from ISH4, the council sought a response from the Applicant as to how the wording “substantially in accordance with” would not erode the secured mitigation with regards to Requirement 7, Requirement 8, Requirement 9, Requirement 11 and Requirement 12. In the absence of a response from the Applicant yet, the council maintains its concern with the current drafting for these Requirements in this respect. As stated within its Post Hearing Submissions for ISH4, the council still maintains that its alternative drafting for Requirement 15 is required. With regards to Requirement 20, the council maintains that further comfort is required regarding the Applicant’s decommissioning security that has been stated would be put in place with the landowners through the lease agreements. In the absence of an alternative agreed position with the Applicant at the current time, the council would support SLDs suggested inclusion of the Helios DCO drafting requiring the undertaker to notify the LPA no later than year 15 of operation that the requisite decommissioning security in the form as required by the landowners had been put in place. However, the council notes that discussions with the Applicant are ongoing in this regard. Furthermore, the council continues to contend that a provision must be included within Requirement 20 for the undertaker to formally submit to the LPA that all decommissioning activities have been completed for the council’s approval and confirmation. Within Wiltshire Council’s LIR, the council set out a number of Requirements that it considered necessary. Whilst discussions are ongoing with the Applicant to ensure that all requirements are adequately covered within the management plans, the council reserves the right to push for additional requirements should sufficient progress not be made during the course of the examination. The council considers that the Mitigation Route Map which the Applicant is currently preparing will assist in identifying where further strengthening of commitments is required. The council’s position with regards to Schedule 12 is outlined in comments contained above. With respect to Schedule 13, the council considers that the Arboricultural Impact Assessment and Arboricultural Method Statement should be included within this schedule. Furthermore, depending upon the approach taken with regards to the Permitted Preliminary Works Environmental Management Plan, this item may need to be changed to “Outline”. At present, the LLFA is not seeking any further substantive amendments to Part 9 of Schedule 15 of the dDCO. The remaining concerns relate primarily to the implementation, monitoring, maintenance, review and long-term management of measures secured through the associated management plans and supporting documentation rather than the drafting of the dDCO itself.

ExQ2	Question to:	Question:
		The Protective Provisions for the Benefit of the Local Highway Authority, Part 11 of Schedule 15, are not yet agreed. The council will confirm its preferred drafting at Deadline 6. In relation to Schedule 16, the council maintains its position set out at Deadline 2, in that the period for discharge applications should be twelve weeks and not the ten weeks currently specified in 2(2). Furthermore, the council considers that the period for requesting further information should be extended to 20 working days in 3(2), which would be in line with the Mallard Pass Solar Farm DCO. The following wording should also be included against each numerical charge within Clause 5 to state “or the fees applicable at the time of application by the Applicant”. This is due to the extended period in which applications for discharge will be made given the scheme’s stated operational life of 60 years. Whilst the council accepts the Applicant’s rationale with regards to the Register of Requirements that this was mainly put in place for transport DCOs due to discharging decisions being made by the Secretary of State, the council maintains that due to the considerable public interest in this scheme, a mechanism is required to keep the public informed on the status of discharge applications. The council considers that the Applicant being responsible for maintaining a Register of Requirements would be an effective mechanism to do this. 2) Outline any remaining or residual issues that you have with any of the management plans/ documents listed below, set out why the applicant has not yet resolved your concerns or why you are not content with the applicant’s justification, and define what remedy or solutions or amendments you are seeking to address your concerns within the drafting of the relevant management plan(s)/ document(s): • Outline Construction Environmental Management Plan (Latest Version, Revision 5 [REP4-049]) Given the commitment of the Applicant to commence communications post examination, the council considers that the Outline Construction Environmental Management Plan Section 2.14 needs to be updated to reflect earlier engagement. i.e. 2.14.3 states “A Community Liaison Officer (CLO) (or alternative) would be appointed to lead discussions with local communities during construction.” In light of the ongoing discussions, the wording should be amended to refer to appointment of a CLO prior to construction, rather than during. As per the council’s previous comments at Deadline 4, the council considers that further commitments and mitigations are required to be included within this Plan once there was more knowledge about carbon emissions, i.e. from the procurement process for scheme construction and materials. Consideration should also be given to incorporating requirements for GHG emission and carbon reduction plans into the specification and contracts. The council remains concerned that the repair methodology has not been sufficiently constrained within the track at North Bincombe Wood. The council would like to see the inclusion of wording within the CEMP and detailed Arboricultural Method Statement confirming that: <i>"Any repairs to the access track at North Bincombe Wood shall be limited to the infilling of potholes using no-fines gravel and topsoil only and shall be undertaken solely for the purposes of hedgerow / vegetation management."</i> This restriction would minimise impacts within Root Protection Areas and avoid the gradual intensification or upgrading of the track. The council remains of the view that formal monitoring arrangements during construction for retained trees require strengthening. A schedule of regular inspections during construction by the Applicant’s arboriculturist covering all trees, with reporting to the LPA of: ○ Category A trees. ○ Category B trees. ○ Veteran trees. ○ Ancient trees. Inspection findings should be submitted to the LPA together with recommendations for remedial actions where required, to ensure emerging issues are identified and addressed promptly.

ExQ2	Question to:	Question:
		The council considers that greater certainty is required regarding professional competence of the Arboricultural Clerk of Works. Given the sensitivity of the affected tree resource, assurance is required that suitably qualified and experienced personnel oversee works with potential arboricultural implications. The council seek a commitment that the following information is submitted to and approved by the LPA prior to commencement of relevant works: ○ The name of the appointed ACoW. ○ Relevant qualifications. ○ Professional memberships. ○ Demonstrable experience of working with veteran and ancient trees. Wiltshire Council requests that there is a 10 metre buffer from the boundary of the footprint for the temporary construction compounds to any Category A, Category B, Veteran or Ancient tree. From an LLFA perspective, the substantial improvements made to the Outline CEMP, particularly the inclusion of a Water Management Plan, temporary drainage provisions, water quality monitoring, flood response measures, reinstatement of drainage systems and governance arrangements are welcomed. However, the CEMP still relies heavily on future detailed Water Management Plans, method statements and site-specific controls. The LLFA considers that further clarity is required regarding how temporary drainage arrangements, runoff controls, sediment controls, inspection procedures, performance criteria, corrective actions and arrangements for managing cumulative construction activities across the Solar PV Sites and Cable Route Corridor will operate in practice. The Applicant has identified appropriate controls but the monitoring, intervention and assurance arrangements remain high level in a number of areas and are not always clearly linked to measurable performance outcomes. Further clarification within the Water Management Plan framework is required regarding: • inspection frequencies; • monitoring parameters; • intervention criteria; • reporting arrangements; • corrective actions; and • management of overlapping activities across different parts of the Scheme. • Outline Operational Environmental Management Plan (Latest Version, Revision 5 [REP4-051]) As per the council's previous comments at Deadline 4, the council considers that further commitments and mitigations are required to be included within this Plan once there was more knowledge about carbon emissions, i.e. from the procurement process for scheme construction and materials. Consideration should also be given to incorporating requirements for GHG emission and carbon reduction plans into the specification and contracts. The council considers that reference to the Innovation Forum should be contained within this Plan in relation to adopting emerging best practices / technological advances during the scheme life. The council remains concerned that the oOEMP does not provide sufficient detail regarding the monitoring, recording and reporting of impacts arising from the operation of the development upon retained trees, particularly Category A, Category B, Veteran and Ancient Trees. The development is proposed to operate for approximately 60 years and there remains potential for direct and indirect impacts to trees through changing site conditions, maintenance activities, access requirements, soil disturbance and cumulative operational effects. The council also questions the categorisation of a number of trees identified within the Order Limits identified as A1 which appear to have been subsequently downgraded from Veteran. There is no single mandatory criterion for Veteran Tree classification and veteran status is determined

ExQ2	Question to:	Question:
		through the presence of recognised veteran characteristics and habitat features. The characteristics described within the survey documentation, including age-related features, structural adaptation, deadwood habitat, cavities and veteran form, are commonly associated with Veteran trees, therefore Wiltshire Council requests that, until sufficient evidence is provided to say otherwise, a precautionary approach should be adopted and Category A1 trees treated as Veteran trees for impact assessment and mitigation purposes. A formal monitoring, recording, and reporting mechanism is necessary to identify emerging impacts at an early stage and ensure appropriate intervention where adverse effects occur. The council seeks inclusion of a requirement that: • All trees, but particularly Category A, Category B, Veteran and Ancient Trees within, adjacent to, or potentially affected by the Order Limits are subject to periodic monitoring throughout the operational life of the development. • Monitoring findings are documented and reported to the LPA. • Monitoring identifies any deterioration attributable to the development and recommends appropriate corrective measures. • Reports are submitted at agreed intervals and maintained as part of the operational environmental management record. The loss of higher-value trees represents a significant environmental effect. Appropriate compensation can only be secured where sufficient detail and oversight are provided to ensure that replacement planting delivers meaningful landscape, ecological and arboricultural benefits. The council remains concerned that sufficient control has not yet been secured regarding the details of mitigation and compensatory planting associated with the removal of Category A, Category B, Veteran and Ancient Trees. The council seeks provisions requiring LPA approval of: • Tree species selection. • Planting sizes and specifications. • Planting locations. • Quantities and replacement ratios. • Establishment and maintenance regimes. In Table 3 against the heading ‘Impacts on biodiversity features during the operation of the Scheme’ it is stated in respect of lighting: <i>“Permanent lighting is not required within the Solar PV Arrays for the operational phase. Motion sensing security lighting will be provided within substations and within the BESS Area, to be used only for maintenance and security purposes. A sensitive lighting strategy as part of the detailed OEMP will specify how this artificial lighting will be installed and used, which will serve to mitigate adverse impacts on ecological receptors which are adversely impacted by lighting, such as bats.”</i> This refers to a sensitive lighting strategy to be contained within the detailed OEMP. It is assumed that this will be set out in Section 2.7 of the OEMP which is titled ‘Control of Light’. Whilst it is recognised that the OEMP currently comprises the outline version rather than the detailed version, it is nevertheless evident that the OEMP and Section 2.7 currently lacks sufficient detail regarding the proposed sensitive lighting strategy. It is the council’s view that it should be possible to provide more detail in the outline version of the OEMP than has been provided to date given that the key principles and best practice measures to be complied with and detailed in the sensitive lighting strategy should already be established. It should, therefore, be possible to provide at least an outline sensitive lighting strategy within the outline OEMP so that the ExA and host authority has sufficient information regarding the proposed lighting strategy to facilitate an informed review of the Scheme proposals, and the assessment of the operational phase of the development detailed in the ES and HRA, and to also inform the preparation of the Report on the Implications for European Sites (RIES) by the ExA. In respect of badgers, under the heading ‘Impacts on biodiversity features during the operation of the Scheme’ in Table 3 it is specified:

ExQ2	Question to:	Question:
		<i>“Should new badger setts be excavated in areas where they come into conflict with ongoing management activities, then these setts would likely be excluded under a mitigation licence from Natural England. The mitigation licence would secure any compensation measures (such as the creation of artificial setts) required, the exclusion of the setts, and would ensure any impacts to setts are compliant with current legislation.”</i> Whilst the council acknowledges that instances may arise where the only viable option is to apply for a mitigation licence in order to exclude/ close a sett, nevertheless, it is considered that the outline OEMP should include text in Table 3 that sets out that in the first instance, it would be established whether any other avoidance or mitigation measures could be implemented to avoid the need to exclude a sett, such as ascertaining if the management activities could be conducted in a different manner or use different machinery, technology or plant. It is considered that there should be some provision within Table 3 for the feasibility of employing other avoidance and mitigation measures to be investigated in the first instance in accordance with the mitigation hierarchy. The inclusion of an adaptive skylark mitigation section within Table 3 is noted. However, it is considered that it lacks sufficient detail regarding what would comprise the trigger points for instigation of adaptive mitigation and / or management, such as the number of breeding pairs. The LLFA welcomes the inclusion of operational drainage management, SuDS inspection, water quality monitoring and post-flood inspection commitments. However, confidence in the residual flood risk and water quality conclusions depends on the continued performance of vegetation, soils, drainage features, runoff-management measures and watercourse buffers throughout the operational life of the Scheme. The OEMP identifies mitigation measures but provides limited detail regarding performance monitoring, intervention triggers, adaptive management and long-term review arrangements. Clarification is required regarding: • monitoring requirements; • performance indicators; • intervention thresholds; • review procedures; • governance arrangements; and • corrective-action processes. • Outline Decommissioning Strategy (Latest Version, Revision 3 [REP3-096]) As per the council's previous comments at Deadline 4, the council considers that further commitments and mitigations are required to be included within this Plan once there was more knowledge about carbon emissions, i.e. from the procurement process for scheme construction and materials. Consideration should also be given to incorporating requirements for GHG emission and carbon reduction plans into the specification and contracts. The council considers that reference to the Innovation Forum should be contained within this Plan in relation to adopting emerging best practices / technological advances in preparation for scheme decommissioning. The LLFA notes the improvements made to the Outline Decommissioning Strategy and does not currently seek any specific amendments to the document. Any residual concerns relating to flood risk, drainage, runoff management, soils and monitoring are already captured through the LLFA's comments on the Outline CEMP, OEMP, SRMP and Outline Drainage Strategy. • Outline Soil Resources Management Plan (Latest Version, Revision 2 [REP3-098]) The Council notes the amendments to the latest version of the Outline Soil Resources Management Plan (Rev 3) [REP4-054] submitted at Deadline 4, including additional principles for locating soil stockpiles (para. 1.8.22) and the introduction of maximum stockpile parameters (para. 1.8.24).

ExQ2	Question to:	Question:
		However, significant concerns remain regarding the scale of soil storage required / proposed, the absence of identified stockpile locations, which in the council's view risks subsequent conflict with areas of embedded mitigation, stated Design Principles and Parameters and best practice referenced from within various outline Management Plans. The Council remains concerned that no indicative stockpile locations have been identified within REP4-054 or on any supporting plans. While para. 1.8.22 references good practice measures such as avoiding impacts on trees, watercourses and areas of construction activities, it does not adequately address other key environmental constraints, including overland surface water flow routes, embedded mitigation areas, ecological and environmental buffers, consider landscape character or visual amenity effects etc. Given the potential extent of soil stockpiles, the council considers that indicative stockpile locations should be identified on the Works Plans, or alternatively that clear spatial constraints and exclusions should be incorporated within mitigation strategies, or that a requirement for a 'detailed Soil Stockpile Constraints Plan' be prepared to clearly illustrate the land areas which would not be suitable for soil stockpiling, such as on steeper sloping land, flood zones, overland surface water paths, embedded mitigation areas and environmental buffers etc. in order to address all relevant environmental constraints, design principles and best practice referenced to be followed from within Management Plans. At the very least the council would wish to see (para. 1.8.22) expanded to list all relevant environmental constraints, and mitigation areas, not just <i>'root- or crown-spread of trees, adjacent to watercourses or in locations where they will be disturbed or contaminated by other construction activities'</i>. Wiltshire Council welcomes the revisions made to the Outline SRMP, particularly confirmation that the Plan applies throughout the lifetime of the Scheme, the inclusion of operational monitoring provisions, decommissioning inspections by a suitably qualified soil scientist, and commitments relating to compaction assessment and remediation. The LLFA's remaining concern relates to the role of soil condition as a key hydrological control underpinning the Scheme's flood risk and runoff management strategy. The effectiveness of infiltration, runoff attenuation and erosion resistance is dependent on maintaining soil structure and avoiding compaction. The SRMP establishes good principles, monitoring requirements and remediation measures, but much of the detailed methodology remains deferred to the future detailed SRMP. In particular, the criteria for identifying unacceptable compaction, intervention triggers, remediation requirements and verification of successful remediation are not yet fully defined. Wiltshire Council seeks further clarification within the detailed SRMP framework regarding: • soil condition monitoring methodology; • criteria for identifying soil compaction and structural degradation; • intervention and remediation triggers; • verification of remediation effectiveness; and • how soil monitoring outcomes will feed into the wider flood risk, drainage and environmental management framework. These matters relate primarily to long-term assurance that the soil functions relied upon within the Flood Risk Assessment and Drainage Strategy are maintained throughout the lifetime of the Scheme • Outline Site Waste Management Plan (Latest Version, Revision 2 [REP1-102]) • Outline Public Rights of Way and Permissive Paths Management Plan (Latest Version, Revision 1 [APP-282]) • Outline Landscape and Ecological Management Plan (Latest Version, Revision 2 [REP3-100]) Landscape monitoring and Adaptive management / Visual screening

ExQ2	Question to:	Question:
		The council notes that while there is general provision to monitor and replace plant failures during early years establishment (years 1-5), there is no provision within the outline LEMP which currently seeks to monitor the effectiveness or success of planting where it is being relied upon to provide long term screening mitigation to reduce the significance of visual effects assessed at year 15 in the LVIA. The council considers that the content of the outline Landscape and Ecology Management Plan should be revised to incorporate monitoring and adaptive management measures for planting where it is proposed to provide a specific screening function. This would provide greater certainty and incentive to ensure effective visual mitigation outcomes and lowered residual effects are achieved and maintained for the operational life of development. The council considers that regular monitoring intervals for this purpose could be set at 5-10 yearly intervals over the 60-year operational life span of the project. The council considers that monitoring and remedial / adaptive management measures are important to secure to achieve a high degree of certainty that effective mitigation will be delivered, whether that takes the form of specific mitigation to replace direct fabric losses, or to function as effective visual screening relied upon to achieve lower residual adverse effects for specific receptors, such as Bradfield Manor (Heritage Asset) or Grain Store Barn (residential receptors) and to screen as far as practicable particularly discordant or tall development components such the BESS and the numerous substations. The council has provided alternative wording for Requirement 7 Landscape and Ecological Plan within its comments to the first part of this question for [REP4-100] Draft DCO. The LLFA supports the proposed landscape and ecological measures but considers that the hydrological role of vegetation is not always explicitly recognised. Vegetation is relied upon to support infiltration, runoff attenuation and erosion control. The management framework is largely framed around ecological objectives rather than hydrological performance. The LLFA is seeking greater clarity regarding: • vegetation monitoring relevant to runoff and erosion control; • bare-ground management; • erosion remediation; • vegetation establishment; and • long-term maintenance of hydrological function. • Outline Ecological Protection and Mitigation Strategy (Latest Version, Revision 4 [REP4-055]) • Outline Skills, Supply Chain and Employment Plan (Latest Version, Revision 1 [APP-285]) The council require a comprehensive business compensation scheme to be included within this Management Plan and / or secured through the DCO. See response to SE2.1 below. • Outline Battery Safety Management Plan (Latest Version, Revision 3 [REP3-106]) The council is awaiting the Applicant's agreed updates to this plan to reflect replacement activities and the need to consider technological advancements arising from ISH4. The council considers that reference should also be made to the Innovation Forum within this document. • Outline Construction Traffic Management Plan (Latest Version, Revision 4 [REP4-057])

ExQ2	Question to:	Question:
		The council's highways officers remain concerned regarding the reference to Highway Condition surveys, given the council's preference for a separate S59 Agreement. This would provide a more focuses approach within regards to requirements and ensure that a supporting plan showing the extent of the network which will need to be covered by pre-, post- and interim condition surveys was provided. The council considers that the condition surveys require more than a video survey in each case too, so plans with photograph locations indicated, photographs and a defects listing including some form of 'grading'. The council also requires a monitoring system to be in place to respond to complaints about HGV routing; and further information is required on how the CTMP Co-ordinator will monitor how their HGVs use the routes. The logging of HGVs entering/leaving the sites is required but also knowledge of the route taken to and from the site. The council continues to seek clarification and certainty regarding the future use of the access track at North Bincombe Wood. The council would like to see the inclusion of wording confirming that: <i>"The access track at North Bincombe Wood shall be used solely for monitoring and maintenance activities associated with the adjacent hedgerow / vegetation and for no other operational or maintenance purpose."</i> This would provide certainty regarding the scope of future usage and minimise the risk of incremental impacts on adjacent woodland, trees and habitats. Amendments are required to clarify works with respect to Rodbourne Road junction to address the council's built heritage concerns (see response to CH2.9 below). The Council notes and welcomes the updates at (Section 6.3 - Specific Highway requirements). This satisfactorily addresses previous Landscape and Visual comments and concerns in relation to avoiding the use of uncharacteristic upstand kerbs and secures replacement of removed hedgerows/drystone walls on existing or adjusted alignments, depending on the planned permanence of necessary 'Highway Improvement Works' or temporary/permanent access requirements, within this rural, high value and sensitive landscape. • Outline Archaeological Mitigation Strategy (Latest Version, Revision 1 [APP-230]) Wiltshire Council's Archaeology Service (WCAS) require the Applicant to submit a Detailed Archaeological Mitigation Strategy (DAMS) prior to the conclusion of the examination and definitely prior to a discharging decision being taken. The Applicant feels that this is not necessary and that all aspects of mitigation work will be covered by the Outline Archaeological Mitigation Strategy (OAMS), followed by Site Specific Written Schemes of Investigation (SSWSI) covering individual archaeological sites. WCAS dispute this view and have repeated the request for a DAMS. At this stage, the two parties remain in dispute with regards to this matter. • Outline Drainage Strategy (Latest Version, Revision 4, [REP4-021, REP4-023, REP4-025, REP4-027, REP4-029, REP4-031, REP4-033, REP4-035]) The LLFA broadly accepts the drainage strategy, flood risk assessment and drainage philosophy. The remaining concern relates to how the drainage strategy is translated into long-term management and assurance arrangements. Drainage, soil, vegetation and runoff-management controls remain distributed across multiple documents and their interrelationship is not always clearly explained. The LLFA is seeking a clearer explanation of: • document interrelationships; • monitoring arrangements; • maintenance responsibilities; • performance review; • governance processes; and

