

7000 Acres Submissions in relation OFH2

Cottam Solar Project

Deadline 3 – 19th December 2023

This WR contains:

1 The statement made by 7000Acres at OFH2

2 Answer to Question from ExA regarding the call for Issue Specific Hearings

3 Response to the Applicant's oral submission made at the end of OFH2

1 The statement made by 7000Acres at OFH2, 7th December 2023

We live in uncertain, changing times.

And while we understand the need to decarbonise, we are in a time of shifting policies. Most recently, the National Policy Statements, last published in 2011, have just been revised.

Over the years, we understand more about how we decarbonise, and the clearer and louder the calls for strategic co-ordination to deliver key technologies, effectively use our land and what our clear priorities must be.

But as well as being uncertain times, these are times of financial opportunity, within which, huge flows of finance have their own momentum and interests... and drive frenzied lobbying and jockeying for position to influence government policy.

And so, we have seen with the last twists in the development of the National Policy Statements, where the Critical National Priority to deliver Offshore Wind, has been watered down to become a Critical National Priority to deliver anything...

It renders any effective prioritisation the term may imply, utterly meaningless.

Congratulations to the large-scale solar lobbyists for putting their self-interest first, ahead of delivering decarbonisation.

Such jockeying is unhelpful in a world that can ill afford to put a foot wrong on the path to decarbonisation, because of shortages of skills, shortages of natural resources, shortages in supply chains, and shortages of time.

At 7000Acres, we hope the Examining Authority is able to see through this latest twist in our chaotic, wild-west-style version of decarbonisation.

...Because, as this suite of National Policy Statements were being finalised, even before they come into force, there is a serious call for them to be urgently revised, in line with the report from the Electricity Networks Commissioner for strategic co-ordination. The strategic co-ordination also called for in reports by Skidmore, by the National Audit Office, by the BEIS Committee and by the UK Climate Change Committee...

So, of course, the Applicant will reinforce their call for Urgency...

But with a Government ambition for 70GW of solar

And 16 GW already installed

And 20 GW in a consenting process

And 130 GW in National Grid's connection register

Before considering 30-50 further GW of rooftop solar, or any other schemes

Do the maths – that's a pipeline of up to 2 to 3 times the Government's ambition

So, isn't it any wonder that the developer is advocating for urgency?

Their urgency is to get their scheme consented, before the Government wakes up to what it is presiding over, and the harm of having allowed such uncontrolled, uncoordinated development – which will, ultimately impede decarbonisation efforts.

But by then, the Applicant will have moved on, sold their consented scheme and will be hunting for their next investment.

And within this process, the Applicant will continue to oversimplify their submissions, and gloss over the difficulties of intermittency, of curtailment, of keeping the lights on, of misused land and displaced food and biofuel crops... I could go on.

So, we agree there is urgency – but not to act rashly or in a way that will be cause for regret.

We recognise that decarbonisation is genuinely difficult.

It is too complex and too challenging to leave exposed entirely to global market forces – which is why the government is scrambling to drive measures to support what really needs to be done – starting with unlocking the queue of grid connections to deliver offshore wind.

And so, we would like to highlight to the Examining Authority one of the key points we are seeking to set out:

At the heart of our argument is the failure of the proposed scheme to deliver a meaningful contribution to energy or decarbonisation, a fundamental failure of the scheme to fulfil its core purpose.

This is why we are so concerned that the Examining Authority has chosen not to hold an Issue Specific Hearing on a subject that is so fundamental to the decision, when balancing benefits with harms.

We have raised this and been assured by the Examining Authority that they will have sufficient written material and processes to inform the Examination, and we respect that decision.

We respect the Examining Authority's independence and professionalism in the course of their work – but we understand you must rely on the evidence presented.

Our real fear is that the reams of partial and mis-information presented by the Applicant, in the guise of evidence, cannot be sufficiently challenged within this process, and their words will be taken for the truth.

We are a small group of local volunteers, examining and commenting on what we can – faced with the tsunami of material from the Applicant.

For the region, for the country, to deliver energy security and decarbonisation, this issue is too important to leave the Applicant to be trusted to produce their own body of evidence.

The country has a much clearer idea about what should be done to decarbonise. Major, sensible, objective reports have laid out the priorities.

Co-ordination and planning of the energy system

Solving grid connectivity issues – especially to deliver offshore wind generation

Accelerating deployment of wind and nuclear power generation

The need to manage energy flexibility and intermittency of renewable energy sources

There is absolutely no clamour for large-scale ground mounted solar.

The only voice you will hear pushing such schemes is from the developers themselves.

That fact alone, should sound an alarm.

Amongst all this noise, the Examining Authority has to pick a way through.

And in this moment of turbulence, preside over a decision that will change the nature and character of the region for the rest of our lifetimes – and most of our children’s lifetimes.

