

**The 7000 Acres Group**

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**The Planning Inspectorate  
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**Copied to:**

**Lincolnshire County Council  
West Lindsey District Council  
Sir Edward Leigh MP**

**Dear Inspector**

**West Burton Solar Project**

**1. Introduction**

The 7000 Acres Group is a collection of concerned residents formed from over 30 villages in and around the footprint of the Cottam, West Burton, Gate Burton and Tillbridge Solar Farm Projects. We have grave concerns over the Pre-Application consultations and how they have been conducted by the Applicants.

In the case of the West Burton Solar Project, we believe that Island Green Power (IGP) has not followed the Planning Act 2008 Regulations and Guidance, has made deliberately partial or misleading statements, has not made information widely available and overall not consulted in good faith. In particular, the Applicant has not followed applicable Guidance, as required by the Planning Act 2008 Chapter 2 Section 50, that states:

***“Guidance about pre-application procedure***

- (1) Guidance may be issued about how to comply with the requirements of this Chapter.*
- (2) Guidance under this section may be issued by the Secretary of State.*
- (3) The applicant must have regard to any guidance under this section.”*

We will demonstrate that the Applicant has not followed the published Guidance and Best Practice (shown in Advice Notes). The Pre-Application Guidance<sup>1</sup> paragraph 20 states:

*“Experience suggests that, to be of most value, consultation should be:*

- based on accurate information that gives consultees a clear view of what is proposed including any options;*
- shared at an early enough stage so that the proposal can still be influenced, while being sufficiently developed to provide some detail on what is being proposed; and*
- engaging and accessible in style, encouraging consultees to react and offer their views.”*

These three requirements are discussed below.

## **2. Accurate Information**

### **Layout**

The Applicant has **not** provided accurate and sufficient information to give intelligent consideration to the scheme. The National Policy Statement for Renewable Energy Infrastructure -Draft (En-3) paragraph 2.49.15 requires an Applicant to set out a worst-case option. IGP failed to provide a worst-case scenario during the consultation phase. During public open days IGP quoted the “Rochdale Envelope” to several residents as a reason why detailed information did not need to be provided at this stage. However, Advice Notice Nine: Rochdale Envelope paragraph 3.4 states:

*“There is opportunity within the statutory Pre-application procedure for applicants to determine the most appropriate consultation programme for their needs and to time the consultation to appropriate stages in the evolution of the Proposed Development. **However, the consultation must be undertaken on issues that have been clearly identified and on a Proposed Development that is as detailed as possible. The bodies consulted need to be able to understand the proposals. The details of the Proposed Development should therefore be described as clearly and simply as possible.** Obviously fewer options and variations within a project description make it easier to understand, especially by those less familiar with the PA2008 process.”*

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418009/150326\\_Pre-Application\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418009/150326_Pre-Application_Guidance.pdf)

As detail was missing, or only made available in the PEIR, the average local resident was effectively excluded from the consultation. This situation was compounded by the increasing proportion of an ageing population and the relatively low socio-economic demographic in the region. Therefore, a significant proportion of the population do not have the necessary valid evidence to make an informed opinion. For example, information on the height of the solar panels (4.5m) was only available in the PEIR and not in the leaflets.

## **Generating Capacity**

Island Green Power has given an incomplete picture of the generating capacity of the scheme.

- The publicity material promulgated by Island Green Power stated that the West Burton Solar Project could generate 480MW of electricity. This information is at best only partially, but certainly not wholly, true in that it only describes the proportion that the scheme can produce at maximum power for a limited period on a cloudless sunny summer day. Island Green Power are being highly selective in the way they are presenting the information. By looking at the headline “maximum capacity” figure, it provides a good impression of the project, but by any other practical measure usual generating capacity is much smaller. For instance, load and capacity factors widely used in the industry are as follows:
  - In DUKES (Digest of UK Energy Statistics), the long-term annual average power delivered by solar is between 9%-11% of rated power, i.e. for West Burton at  $480\text{MW} \times 11\% = \text{up to } 52.8\text{MW}$  average over the year.
  - The UK Capacity Mechanism uses a combination of technical availability and intermittency (for renewable generators) to create a “de-rating factor” for capacity. For solar, this is typically 2% - 3%, providing an indication of the amount of capacity that could be relied upon when most required, i.e. for West Burton at  $480\text{MW} \times 3\% = 14.4\text{MW}$ .

Once again the Island Green Power submission does not provide a realistic assessment of the value of this project for a lay resident to make an informed judgement of the scheme.