ExQ2	Question to:	Question:
		- adaptive management procedures. - Outline Water Resources Strategy (Latest Version, Revision 1 [APP-290]) The Council highlights that there is no consideration of necessary watering requirements for early years establishment and maintenance of the proposed tree and hedgerow planting included within the strategy. The council highlights this would be a typical contractual clause requirement included within landscape planting and early years landscape maintenance / management contracts. Given the quantities of tree and hedgerow planting proposed, this could result in a requirement for substantial volumes of water during early years establishment and maintenance/management including for prolonged periods of seasonal drought. It is the council's view that necessary water resources should be considered and added at 'Section 3 – Scheme Water Demand' for early years landscape planting establishment and maintenance if the proposed new tree and hedgerow planting is to stand any chance of successfully establishing. Wiltshire Council broadly accepts the conclusions of the Outline Water Resources Strategy and agrees that the Applicant has demonstrated the availability of feasible water supply options for both the construction and operational phases of the Scheme. From an LLFA perspective, the remaining issue relates to the circumstances in which groundwater monitoring may be required within Source Protection Zones and the arrangements that would apply should potential groundwater impacts be identified during construction or operation. While the Strategy identifies potential water sources and demonstrates supply feasibility, it provides limited information regarding monitoring triggers, reporting arrangements, intervention thresholds and corrective-action procedures associated with groundwater protection. The LLFA is seeking clarification of: - criteria and triggers for groundwater monitoring within Source Protection Zones; - monitoring parameters and reporting arrangements; - intervention thresholds; and - corrective-action procedures where impacts are identified.
Articles		
DCO2.7	The Applicant Wiltshire Council	Article 16 – Traffic regulation measures Q1 Article 16 was discussed at ISH4 in relation to whether the notice timeframes in 16(5) for carrying out any of the traffic regulation measures permitted by this Article are sufficient. As part of that discussion the applicant emphasised that the traffic regulation measures sought (such as signs or signals) have to be approved as part of the CTMP, which would occur before the notification required by 16(5). The ExA has reviewed the oCTMP and notes that paragraph 2.4.1 states: <i>Details of the form and proposed locations of any signs or signals to be placed on a public highway will be submitted to Wiltshire Council and South Gloucestershire Council in advance of being placed (either as part of the CTMP or separately).</i> In addition, paragraph 4.5.1 states: <i>Temporary road signage will be implemented along the designated routes to inform background traffic of the ongoing construction works and to direct construction traffic to and from the Site. The signs will be located at key points along the route, including junctions.</i> Neither of these paragraphs require the details of signs or signals to be approved as part of the CTMP. Furthermore, the traffic regulation measures included in Article 16 are much broader and include for example, restricting the stopping, waiting, loading or unloading of vehicles on any road, or the use of any road by vehicular or non-vehicular traffic. None of these measures are seemingly captured as matters in the oCTMP that require advance approval by the traffic authority before the powers in Article 16 can be used.

ExQ2	Question to:	Question:
		The ExA notes that paragraph (4) does require the applicant to obtain the written consent of the traffic authority, which suggests that the actual detail of the traffic regulation measures sought will be through the consent process outlined in Article 47 and not through the CTMP approval process (and the Schedule 16 discharge provisions). This was touched upon in ISH4 and the applicant agreed that in theory it could apply for consent under Article 16 and the process outlined in Article 47 would apply, although it added that it could still not carry out the works because they would have to be approved under the CTMP. As highlighted above, the latter does not seem to be the case. In which case, a consent sought under Article 16 would only give the traffic authority 6 weeks to approve the detail (pursuant to Article 47) or else it would receive deemed consent. Thus, in order to pin this down and remove any potential confusion, the ExA would welcome a response from the applicant and Wiltshire Council on whether paragraph (4) should say something along the lines of: <i>(4) Before exercising the power conferred by paragraph (1) the undertaker must—</i> <i>(a) consult with the chief officer of police in whose area the road is situated; and</i> <i>(b) obtain the written consent of the traffic authority as part of the construction traffic management plan in Schedule 2, Requirement 15.</i> Wiltshire Council fully supports the ExA's suggested inclusion so that Article 16 (4)(b) included the proposed drafting, namely "as part of the construction traffic management plan in Schedule 2, Requirement 15". The council considers that this would provide the necessary clarity.
DCO2.8	Wiltshire Council	Article 16 – Traffic regulation measures Q2 In its post hearing submission [REP4-092] the Council maintains that the notice timeframes contained in Article 16(5) do not enable the national standard practice to be adhered to. It adds that the Council is prepared to reduce the timeframe in sub-paragraph (5)(a) from 12 weeks to 8 weeks but would not be able to comply with 4 weeks and still fulfil its statutory duties. Can the Council please explain, signposting the ExA to the relevant piece of legislation, which statutory provision would be breached if the notice period were to remain at 4 weeks? There are two pieces of regulation that make most highways authorities stipulate the 12-week time frame for the making of a TTRO: 1) The Department for Transport Permit schemes: statutory guidance for highway authorities, whereby: • Section 3.19 sets out that planned works with a TTRO requirement are a Major Permit; • Section 3.20 sets out that a Provisional Advances Authorisation (PAA) is required for a Major activity permit; • Section 3.34 sets out the requirement for the TTRO applications in the usual time frames of the authority – 12 weeks in most authorities including Wiltshire Council; and • Section 3.70 has a table that sets out the time frame for different permit types. As stated, permits with a TTRO are a Major Permit and therefore a minimum of 3 months (12 week) lead in is required – please note, and the council stress that this is the "minimum" time frames. 2) The Department for Transport Statutory guidance Co-ordinating street works This Code of Practice sets out the rules to allow Traffic Authorities to discharge their Network Management Duties (Section 16 of the Traffic Management Act 2004) – as Traffic Authorities have a duty to coordinate works on the highway. It also sets out how undertakers cooperate in the process. Section 12.2.3 states that "when a TTRO is require for a planned work, at least 3 months' notice to the authority is required". It sets out that authorities need all the information with the application to allow for time to consult, obtain approvals, publicise the order as well as allowing time to inform public transport providers. Although it is not mentioned explicitly in this document, the TTRO consultation process also includes statutory stakeholders that includes the blue light services. It also means the authority can liaise with neighbouring authorities who will be affected by the closure and diversion and get their permission if the diversion uses their network.

ExQ2	Question to:	Question:
		Furthermore, the council notes that it appears in Clause 146 of the proposed Protective Provisions for the benefit of the Local Highway Authority, the undertaker would give the council not less than 56 days' notice of an opening on the highway, which seems at odds with the proposed 6-week notification for a closure, as this would be more disruptive than an opening. The council would also like to take the opportunity to re-iterate that all other works promoters in Wiltshire are managing their programme of works around the requirement for a 12-week lead in period in order for the legal process to be achieved.
DCO2.9	The Applicant	Article 16 – Traffic regulation measures Q3 At ISH4 Stop Lime Down suggested the insertion of an addition of a new sub-paragraph (c) to paragraph (5), which would require the applicant to display a site notice containing the traffic regulation measures on the roads affected as part of the notice period process. Stop Lime Down referred to The Springwell Solar Farm Order 2026, and transposing that provision into the Lime Down dDCO it would be drafted as follows: <i>(5) The undertaker must not exercise the powers in paragraphs (1) or (2) unless it has—</i> <i>(a) given not less than 4 weeks' notice in writing of its intention so to do to the chief officer of police and to the traffic authority in whose area the road is situated;</i> <i>(b) not less than 7 days before the provision is to take effect published the undertaker's intention to make the provision in one or more newspaper circulating in the area in which any road to which the provision relates is situated; and</i> <u>(c) displayed a site notice containing the same information at each end of the length of road affected.</u> The applicant is requested to apply the insertion of sub-paragraph (c) in its next revision of the dDCO or explain why it is not necessary. Stop Lime Down also requested whether a greater level of detail should be inserted into the oCTMP (if indeed the traffic regulation measures are approved as part of the CTMP, discussed in ExQ2 DCO2.7) around whether traffic regulation approvals should identify the duration of the measures being approved so as to avoid traffic disruptions for any longer than necessary. The applicant committed to exploring possible drafting on that matter, but nothing was submitted at deadline 4. The ExA requests a response on this matter at deadline 5. Whilst the council acknowledges that this question was directed to the Applicant, Wiltshire Council agrees that 'displaying a site notice containing the same information at each end of the length of road affected' is set out in the Road Traffic (Temporary Restrictions) Procedure Regulations 1992. However, Regulation 3 makes a site notice discretionary though, although the council would be within its rights to ask for them if it was considered necessary to provide adequate publicity.
DCO2.11	Stop Lime Down The Applicant Wiltshire Council	Article 40 – Felling or lopping of trees and removal of hedgerows Q2 Stop Lime Down has suggested [REP3-173 and REP4-132] that the word 'only' should be inserted after the word 'remove' in Article 40(4), such that it would say: <i>(4) The undertaker may, for the purposes of the authorised development or in connection with the authorised development and subject to paragraph (2), remove only 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).</i> <u>Stop Lime Down:</u> 1) Stop Lime Down are requested to explain the necessity for this insertion. <u>The Applicant and Wiltshire Council:</u> 2) The applicant and Wiltshire Council are invited to comment on the implications (if any) of this suggested insertion. Wiltshire Council does not raise any objection to Stop Lime Down's (SLD) suggestion. However, as the table in Part 1 and Part 2 of Schedule 12 (hedgerows to be removed) appears to list the full length of every hedgerow which could potentially be removed, the council considers that it may not necessarily confer the benefits that SLD are envisaging. The council would suggest that the word "only" is relocated in the sentence, so that it would state:

ExQ2	Question to:	Question:
		“(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 specific in the table in Part 1 and the table in Part 2 of Schedule 12 (hedgerows to be removed) only to the extent set out in the ecological protection and mitigation strategy approved pursuant to requirement 8 in Schedule 2 (requirements).” Furthermore, in accordance with Wiltshire Council’s consistently raised concern (most recently in the council’s Post Hearing Submissions [REP4-092] and in comments on the Deadline 4 submissions to be submitted at Deadline 5), regarding the overly wide powers afforded by the scope of Schedule 12 and the inclusion of all hedgerows across the Order Limits, the council reiterates that it considers in the interests of precision, enforceability and avoiding uncertainty, the specific lengths of hedgerow authorised for removal should be stated within Schedule 12, thereby replacing the generic term “part” with a quantified measurement (metres) corresponding to the approved plans. The stated measurements should, at the very least, specify the minimum and maximum extent of hedgerow that may need to be removed from each of the hedgerows listed. However, the stated measures should not be interpreted as a requirement to remove the full permissible length. Where detailed design, construction requirements, or site circumstances allow, the Applicant should seek to minimise impact and retain greater lengths of hedgerow. Accordingly, removal of a lesser extent should always be considered and implemented where practicable, with the objective of avoiding unnecessary loss of hedgerow habitat and associated landscape, ecological and arboricultural value. This would ensure continuity across the DCO documents, notably in this regard, the dDCO Schedule 12, the EPMS and Hedgerow Removal Plans contained therein at Annex A, and the HRA, and would provide greater certainty and assurance of the imposition of the restrictions set out in the EPMS and as cited in Article 40(4) and the footnotes in Schedule 12.
DCO2.12	Wiltshire Council	Article 41 – Trees subject to tree preservation orders Further to the discussion about this Article at ISH4, the applicant has included new notice provisions in paragraph (4) as follows: (4) <i>Notice in writing of the proposed activities authorised by paragraph (1)(b) must be given to the relevant planning authority—</i> (a) <i>in the case of activities urgently necessary to remove an immediate risk of serious harm, as soon as practicable after the activities become necessary; and</i> (b) <i>in any other case at least five working days prior to the date on which the activities are to be commenced.</i> The Council is asked to advise if a five working day notice period in sub-paragraph (b) is reasonable. If not, explain why not and provide justification for any longer notice period sought. Wiltshire Council Arboricultural Officers are satisfied that the proposed five working day notice period set out in paragraph 4(b) is reasonable in relation to trees protected by Tree Preservation Orders. However, the council would recommend that the provision is extended to include trees within Conservation Areas that are subject to the notification requirements of Section 211 of the Town and Country Planning Act 1990. This would ensure that trees contributing to the character and appearance of Conservation Areas are afforded equivalent consideration and protection. In respect of works that are urgently required for safety reasons, the council acknowledges that such works may need to be undertaken within the five working day notice period where there is an immediate risk of serious harm. In these circumstances, the responsibility should remain with the Applicant to provide sufficient evidence demonstrating the condition of the tree and justifying why it was expedient and necessary to undertake the works without prior notice. Subject to the above recommendation regarding Conservation Area trees, the council has no objection to the proposed notice provisions contained within Article 41.

ExQ2	Question to:	Question:
DCO2.14	The Applicant	Article 50 – Maintenance of drainage works The ExA has been unable to find any other example of Article 50 being included in any other made solar DCO. The ExA seeks to understand the necessity for including this Article in the dDCO, for while the Explanatory Memorandum notes that an identical article has been included in three transport DCOs, that is not an explanation for its necessity in the Lime Down Solar Project Order. On the basis that there is no precedent in other made solar Orders or indeed evidence to demonstrate that its purpose was properly examined, the applicant needs to fully justify why this Article, which appears to have only been used in transport DCOs, is specifically required and should remain in the Lime Down Solar Project dDCO. Whilst it is acknowledged that this question was posed to the Applicant, the Lead Local Flood Authority (LLFA) supports the retention of Article 50 and considers that it serves an important and proportionate function within the draft Order. The purpose of Article 50 is not to create new powers, alter statutory responsibilities, or confer any additional rights on the undertaker. Rather, it provides legal certainty that the grant and exercise of powers under the Order do not inadvertently affect existing responsibilities for the maintenance of drainage works unless expressly agreed in writing by the relevant parties. The authorised development includes extensive drainage infrastructure and works associated with drainage, including sustainable drainage systems, attenuation features, drainage networks, outfalls, culverts and works affecting existing drainage systems and watercourses. The Order also contains powers relating to water discharge, street works, highway alterations, compulsory acquisition, temporary possession and the disapplication of certain Land Drainage Act controls. These powers have the potential to interact directly with existing drainage assets and the parties responsible for their maintenance. The LLFA considers that Article 50 provides an important safeguard because it expressly preserves the existing allocation of drainage maintenance responsibilities. Without such a provision, uncertainty could arise over whether the exercise of powers under the Order, or the construction and operation of drainage infrastructure authorised by the Order, has altered responsibility for the maintenance of existing or newly affected drainage assets. Although the LLFA does not suggest that such a transfer of responsibility would necessarily occur, Article 50 removes ambiguity and reduces the potential for future disputes between the undertaker, landowners, riparian owners, highway authorities and drainage authorities. The LLFA does not consider that the protective provisions for drainage authorities elsewhere in the Order remove the need for Article 50. The protective provisions in Schedule 15 are primarily concerned with approvals, access arrangements, remediation obligations, cost recovery and the protection of drainage interests. They do not expressly confirm that responsibility for maintaining drainage assets remains with the party otherwise responsible for those assets. Article 50 therefore performs a distinct and complementary function by preserving the status quo in relation to maintenance liabilities. The LLFA further considers that Article 50 provides assurance that the implementation of the authorised development cannot be interpreted as transferring maintenance liabilities to a drainage authority where no such transfer has been expressly agreed. This is particularly relevant for a project of this scale, which extends across a large geographical area and interacts with numerous existing drainage assets, ordinary watercourses, ditches, culverts and drainage systems. The provision therefore provides certainty not only for the undertaker but also for drainage authorities, affected landowners and other parties with responsibilities for drainage infrastructure. Whilst it is acknowledged that comparable provisions do not routinely appear in made solar DCOs, DCO provisions should be assessed on the basis of the circumstances and requirements of the individual project rather than precedent alone. In this instance, the extensive drainage works authorised by the Order and the wide-ranging powers sought increase the potential for uncertainty regarding future maintenance responsibilities. Article 50 addresses that risk directly by expressly confirming that existing maintenance liabilities are neither transferred nor extinguished by the Order. Accordingly, the LLFA considers that Article 50 is a necessary clarificatory provision which preserves existing drainage maintenance responsibilities, avoids uncertainty regarding future liabilities, and complements the wider drainage protections contained within the draft Order. For those reasons, the LLFA supports its retention within the Lime Down Solar Project DCO.

ExQ2	Question to:	Question:
		The council also wishes to highlight that the Applicant has included Article 50 at the direct request of the council. As illustrated within the council's Relevant Representation, the council had originally requested: "In Part, 4, Supplemental Powers, the Applicant should consider the inclusion of Maintenance of drainage work", which was accepted by the Applicant. Therefore, the council's submission regardless of relevant solar DCO precedent is that this something that the Applicant has freely accepted to undertake on the initial request by the Local Authority.
Schedule 15 – Protected Provisions		
DCO2.23	All Statutory Undertakers Wiltshire Council	Status and Proposed Revisions As per the examination timetable, all Statutory Undertakers and Wiltshire Council are requested to submit their proposed version of protective provisions that they wish to see included for their benefit in the dDCO but have not been agreed by the applicant. Please also set out why you are not content with the applicant's version in Schedule 15 of Revision 4 of the dDCO [REP4-004], and explain why the ExA and Secretary of State should prefer your suggested drafting. Wiltshire Council LLFA notes that the Applicant's amendment to Article 17 has resolved the specific issue identified in response to ExQ1 FHW2.13 regarding the interaction between Article 17 and Part 9 of Schedule 15. Accordingly, the LLFA is not seeking further amendments to Article 17 or alternative drafting of the protective provisions. However, the LLFA continues to seek assurance that the final DCO framework retains appropriate consultation, approval and oversight mechanisms in relation to drainage, water environment, soil management, construction runoff management, vegetation management, monitoring and associated management plans which support the Council's statutory functions as Lead Local Flood Authority. In particular, the LLFA considers it important that the DCO and associated management plan framework continue to provide the necessary mechanisms for LLFA involvement in matters relating to: • flood risk management; • surface water drainage; • runoff, erosion and sediment management; • ordinary watercourses and associated drainage assets; • soil condition, soil structure and compaction management; • vegetation management where it contributes to hydrological performance, runoff attenuation, erosion control and water quality protection; • monitoring, inspection and maintenance; • performance review and reporting; • corrective action; and • adaptive management throughout the lifetime of the Scheme. The LLFA's position should therefore not be interpreted as seeking additional amendments to Article 17 or competing drafting of Part 9 of Schedule 15. Rather, the LLFA seeks confirmation that the final DCO package retains the necessary enabling mechanisms to support the discharge of the council's statutory flood risk and drainage management functions, and the implementation, monitoring, maintenance, review and long-term management of the measures relied upon within the Flood Risk Assessment, Drainage Strategy and associated management plans. With respect to the Protective Provisions for the Benefit of the Local Highway Authority discussions with the Applicant are ongoing. The council will provide its response to this question along with its preferred Protective Provisions at Deadline 6.
DCO2.24	The Applicant Wiltshire Council	Protected Provisions for The Local Highway Authority

ExQ2	Question to:	Question:
		The ExA acknowledges the submission of draft protected provisions for the local highway authority from the applicant [REP4-004] and Wiltshire Council [REP4-092]. From a review of the drafts, the ExA notes for example (but not least) that the definition of “the bond sum” and “the commuted sum” are different between the two versions, while the “estimated costs of works” definition provided by the Council has not been included in the applicant’s version. The ExA also notes that in the applicant’s definition of “the bond sum”, sub-paragraph (c) refers to National Highways, when it should refer to the local highway authority. <u>The Applicant:</u> The applicant is required to identify for the ExA all variances between the two versions and advise what discussions are taking place to resolve these variances. The ExA appreciates that prior to deadline 5 the drafting of the protected provisions for the local highway authority may evolve, such that a revised version of the provisions may be submitted into the examination, but it would nonetheless be helpful to the ExA for the variances from the Council’s version to be clearly identified, explained and justified. The applicant is also asked to explain whether any revisions are required to the drafting of Articles 8 to 16, or Requirement 15 (or the oCTMP) in light of these protected provisions. The ExA is seeking to be absolutely clear on whether Article 47, Schedule 16 or the protected provisions take priority in the consent/ approval arrangements contained within Articles 8 to 16 and Requirement 15. <u>Wiltshire Council:</u> Wiltshire Council is also invited to make submissions if required. As set out in response to DCO2.23 above, Wiltshire Council will confirm its preferred Protective Provisions for the benefit of the Local Highway Authority at Deadline 6.
Schedule 16 - Procedure for Discharge of Requirements		
DCO2.28	The Applicant Wiltshire Council	Fees Q1 Schedule 16(5) relates to fees associated with the discharge of the dDCO requirements. Can the applicant explain how it has arrived at the fees quoted in sub-paragraph (2)(a) to (c) and why there is no provision for increasing these fees in line with any uplifts in line with the Consumer Prices Index for example? The ExA is aware that the Government recently published its response to the Fees for Planning Applications Consultations, which includes consideration of local authorities being able to set their own fees locally to meet their actual costs. The ExA is therefore seeking to understand from the applicant how it has arrived at the fee sums included in Schedule 16(5)(2)(a) to (c) and whether this has involved any discussion and agreement with Wiltshire Council. Wiltshire Council is also invited to comment. In the comments submitted by Wiltshire Council in its first review of the dDCO (and as replicated in the council’s Relevant Representation), the council requested that additional wording be added against each numerical charge in Clause 5 of Schedule 16 to state: “or the fees applicable at the time of application by the Applicant”. This was requested given the anticipated 60-year scheme life of the scheme, and the acknowledgement that fees would change, and likely increase, over this time period. The council strongly contends that it should not be financially disadvantaged in order to fulfil its discharging obligations with respect to this scheme, should it be consented. As a minimum, the council considers that any specified fees should rise with CPI in the event that they are not linked to the fees applicable at the time of application.
Ecology and Biodiversity (EB)		
EB2.1	Natural England The Applicant	Livestock and 400kV Cable Depth <u>Natural England:</u> 1) The ExA asks that Natural England provide advice on the minimum depth a 400kV cable should be buried across farmland, whether used for livestock grazing or arable activities, to avoid adverse effects on agricultural practice.

ExQ2	Question to:	Question:
		Whilst it is acknowledged that this question was posed to Natural England, Wiltshire Council has sought advice from Scottish and Southern Energy which states that the minimum depth that a 400kv cable should be buried is 1.1m. The full guidance that the council received is attached at Appendix A to this submission. <u>The Applicant:</u> 2) Confirm the absolute minimum depth the 400kV cable will be buried below ground level throughout the Order limits and explain what efforts will be made to avoid the effects of electromagnetic fields on agricultural practice.
EB2.5	Wiltshire Council	White-Clawed Crayfish The ExA notes Wiltshire Council's position in the SoCG item 3.5.20 [REP4-061] and it is now an 'Agreed' item. The Council is asked to explain its position given the potential conflict between maintaining its concerns over the lack of survey work and the wording of [REP4-091], pages 39 – 40. This raises question marks over whether this should be an 'Agreed' item. Further to this, should the applicant commit to a 10m buffer to all watercourses, the Council is asked to comment if this would address its concern over a lack of survey work. It is assumed that the ExA intended to reference pages 51-52 of [REP4-091] rather than pages 39-40 given that the latter pages do not contain comments provided by Wiltshire Council's ecology officer and do not relate to concerns over lack of survey work or discussion regarding white-clawed crayfish. Item 3.5.20 of 8.2 Statement of Common Ground with Wiltshire Council (Rev 2) [REP4-061] essentially covers two interrelated but distinct points within the one item. The point of 'agreement' does not pertain to it being agreed that no survey having been undertaken is acceptable, and this is explicit within the council's statement. Instead, it relates to it being noted by the council that the Applicant had re-evaluated the ecological importance assigned to the species following previous comments from the council. As such, the parties have marked this point as agreed. The Applicant's adopted scope of survey in general and assumed presence of protected species where targeted species specific survey / Phase 2 survey has not been conducted remains a concern for the council, including in respect of white-clawed crayfish, as indicated in item 3.5.20, and articulated in [REP2-048] and [REP4-091]. Therefore, this item is not wholly agreed. As such, the council understands the ExA's rationale for posing question EB2.5 and upon reviewing item 3.5.20 of the SoCG again, considers this item and the assigned status of 'agreed' as inaccurate and lacking clarity given that not all the points covered within the item have been adequately addressed or overcome and are therefore in fact, not all 'agreed'. With this in mind, the council suggests that item 3.5.20 will either need to be broken down into two distinct items with separate reference numbers, column position statements and statuses, or that the status of the extant item will need to be amended so that it no longer states 'agreed'. Implementing this action will be progressed with the Applicant in the SoCG iteration to be submitted at Deadline 6. If the Applicant commits to a 10m buffer to all watercourses, whilst this would be welcomed by the council, it will not wholly address or overcome the council's concern regarding a lack of survey work for the reasons already detailed in [REP2-048] and [REP4-091]. In addition, it won't be possible to implement 10m buffers at the locations where new circa 6m wide permanent accesses for culverts are proposed across 'wet' ditches at Lime Down D, and it is understood that suitable habitat for white-clawed crayfish exists at these locations. As detailed in the aforementioned representations, the assumption of species presence shouldn't preclude proper consideration of, and adherence to the requirements set out in Natural England's standing advice relating to white-clawed crayfish; nor should it preclude appraisal 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, particularly for the new permanent accesses for culverts proposed across 'wet' ditches at Lime Down D. This applies regardless of whether a 10m buffer would be implemented given that as discussed above, it would be necessary to undertake works within this buffer during the construction of the permanent accesses for culverts and a mitigation licence may in fact be needed to allow these works to proceed legally if white-clawed crayfish are present; and this cannot be established without targeted survey.
EB2.13	The Lead Local Flood Authority The Applicant	Ordinary Watercourse Buffers <u>The LLFA:</u> The EA's post-hearing submission [REP4-097] provides details of why a 10m buffer from the bank top of sensitive watercourses is appropriate. However, they defer to the LLFA for ordinary watercourses. Please confirm your expectation with respect to buffers to protect ordinary watercourses.

ExQ2	Question to:	Question:
		Wiltshire Council considers that a minimum 10 m buffer from the bank top of ordinary watercourses should normally be maintained throughout the Scheme. This provides a proportionate baseline for maintenance access, protection of watercourse function, flood conveyance, bank stability, water quality and riparian corridor management. The LLFA recognises that wider buffers may be appropriate in certain locations depending on site-specific characteristics, maintenance requirements, ecological constraints, natural flood management opportunities, floodplain interaction and watercourse sensitivity. Accordingly, 10 m should be treated as a minimum standard rather than a fixed requirement in all circumstances. <u>The Applicant:</u> The applicant is asked to justify why it considers a lesser buffer of 8m is acceptable, especially given its approach to assume the presence of protected species in each habitat type and the position of the EA as per the post-hearing submission [REP4-097]. This should provide further detail to the post-hearing submission [REP4-086].
EB2.14	The Applicant Natural England Wiltshire Council	Mitigation Hierarchy <u>The Applicant:</u> The applicant's approach to species in the CRC assumes the presence of species and intends to rely on mitigation to avoid harm such as pre-construction surveys to inform the cable installation route. Given the assumption of the presence of species the applicant is asked if it would commit to out of season works in relation to those protected species where they have assumed presence, unless otherwise agreed with Wiltshire Council in consultation with Natural England to an alternative. If the applicant is minded to agree to this approach, then it should update the relevant control documents accordingly beyond that already specified in table 3 of the oCEMP [REP4-049]. It should also provide details of those months where types of works will be avoided to protect the assumed presence of protected species. It is noted that the SoCG with Natural England confirms this approach for hedgerow removal to protect dormice [REP4-063], and the SoCG with the EA regarding coarse fish spawning [REP4-068]. <u>Natural England and Wiltshire Council:</u> Should the applicant agree to the above avoidance measure to protect ground nesting birds and other assumed presence of protected species do you consider that this would avoid any Likely Significant Effects (LSE) and meet with the terms of the mitigation hierarchy? If not, please provide details. Whilst the council would welcome a commitment from the Applicant to implement out of season works in relation to those protected species where they have assumed presence, and where this would avoid and reduce impacts, unless otherwise agreed with Wiltshire Council, the council's Ecology Officer respectfully seeks clarity regarding what the ExA envisages the mechanism by which such an agreement (where applicable) that it would not be required, would comprise and details of the juncture at which such an agreement would take place? It would be helpful to understand if the ExA is suggesting that such agreements would take place prior to determination of the DCO application by means of 8.2 Statement of Common Ground with Wiltshire Council and / or after determination of the application but pre-commencement by means of the discharge of conditions / control document application process. In respect of the example given in EB2.14, which states that the SoCG with Natural England (NE) [REP4-063] confirms the approach of committing to out of season works for hedgerow removal to protect dormice, and includes a link to the SoGG, the council would draw the ExA's attention to the apparent discrepancy and disconnect between what is stipulated in NE's Position Statement against item 3.3.15 of the SoCG and their understanding of what will be conducted, and what is actually stipulated in Method Statement 13: Specific Measures for Avoidance of Impacts on Dormice detailed in the latest iteration of 7.19 Outline Ecological Protection and Mitigation Strategy (Rev 4) [REP4-056]. There are several issues with Method Statement 13 that undermine the protection it should afford to dormice, and full comments relating to these matters and REP4-056 are detailed in response to question DCO2.1. However, to aid explanation of the discrepancy between NE's understanding of what the Applicant will implement to protect dormice and what is detailed in the EPMS control document, an extract from NE's Position Statement under item 3.3.15 relating to dormice in their SoCG is set out below:

ExQ2	Question to:	Question:
		<i>“The Applicant has clarified how hedgerow removal will be carried out, including whether clearance will be single or two-stage. Proposed works align with recommended seasonal timings to avoid impacts to breeding or hibernating dormice or provide clear justification where non-standard timings are proposed.”</i> Whereas Method Statement 13 in the oEPMS [REP4-056] stipulates: <i>“14.3.1: Prior to any removal of hedgerow or dense scrub, a suitably experienced and licensed EcoCoW will carry out a pre-commencement inspection to ensure that there are no dormice or dormouse nests present within the sections of vegetation due to be removed. This inspection will comprise a fingertip search of all vegetation to be removed, including the hedgerow bases, for signs of summer or winter hibernation dormouse nests.</i> <i>14.3.2 Where no signs of dormice or their nests are found within a particular section, vegetation clearance can progress under the supervision and direction of the EcoCoW via a single-stage clearance. This is appropriate for any time of year due to the relatively small sections of hedgerow requiring removal in any one location, meaning all areas can be comprehensively checked in accordance with Mammal Society guidance for finger-tip searching. In areas of dense vegetation, the EcoCoW may need to repeat the fingertip search as more areas become accessible, and it may be necessary to cut hedgerow to approximately 300 mm above ground level in the first instance to ensure that the hedgerow base is accessible and can be inspected by the EcoCoW prior to removal.”</i> It is therefore apparent that NE is under the impression that the hedgerow removal will be sensitively and seasonally timed to avoid the dormouse breeding and hibernating season, but in fact it is evident from paragraph 14.3.2 of Method Statement 13 in the oEPMS, that the works will not be seasonally timed and instead will be undertaken at any time of the year. Furthermore, Method Statement 13 does not stipulate or discuss any seasonal restrictions to the works being undertaken or prescriptions in relation to avoiding particular times of the year. As such, the perception that an approach has been proposed with respect of hedgerow removal that would entail seasonally timing works to avoid impacts to dormice given that it has been assumed present within all suitable habitat in the absence of targeted species-specific survey having been undertaken, appears to be flawed. Thus, in answer to the ExA’s question regarding whether the council considers that agreement by the Applicant to the above avoidance measures would protect ground nesting birds and other protected species assumed to be present such that it would avoid any Likely Significant Effects (LSE) and meet with the terms of the mitigation hierarchy, the answer is no on account of the matters discussed herein regarding dormice. Likewise, in respect of ground nesting birds, the answer is also no. This is because although timing the works outside of the breeding season will avoid direct impact to birds, their nests, eggs and young, the proposed works will still inevitably result in a significant loss of nesting habitat for subsequent breeding seasons, and this would not be wholly negated or ameliorated by the seasonal timing of works, and significant adverse effects would occur regardless of when the works take place. If the works to ground nesting bird habitat were undertaken within the winter months, once the next breeding season commences, there will still be a reduction in the area and availability of nesting habitat for ground nesting bird species; and birds, including returning birds, will be displaced into adjacent and nearby fields, including the proposed ecological mitigation areas or will have to seek other suitable habitat further afield. Moreover, the residual significant effect on ground nesting birds is clearly detailed in 6.1 Environmental Statement Volume 1 Chapter 9 Ecology and Biodiversity (Rev 3) [REP4-011] which states in paragraph 9.13.4: <i>“Residual significant adverse effects (after all mitigation has been considered) as a result of the Scheme are however anticipated for the following Important Ecological Features:</i> <i>• Hedgerows</i> <i>• Breeding Birds – Ground Nesting Birds of Open Habitats;”</i> It is recognised that Method Statement 10: Avoidance of Impacts on Ground Nesting Birds of Open Habitats in the oEPMS [REP4-056] does not currently propose seasonal timing of works when undertaking construction works within arable or pasture fields in order to avoid and reduce impacts on ground nesting birds, and that therefore the impact of implementing such measures have not been assessed within Chapter 9 of the ES [REP4-011]. Nevertheless, it is considered that even if such avoidance measures were proposed and implemented, there would still be significant adverse effects on ground nesting bird species given the scale of loss of valuable habitat for ground nesting birds. That being said, timing of construction works within arable

ExQ2	Question to:	Question:						
		and pasture fields outside of the nesting season would at least reduce the adverse effects, and so the council is supportive of the ExA requesting inclusion of, and adherence to, such avoidance measures. Given the phrasing of question EB2.14, the council would, however, just highlight that breeding bird surveys have been undertaken within the Solar PV Sites to ascertain the species present rather than merely assuming presence; notwithstanding that the council has raised a few issues / limitations in respect of the survey methodology adopted. The council would also point out that timing construction works within arable and pasture outside of the breeding season could have an impact on overwintering birds, and as discussed in the council's previous representations, dedicated wintering bird surveys have not been conducted within the Solar PV Sites or the Cable Route Corridor (CRC).						
EB2.15	Wiltshire Council	Wiltshire Council Concerns Wiltshire Council is requested to provide a summary of outstanding ecology concerns that relate to each element of the proposal in a table that highlights matters in the solar PV sites and/ or the CRC. A suggested layout is provided below: <table><tr><th>Outstanding Issue (brief summary/ headline issue)</th><th>Solar PV Sites</th><th>Cable Route Corridor</th></tr><tr><td></td><td></td><td></td></tr></table> It has transpired during the preparation of a response to this question, that this is a not insubstantial task and is proving to take some time to compile. In order to facilitate the provision of a comprehensive summary of all of the outstanding concerns, the council seeks an extension with a view to providing a full response to the ExA for Deadline 6. Furthermore, it is the council's understanding from a meeting with the Applicant on 4 August 2026, that there is an intention to restructure the Statement of Common Ground with Wiltshire Council and therefore, a revised version of the SoCG may also provide an answer to this question if it is amended to ensure that it captures all outstanding issues, and sets out and accurately reflects the associated latest positions of both parties on each issue / matter.	Outstanding Issue (brief summary/ headline issue)	Solar PV Sites	Cable Route Corridor			
Outstanding Issue (brief summary/ headline issue)	Solar PV Sites	Cable Route Corridor						
EB2.17	The Applicant Wiltshire Council	Ancient Woodland – Surrendell Wood The applicant's deadline 4 response to ISH3 Action Point 21 [REP4-086] refers to the use of an existing track that encroaches within the 15m buffer to Surrendell Wood. The ExA notes the applicant's position that use of the existing track would be less environmentally intrusive than the construction of a new access route. <u>The Applicant:</u> The applicant is requested to provide further evidence supporting this conclusion, including details of any surveys, assessments, existing levels of vehicular use, or other information relied upon in selecting this approach. The applicant should also explain how any potential effects on the ancient woodland would be monitored during construction and operation, and what mitigation measures would be implemented should adverse effects be identified. <u>Wiltshire Council:</u> Having regard to the applicant's deadline 4 response to ISH3 Action Point 21 [REP4-086], the Council is requested to set out its position on the proposed use of the existing access track within the 15m buffer to Surrendell Wood. In particular, the Council should identify: - its specific concerns regarding use of the existing track; - whether it agrees that use of the existing track would be less intrusive than the creation of a new access route; and - any additional mitigation, monitoring or controls that it considers necessary. Wiltshire Council's Arboricultural Officers consider that the continued use of the existing track in its current alignment is preferable and less environmentally intrusive than the creation of a new access route within or adjacent to the ancient woodland buffer. The construction of a new track would result in additional disturbance to soils, roots, ground flora and the wider woodland edge environment, whereas the use of an established route avoids the need for further land take and excavation. Whilst the council accepts the principle of using the existing track, it has the following concerns: - The potential for construction traffic to deviate from the existing track and encroach into adjacent woodland habitat.						

ExQ2	Question to:	Question:
		- Localised degradation of the track surface that could lead to rutting, soil compaction or indirect impacts on retained trees and woodland edge habitats. - Any excavation, widening, resurfacing or other ground disturbance within the 15m buffer which could adversely affect soils and tree rooting environments associated with the ancient woodland. The council's Arboricultural Officers agree that use of the existing track is less intrusive than the creation of a new access route. Provided the track remains within its existing footprint and is used appropriately, this approach minimises disturbance to the ancient woodland and avoids unnecessary impacts associated with new construction works. The council considers the following mitigation, monitoring and controls measures necessary: - Protective fencing should be installed where appropriate along the woodland edge to prevent vehicle egress from the existing track, in accordance with the principles of BS 5837:2012 Trees in Relation to Design, Demolition and Construction. - Suitable ground protection measures should be used in locations where the existing track demonstrates insufficient stability for the size and weight of construction vehicles. - No excavation, track widening or other ground disturbance should take place within any part of the track located inside the 15m ancient woodland buffer. - Any works or activities within the buffer that are not already addressed through the Construction Environmental Management Plan (CEMP) and Arboricultural Method Statement (AMS) should be monitored and recorded by the Arboricultural Clerk of Works (ACoW). - The Local Planning Authority should be informed of any incidents, departures from the approved AMS, or evidence of adverse effects on the ancient woodland so that appropriate remedial measures can be considered and implemented. Subject to the above mitigation, monitoring and control measures, Wiltshire Council's Arboricultural Officers do not object to the use of the existing access track and consider it to represent the least environmentally intrusive option.
EB2.18	The Applicant Wiltshire Council	Trenchless Techniques – Protection of Root Systems and Soil Structure National Highways response to ExQ1 NH-008 [REP4-098] refers to concerns regarding the depth of trenchless techniques and the potential to damage root systems and/ or soil structure with respect to trees reference N/TPO7. National Highways remains unconvinced by the details of the applicant's approach and therefore considers these trees should form part of Schedule 12 of the DCO. <u>The Applicant:</u> You are requested to address National Highways' concerns regarding the proposed use of trenchless techniques in the vicinity of trees N/TPO7. Please identify: - the proposed minimum depths and offsets from root protection areas - the assessment undertaken to demonstrate that roots and soil structure will not be adversely affected - the management documents in which these controls would be secured - whether any amendments to dDCO Article 41, Schedule 12, or relevant management plans are proposed to address National Highways' concerns. <u>Wiltshire Council:</u> Although trees N/TPO7 are located on National Highways land, please provide your professional opinion on whether the applicant has demonstrated that the proposed trenchless techniques generally across the Order limits would avoid unacceptable impacts on tree root systems and soil structure. If not, please specify: - what additional information is required - whether additional mitigation or controls should be secured - the mechanism by which such controls should be secured - any revised drafting considered to be necessary to the dDCO.