## Use of Brownfield Sites

Island Green Power has not considered or documented the use of all alternative Brownfield Sites, contrary to draft EN-3 paragraph 2.48.15:

*“It is recognised that at this scale, it is likely that applicants’ developments may use some agricultural land, however applicants should explain their choice of site, noting the preference for development to be on brownfield and non-agricultural land.”*

Currently three of the five largest solar farms in the UK are on brownfield ex RAF Airfields (Lyneham, West Raynham and Wroughton). Lincolnshire is not short of disused airfields, but none were considered in the PEIR. This is a significant failing of the proposals submitted by Island Green Power.

## Further Issues

Island Green Power made a number of inaccurate statements about increasing environmental diversity, without supporting evidence. Again this has the potential to mislead residents and minimise comment and opposition.

Island Green Power publicity states that only low value farming land will be used. Evidence, including crop yields, prove this statement to be inaccurate.

- Island Green Power has consistently provided false statements over their credentials and intentions. For example, their website states:

*“We specialise in the development of solar photovoltaic plants, by sourcing land, managing the permitting process and overseeing the plants construction until it is operational. We provide a complete end to end service.”*

- This gives a misleading impression regarding their capabilities and intent. The schemes proposed by Island Green Power are 100x bigger (by electrical power capacity) than anything they have developed in the UK (typically only 5MW). Although IGP have developed schemes of around 100MW in Australia, the higher solar gain there means the land used per MW installed is far lower. In short, IGP have no experience of developing a single scheme as large as either Cottam or West Burton.

In summary, during the Pre-Application Phase, Island Green Power has made a number of misleading statements in their consultation material and has consistently underplayed the impact of what will be the largest solar farm project in Europe. It has limited access to information and so the average local resident has not been provided with accurate, timely and comprehensive information on the project, which has denied them the right to understand the proposal.

### **3. Timing of the Consultation**

This is one of four solar NSIPs in close geographical proximity with similar project timings. The time available for this consultation was too short, as it does not allow for the cumulative impact of the four schemes to be considered. The Infrastructure (Environmental Impact Assessment) Regulations 2017 and Advice Notice Seventeen require a cumulative effects assessment (CEA) to be conducted. This requires:

*“For the purposes of this Advice Note, ‘other existing development and/or approved development’ is taken to include existing developments and existing plans and projects that are ‘reasonably foreseeable’.”*

The other three solar schemes are covered under existing plans or are reasonably foreseeable. Therefore the combined effect of all four solar schemes must be considered and made available for the public consultation to be valid. Failure to inform the wider public at this stage on the cumulative impact will not permit all the affected communities to make intelligent consideration of the scheme.

### **4. Engagement**

The core consultation zone identified by Island Green Power was within 2 kilometres from the boundary. However, due to the size of the project people outside the 2 kilometres zone will be affected. Also, due to the cumulative impact of the other four proposed NSIPs a much wider consultation zone must be applied.

- Some expressed an opinion that the Island Green Power pre-populated feedback forms did not allow local residents to express their concerns in an easily accessible way.
- Island Green Power has failed to respond to questions and enquiries.

- Island Green Power failed to provide hard copies of the consultation documents in a timely manner to local bodies.
- Residents without internet access or use of a laptop were unable to access the PEIR Appendices on the data sticks provided.

Furthermore, with the removal of West Burton 4 from the proposals, the batteries and transformers for this zone were transferred to West Burton 3. The original proposal at West Burton 3 had a minor substation, it is now increased significantly in size, both in terms of capacity and storage. Also, the re-location of this facility from close to the grid connection point to close to a neighbouring village and residential homes constitutes a material and significant change to the project.

The consultation carried out for this major change was very targeted and sent to certain addresses in the immediate vicinity and did not reflect the nature nor the impact of such a major change on the area as a whole. Therefore, this instance alone, clearly demonstrates inadequacy of consultation methods and failings to meet basic standards of good consultation practice.

## **5. Summary**

During the Pre-Application Phase, Island Green Power has made a number of misleading statements in their consultation material and has consistently underplayed the impact of what will be one of potentially four vast solar and battery industrial sites. It has limited access to information and so the average local resident has not been provided with accurate, timely and easily accessible information on the project, which has denied them their right to fully understand the proposal.

During a Public Consultation the Gunning Principles should be applied. In this case it is clear that two Principles have been ignored: firstly, there has been insufficient information provided to give “*intelligent consideration*” of the project; secondly, there has been inadequate time for consideration and response due to the enormity of this and the other three adjacent solar projects.

Therefore, we insist that the Pre-Application consultation phase is extended, and Island Green Power is required to provide comprehensive and accurate information to local residents. Where processes such as the Rochdale Envelope are invoked, the relevant Planning Guidance must be followed.

Yours Sincerely

Jamie Allan on behalf of the 7000 Acres Group