ExQ2	Question to:	Question:
		Wiltshire Council acknowledges that trenchless techniques, when appropriately designed and implemented, can significantly reduce direct impacts on tree root systems and associated soil structure compared with conventional open-cut trenching. However, the information currently presented does not fully demonstrate that unacceptable impacts on retained and / or protected trees would be avoided in all locations across the Order Limits. While the principle of trenchless installation is supported, greater certainty is required regarding the design parameters, implementation controls, monitoring arrangements and contingency measures where works are proposed within the influence of retained and / or protected trees. The detailed design needs to consider the category of tree to ensure that there is no removal of any Category A tree to facilitate the HDD. A clear methodology for dealing with inadvertent drilling returns, bore collapse, settlement or other construction anomalies that may affect root protection areas is required. The Applicant should provide detailed trenchless crossing drawings showing entry and exit points, horizontal and vertical offsets from the Root Protection Area (RPA), and tree-specific assessments where trenchless techniques are proposed within or immediately adjacent to RPAs of Category A, Veteran, or Ancient trees, and protected trees subject to TPOs, thereby demonstrating that there will be no significant loss of rooting volume, and there is no unacceptable risk of soil fracturing, heave, settlement or desiccation affecting the structural rooting environment.
Flood Risk, Hydrology and Water Resources (FHW)		
FHW2.2	The Applicant The Lead Local Flood Authority	Surface Water Assessment - Outline Drainage Strategies The outline drainage strategies and covering report are included in the ES Volume 3 (Appendices 11-2 to 11-8 [REP4-021, REP4-023, REP4-025, REP4-027, REP4-029, REP4-031, REP4-033, REP4-035]). Within the site-specific outline drainage strategies, the applicant analysed and quantified surface water run-off arising from the introduction of infrastructure (substations, conversion units, distribution switch rooms and some access tracks). After reviewing the information submitted, the ExA requests the following changes to the outline drainage strategies. <u>The Applicant:</u> 1) The applicant explains in the strategies that <i>Internal access tracks within the Solar PV Panelled Areas will be formed using permeable materials and, where practicable, maintained at existing ground levels. These tracks are not treated as positively drained hardstanding surfaces requiring formal attenuation, except where specifically and conservatively assessed within this Outline Drainage Strategy, such as the 132kV Substation access track.</i> The applicant should explain in the strategies the differences between the access tracks to understand the reasons and the location of those requiring formal attenuation and those which would not. If this is due to soil compaction, the relevant environmental management plans should be reviewed to include reference to these access tracks and ensure that appropriate management and mitigation are in place for the lifetime of the development. 2) Include the correct number of conversion units/ sub distribution switch rooms for each plot in table 1 of the outline strategies. This should be corrected in the calculations and reflected within the body of the text and tables within the strategies. The applicant should ensure that the way information is presented is correct within the strategies and aligned with the information shown in all the strategies. 3) Table 2 of the strategies does not include the 1% Annual Exceedance Probability (AEP) plus 45% climate change event rates which is referred under the 'Extreme rainfall' section of the strategies. In some strategies, the table does not show the 1 in 100year (yr) run-off rates. Therefore, table 2 of all strategies should be reviewed and updated to show the discharge rates of all events (1 in 2yr, 1 in 30yr, 1in 100yr, 1in 100yr plus 45% climate change, 1 in 2 yr +30% betterment), the proposed discharge rates and attenuation volumes. 4) The applicant is asked to review the 'required additional depths' for the conversion unit/ sub distribution switch rooms included in the 'Everyday Rainfall' section of the strategies as some appear unusual. Also ensure that the contributing area includes all the units to ensure consistency between strategies. Some strategies add the area of all units whereas others show only one unit. 5) The Causeway Flow hydraulic calculations are included in Appendix E of the strategies. However, some strategies do not show all elements assessed and, in most cases, the dimensions and estimated required volumes are not clear in the calculations. Therefore, Appendix E should be reviewed in all strategies to ensure that it contains the calculations for all the elements assessed, their correct dimensions and the estimated required volumes. Please ensure that the dimensions and estimated required volumes are highlighted within the calculations. 6) Some strategies contain an appendix showing sustainable drainage systems (SUDS) maintenance schedules and others do not. Please ensure consistency between strategies.

ExQ2	Question to:	Question:
		7) The applicant committed in [REP3-128] to provide conceptual drainage layouts for the BESS and substation locations by deadline 4. The outline drainage strategy for Lime Down D [REP4-031] does not include a figure showing the conceptual drainage layout. This should be added. 8) The ExA asked the applicant in EXQ1 FHW1.16 to consider the use of rainwater harvesting. We note that, although the applicant has included references to rainwater harvesting in the drainage strategies, they are considered as unsuitable in Table 3. The ExA understands that it cannot be used as the sole means of disposal of excess water, however, it may be used in combination with other SUDS, to water new planting, to support fire water replenishment, etc. Can the applicant consider this and provide a response? <u>The LLFA:</u> 9) The applicant explains in the outline drainage strategies that surface water run-off will be discharged at controlled rates in line with greenfield runoff principles and the LLFA requirement for 30% betterment. Table 2 of the drainage strategies shows that the 30% betterment is calculated using the 1 in 2yr event. Can the LLFA please confirm agreement with the events assessed and the proposed betterment? The LLFA does not agree that the submitted assessments have demonstrated compliance with Wiltshire Council's Betterment Strategy and is therefore unable to confirm agreement with either the events assessed or the proposed betterment approach as currently presented. The Outline Drainage Strategies state that post-development runoff from positively drained hardstanding surfaces will be discharged in accordance with greenfield runoff principles and Wiltshire Council's requirement for 30% betterment. However, the proposed discharge rates have been derived by applying a 30% reduction to the calculated 1 in 2-year greenfield runoff rate and then applying that discharge rate across the drainage design. Wiltshire Council's Betterment Strategy requires a minimum 30% betterment relative to pre-development conditions across the range of design events up to and including the 1 in 100-year event. The submitted drainage strategies do not demonstrate that the required level of betterment has been assessed or achieved across the full range of return period events and instead rely upon a discharge rate derived from the 1 in 2-year event. Whilst attenuation storage has been sized to accommodate the 1% AEP event including climate change allowance, attenuation storage and runoff rate betterment are separate requirements. The LLFA does not consider that the submitted information demonstrates compliance with the Betterment Strategy simply by demonstrating adequate attenuation storage. The LLFA also notes that a number of Relevant Representations submitted during the Examination raise concerns regarding existing flooding, downstream flood risk, highway flooding, ordinary watercourse capacity, cumulative runoff effects and drainage infrastructure performance within catchments connected to the Scheme. The Betterment Strategy is intended not only to manage runoff at the development site itself, but also to reduce pressure on receiving drainage infrastructure, ordinary watercourses and downstream flood receptors. Demonstrating compliance across the full range of design events is therefore important to provide confidence that the development will not increase runoff rates, increase pressure on existing drainage systems, or contribute to increased downstream flood risk. Accordingly, the LLFA considers that additional information is required to demonstrate that the proposed drainage systems achieve a minimum 30% betterment relative to pre-development conditions across all relevant design events and that the proposed approach accords with Wiltshire Council's Betterment Strategy. On the basis of the information currently submitted, the LLFA cannot confirm agreement with either the return periods assessed for demonstrating betterment or the conclusion that the proposed discharge rates satisfy Wiltshire Council's Betterment Strategy. 10) Can the LLFA consider if the proposed attenuation volumes are likely to be achieved through the proposed SUDS? This is particularly relevant for Lime Down D as the volume to be attenuated is large. The LLFA may want to liaise with the relevant Wiltshire Council ecology colleague to understand how SUDS may interact with the proposed ecological enhancements.

ExQ2	Question to:	Question:
		The LLFA notes that the Applicant has provided outline drainage calculations and indicative SuDS layouts demonstrating the attenuation volumes required and the land areas identified for attenuation storage. The information provided is consistent with the level of detail generally expected for an outline stage application and indicates that the proposed attenuation volumes are achievable in principle. The LLFA does not therefore object to the proposed attenuation volumes on the basis of insufficient detailed design information. However, final confirmation of attenuation sizing, hydraulic performance, exceedance routing, freeboard, maintenance arrangements and construction details should be secured through the detailed drainage design approval process required by the DCO. In relation to Lime Down D, whilst the attenuation volumes are notably larger than those associated with some other development parcels, the information submitted does not indicate that the required storage volumes are unachievable. The LLFA's principal interest is ensuring that the detailed design demonstrates that all storage volumes remain available throughout the operational life of the development and that the hydraulic performance of the drainage system is not compromised by future land management or ecological enhancement proposals. The LLFA also supports continued coordination between drainage and ecology design teams to ensure that ecological enhancement measures and multifunctional SuDS objectives are delivered in a compatible manner and that habitat proposals do not reduce the effective attenuation performance, maintenance access or long-term operation of drainage infrastructure.
FHW2.3	The Environment Agency The Lead Local Flood Authority	Flood Risk Assessment – Hydraulic Modelling The EA, in its hearing submission [REP4-097], explains that for Lime Down D modelling there are unresolved issues regarding the data used and missing information and requests further information from the applicant. The applicant submitted at deadline 4 the hydraulic modelling report for Lime Down E2 [REP4-089]. <u>The Environment Agency:</u> 1) Can the EA confirm if all the required further information for Lime Down D modelling has been submitted? 2) Can the EA please provide an update of the review of the hydraulic modelling for Lime Down E2 at deadline 5 confirming if further information is required and highlighting any significant issues found? <u>The LLFA:</u> 3) Considering the EA response to ExQ1 FWM1.4 (2) [REP3-146], the outputs from the applicant's Gauze Brook and Rodbourne Brook modelling which include the 3.33% AEP scenario and the evidence presented by the Stop Lime Down report [REP1-176], does this information support an extension to Flood Zone 3b in Lime Down D? If so, to which fields? The submitted 3.33% AEP modelling provides an appropriate basis for identifying the functional floodplain (Flood Zone 3b). Where the modelled 3.33% AEP extent extends beyond the Applicant's current Flood Zone 3b delineation, the LLFA would expect those areas to be considered as Flood Zone 3b unless there is evidence to justify an alternative approach. However, based on the information currently available to the LLFA, it is not possible to identify with confidence the specific field parcels within Lime Down D affected by any such extension. 4) If your response to question 3 is positive, please explain any potential impact on the sequential and exception tests results. <u>The LLFA:</u> In your response to ExQ1 FHW1.12 [REP3-142] in relation to an ordinary watercourse running between the fields D22 and D1 you requested the applicant to: • Undertake targeted topographic and channel survey of the watercourse corridor. • Provide proportionate hydraulic assessment (or equivalent evidence) to define flood extents, depths, and flow routes. • Demonstrate that the layout maintains conveyance, including appropriate stand-offs and no obstruction of flow paths. • Confirm how the watercourse will be protected and managed.

ExQ2	Question to:	Question:
		Address any consenting requirements for works affecting an ordinary watercourse. The Applicant has submitted additional hydraulic modelling and mapping which partially addresses the LLFA's request for survey and hydraulic assessment information. However, the Applicant has not provided sufficient proportionate evidence to demonstrate that the outline layout maintains the function of the ordinary watercourse between D22 and D1, including maintenance of conveyance, appropriate stand-offs from the watercourse corridor, protection and management arrangements, and any consenting implications associated with works affecting the watercourse. Consequently, the LLFA considers that the matters raised in ExQ1 FHW1.12 have not been fully addressed. 5) Considering the modelling provided for Lime Down D and its review by the EA, is your response to ExQ1 FHW1.12 still relevant or do you consider that the available information and the applicant's existing commitments will suffice? The LLFA has reviewed the additional hydraulic modelling information submitted by the Applicant and notes that it provides further evidence regarding flood extents, depths and flow routes within the wider watercourse system. The LLFA also notes the Environment Agency's review of the Lime Down D modelling and the Applicant's subsequent submissions. However, the LLFA considers that its response to ExQ1 FHW1.12 remains relevant. Whilst additional modelling and mapping information has been provided, the Applicant has not demonstrated, at the outline design stage, how the proposed layout adjacent to the ordinary watercourse between D22 and D1 will maintain the function of that watercourse, including maintenance of conveyance, retention of appropriate stand-off distances, avoidance of obstruction to flow routes, and long-term protection and management of the corridor. Furthermore, the Applicant has not clearly addressed whether any works affecting the watercourse would require Ordinary Watercourse Consent or other land drainage consents. The LLFA therefore considers that the additional modelling partially addresses the request for hydraulic evidence but does not fully address the wider matters raised in ExQ1 FHW1.12. As such, the LLFA's position remains that proportionate information necessary to support the outline proposal has not yet been provided and further evidence is required to demonstrate that the proposed development will preserve the function of the ordinary watercourse and not increase flood risk.
FHW2.4	The Lead Local Flood Authority The Applicant Stop Lime Down	Flood Risk Assessment – Freeboard Allowance The applicant explained in its response to ExQ1 FHW1.5 [REP3-128] that the <i>Manning calculations (...) were used to compare the assessed 1% AEP plus climate change levels with the conservative 0.1% AEP surface water mapping used for context, to understand local drainage pathways and to inform the micro-siting of infrastructure. (...) Manning calculations did not identify locations where the smaller ordinary watercourses or land drainage features would give rise to a significant flood risk to the Scheme, or where the Scheme would be likely to increase off-site flood risk through displacement of floodwater or interruption of existing flow routes. They also informed the micro-siting of infrastructure by helping to identify local flood flow pathways, indicative flood levels and areas where infrastructure should be avoided or managed through embedded mitigation. They were not intended to be a full dynamic hydraulic model of the catchments.</i> The EA in its response to [REP3-146] agreed that the Manning Calculations had limitations but were useful to contextualise the 0.1% AEP extent of the Risk of Flooding from Surface Water (RoFSW) mapping. RoFSW mapping was used by the applicant as a proxy to understand fluvial flood risk from smaller ordinary watercourses due to the lack of information available. The EA considered that the assessment was proportionate. To address any uncertainty arising from the assessment the EA requested from the applicant a commitment to ensure 0.6m freeboard above the design flood event for any solar PV panels placed in areas of flood risk. <u>The LLFA:</u> 1) Considering your response to ExQ1 FHW1.5 [REP3-142] and the EA conclusions, can you please confirm agreement or otherwise with the EA conclusions regarding the Manning calculations and freeboard allowance commitment? The LLFA notes the Environment Agency's conclusions that, despite recognised limitations, the Manning calculations were useful in providing context to the Risk of Flooding from Surface Water (RoFSW) mapping and that the resulting assessment was proportionate for smaller ordinary watercourses and

ExQ2	Question to:	Question:
		drainage ditches not covered by detailed flood mapping. The LLFA also notes the EA's conclusion that the RoFSW dataset provides a reasonable proxy for understanding fluvial flood risk in these circumstances. The LLFA broadly agrees with the Environment Agency's conclusions regarding the use of the Manning calculations. The calculations were not intended to function as a detailed hydraulic model and, in isolation, would not provide a robust basis for defining flood risk. However, when used as a comparative exercise to contextualise the RoFSW mapping and understand the sensitivity of water levels to increased flows, the approach is considered proportionate for the smaller ordinary watercourses where more detailed data is unavailable. The LLFA also agrees that uncertainty remains in both the Manning calculations and the use of RoFSW mapping as a proxy for fluvial flood risk. Consequently, the proposed commitment to maintain a minimum freeboard allowance of 600 mm above the design flood level for solar PV panels located within areas of flood risk is a reasonable and proportionate mitigation measure that would provide an additional factor of safety. However, the LLFA considers that the freeboard commitment should not be regarded as a substitute for site-specific flood risk assessment where more detailed information is available or where infrastructure is proposed in close proximity to watercourses. The freeboard allowance addresses residual uncertainty in flood levels but does not, by itself, demonstrate that flood conveyance, flow routes, floodplain function and watercourse management considerations have been adequately addressed. Subject to the freeboard commitment being secured through the final design and relevant management plans, the LLFA therefore agrees in principle with the Environment Agency's conclusions regarding the proportionality of the Manning calculation assessment and the appropriateness of the proposed 600 mm freeboard allowance. <u>The Applicant:</u> The applicant confirmed in [REP3-128] that (...) <i>sensitive electrical infrastructure within areas of modelled flood interaction will either be located outside the design flood extent or raised with a minimum 0.6 m freeboard above the design flood level, including climate change. For Solar PV Panels, sensitive electrical equipment mounted on the panels will also be set no less than 0.6 m above the design flood level, including climate change. The lowest leading edge of the panel itself is not sensitive electrical equipment and may sit lower, depending on the final fixed or tracker arrangement.</i> The EA required further clarity from the applicant regarding the freeboard applied to the lowest leading edge of the solar PV panels above the design flood level to ensure operability during a flood event for both Lime Down D and Lime Down E2 [REP4-097]. 2) Can the applicant provide the clarity requested by the EA? Please also consider the design parameters and any potential Landscape and Visual impacts in your response. <u>Stop Lime Down:</u> 3) Given your post hearing submission [REP4-132] please provide concise comments on the issues discussed above.
FHW2.6	The Lead Local Flood Authority	Flood Risk Management – Cable Route The ExA notes the LLFA's response to ExQ1 FHW1.6 [REP3-142] which requests further detail secured through method statements such as HDD, trenching controls, and drainage management plans. The SoCG [REP4-061] shows that Wiltshire Council is still negotiating with the applicant HDD commitments and HDD approval. The LLFA provided a helpful update at deadline 4 [REP4-091] showing the residual themes that need to be addressed and the overall position. However, this document does not in not include specific references to HDD, trenching controls and drainage management plans in relation to hydrology. The ExA notes the applicant's response [REP4-081] which refers to pre-construction surveys, addressing issues through the Water Management Plan (WMP), which is part of the oCEMP and the outline Soil Resources Management Plan (oSRMP). The applicant made changes to Table 5 of the oCEMP [REP4-049] to include the protection of agricultural field drains (although a question about that has been put to the applicant in ExQ2 CA2.8(4)). Can the LLFA please provide an update on this issue? The LLFA notes the additional information submitted by the applicant since its response to ExQ1 FHW1.6, including updates to the Outline Construction Environmental Management Plan (oCEMP), the Outline Soil Resources Management Plan (oSRMP), the Watercourse Crossing Schedule and the Applicant's responses to Deadline 3 submissions. The Applicant has introduced additional commitments relating to the identification, protection and

ExQ2	Question to:	Question:
		reinstatement of agricultural field drains, water management during construction, temporary drainage arrangements, sediment control and watercourse crossing controls. The Applicant has also confirmed that a Water Management Plan (WMP) will form part of the detailed CEMP and that existing field drains encountered during construction will be recorded and reinstated, diverted or otherwise made good to maintain their hydraulic function. In relation to trenching controls and drainage management plans, the LLFA recognises that further detail has now been incorporated into the oCEMP. Table 5 includes commitments regarding temporary drainage, sediment control, protection of land drains, reinstatement of disturbed drainage infrastructure, management of construction runoff, water quality monitoring and preparation of a Water Management Plan. The oCEMP also states that the Water Management Plan will set out temporary drainage arrangements, watercourse crossing controls, riparian buffer protection measures and groundwater management provisions applicable to the construction phase. The LLFA also notes that the applicant has committed to undertaking pre-construction surveys to identify field drainage systems and has stated that where field drains are disturbed by cable installation works they will be reinstated, diverted or otherwise repaired following construction to maintain drainage function. Similar commitments are included within both the oCEMP and the applicant's response to LLFA Comment WC-053. In relation to HDD, the position is less advanced. Whilst the Applicant has included further commitments within the oCEMP regarding HDD working methods, launch and reception pit locations, drilling fluid management, breakout contingency arrangements, pollution prevention measures and the potential use of trenchless techniques at sensitive crossings, discussions regarding HDD commitments and HDD approval mechanisms remain ongoing through the Statement of Common Ground process. The LLFA therefore considers that this aspect is not yet fully resolved. Overall, the LLFA considers that progress has been made since ExQ1 FHW1.6 and that the Applicant has provided additional information and commitments regarding trenching controls, drainage management and protection of field drainage systems. However, it remains important that the final drafting of the Water Management Plan requirements, HDD commitments, approval mechanisms, and measures for protection and reinstatement of drainage infrastructure provide sufficient certainty that existing drainage systems, watercourses and flow pathways will be protected throughout construction. Consequently, whilst the issue has progressed, the LLFA does not currently consider all matters arising from ExQ1 FHW1.6 to be fully resolved.
FHW2.7	The Environment Agency The Lead Local Flood Authority	Construction – Impacts on Flood Risk and Drainage The EA requests in [REP4-097] (issue EA-051) a commitment to placing all construction compounds, material storage and plant outside of flood zone 3b and more detail about the mitigation to be implemented if compounds need to be located within the floodplain. The LLFA in [REP4-091] identifies the following issues as hydrology matters currently unresolved (noting that some of those issues can arise at other phases of the development, not just during construction): • <i>whether temporary drainage and sediment control measures during construction will be sufficiently robust;</i> • <i>whether watercourse buffers and low-lying drainage pathways will be protected in practice;</i> • <i>whether site-specific hydrological sensitivities identified in the Lime Down A-E desk studies are translated into monitoring and management controls;</i> • <i>whether monitoring arrangements include clear triggers, responsibilities, reporting and corrective actions.</i> The oCEMP [REP4-049] includes a commitment in Table 5 to locate materials and compounds outside flood zone 3b and there is reference to monitoring requirements. Some of the other issues raised (temporary drainage, buffers) are also included in Table 5 either as standalone or as part of the WMP. <u>The EA and the LLFA:</u> Can you provide any further wording that you require in the oCEMP or other dDCO documents to address the impacts of construction on flood risk and drainage? The LLFA notes that the Applicant has made progress in addressing construction-phase flood risk and drainage matters through revisions to the oCEMP, including commitments relating to temporary drainage, sediment management, watercourse buffer protection, construction runoff controls, field drain reinstatement, monitoring and preparation of a Water Management Plan. The LLFA also notes the commitment to locate construction compounds, plant and material storage outside Flood Zone 3b wherever practicable.

ExQ2	Question to:	Question:
		The LLFA does not consider that additional flood risk assessment or significant redesign is required at this stage. However, greater certainty would be provided through further refinement of the oCEMP and Water Management Plan provisions to address: • measurable monitoring indicators for drainage, runoff, erosion and sediment control measures; • trigger thresholds requiring investigation, maintenance or remedial action; • clearly defined corrective actions; • monitoring, reporting and governance responsibilities; • protection of watercourse buffers, overland flow routes and low-lying drainage corridors during construction; • procedures for inspection, protection and reinstatement of field drainage systems affected by construction activities; and • adaptive management measures where monitoring identifies adverse trends or drainage performance issues. The LLFA also considers that the Water Management Plan should clearly identify: • existing drainage features and overland flow routes; • temporary drainage and runoff management measures; • exceedance flow routing arrangements; • interactions with compounds, haul routes, stockpiles, excavations and watercourse crossings; • protection of floodplain storage and flow routes; and • inspection, monitoring and reporting procedures throughout the construction period. The LLFA's remaining concerns are therefore principally related to assurance, monitoring and implementation rather than the overall drainage strategy. The LLFA considers that the matters identified above are capable of being resolved through further refinement of the oCEMP and Water Management Plan and do not require additional standalone flood risk assessments at this stage.
FHW2.8	The Applicant The Lead Local Flood Authority The Environment Agency Stop Lime Down	Construction – Water Management Plan The applicant in its rebuttal to Wiltshire Council's response to ExQ1 FHW1.9 [REP4-081] indicates that <i>The Water Management Plan forming part of the detailed CEMP will provide the phase-specific construction drainage and exceedance arrangements. It will identify:</i> • <i>the existing drainage features and overland flow routes relevant to the construction phase;</i> • <i>the proposed temporary drainage and runoff controls;</i> • <i>the routing of flows exceeding the capacity of temporary drainage measures;</i> • <i>the interaction with compounds, haul routes, stockpiles, excavations and watercourse crossings; and</i> • <i>the measures required to maintain existing floodplain capacity and avoid diversion of flows towards sensitive receptors.</i> Some of the issues mentioned in the bullet points above are not included in the latest oCEMP [REP4-049]. <u>All parties:</u> 1) Given that the WMP is going to be an important management plan for the duration of this project (and also referred to in the oOEMP and the outline Decommissioning Strategy (oDS)) is it still adequate that it is approved through these documents, rather than being a standalone certified document? The LLFA considers that, in principle, it is acceptable for the Water Management Plan (WMP) to be secured through the environmental management plan framework rather than as a separate certified document, provided that the Draft DCO clearly secures its preparation, approval, implementation and maintenance throughout the relevant phases of the Scheme. The LLFA notes that the Applicant has identified the WMP as the principal document through which construction-phase drainage, runoff management, exceedance routing, water quality protection and related controls will be developed. However, given the increasing reliance placed upon the WMP within the Applicant's responses and the role it is intended to perform across multiple

ExQ2	Question to:	Question:
		environmental topics, the LLFA considers that its purpose and scope should be more clearly defined within the outline management plans. 2) If so, should it not have more overt relevance within the oCEMP, oOEMP and the oDS, possibly through the addition of a standalone section which explains its purpose, contents and links with other management plans, instead of being embedded in Table 5 of the outline management plans? Yes. The LLFA considers that the WMP has evolved from a supporting construction drainage document into a key cross-cutting management plan affecting hydrology, flood risk, soils, ecology, water quality and environmental management. Whilst the WMP is currently referenced within mitigation tables and supporting text, the LLFA considers that greater clarity would be achieved through the inclusion of a dedicated section within the oCEMP, oOEMP and oDS which: • explains the purpose of the WMP; • identifies the matters it must address; • explains how it interfaces with other environmental management plans; • identifies responsibilities for implementation; and • identifies relevant monitoring, review and update arrangements. This would improve transparency and ensure a clear line of sight between the environmental assessments and the management measures intended to deliver them. 3) If a separate WMP that covers the lifetime of the development is the best way forward, please give reasons why. Please also include information regarding the approval mechanism and consultees. The LLFA does not currently consider that a standalone certified WMP covering all phases of the Scheme is essential. The Applicant's management hierarchy already relies upon phase-specific plans, each secured under different requirements and approval mechanisms. Construction, operation and decommissioning activities present different water management risks and therefore may legitimately require different levels of detail and management controls. Nevertheless, the LLFA considers that a common framework could be beneficial. Whether delivered through a standalone WMP or through linked phase-specific WMPs, the framework should address: • drainage and runoff management; • exceedance flow routing; • water quality protection; • field drainage interactions; • watercourse protection; • monitoring arrangements; • governance and reporting procedures; and • adaptive management measures where monitoring identifies adverse outcomes. On balance, the LLFA considers that retaining the WMP within the existing environmental management framework is acceptable, provided its scope, purpose and links to other plans are more clearly articulated and secured. 4) As water management will be key for other topics such as soil and ecology, should it also be referenced in the oSRMP, oEPMS and other outline management plans/strategies? If so, please set out which ones and the reasons why.

ExQ2	Question to:	Question:
		The LLFA considers that the Water Management Plan (WMP) should be more clearly integrated throughout the suite of outline management plans and strategies. The LLFA considers that the WMP has evolved into a key cross-cutting document that supports the delivery of hydrology, flood risk, drainage, soil, ecological and landscape mitigation measures across multiple phases of the Scheme. Consequently, reliance solely on cross-references within mitigation tables may not provide sufficient clarity regarding the purpose of the WMP, its scope or its relationship with other management plans. Whilst additional cross-referencing would be beneficial, the LLFA considers that dedicated Water Management Plan sections within the relevant management plans would provide greater transparency and demonstrate how water-related controls are intended to operate alongside other environmental mitigation measures. These sections should explain the purpose of the WMP, the matters it is intended to address, its relationship with the relevant management plan, and any associated implementation, monitoring and review arrangements. The LLFA considers that dedicated WMP sections would be beneficial within the following documents: 1) Outline Construction Environmental Management Plan (oCEMP) The WMP is intended to be the principal mechanism for managing construction-phase drainage, temporary runoff controls, exceedance routing, field drain protection, watercourse crossings, sediment management, pollution prevention and water quality protection. A dedicated section would provide a clear explanation of how these controls will be coordinated and delivered during construction. 2) Outline Operational Environmental Management Plan (oOEMP) The oOEMP already relies on the WMP in relation to operational water quality monitoring, drainage management, flood resilience measures, SuDS maintenance and post-flood inspections. A dedicated section would provide greater clarity regarding how operational water management will be implemented, monitored and reviewed throughout the operational life of the Scheme. 3) Outline Decommissioning Strategy (oDS) Decommissioning activities have the potential to generate similar water management risks to construction activities, including temporary drainage, runoff management, erosion, sediment transport, field drain interactions and protection of watercourses. A dedicated section would help ensure consistent application of water management principles during decommissioning. 4) Outline Soil Resources Management Plan (oSRMP) The oSRMP contains measures relating to soil moisture conditions, compaction avoidance, infiltration, erosion control, soil reinstatement and protection of field drainage systems. These matters are intrinsically linked to water management and drainage performance. A dedicated section would help demonstrate how soil management and water management measures work together to maintain soil structure, permeability and hydrological function. 5) Outline Ecological Protection and Mitigation Strategy (oEPMS) and related ecological management documents Water management is fundamental to protecting aquatic habitats, watercourses, riparian corridors, ponds, wetland features and other water-dependent ecological receptors. Runoff management, sediment control and water quality protection measures can directly influence the effectiveness of ecological mitigation and enhancement measures. A dedicated section would provide a clearer link between hydrological controls and ecological outcomes. 6) Outline Landscape and Ecological Management Plan (oLEMP)

ExQ2	Question to:	Question:
		The Scheme relies on vegetation establishment, grassland management, riparian planting, buffer strips and habitat creation to deliver ecological and landscape benefits. These measures also perform important hydrological functions through runoff attenuation, infiltration enhancement, erosion reduction and soil protection. A dedicated section would help explain how vegetation management contributes to water management objectives and flood risk management outcomes. Conclusion The LLFA is not seeking the preparation of additional standalone management plans. However, given the central role that the WMP is expected to play in managing runoff, drainage, water quality, flood risk, soils and ecological receptors throughout the lifetime of the Scheme, the LLFA considers that dedicated Water Management Plan sections should be included within the oCEMP, oOEMP, oDS, oSRMP, oEPMS and oLEMP, supported by appropriate cross-referencing between documents. This would improve transparency, strengthen integration between environmental disciplines and provide greater confidence that water-related mitigation measures identified within the Environmental Statement will be delivered consistently throughout construction, operation and decommissioning of the Scheme.
FHW2.10	The Lead Local Flood Authority	LLFA Residual Themes The LLFA in [REP4-091] identifies six unresolved residual themes but it considers them as capable of resolution through further discussion and refinement. These issues relate to: • the 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 • long-term monitoring, governance and performance triggers. 1) Considering the information submitted by the applicant at deadline 4, can you please provide an update on the residual themes at deadline 5? The LLFA notes that the applicant has made progress in addressing the concerns raised at Deadline 4 through revisions to the oCEMP, oOEMP, oSRMP, ES Chapter 11 and supporting responses. In particular, additional commitments have been included relating to water management, drainage controls, soil management, monitoring, vegetation establishment, field drain protection and post-construction management arrangements. Accordingly, the LLFA considers that its concerns have been partly addressed. However, the LLFA considers that several residual matters remain outstanding. These principally relate to: • measurable performance indicators; • intervention thresholds; • defined corrective actions; • reporting arrangements; • governance responsibilities; • adaptive management mechanisms; and • consolidation of relevant commitments into a clear and coherent assurance framework. The LLFA's position is not that further engineering mitigation is necessarily required. Rather, additional clarity is sought regarding how the effectiveness of the proposed non-structural SuDS and land management measures will be monitored, assessed and maintained throughout the operational life of the Scheme. These are the elements that would provide confidence that the residual flood risk effects identified within the Flood Risk Assessment remain Negligible to Low throughout the lifetime of the Scheme.

ExQ2	Question to:	Question:
		The LLFA nevertheless considers that these matters are capable of resolution through further discussion and refinement of the relevant management plans, monitoring and governance arrangements, and secured commitments. 2) If any further wording is needed in the environmental management plans to resolve these issues, can you please include it in your response, including the document and the wording required? The management plans are secured through the Draft DCO; however, the LLFA considers that further refinement of the outline plans would provide greater certainty regarding performance indicators, intervention thresholds, corrective actions, governance arrangements and adaptive management measures necessary to demonstrate that residual flood risk effects remain Negligible to Low throughout the operational life of the Scheme. The LLFA considers that the OEMP, Water Management Plan and SRMP should be updated to: • identify measurable performance indicators relevant to hydrology, drainage, soils and vegetation management; • define intervention thresholds requiring investigation or remedial action; • identify appropriate corrective actions; • clearly define monitoring, reporting and governance responsibilities; and • establish an adaptive management process for responding to adverse trends identified through monitoring. The LLFA considers that provisions of this nature would likely address the remaining residual themes identified at Deadline 4.
FHW2.13	The Applicant The Lead Local Flood Authority	Ordinary Watercourse Consent and Environmental Permitting The ExA in EXQ1 FHW1.19 requested the views of the LLFA regarding Articles 6 and 17 and Schedule 15, Part 9 provisions of the dDCO in relation to ordinary watercourse consent and environmental permitting. The LLFA provided a response [REP3-142] asking for amendments to Article 17 to make clear that, where the relevant watercourse, public sewer or drain falls within the drainage-authority regime, Part 9 governs the approval process instead of the generic Article 17(3) and (4) mechanism. That would avoid parallel approval regimes following DCOs already consented for other solar schemes. The applicant's response [REP4-081] was to reject the proposed changes to Part 9 provisions and accept the proposed changes to Article 17. The applicant added the LLFA proposed wording as 17(4) of the dDCO [REP4-004] to read: <i>Where the undertaker discharges water into, or makes any opening into, a watercourse, public sewer or drain belonging to or under the control of a drainage authority, the provisions of Part 9 of Schedule 15 (protective provisions) apply in substitution for the provisions of paragraphs (3) and (4).</i> The SoCG between the applicant and Wiltshire Council [REP4-061] does not include reference to these issues so both parties are requested to provide an update on this issue and consider if it should be included in the SoCG. The LLFA notes that the Applicant has accepted the amendment proposed by the LLFA to Article 17 and that the wording has been incorporated into the draft DCO. The LLFA welcomes this amendment as it clarifies that, where a watercourse, public sewer or drain belongs to or is under the control of a drainage authority, the approval process contained within Part 9 of Schedule 15 applies in place of the generic approval mechanism contained within Article 17. The LLFA's principal concern in response to ExQ1 FHW1.19 was to avoid uncertainty and the potential for overlapping approval regimes where drainage authority interests are affected. The amendment to Article 17 provides clarity that the drainage authority protections contained within Part 9 of Schedule 15 take precedence in those circumstances. The LLFA considers that Article 17 and Part 9 of Schedule 15 perform different functions within the draft DCO. Article 17 facilitates the undertaking of drainage-related works, including discharges and openings into watercourses, sewers and drains, whereas Part 9 contains the specific protective provisions intended to safeguard the interests and statutory functions of drainage authorities. The amendment ensures that these provisions operate coherently where drainage authority assets are affected.

ExQ2	Question to:	Question:
		Whilst the Applicant did not accept the LLFA's proposed amendments to Part 9 of Schedule 15, the LLFA considers that the amendment to Article 17 substantially addresses the concern raised in its response to ExQ1 FHW1.19. The LLFA therefore does not seek further amendments to the draft DCO in relation to this matter at this stage. The LLFA further notes that the amendment does not remove or alter any separate statutory consenting or permitting requirements that may apply to the authorised development. Any requirement for Ordinary Watercourse Consent, Environmental Permits or other regulatory approvals would continue to be determined by the relevant competent authority in accordance with the applicable legislative framework. The LLFA agrees that this matter should be reflected within the Statement of Common Ground so that the agreed position is clearly recorded. Subject to the inclusion of an appropriate SoCG entry recording agreement on the Article 17 amendment, the LLFA considers this issue to be substantially resolved.
General and Cross-Topic Questions (GCT)		
GCT2.6	The Applicant Wiltshire Council	Outline Operational Environmental Management Plan (oOEMP) At ISH4, around the discussion of the definition of 'maintain' in the dDCO, the applicant was asked about whether reporting mechanisms should be included within the oOEMP for when the anticipated wholesale replacement of the BESS units and solar PV panels take place; this is so that in 10 or so years' time when the BESS units are being replaced, or 30 to 40 years' time when the panels are being replaced, the local planning authority is notified. Taking this slightly further, the ExA considers that there may be some merit in a reporting mechanism for when 10% or more of those components are replaced at any one time (noting that malfunctioning or damage could occur well in advance of anticipated wholesale replacement timescales). The applicant at ISH4 stated that it would be open to adding something into the oOEMP regarding a reporting mechanism, but nothing was included in Revision 5 of the oOEMP [REP4-051]. The ExA considers that reporting mechanisms for replacement activities (excluding routine maintenance) can help local planning authorities to deal with queries from local communities when more than routine maintenance is occurring on the sites and communities are in the dark about what is taking place on the sites. The applicant and Wiltshire Council are therefore requested to consider what form of drafting could capture a reporting mechanism in the oOEMP for the wholesale replacement period of the BESS units and solar PV panels, and whether further reporting terms should be added for a much smaller replacement exercise (e.g. 10% of the components) but excluding routine maintenance. The council considers that the ExA's suggestion for inclusion of a reporting mechanism in the oOEMP which covered both wholesale and smaller replacement exercises of the BESS units and solar PV panels would be helpful. The LPA is regularly contacted by members of the public in response to activities that do not require planning permission or other pre-agreement with the council, and there is no knowledge or forewarning about. Given the level of public interest in this scheme, notification is considered warranted. The council also considers that notification would help align replacement activities with the Innovation Forum, to ensure that any relevant advances in technology and / or practices could be utilised. The council is aware that the Applicant will be updating the oOEMP to include the linkage between replacement activities and the Innovation Forum, so will review and comment on the Applicant's proposed additions once available to ensure that the requirement for the reporting of replacement activity is also sufficiently addressed.
Health and Wellbeing (HW)		
HW2.1	The Applicant Wiltshire Council Stop Lime Down	Mental Wellbeing Stop Lime Down, in its comments on the applicant's responses to ExQ1 HW1.1 and HW1.3 [REP4-132], expressed concern that the applicant had not adequately addressed the potential mental health impacts associated with the proposed development. It requested further information on a communications strategy demonstrating how the recommendations contained within Suffolk County Council's <i>Energy and Climate Adaptive Infrastructure Policy: Community Engagement and Wellbeing Supplementary Guidance Document</i> (SGD) have been considered and incorporated into the applicant's approach. The ExA acknowledges the sensitivity of this matter and recognises the efforts made by the applicant to engage with mental health providers within and around the Order limits to mitigate potential mental health impacts.

ExQ2	Question to:	Question:
		Nevertheless, the ExA considers that the SGD contains guidance of relevance to the post-consent phase and that its recommendations could usefully inform the development of a clear and structured communications strategy. This may have implications for the applicant's response to ExQ SE2.9, particularly in relation to the proposed role and function of the Community Liaison Group (CLG). <u>Wiltshire Council and Stop Lime Down:</u> In its response to ExQ1 HW1.1, the applicant questioned the appropriateness of relying on the SGD on the basis that it is not specifically directed at the post-consent stage. The applicant requested that Wiltshire Council identify those elements of the SGD it considers most relevant to the development of a communications strategy. 1) Wiltshire Council and Stop Lime Down are therefore invited to identify the specific recommendations or principles within the SGD that they consider applicable to the post-consent phase and explain how these should be reflected within a communications strategy for Lime Down. Responses should also clarify their expectations regarding the purpose, scope and delivery of that strategy. Discussions with the Applicant regarding the Terms of Reference (ToR) for the communication strategy and the Community Liaison Group are ongoing. Following the most recent meeting on 28 July 2026, a commitment was made by the Applicant to provide a draft ToR for the CLG at the earliest opportunity to maximise benefit and engagement with community groups. Whilst the points below set out the expectations of the council, it is felt that any draft communications strategy would need the input of the local community to ensure it captures the views of all relevant stakeholders. Wiltshire Council considers that the following principles of the Suffolk SGD are applicable in the post consent phase. Collectively, these measures should ensure that the Communication Strategy and CLG support transparency, inclusion, participation, trust and community resilience, helping communities to retain a sense of control and influence throughout the post-consent and scheme delivery phases and thereby contributing to the safeguarding of mental health and wellbeing. The strategy should provide a framework to facilitate effective communication, consultation, and collaboration between the project team and the local community and stakeholders. • Early and continuous engagement. This should be delivered through a programme of regular communications, scheduled CLG meetings and ongoing opportunities for dialogue throughout the post-consent, construction, operation and decommissioning phases. • Comprehensive and honest engagement. This should be delivered through timely publication of accurate, accessible and transparent information regarding project impacts, construction activities, constraints and decision-making processes. • Clear explanation of process and timelines. This should be delivered through published engagement plans, construction updates, project programmes and clear reporting to the CLG on upcoming activities and milestones. • Genuine opportunities to influence outcomes. This should be delivered through the CLG providing a structured forum for community representatives to discuss mitigation, construction management measures and other matters where community feedback can inform project delivery. The council considers that this should also extend to the CLG being afforded the opportunity to provide feedback and genuinely influence the detailed design and management plans prior to applications for discharge being made to the LPA. • Building trust, confidence and mutual understanding. This should be delivered through regular face-to-face engagement, continuity of project representatives, responsiveness to community concerns and transparent reporting of actions taken. • Effective dialogue and conflict resolution. This should be delivered through agreed protocols for engagement, clear routes for raising concerns, constructive discussion at CLG meetings and escalation procedures where issues remain unresolved. • Regular in-person presence and accessible support. This should be delivered through community drop-in events, attendance at local meetings, dedicated points of contact, accessible communication channels and provision of practical support where appropriate.

ExQ2	Question to:	Question:
		• Responsiveness to community concerns. This should be delivered through a clear feedback, complaints and grievance procedure, with responses and resulting actions communicated to both the CLG and the wider community. • Supporting community identity and assets. This should be delivered through ongoing engagement with communities to identify valued local assets, opportunities for enhancement, and appropriate mitigation measures that help maintain community cohesion, pride and sense of place. Identification and prioritisation of initiatives to be considered via the Community Benefit Fund (CBF) could also be included (although noting that the CLG would not be a decision-making forum or responsible for the assessment or overseeing of the CBF) • Ongoing wellbeing support. This should be delivered through signposting to relevant wellbeing services and resources, consideration of community wellbeing impacts in project communications, and periodic review through the CLG of emerging wellbeing concerns and mitigation measures. In summary, the council considers that post-consent engagement should be ongoing, collaborative and measurable, with the Applicant responsible for delivery and the Community Liaison Group (CLG) providing oversight and accountability. The key recommendations for a post-consent communications strategy are: • Maintain ongoing dialogue, not just one-way updates – engagement should continue through construction, operation and decommissioning, giving communities opportunities to raise concerns and influence matters where possible. • Establish a community liaison group – bringing together parish representatives, councillors, the Applicant, local authorities and key local stakeholders to discuss project delivery, mitigation and emerging issues. • Provide regular, accessible information – including clear timelines, face-to-face engagement, drop-in sessions and effective complaints procedures. • Maintain a visible local presence – through community liaison officers, attendance at parish meetings and local contact channels. • Monitor community wellbeing and satisfaction. <u>The Applicant, Wiltshire Council and Stop Lime Down:</u> Having regard to Stop Lime Down's deadline 4 submission [REP4-132], the ExA invites comments on how a communications strategy informed by the SGD could be secured, implemented and monitored. In particular: 2) Should responsibility for overseeing or supporting delivery of the communications strategy form part of the CLG's role? If so, how could this be achieved in practice? The council considers that CLG should have a role in the communications strategy, but as an oversight and advisory body rather than delivering communications itself. The CLG is a forum for feedback and community engagement. Responsibility for delivering communications should remain with the Applicant. The CLG could: • Review implementation of the communications strategy. • Provide feedback on emerging community concerns. • Monitor complaints and engagement activity. • Hold the developer accountable for communications commitments. 3) How might such arrangements avoid placing additional burdens on volunteer representatives and Parish Councils?

ExQ2	Question to:	Question:
		The SGD states that parish councillors frequently experience significant time pressures, difficulties in interpreting large volumes of technical material, and feelings of being overwhelmed by the responsibilities placed upon them during the NSIP process. It further notes that the burden of supporting communities often falls on a relatively small number of volunteers. The SGD highlights the potential value of a neutral chair or independent "relationship manager" to facilitate constructive dialogue between communities, local authorities and project promoters. Such an arrangement could help manage discussions, resolve misunderstandings and maintain productive relationships without relying on volunteers to undertake mediation or facilitation roles. The council notes that an Independent Chair for the Community Forum was secured by the Applicant in the A303 Stonehenge DCO scheme. The SGD also recommends that community representatives receive appropriate training and support to help them understand complex projects and fulfil their community-facing roles. It further recognises the need to avoid situations where volunteers feel isolated or overwhelmed. To avoid placing additional demands on volunteers: • The Applicant could provide secretariat and administrative support, including by appointing an independent chair. • Information should be concise and easy to understand in plain English. • The CLG should meet only as often as necessary. • A dedicated community liaison officer employed by the Applicant should act as the primary point of contact. • Parish councils should not be expected to manage communications or technical issues on behalf of the project. 4) What mechanisms, if any, would be appropriate to secure implementation and monitoring of the strategy throughout the post-consent phase? In responding, parties should also have regard to ExQ2 SE2.9. Wiltshire Council and Stop Lime Down are welcome to provide comments on that question where relevant. The council considers that it is imperative that community engagement should continue beyond the construction phase and that the Community Liaison Group (CLG) should operate through the construction, operation, maintenance and decommissioning phases of the development. The Terms of Reference should clearly define the mechanisms of implementation and monitoring for the post consent phase. Appropriate mechanisms for the communication strategy could include: • A formally adopted and agreed communications strategy. • Regular reporting to the CLG. • Agreed KPIs covering engagement activity, response times, complaints and community satisfaction, potentially with penalties for failing to meet these KPIs. • Periodic reviews of the strategy to reflect changing project circumstances. • Independent chairing or facilitation where appropriate. Please also see the council's response to question SE2.9 below.
Landscape and Visual (LV)		
Cotswolds National Landscape		
LV2.1	The Applicant Wiltshire Council Natural England	Time Limited Enhancements The applicant's stated in its response to ExQ1 LSF1.1 [REP3-128] that there are no significant permanent effects on agricultural land, as all land will be returned to its original use and condition as far as practicable following decommissioning. The creation of wildflower meadows within fields A1, C1, C6, C8, C9 and B12 and the creation of wildflower meadow verges in A11, A12 and C10 are relied on by the applicant as beneficial effects to further the

ExQ2	Question to:	Question:
	Cotswolds National Landscape Board (CNLB)	purposes of the Cotswolds National Landscape (CNL). The ExA understands that these enhancement measures are therefore time limited and removed at decommissioning. <u>The Applicant:</u> 1) The applicant is asked to confirm if the ExA's understanding is correct. <u>The Applicant, Wiltshire Council, Natural England and the CNLB:</u> 2) The parties are asked to comment on whether a time limited enhancement can be relied on to seek to further the purpose of conserving and enhancing the natural beauty of the national landscape under section (s) 85 of the Countryside and Rights of Way Act 2000 (as amended) (CRoW Act)? The council considers that 'time limited' genuine enhancements spanning up to 60 years, could be viewed as contributing to seek to further the purpose of conserving and enhancing the National Landscape as they would represent beneficial landscape effect/s in LVIA terms, albeit over a time limited period. However, the council also considers that these benefits / enhancements cannot be detached from the harms that are generated by the development and which are viewed to conflict with the purpose of the s.85 duty. 3) If enhancements are removed at decommissioning, would that then be considered a harm to the purposes of the Cotswolds National Landscape at decommissioning? The council considers that in LVIA terms, removal of genuine enhancements would represent a neutral effect when measured from the existing LVIA baseline (time of assessment). However, in the context of the s.85 duty, the council considers that the physical loss of mature natural landscape fabric / components and established habitats present in the landscape for up to 60 years, aligned to conserve and enhance the character and special qualities of the CNL, would result in adverse landscape effects when measured from the decommissioning baseline situation. The council considers that the removal of enhancements at decommissioning stage would harm the purposes of conserving and enhancing the CNL.
LV2.3	Wiltshire Council	Issue Specific Hearing 2, Action Point 13 The ExA notes that Wiltshire Council responded to Action Point 13 of ISH2 [REP4-093] to state that it considers that the CNLB to be the party which is best placed to provide details of cases which support its position on how the duty to further the purposes of the CNL under s85 of the CRoW Act should be applied. It is the ExA's understanding from ISH2, that Wiltshire Council's position was that the duty to seek to further the purposes of the CNL under s85 of the CRoW Act <u>would not</u> be fulfilled by the proposed development. On the Other hand, the CNLB state in its D3 submission [REP3-154] that it considers the applicant <u>has</u> sought to further the natural beauty of the CNL through the proposed enhancement measures located in its setting. Wiltshire council is asked to confirm if it is now in agreement with the CNLB's position regarding the duty under s85 of the CRoW Act? If not, it is asked to respond to action point 13 from ISH2. The Council acknowledges the CNLB's position as set out in PMIE 1 [REP3-154] but does not agree that the referenced set-aside land represents an enhancement, it is essentially provided as ground nesting bird mitigation and effectively remains as agricultural land requiring cultivation every 2-5 years to maintain its status. Wiltshire Council considers that it has provided a detailed response to ISH2 Action Point 13, within its Post hearing submissions [REP4-092] 'Duty to Further the Purposes of the CNL' in paragraphs 2.27 to 2.32 (pages 11-12), including reference to legal judgements to support its position.
Design and Parameters		
LV2.9	The Applicant Wiltshire Council	Independent Design Review The applicant states in the Design Approach Document [APP-268] (Table A-1) that an independent design review is not necessary because the design team are very experienced. An experienced design team does not offer the same benefit to design development that an independent review can have.

ExQ2	Question to:	Question:
		Given that there are a number of areas where flexibility is still required at this stage, should a design review post DCO consent and prior to the approval of detailed design be secured to include the following components of the proposed development? - The proposed solar photovoltaic technology (Work No. 1 (a)) - The layout of: - o the energy storage facility (Work No. 2) - o the onsite substations (Work No. 3) - o proposed temporary and permanent access points from the public highway (Work No. 8) The council would support an Independent Design Review for (Work no. 1 (a)) – the proposed solar photovoltaic technology; the Layout of (Work no. 2) – the energy Storage Facility (BESS); the layout of (Work no.3) – the On-site substations and (Work no.8) – Proposed temporary and permanent access points from the public highway, as this would offer an extra degree of comfort to the council prior to submission of detailed design that development components have been independently reviewed.
Noise and Vibration (NV)		
NV2.3	Wiltshire Council	Background Noise Level Methodology In ExQ1 NV1.5 the ExA asked the Council to reconsider whether the applicant's use of fixed 30dB as a minimum background noise level at night continued to be appropriate. In its response [REP3-142], the Council presented the relevant British Standard and guidance and agreed that it was acceptable to replace background noise measurements with a fixed level as the applicant had done. The ExA appreciates the Council's explanation of the relevant British Standard and the associated guidance from the Association of Noise Consultants, which appears to allow for such an approach, but the ExA nonetheless still queries whether the effect of doing this firstly ignores the context of the receiving environment, and secondly artificially raises the baseline and therefore raises the LOAEL and SOAEL level (which is set against the baseline), which in turn informs the assessment of significance in EIA terms. The ExA would welcome a further response from the Council to these queries, particularly as the definition of 30dBLA90 as a 'very low' background level was removed from the British Standard and is not supported by the current version of BS4142:2014, and given the rural location where background levels at night were found for some residential receptors to be as low as 20dB and may therefore have given rise to a lower threshold for receptor sleep disturbance than the internal noise levels recommended in both BS 8233:2014 and the World Health Organisation (WHO) Guidelines, which were also cited by the Council. The council notes the Examining Authority's concerns regarding the treatment of very low background sound levels and the potential implications for the derivation of LOAEL and SOAEL thresholds. The council's view remains that, when considering potential impacts on sleep disturbance during the night-time period, the noise-sensitive location is within bedrooms rather than in external amenity areas. Consequently, reliance solely on BS 4142:2014, which is primarily concerned with the assessment of industrial and commercial sound in relation to outdoor background sound levels, is not considered an appropriate basis for determining the likelihood of sleep disturbance or the significance of night-time effects on residential receptors. Whilst BS 4142 provides a recognised method for characterising the relationship between a specific sound source and the prevailing acoustic environment, the council considers that the assessment of night-time residential effects must also take account of internal noise criteria and relevant health-based guidance. In this regard, BS 8233:2014 and the WHO Environmental Noise Guidelines provide an appropriate framework for assessing the potential for sleep disturbance, as they are specifically directed towards the protection of occupants within dwellings. The council acknowledges that the current version of BS 4142:2014 does not identify 30 dB LA90 as a 'very low' background sound level and that measured night-time background levels at some receptors were lower than this. However, the council does not consider that lower external background sound levels necessarily translate directly into a proportionately lower threshold for sleep disturbance. The accepted internal noise guideline values set out in BS 8233:2014 and referenced by the WHO are based on extensive research into the protection of sleep and occupant amenity and remain applicable across a range of external acoustic environments.

ExQ2	Question to:	Question:
		Accordingly, the council considers that the significance of effects should not be determined solely by reference to changes in very low external background sound levels or by the derivation of LOAEL and SOAEL thresholds from those levels. Rather, significance should be informed by a balanced assessment that considers both the external acoustic context and the extent to which internal noise environments, where residents are most sensitive during the night-time period, comply with established health-based and residential amenity criteria.
Socio-Economics (SE)		
SE2.1	Wiltshire Council	Economic Impacts Q1 The SoCG with Wiltshire Council [REP4-061], section 3.12.5, raises concerns over the local impact on the tourism industry with losses of approximately £1.76million. The applicant's response is that this figure represents less than 0.15% of the value of the combined tourism industry in Wiltshire. However, it is not the entirety of Wiltshire where these losses will be felt, but the local area around the proposed development, so this figure will have a more significant effect. This is discussed further in the applicant's response to deadline 3 submissions [REP4-082], section WC-035, where the applicant states that within a 5km area from the proposed development the losses would equate to 0.7%. The SoCG with Wiltshire Council section 3.12.11 suggests a compensation scheme for businesses to alleviate the negative effects on local businesses [REP4-061]. <u>The Applicant:</u> 1) Although losses might equate to less than 1% within a 5km area this could be quite significant to an individual business resulting in job losses and a loss of income below basic operating costs. The applicant is asked to detail its objection to the Council's suggestion of a compensation scheme to keep businesses operating during construction, maintenance and decommissioning given funding such a scheme should not be significant. <u>Wiltshire Council:</u> 2) You are asked to provide details of such a business compensation scheme, including further justification, how this would work, including the administration, eligibility and what measures would prevent businesses from taking advantage of it. You are also asked to detail how this would fit within the structure of the DCO or if it should be implemented via a s106 agreement. The compensation scheme would be similar to one that the council implemented as a result of the incident in Salisbury in 2018. Businesses that could show a drop in monthly income of 30% or more were invited to apply for compensation. The businesses had to submit detailed spreadsheets of income for the month they were claiming and the corresponding month from the previous year. In some cases, this was expanded to the previous two years. A panel of council officers would then decide if there was a genuine claim. However, before compensation was paid, the council would ask the applying business to submit at least two years of audited accounts so that the council could assess the business viability prior to the incident. The council would also interview the business owner and if necessary, get confirmation from a suitable source, e.g. a bank, regarding its financial strength. For this scheme, the council would anticipate that the panel would comprise of Wiltshire Council officers but would be open to having representation from the Applicant as well. The council would expect remuneration from the Applicant for officer's time on a compensation scheme. This scheme works well in sectors like retail and hospitality. However, further consideration is needed as to how it would be used for more rural businesses like the equine sector. In Salisbury, it was effective in ensuring that the county did not have an increase in business failures due to the impact of the incident. Overall, the council considers that the scheme was well received, although acknowledges that some businesses did not welcome the need to share financial information. However, without doing so, no compensation would be agreed and / or provided. In Salisbury, the compensation scheme was complimented with a package of business support measures that were used when suitable. A report was commissioned looking at the impact on Salisbury of the incident which the council has shared with the Applicant. The findings were positive and the team that administered the scheme were praised. The council considers that the inclusion of the requested business compensation scheme would be best placed within the structure of the DCO, although are open to it being included within the S106 that is currently being drafted by the Applicant.

ExQ2	Question to:	Question:
SE2.3	The Applicant Wiltshire Council Interested Parties whose community facility they consider will be adversely affected by the proposed development	Compensation for Community Facilities <u>All Parties:</u> The SoCG with Wiltshire Council, section 3.12.11, suggests a business compensation scheme [REP4-061]. Aside from the compensation to businesses there have been concerns raised by operators of community facilities that the proposal will result in their closure resulting from a lack of bookings during the construction, maintenance and decommissioning phases. Examples include [RR-2749], [RR-4315], [RR-4617]. All parties are asked to consider if they would be agreeable to a community facility compensation fund that would ensure they remain open and functional during the aforementioned phases and available for community use despite any negative effects of the proposed development. The applicant should note that simple reference to the Community Benefit Fund is not considered an appropriate response. <u>Wiltshire Council:</u> You are asked to provide details of such a community facilities compensation scheme, including further justification, how this would work, including the administration, eligibility and what measures would prevent businesses from taking advantage of it. You are also asked to detail how this would fit within the structure of the DCO or if it should be implemented via a s106 agreement. The council considers that the scheme outlined in SE2.1 would be equably applicable in these circumstances. It would ensure community facilities are compensated for any reduced income that may occur during the construction, replacement and decommissioning phases plus one subsequent year once these works had been completed.
SE2.6	The Applicant Wiltshire Council Wiltshire Bridleways Association (WBA)	Permissive Paths Q2 A number of IPs [too many to list] have raised concerns about the impact on the enjoyment of footpaths in the Order limits. Concerns have also been raised that businesses will suffer as a result of a loss in recreational trade, for example [REP4-113]. The Council has suggested that an improvement fund should be provided by the applicant to cater for the displacement of users of the PRow network within the Order limits [REP4-061]. It is considered that the enjoyment of the existing PRow network within the Order limits will not be improved by the proposed development, regardless of additional connections and physical improvements. Therefore, the ExA considers that the Council's suggestion for a fund that seeks to improve the network outwith the Order limits to take account of displaced use, is not unreasonable. This would continue to encourage use of the wider PRow network regardless of the effect the proposed development. This approach will likely provide mitigation for businesses concerned by the loss of recreational trade and benefits to the mental health of those concerned by the loss of ambience on the network. <u>The Applicant:</u> 1) The applicant is requested to detail specifically their objections to the Council's suggestion of PRow improvement funds linked to the DCO via a suitable mechanism outwith the Community Benefit Fund, such as a s106 agreement, to improve paths outwith the Order limits to cater for increased footfall resulting from the adverse effect on paths within the Order limits. <u>Wiltshire Council:</u> 2) Please provide a suggested mechanism by which this should be agreed. If this is via a s106 agreement, then please provide draft wording, noting that a signed and executed s106 agreement would need to be submitted before the close of the examination for it to be considered by the SoS. As previously stated, the council's preferred mechanism is to secure the PRow contribution via a section 106 agreement as it provides transparency and commitment to funds and mitigates against any possible risks in the future. The council is in active discussions with the Applicant on the appropriate mechanism, with the Applicant of the opinion that the contribution does not meet the legal test. The council's submission is that Regulation 122 (The Community Infrastructure Levy Regulations 2010) does not say that a non-compliant obligation is void. It says: "A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is..." necessary, directly related, and fairly and reasonably related in scale and kind."

ExQ2	Question to:	Question:
		The Council's submission is that the wording is important, as the regulation restricts the use of the obligation as a reason for granting permission; it does not state that the parties are prohibited from entering into the obligation. The council is of the opinion that the parties are free to enter into a deed containing obligations that go beyond the Regulation 122 tests, but the decision-maker must not rely on those non-compliant obligations as part of the justification for granting consent. The council's proposed drafting for the S106 is as follows: "The Owner shall pay to the Council the sum the annual of £20,000 (Twenty thousand pounds) ("the Public Rights of Way Improvement Contribution") prior to the commencement of the authorised development (or such other reasonable trigger(s) as agreed by the Council) from the start of the authorised development over the lifetime of the authorised development, which shall be indexed-linked. The Council shall apply the Public Rights of Way Improvement Contribution towards the improvement, enhancement and management of Public Rights of Way outside the Order limits, including but not limited to improvements to route quality, surfacing, accessibility, connectivity, signage, wayfinding and recreational infrastructure. The Contribution shall be used to: 1. accommodate increased recreational use and footfall on the wider Public Rights of Way network resulting from the authorised development; 2. improve paths and associated infrastructure outside the Order limits to cater for users displaced from routes affected by the authorised development within the Order limits; 3. provide alternative and enhanced recreational opportunities that encourage continued use of the wider Public Rights of Way network; and 4. mitigate the effects of the authorised development on recreational users, local communities and businesses that derive benefit from recreational activity and visitor use of the network; 5. in years 1 to 20 of operation, improvements will be targeted on footpaths starting within 2km of the red line boundary (excluding the cable connection route) and within 3km of other routes of Public Access starting; 6. in years 20 to 40, this will be increased to encompass footpaths starting within 3km of the authorised development's red line boundary and other route of public access starting within 4km (excluding the cable connection route). 7. in years 40 to 60, this should be increased to encompass footpaths starting within 4km of the sites red line and other routes of public access starting within 5km (excluding the cable connection route); 8. all contributions to be spent within 5 years of the site being decommissioned, or the Council covenants with the undertaker that unspent contributions will be returned; and 9. if the authorised development is at any point granted an extension to its life span, then the arrangement should continue and follow on for the length of the new agreement. If an extension is granted, then the area in which the funding can be spent should be increased by a further 1km for every additional 10 years." 3) Additionally, the Council is asked to set out any role the WBA would be expected to have in contributing to the administration of this fund given its requests for improvements to the PRoW network as detailed in its SoCG with the applicant [REP4-073]. The Council would see the Wiltshire Bridleway Association purely as a consultee rather than a decision maker on how funds would be allocated. <u>Wiltshire Bridleways Association:</u> Should the applicant provide a fund for the improvement of the PRoW network as described and requested by Wiltshire Council, please set out what role you would expect to play in its administration, if any. .
SE2.9	The Applicant	Community Liaison Group Requirement 4 of the dDCO sets out the terms of the CLG [REP4-004]. However, it makes no mention of its function, if any, during maintenance/ replacement activities or during decommissioning. The ExA considers the CLG should retain a function throughout the key phases of the life of the

ExQ2	Question to:	Question:
		proposed development to include maintenance/ replacement activities and decommissioning, and requests that the applicant updates Requirement 4 accordingly. Furthermore, both Stop Lime Down [REP4-132] and Wiltshire Council [REP1-137] raise concerns over the function of the CLG and consider that it should operate in a collaborative manner with communities to allow them the chance to shape the final design of the project in a meaningful way. Stop Lime Down also comment on developing an effective communication strategy and the employment of a relationship manager. The applicant is asked to update the terms of the CLG to include reference of its function through the key phases of the proposed development during operation/maintenance and decommissioning as these periods are likely to raise similar community concerns as those during construction. The updated terms should also consider the comments from the Council and Stop Lime Down and explain the expected role of community groups, individuals and Parish Councils and the potential role of a relationship manager. Whilst it is acknowledged that this question is directed towards the Applicant, the council agrees that community engagement should continue beyond construction and that the Community Liaison Group (CLG) should operate throughout the construction, operation, maintenance and decommissioning phases of the development relevant to the activity being undertaken. There needs to be an ongoing, established way to discuss and address potential issues such as traffic, access, environmental management and local impacts. The CLG should have a clear role in facilitating communication between the Applicant, local communities and parish councils. It should operate as an advisory and collaborative body rather than a decision-making forum, with responsibility for delivery remaining with the Applicant. The Applicant should also set out how community groups, parish councils and local residents will be represented and engaged through the CLG. Administrative and liaison support should be provided by the Applicant; it should not be on parish councils or Wiltshire Council to provide this. A dedicated community liaison or similar role should act as a consistent point of contact between the Applicant, communities and local authorities. This would help ensure concerns are addressed promptly, improve transparency and support effective communication throughout the life of the development. The Applicant's Requirement 4 and the associated terms of reference need to clearly define the CLG's role during operation, maintenance and decommissioning, including arrangements for ongoing engagement, reporting and issue resolution. The council considers that the CLG must retain a function throughout the key phases of the life of the proposed development.
SE2.10	The Applicant Wiltshire Council	Innovation Forum Wiltshire Council set out in its response to ExQ1 SE1.10 [REP3-142], how an 'Innovation Forum' could operate and suggested that it could form part of the CLG. The applicant noted the benefits of an Innovation Forum in its deadline 4 response [REP4-081] but suggested that opportunities for an Innovation Forum could be considered through the same forums used for the Community Benefit Fund (CBF). The ExA is mindful that the purpose of the CLG is to provide information on the state of works during key phases of the proposed development and provide a forum for concerns/ complaints to be raised and addressed. It is not clear that an Innovation Forum would sit comfortably within this operation given the potential community burden this could place on volunteers. <u>Wiltshire Council:</u> 1) You are asked to consider how, in practical terms, an Innovation Forum would operate as part of the CLG without adding further burden on volunteers, including Parish Councils. Wiltshire Council has considered how an Innovation Forum would operate as part of the Community Liaison Group, without adding further burden on volunteers, including Parish Councils. The following approach is considered deliverable, however the finer detail of logistics should be agreed with the Community Liaison Group and formalised through a Terms of Reference. It is important to agree the objectives of an Innovation Forum first, whereas the precise delivery arrangements could have different options. Precise details of how it runs should be confirmed via a Terms of Reference.

ExQ2	Question to:	Question:
		The Community Liaison Group Terms of Reference should mention the Innovation Forum, and include the task to finalise arrangements for the Innovation Forum before the CLG ends. An Innovation Forum becomes necessary by year 5 of the project, when it is plausible that technology will have moved on, and there is potential to start considering technology and approaches to inform any replacement of equipment, or new ways of working. At this time the Community Liaison Group can finalise arrangements, taking account of what the community and parish councils will find useful. A liaison role would be needed to coordinate the activity of the Innovation Forum, and this function could sit with the existing community engagement / liaison role within the project management team (with IGP). A Wiltshire Council officer would also need to be assigned to liaising as part of their role. A Planning Performance Agreement could be a way to secure delivery of the Innovation Forum and its objectives, as there would be a cost associated with the liaison functions and activity required. The Innovation Forum should be mentioned within the OEMP, Decommissioning Strategy and potentially the Battery Safety Management Plan. Innovation Forum activity could take the form of annual or 6-monthly events aimed at sharing knowledge about new technology and considering whether there is anything that can be explored for incorporate into operation or decommissioning. A liaison role would coordinate, and invite Parish Councils and other stakeholders to attend. There would also be an ongoing open channel of communication, should stakeholders wish to bring anything to the attention of the project management team. However, structured input and discussion would be restricted to key events or processes, to be determined in the Innovation Forum's Terms of Reference, but is anticipated to include in the lead up to replacement, significant maintenance and / or decommissioning activities. This is not seen as a burden on parish councils or other stakeholders, especially those acting in a voluntary capacity. It would be an opportunity to share information, hear about latest developments, on an opt-in basis. The Terms of Reference should make it clear that the Innovation Forum is for positive, proactive dialogue, and not a platform for stakeholders or members of the community to raise concerns about the project. Likely opportunities / objectives for the Innovation Forum include: • New technology and Innovation: Opportunity to explore new innovation in relation to technology or ways of working. E.g. replacement panels, how and where they are produced. Supply chain resilience and innovation. Potential to explore additional collaborative elements as part of the project, that may not be feasible at the outset of the project, but may become of interest to relevant parties e.g. exploring agrivoltaics, or purchase of electricity produced at the site for local use (virtual). • Knowledge share: An opportunity for the project management team to keep the community informed and assured of how the project is evolving, perhaps taking advantage of new technology. There is also the opportunity for the project team to provide expertise into local projects, as part of the community benefits stream, e.g. knowledge of renewable energy to inform private installation by farmers or community-led projects. <u>The Applicant:</u> 2) The Council has provided an example of how the Innovation Forum could operate and cited the Crossrail Elizabeth Line governance and innovation in their responses to ExQ1 [REP3-142]. You are asked to consider if such an approach would be suitable for the proposed development and how it could be secured by the dDCO. <u>Both Parties:</u> 3) You are requested to add this point to the SoCG with the aim of reaching a consensus on how the Innovation Forum should be delivered.

ExQ2	Question to:	Question:																																																																																																															
		An item relating to the Innovation Forum has been added to the SoCG with Wiltshire Council, which will be submitted at Deadline 5.																																																																																																															
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TT2.1	The Applicant	Construction Phase HGV Trip Generation The ExA notes that the Transport Assessment was updated at deadline 1 [REP1-057] and [REP1-059] to include new paragraphs 1.5.3 to 1.5.18 and Table 13-12 to provide further context and breakdown of HGV movement calculations for the construction phase. Specifically, paragraph 1.5.3 states: <i>To understand the number of HGV movements during the construction phase, trip generation has been calculated based on a first principles approach. This takes account of quantities of the following materials and activities required during the construction phase:</i> • Number of Solar PV modules; • Number of Solar PV module mounting structures; • Volumes of waste; • Number of Skids and power stations; • Cable lengths within the Solar PV Sites; and • General activities, including fencing, landscaping, compounds etc. A new Annex E was also provided to that document which provided a summary of the assumed components for construction of the solar PV sites. Part of that table is extracted and copied below: Components <table><tr><th rowspan="2"></th><th colspan="6">Solar PV Site</th><th>400kV Substation</th><th>BESS</th></tr><tr><th>A</th><th>B</th><th>C</th><th>D (West)</th><th>D (East)</th><th>E</th><th>D (West)</th><th>D (West)</th></tr><tr><td>Modules (number)</td><td>58,750</td><td>54,764</td><td>165,820</td><td>155,869</td><td>36,562</td><td>117,223</td><td>-</td><td>-</td></tr><tr><td>Module Mounting Structures (weight in tonnes)</td><td>1,075</td><td>1,000</td><td>3,000</td><td>2,815</td><td>660</td><td>2,125</td><td>-</td><td>-</td></tr></table> Vehicle Type and Capacity <table><tr><th rowspan="2"></th><th>Vehilce Type</th><th>Assumed Capacity per Vehicle</th><th>unit</th></tr><tr><td></td><td></td><td></td></tr><tr><td>Modules</td><td>16.5m Articulated HGV (40ft standard container)</td><td>500</td><td>Number</td></tr><tr><td>Module Mounting Structures</td><td>16.5m Articulated HGV (40ft standard container)</td><td>21</td><td>Tonnes</td></tr></table> Modules, Mounting Structures and Cables Modules <table><tr><th rowspan="2"></th><th colspan="5">Land Parcel</th><th rowspan="2">Total</th></tr><tr><th>A</th><th>B</th><th>C</th><th>D</th><th>E</th></tr><tr><td>Modules</td><td>58,750</td><td>54,764</td><td>165,820</td><td>192,431</td><td>117,223</td><td>588,988</td></tr><tr><td>Modules per 40ft container (Regular Container)</td><td>500</td><td>500</td><td>500</td><td>500</td><td>500</td><td>-</td></tr><tr><td>HGVs</td><td>118</td><td>110</td><td>332</td><td>385</td><td>234</td><td>1,178</td></tr></table> Module Mounting Structures <table><tr><th></th><th>A</th><th>B</th><th>C</th><th>D</th><th>E</th><th>Total</th></tr><tr><td>Mounting Structure Shipments (Tonnes)</td><td>1,075</td><td>1,000</td><td>3,000</td><td>3,475</td><td>2,125</td><td>10,675</td></tr><tr><td>Mounting Strutures Shipments (Tonnes per HGV Container)</td><td>21</td><td>21</td><td>21</td><td>21</td><td>21</td><td>-</td></tr><tr><td>HGVs</td><td>51</td><td>47</td><td>142</td><td>165</td><td>101</td><td>506</td></tr></table>		Solar PV Site						400kV Substation	BESS	A	B	C	D (West)	D (East)	E	D (West)	D (West)	Modules (number)	58,750	54,764	165,820	155,869	36,562	117,223	-	-	Module Mounting Structures (weight in tonnes)	1,075	1,000	3,000	2,815	660	2,125	-	-		Vehilce Type	Assumed Capacity per Vehicle	unit				Modules	16.5m Articulated HGV (40ft standard container)	500	Number	Module Mounting Structures	16.5m Articulated HGV (40ft standard container)	21	Tonnes		Land Parcel					Total	A	B	C	D	E	Modules	58,750	54,764	165,820	192,431	117,223	588,988	Modules per 40ft container (Regular Container)	500	500	500	500	500	-	HGVs	118	110	332	385	234	1,178		A	B	C	D	E	Total	Mounting Structure Shipments (Tonnes)	1,075	1,000	3,000	3,475	2,125	10,675	Mounting Strutures Shipments (Tonnes per HGV Container)	21	21	21	21	21	-	HGVs	51	47	142	165	101	506
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ExQ2	Question to:	Question:
		As can be seen from that table, the applicant assumed that a total of 588,988 solar PV panels would be installed on the sites and it is that number of panels which has informed the 1,200 HGV delivery figure. The ExA notes that this would roughly align with paragraph 7.10.11 of the Climate Change Chapter [APP-059], which stated that the total number of modules to be installed is expected to be 598,260. However, at deadline 3, the applicant's Climate Change Sensitivity Assessment Report [REP3-132], which in essence is a rebuttal to Wiltshire Council's and Stop Lime Down's written representations on climate change, stated that <i>a notional figure of approximately 842,000 panels has been assumed, which reflects an estimated maximum achievable installed capacity of the Scheme within the defined design parameters</i>. Further, in responding to Stop Lime Down's Transport submission at deadline 3 [REP3-133], the applicant suggested that up to 864,000 panels would be delivered if using high-cube containers (instead of regular containers) without increasing the number of HGV deliveries stated in the Transport Assessment (1,200). The ExA remains concerned that the applicant has underestimated the amount of solar PV panels required in its original assessments (and thus has not assessed the worst-case), and for transport issues specifically that it is either maintaining that the 1,200 deliveries associated with 588,988 modules would be no greater for 864,000 panels (and the associated increase in mounting structures), or alternatively relies upon the 50% buffer to account for under assessment. This was discussed to some extent at ISH3 in light of Stop Lime Down's notably divergent HGV trip forecasts, but the matter is far from resolved. The ExA notes that there has been some recalculation provided by Stop Lime Down at deadline 4 [REP4-132], but a similar re-appraisal has not been undertaken by the Applicant. In light of the applicant's changing position on solar PV panel numbers during the examination, which is not reflected in its Transport Assessment, the ExA requires the applicant to: 1) Provide a comprehensive rebuttal to Stop Lime Down's revised HGV Trip Generation Report included in Appendix A [REP4-132]; and 2) Provide its version of the numbers included in Stop Lime Down's 'Assessment of Construction Traffic Movements' and 'Flow Diagrams' in pages 140 to 143 of [REP4-132], using the exact same format and presentation as Stop Lime Down in those pages so that direct comparison can be made. This request is in addition to the outstanding ISH3 Action Point 12 submission, which required a full response to the points raised by Wiltshire Council and Stop Lime Down at ISH3 and Table 2 of [REP1-172], which compares the ratios of HGV deliveries to the solar array areas for five other solar projects with the applicant's stated HGV delivery figures for solar panels and mounting structures for Lime Down. Whilst it is noted that this question was posed to the Applicant, in the council's Highways Development Management comments on the Written Summary of the Applicant's Oral Submissions and Responses at the ISH3 Hearing it was stated: "The Applicant notes that "An initial allowance was made for 600,000 solar PV panels (1,200 deliveries), based on standard containers, assuming 500 panels per HGV. If high-cube containers are used (720 panels per delivery), this would allow for 864,000 solar panels with the same number of deliveries". In the Wiltshire Council Deadline 4 response to the Applicant's response to their Written Representation, the council's comments noted that "Annex E to the latest Transport Assessment (Rev 3) 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". This was in response to the Applicant's comment that 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". A satisfactory response to this query remains outstanding, despite the Applicant citing the SLD PV delivery figures as too high. It is further noted that the same point is made in the Deadline 4 SLD response to the Applicant's Deadline 3 replies (para 3.2.2 and Table paragraph reference item 2.1.7: Calculation of Numbers of Solar Panels). Furthermore, in the SLD comments concerning the 'Number of Solar Panels/HGV', their transport consultant notes that that the use of a high load container only increases its volume by around 12%, so it is unclear how it is deduced by the Applicant that using these would lead to an increase in capacity of 44% (i.e. from 500 panels to 720 panels per load). The point is a very valid one accepted by the council, so more explanation by the Applicant is needed. However, it should not necessarily be assumed that all panel deliveries could be made using these high load containers if looking at a reasonable worst-case.
TT2.3	The Applicant Wiltshire Council	Outline Construction Traffic Management Plan Q1 The ExA notes from the answer to first written question TT1.10 [REP3-128], that a traffic management and monitoring system will be considered, but then section 6.14.1 of the oCTMP [REP4-057] states that this system will be implemented. <u>The Applicant:</u>

ExQ2	Question to:	Question:
		1) Can the applicant confirm which position is correct? 2) The applicant is also asked to explain how the construction delivery booking system is intended to operate and how it can guarantee that the chosen delivery contractors will have the appropriate technology to allow real time tracking of construction delivery vehicles? 3) What input could the local highway authority have on the type of traffic management and monitoring system employed? 4) What enforcement mechanisms would be employed for contractor failures to adhere to the oCTMP? For example, the ExA considers that simple driver retraining for not following the dedicated routes seems like a light touch. 5) Paragraph 6.14.8 of the oCTMP states that the results of the delivery data monitoring will be reported by the applicant to the contractor to identify any issues which need to be resolved and any additional measures which should be implemented to prevent these from arising again. What reporting mechanism is there to the local highway authority, or is the applicant relying solely on the local highway authority to have to request a monitoring report? 6) The ExA is particularly interested in the applicant's approach towards adaptive management, for example should it become apparent that some of the construction routes turn out to be problematic/ or not suitable, or the HGV holding locations shown on Figure 4.3 (particularly the smaller ones on the B4044/ B4039 for example) are frequently unavailable. The ExA notes that the oCTMP does not include any measures for liaising with the local highway authority or the local communities should unforeseen issues arise. Explain why there are no adaptative management commitments included within the oCTMP? <u>Wiltshire Council:</u> 7) Can Wiltshire Council advise what its position is on the traffic management and monitoring process (including adaptive management commitments)? The council position is that an agreed TMMS process will need to be place, which is what is alluded to in the latest oCTMP (Section 6.14 'Monitoring'), where it is stated in paragraph 6.14.1 that a TMMS 'will be implemented as part of the final CTMP. If the DCO is granted then it is inevitable that, during the construction phase, the council's Highways team will receive complaints from residents about HGV trafficking and potential non-compliant use of incorrect routes. It will thus be important in formulating future council responses (or rebuttals) that the undertaker's main contractor(s) is able to readily provide a daily record of all HGVs entering / leaving the Solar Park PV sites including times and registration plate / supplier details. This will enable compliance to be checked against any photo evidence provided by complainers and, in addition, verify if the HGV movements in question are linked to the LDSP works. The council are in full agreement with the comments raised by the ExA in Question 4 above. In past Highway comments on the revised oCTMP received at Deadline 1, it was noted in respect of Sub-Section 6.6 Vehicle Movement that this had been revised and additionally included the following statements: "Drivers will receive training and be made aware of the routes to each access in advance of driving to the Site. Delivery drivers will therefore be required to follow the routes and will not be permitted to use any alternative routes" and "The requirements of the DCO and Final CTMPs are legally binding and measures to enforce drivers to use construction routes will be set out in the Final CTMPs. Any drivers not following construction routes will receive retraining". This remains unchanged in the latest oCTMP (Revision 4). It was stated prior in response <i>"This is welcomed given the concern raised in the Wiltshire Council 'Written Representation' about HGV access from the east to the Lime Down Solar Park sites A-C areas. As noted in this document, this is because the prescribed route westwards to M4 Junction 18 and then back eastwards along the B4040 / B4039 to Grittleton is considerably longer than exiting at M4 Junction 17 and using either 'The Street' through Hullavington to get to Grittleton or the Lime Down Solar Park site D route beyond Bradfield Cottages to Fosse Way via Norton. Given the significant reduction in mileage with exiting at M4 Junction 17 it is considered there could be a considerable incentive for HGV drivers seeking to access the Lime Down Solar Park A-C sites from this direction to do it. Given the legally binding powers under the DCO and OCTMP to comply with the prescribed HGV construction routes, it would be useful to understand what enforcement mechanisms can be applied and put in place beyond simple driver retraining. This seems rather 'light touch' and the power to impose fines against delivery operators consistently failing to comply with routing under the DCO or OCTMP would seem a more effective deterrent"</i>. It is stated in paragraph 6.14.8 of the latest oCTMP that <i>"The CTMP Co-ordinator will monitor data relating to HGV routes, the timing of HGV arrivals and departures and compliance with the HGV routing plans set out"</i>. It is unclear from this what monitoring or mechanism for doing so is planned 'on the routes', as a simple log of vehicles in / out of the Solar PV sites on a given day will not give any information on the route which is actually taken by an HGV supplier in travelling to / from site.
TT2.5	The Applicant	Highway Improvement Works Q1

ExQ2	Question to:	Question:
		The ExA notes the inclusion of improved drawings within Appendix E of the oCTMP [REP4-057] and Annex I of the Transport Assessment [REP4-037] for highway improvement areas along Alderton Road and Fosse Way with annotations for the carriageway widths and areas of widening. However, details of the surface treatment for the widening areas is absent from the legend on the drawings and description of works in Table 7 of the oCTMP/ Table 13-20 of the Transport Assessment. Presumably if low lying grasses and edge of carriageway gravel are being removed to create passing bays, the widened area will need to be laid and finished with asphalt (or similar) to base course, binder course and surface course to match the adjoining highway. The applicant is asked to confirm and include the detail in Table 7 of the oCTMP/ Table 13-20 of the Transport Assessment and on the relevant drawings. Whilst it is noted that this question is posed to the Applicant, the council's comments on the latest drawings in Annex I to the Transport Assessment (Rev 4) have been provided in the response to the Deadline 4 documents. With respect to the latest drawings showing the Alderton Road works (Drawing PL302) it was stated <i>"Drawing PL302 shows the passing place proposals along Alderton Road. The Overview plan shows nine proposed locations for localised carriageway widening, with dimensioned details now shown in Insets 1-9. All these inset details show a passage length of circa 20m or greater and width throughout of 6.0m or more. This is considered adequate to pass two 16.5m articulated HGVs in all cases, although at detailed design stage the undertaker would be asked to confirm this with a swept path analysis through each location as part of the suite of drawings for technical approval. Details of the construction make-up and 'tie-in' to the existing carriageway in these locations is not considered necessary at DCO approval stage. What is proposed will depend to some extent on whether the widening works are deemed to be permanent or temporary. Given that HGV trafficking along Alderton Road will continue during the operational phase after the construction phase is completed, it is the council's highways development management officer's opinion that retaining these passing places as permanent works would be preferable"</i>. Whilst the Examining Authority are asking for details of the surface treatment to be added, this is considered a matter which can be agreed at detailed design, although it will be an asphalt surface. Note that the same surfacing details are not provided on drawings showing the new access points to the Solar PV sites or modifications to any existing field gate accesses. This again is a detailed design matter together with kerbing and the underlying pavement construction.
TT2.6	The Applicant	Highway Improvement Works Q2 Following ExA questions at ISH3, the ExA appreciates the applicant updating the oCTMP [REP4-057] to confirm the extent of works required at the B4039 at The Gibb on Drawing No. PL404 in Appendix E, which is also noted in Table 7 of the oCTMP as location B4039 at the Salutation Inn, Castle Coombe. The updates state that the works include removal of existing vegetation on the inside corner (in front of the property known as Firs Farm). While the applicant confirmed at ISH3 that the vegetation is within the public highway and not part of the Firs Farm property, it is nonetheless seemingly maintained by that property. The ExA has read the applicant's response to ISH3 Action Point 2 relating to dialogue with Firs Farm [REP4-086] but this response suggests that the correspondence issued to Firs Farm to date is generic consultation/ project update material, and not specifically about the impacts on this particular property and its curtilage. The ExA therefore seeks assurances that dialogue with the owners of that property has taken place on the matter of this vegetation removal to facilitate the highway improvement area (provide evidence of specific correspondence on this matter) and that the vegetation will either be reinstated, subject to the satisfaction of the owners of Firs Farm and highway authority approval, or the owner will be compensated. Whilst it is acknowledged that this question was posed to the Applicant, it is noted that the AIL vehicle swept paths in both directions will require wheel overrun to the existing kerbs, so potential damage to these given the multi-axle trailer needed. Overrunning plates are proposed to prevent verge damage, but whether this is acceptable will be down to the Council's Network Management team in approving mitigation measures to be put in place. It is noted that a large part of the highway verge adjacent to Firs Farm will be subject to body overhang, so it may be necessary to clear any vegetation or trim to a very low height. Whilst accepting this is highway verge, it would be seem common courtesy to consult directly with the owners of Firs Farm if they undertake informal maintenance of any planting which will be directly affected.
TT2.7	The Applicant	Highway Improvement Works Q3 The ExA remains concerned about the lack of appraisal and commitment to possible highway improvement works on parts of the rural roads construction route network between the road east of Hullavington and Bradfield Cottages, particularly (but not limited to) the point where the road passes under the railway bridge in the direction of the Flying Monk Tap and Cafe. As observed by the ExA on its site inspections and as highlighted by Wiltshire Council at ISH3, this stretch of road currently offers no refuge, footway, or safe passing place for vulnerable road users, creating dangerous conditions even under current traffic volumes. The ExA is seeking specific commentary on what options the applicant has considered for this section of road, and what if any

ExQ2	Question to:	Question:
		safety improvements can be made. In addition, what construction period control or monitoring commitments could be considered for this stretch of road to ensure that it is under continuous safety assessment during the construction (and replacement) period? Whilst it is acknowledged that this question was posed to the Applicant, the council wishes to highlight that this very much remains a council concern. As part of the review of the latest drawings in Annex I to the Transport Assessment, the council has noted in respect of Drawing PL305 that “<i>Drawing PL305 shows the existing carriageway width analysis for the Lime Down D access route between Dyson Roundabout and Bradfield Cottages. The drawing clearly illustrates the narrow section between The Street junction and the sharp bend to the north-west, where any pedestrians walking in the carriageway have no opportunity to step clear due to the banked verges. However, it is accepted that mitigating this by widening will be impractical. However, beyond this bend, the next available passing place for two HGVs is not reached until the railway bridge, so it is considered the flat lengths of verge between will be at risk of regular over-run damage with regular HGV trafficking. To the north of the Flying Monk café access, the extremely limited opportunities for passing two large vehicles is very evident. As such, previous views about the need for some widening mitigation to these parts of the route are re-iterated.</i>”
TT2.8	The Applicant	Grittleton Crossroads AIL Swept Path At ISH3 the ExA identified that there seemed to be no swept path drawing for AIL vehicles turning left at Grittleton Crossroads into Alderton Road, rather that the only drawing provided for this location showed a right hand turn at the crossroads towards Yatton Keynell or a left hand turn from Yatton Keynell onto the unnamed road back towards The Gibb. The applicant has subsequently stated in its post hearing note [REP4-086] that <i>the AIL swept path for Grittleton Crossroads is set out in Annex H of ES Volume 3, Appendix 13-1 Transport Assessment [REP3-065] (page 956)</i>. The plan referred to by the applicant is the same plan that the ExA was referring to at ISH3. It shows a 16 Axle Girder Frame Abnormal Load Carrier at Grittleton Crossroads but no swept path turning left into Alderton Road. The ExA can only assume that this AIL cannot take a left turn, so instead would have to turn right at the crossroads towards Yatton Keynell and unhitch the cab from the front-end and re-hitch at the back to enable the AIL vehicle to be able to proceed north along Alderton Road. If this is the case, the ExA would like this confirmed. Also, if this is the case, the ExA would like to understand where the cab would turn around to facilitate this procedure and whether there is sufficient width alongside the waiting carrier for the cab to pass alongside to enable re-hitching without any need for road widening in this location. Of course, if un-hitching and re-hitching is not intended, it remains that there is no swept path drawing for an AIL left turn at the Grittleton crossroads into Alderton Road, and one should be provided. Whilst it is acknowledged that this question was posed to the Applicant, the council agrees that this is key point that does need clarification, as the latest Figure 13.5 ‘Abnormal Load Routes: Solar PV Sites (Rev 2) shows that the AIL route to Lime Down areas A-C is via this junction (Orange Route). It does not imply that negotiating this junction requires an AIL vehicle to route south of the junction to a possible turnaround point. Looking at Drawing PL406, it does seem that executing the left turn into Alderton Road will be extremely difficult for a 16-axle AIL vehicle 45.8m in length.
TT2.9	The Applicant Wilshire Council Stop Lime Down	ISH3 Action Points 7 and 8 At ISH3, the ExA issued Action Point 7 to the applicant to provide a set of plans showing which parts of the construction route(s) would fail to meet the highway code requirements for passing non-motorised users (NMUs) with sufficient verge protection buffer, and/ or to provide a log of the locations and the length of those locations that would not provide sufficient passing space for each of the NMUs (with verge protection buffer) in line with the highway code. On page 19 of the applicant’s written summary of oral submissions at ISH3 [REP4-086] the applicant records part of that discussion, noting that <i>the ExA directed the applicant for deadline 4 to identify areas where the road is not 5.5 metres wide on the plans, using a red box around those areas</i>. This is a slightly different version of the discussion, but nonetheless, at the top of page 20 of its post hearing note, the applicant then states that it has <i>provided additional plans in Annex I of ES Volume 3 Appendix 13-1: Transport Assessment [EN010168/APP/6.3] (Revision 4) (Drawing PL109B) which shows the width of construction routes; and Appendix E in the Outline Construction Traffic Management Plan [EN010168/APP/7.22] (Revision 4) which includes proposed Highway Improvement Area Drawings for road widening and AIL movements</i>. The ExA notes that the citation to Drawing PL109B is incorrect as no such plan number is included in Annex I of the Transport Assessment [REP4-037], and similarly no such drawing number is provided in Appendix E of the oCTMP either [REP4-057]. Whilst the ExA notes that Drawing Nos. PL302, PL303, PL304, PL305, PL306 and PL309 included in Annex I of the Transport Assessment [REP4-037] appear to now show either passing bays and/ or

ExQ2	Question to:	Question:
		dimensions of various parts of some of the construction routes, this is not strictly in accordance with ISH3 Action Point 7, although drawing numbers PL302, PL303 and PL304 appear to address ISH3 Action Point 8. <u>The Applicant:</u> 1) The applicant is requested to confirm whether another drawing specifically addressing Action Point 7, e.g. Drawing PL109B referred to in its ISH3 Note, should have been provided, or whether reference to that drawing is an error, with drawing numbers PL302, PL303, PL304, PL305, PL306 and PL309 instead intended to fulfil Action Point 7? 2) The applicant is also requested to advise whether the existing road widths shown on the latest drawings referred to above were actually measured on site? <u>Wiltshire Council and Stop Lime Down:</u> 3) Advise whether drawing nos. PL302, PL303 and PL304 now provide sufficient dimensions and details to the satisfaction of the parties to demonstrate sufficient passing space on Alderton Road and the Fosse Way, in accordance with ISH3 Action Point 8. Comments on drawing numbers PL305, PL306 and PL309 are also welcomed. The ExA is particularly interested to understand if additional drawings, dimensions or annotations are still required (and why) (including whether colour-shaded route sections, as per Wiltshire Council's suggestion at ISH3 and its post hearing submission [REP4-092] remain necessary). Full comments of the latest Transport Assessment (Rev 4) and drawings in Annex I issued at Deadline 4 have been prepared for Deadline 5 by the council. However, in answering question (3) in summary: • Drawing PL302 showing the works along Alderton Road is considered satisfactory. The Overview plan shows nine proposed locations for localised carriageway widening, with dimensioned details now shown in Insets 1-9. All these inset details show a passage length of circa 20m or greater and width throughout of 6.0m or more. This is considered adequate to pass two 16.5m articulated HGVs in all cases, although at detailed design stage the undertaker would be asked to confirm this with a swept path analysis through each location as part of the suite of drawings for technical approval. As noted in the earlier comment on TT 2.5, design details such as surfacing, kerbing and pavement make-up / tie-in can follow. • There are still concerns and queries with Drawing PL304 showing the works along Fosse way (South). Proposed passing locations shown on Insets 3-6 seem quite close together when looking at the Overview plan, although the drawing does not indicate the relative spacing between these passing points. However, it is noted that Inset locations 4 and 6 are effectively at the proposed access points to Lime Down area C, so localised widening to achieve a 6.0m carriageway width at these access points may not be necessary if the sight-line spacings between Inset locations 3-5-7 are acceptable. One concern which remains is the section to the immediate north-east of the Fosse Lodge junction, where it was previously noted in reviewing the HGV swept path analyses in Annex K that <i>"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"</i>. The spacing between the junction (Inset 2) and the passing point proposed at Inset 3 still seems quite lengthy. • There remain queries and concerns with Drawing PL304 showing the proposed passing place improvements along the northern part of Fosse Way. The dimensional details of the proposed passing space works shown in Insets 1, 4 and 5 all appear acceptable, although the available passing length of circa 15m shown in the Inset 3 location is considered insufficient to accommodate the clear passage of two 16.5m articulated HGVs. It is not clear why the proposed works to the existing field gate access shown in Inset 2 would be necessary given the proximity of the Inset 3 works. Furthermore, the works shown in Inset 5 are shown to be very close to the existing passing bay shown in Inset 6. The existing driveway access shown in Inset 7 is not considered large enough to pass two HGVs, so it is noted a long narrow length of Fosse Way exists between locations shown in Insets 6 and 8. Widening works at the junction between Fosse Way and the road to Sherston are certainly required (Inset 8). Whilst what is shown appears adequate, it needs to be demonstrated with a supporting swept path analysis that an articulated HGV travelling south from Lime Down A and turning right could do with an opposing HGV waiting at the junction on Fosse Way in a position where the driver is able to see along this road to the first available passing place some 125m to the NW. As far as drawings PL305, PL306 and PI309 are concerned, the council consider that the Applicant's notation used to indicate a carriageway width of 6.0m or greater (blue box), or 5.5m in width or greater (red box), with distances indicated, is acceptable as an alternative means of displaying the information suggested by the council. The reasoning for the council's suggested approach, so the bespoke shading of sections with a carriageway width >5.5m and between 4.8-5.5m, was to indicate precisely those lengths with a width capable of passing two HGVs and a car / HGV, with the unshaded

ExQ2	Question to:	Question:
		lengths showing lengths where clear passage for even a car / HGV is not possible. In other words, this would have provided a full route analysis which these plans do not. It is also noticeable, and since confirmed by the Applicant, that these plans are not an assessment of the existing situation, so the existing carriageway widths available, as PL306 (Alderton Road / Fosse Way) assumes the inclusion of the proposed passing space improvements in Drawings PL302-304. It is considered that it would have been useful to see the same assessment based on the existing carriageway widths only, which would then show the degree of improvement which the HIA changes achieve. In commenting on these drawings submitted at Deadline 4 (so the Deadline 5 response) the council makes the point that latest Wiltshire Highway comments are based on the explicit assumption that the Applicant's assessment of these existing carriageway widths is fully accurate. Wiltshire Council has not undertaken its own detailed carriageway width measurements along the narrow rural lanes in question or instructed any independent survey to be done as a means of verifying the Applicant's assessment. However, the council are aware that the transport consultants acting for Stop Lime Down have been undertaking their own measurements, so the council will in due course expect these measurements to align.
TT2.11	The Applicant	Shuttle Bus Take-Up Q1 The ExA notes that within the construction worker travel plan, at Appendix C to the oCTMP [REP4-057], the applicant states that it is anticipated the majority of non-local construction workers will stay at local accommodation and be transported to Order limits by shuttle bus. At paragraph 3.2.10 of the oCTMP the applicant adds that for the purposes of the assessment, it has been assumed that 50% of workers will arrive by shuttle bus (or 622 workers, as detailed in Table 5 of the oCTMP). 1) Can the applicant explain what geographical area has been used to define local and non-local in this situation? 2) Can the applicant also confirm if the anticipated 50%/ 622 worker shuttle bus take-up is comprised of only non-local workers staying in local accommodation, or if those figures also include a proportion of local workers who may also wish to use the shuttle service? If the latter, please provide the proportional split between local and non-local workers anticipated in the 50%/ 622 worker take up figures. 3) Advise what assessments have been undertaken on the location and availability of local accommodation for non-local workers for the duration of the construction period and present this evidence. Whilst it is acknowledged that this question was posed to the Applicant, previous Highway comments from the council on the distribution of worker trips have been made in reviewing Revision 3 of Environmental Statement Volume 1, Chapter 13 Transport and Access, which remain applicable with Revision 4. It has been stated <i>"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 channelled to just these routes. A wider distribution would be expected and more plausible"</i>. In short, the 'origin' locations for workers subsequently employed on Lime Down may be quite dispersed, although there may be some concentrations in the larger urban centres close to the area, such as Chippenham. This could make it difficult to run an effective 'shuttle' bus service catering for 50% of the workforce which is deemed more convenient than using a private / car van to get to the Solar PV sites.
TT2.12	The Applicant	Shuttle Bus Take-Up Q2 In response to ExQ1 TT1.8, Wiltshire Council [REP3-142] noted that at the project's scoping stage it advised the applicant that a 50% worker take-up rate for the shuttle bus was high and would prefer to see a lower shuttle bus assumed mode share of say 20%. The applicant ignored the Council's scoping opinion on this matter and the ExA's own request in ExQ1 TT1.8 to provide assurance that the figures underpinning the applicant's Transport Assessment are realistic. However, as confirmed by the applicant's transport expert at ISH3, actual traffic information (rather than modelled or assumed) from other similar solar schemes (such as Cleve Hill) is not publicly available, therefore assumptions have to be made. The ExA's view, nonetheless, is that by assuming such a high shuttle bus take-up rate, the applicant may not have assessed a 'worst case' traffic loading on local roads. The applicant is requested to advise how the 50% take-up rate is the worst-case assessment, and as asked in ExQ1 TT1.8, the ExA wishes to understand how the applicant intends to deal with low shuttle bus uptake if it arises? Whilst it is acknowledged that this question was posed to the Applicant, it is the council's view that that by assuming such a high shuttle bus take-up rate, the Applicant has not assessed a 'worst case' traffic loading on local roads in terms of light vehicle construction traffic. Given that, as now advised, actual traffic information (rather than modelled or assumed) from other similar solar schemes (such as Cleve Hill) is not publicly available, a lower mode share for shuttle bus usage should have been assumed. Notwithstanding this, it is considered unlikely that the extra light vehicle traffic which could result from increased private car / van usage by workers would itself lead to capacity exceedance issues on the local roads. The numbers of HGVs and the ability to accommodate safe and satisfactory two-way passage for these remains the key Council concern.

ExQ2	Question to:	Question:
TT2.13	The Applicant	Construction Phasing Table 1 of the oCTMP [REP4-057] shows the construction of the 400kV substation being constructed in the first 6 months of the construction programme. The applicant noted in paragraph 2.1.30 of its deadline 3 response to Stop Lime Down [REP3-133] that whilst this is subject to change, this period was selected to represent the realistic worst case scenario for assessment as it provides a higher peak value than spreading trips across a two year period. Nonetheless, Stop Lime Down has noted in its deadline 4 submission [REP4-132] that at a meeting between the applicant and Stop Lime Down on 23 June 2026, the applicant's transport expert conceded that the timescale for the 400kV substation construction would likely be similar to the BESS, around 2 years, which means that the 400kV substation would be constructed concurrently with Lime Down D and E and the BESS. As identified by the ExA in ExQ1 TT1.7 the ExA is already concerned about the applicant's distribution of construction worker numbers proportionally across the solar PV sites in the transport assessment, for as has been identified by other IPs, the 400kV substation and the BESS, which are both in Lime Down D, are likely to attract well above the average number of workers for the solar sites. Therefore, the applicant is asked to explain the implications of an elongated substation construction period in terms of daily and peak flows of HGVs and light vehicle construction traffic from Dyson Roundabout to Bradfield Cottages, including the chances of HGVs meeting on that road. Whilst it is acknowledged that this question was posed to the Applicant, the council considers that the number of workers employed (622), or indeed their distribution across the five Lime Down areas is not seemingly linked to 'peak' periods of activity on any one site (so whether the 400kV substation build-out takes 6-months or 2-years). As previously stated, it would seem more plausible and likely that Lime Down D would employ a greater proportion of the overall workforce than is being assumed by proportioning this distribution using relative site areas. If the build-out of the 400KV substation extends to 2-years, then this higher proportion of the workforce would remain at the Lime Down D site throughout the proposed construction period.

Electricity Transmission Underground Cables - Guidance

You should be aware of the following information regarding National Grid's 400,000 volt (400kV) and 275,000 (275 kV) (1) underground cables and associated apparatus:

Our underground cables are protected by renewable or permanent agreements with landowners or have been laid in the public highway under our licence. These grant us legal rights that enable us to achieve efficient and reliable operation, maintenance, repair and refurbishment of our electricity transmission network. Hence we require that no permanent structures are built over or under cables or within the zone specified in the agreement, materials or soil are not stacked or stored on top of the cable route or its joint bays and that unrestricted and safe access to any of our cable(s) must be maintained at all times

The information supplied is given in good faith and only as a guide to the location of our underground cables. The accuracy of this information cannot be guaranteed. The physical presence of such cables may also be evident from physical protection measures such as ducts or concrete protection tiles. The person(s) responsible for planning, supervising and carrying out work in proximity to our cable(s) shall be liable to us, as cable(s) owner, as well as to any third party who may be affected in any way by any loss or damage resulting from their failure to locate and avoid any damage to such a cable(s).

The relevant guidance in relation to working safely near to existing underground cables is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance HS(G)47 "Avoiding Danger From Underground Services" and all relevant site staff should make sure that they are both aware of and understand this guidance.

Our cables are normally buried to a depth of 1.1 metres or more below ground and cable profile drawings showing further details along the route of the particular cable can be obtained via the Asset Protection Team. Cables installed in cable tunnels, deeper underground, whilst less likely to be affected by surface or shallow works may be affected by activities such as piling.

Ground cover above our cables must not be reduced or increased.

If a landscaping scheme is proposed as part of the works, we request that no trees and shrubs are planted either directly above or within 3 metres of the existing underground cable, as ultimately the roots may grow to cause damage to the cable.

The relocation of existing underground cables is not normally feasible on grounds of cost, operation and maintenance and environmental impact and we believe that successful development can take place in their vicinity.

For operational and safety reasons National Grid requires unrestricted access to our substation sites. We would request that any proposed changes to roads/layouts in the vicinity of our site have regard to the need to maintain access.

For proposed windfarms the distance between the cable and turbine shall be no less than the distance from ground level to maximum blade tip height plus 20metres.

For further general information see <http://www.nationalgrid.com/uk/LandandDevelopment> or request a copy of our 'Working with You' publication via the Asset Protection Team.

1 We also have lower voltage circuits in operation but the data on this sheet corresponds to 400 kV