We must all have faith this decision is right.

2 Answer to Question from ExA regarding the call for Issue Specific Hearings

Within ISH4, 7000Acres noted that examinations of other NSIP-solar schemes in the region had held Issue Specific Hearings on the subject of energy and were concerned that the absence of an equivalent hearing in the examination of the Cottam scheme could be a weakness in the examination.

The ExA replied that the examination is primarily a written process, and that they believed there was sufficient opportunity for written questions and answers to make a thorough and fair determination.

Following a related comment by 7000Acres on this topic at OFH2, the ExA asked the 7000Acres representative directly why they felt there was an explicit need for an ISH on energy or health.

This submission provides a more detailed response to the ExA's question:

- 7000Acres understands that the examination is primarily a written process, however, the resources available to the Applicant creates a landscape that is weighted massively in favour of the Applicant – in the volume of material, if not in the quality of arguments themselves.
- For such a body of material provided by the Applicant, the process provides independent consideration of the arguments, but does not provide independent expert scrutiny of assertions made by the Applicant's technical experts.
- 7000Acres are concerned that, in key areas, the material provided by the Applicant is heavily biased, partial, or misleading – and the volume of material produced by the Applicant for the examination process is significantly beyond the resources of a volunteer campaign group to scrutinise or challenge – and in the absence of such challenge, there appear to be no other resources to hold the Applicant to account for their material.
- Many of the other parties within the examination process, e.g. Councils and to some extent, also the ExA, are primarily concerned with the legality and compliance with the planning processes, rather than the voracity of underlying evidence or assertions made by the Applicant, which therefore can appear to go unchallenged.
- For example, within the Longfield Solar decision, there appeared to be a number of conclusions drawn which related to the contribution of the scheme, in particular its contribution towards a decarbonised energy system and a secure, flexible energy supply, and also to the potential for rooftop solar to provide an alternative solution to the policy

objective. In both cases, it was clear what the Applicant had set out in their material, but what was not clear was the extent to which these assertions had been challenged.

- 7000Acres believe there are key flaws in the logic and case of deploying ground-mounted solar at such a scale in the UK, and that a sufficiently holistic view has not been taken in terms of its role in decarbonisation and sustainability. Similarly, for such an important topic as health, the potential overall impacts of development at such a scale on the community, does not appear to have been sufficiently considered.
- An Issue Specific Hearing provides an additional opportunity for these issues to be explored by the ExA in more detail. In addition, although the format of the hearing usually provides the Applicant the right of final comment, the dialogue is controlled by the ExA, in a way that provides a greater degree of direction and balance than in the solely written process.
- An ISH also provides the ExA the opportunity to question the Applicant and other parties directly on the topic, which provides an immediacy and often a context that cannot be directly replicated in a series of written responses.
- For energy in particular, the subject is fundamental to the core purpose of the scheme. It is therefore essential that the assertions made by the Applicant are thoroughly tested.
- 7000Acres recognise the importance of decarbonisation, but the issue is too important to leave the Applicant to be trusted to produce their own body of evidence.

3 Response to the Applicant's oral submission made at the end of OFH2

7000 Acres wishes to clarify to the Examining Authority statements made by the Applicant at the Open Floor Hearing 2, 7th December 2023.

Mr Phillips is a partner and lawyer for Pinsent Masons LLP. In his open floor closing statement Mr Phillips claimed that climate change 'as a matter of fact, is occurring all around us'. As Mr Phillips is representing the Applicant to the Examining Authority (ExA), he should not be making comments to the ExA outside his professional realm. We argue that Climatology is outside Mr Phillips expertise and as such, we ask that the ExA gives no weight to this comment.

Mr Phillips stated that solar makes a meaningful impact on decarbonisation and that it is a good use of the available National Grid connections at the Cottam and West Burton sites. Again, we are not aware that Mr. Phillips is an Energy expert. The 7000 Acres group are fortunate to have members in the group that are and therefore with this knowledge base, we are clear that decarbonisation is a complex area and simple, headline statements being made by the Applicant are not adequate in terms of providing sound and reliable evidence to the ExA to enable formulation of a robust and evidenced recommendation to the Secretary of State. This illustration highlights one of the reasons why we have asked for an Issue Specific Hearing on this fundamental matter in relation to the proposals being put before this Examining Authority.

Mr Phillips also stated that one fifth of available agricultural land in the Country will be used for ground mounted solar schemes. This is an alarming and shocking figure to quote and as such represents the solar industry's business aims. Therefore, the ExA needs to be aware that the Cottam scheme (along with the other proposed solar NSIP's) symbolises the start of the erosion of the Country's ability to feed itself, with untold damage to wildlife, the environment and our societal norms, communities and health and well-being, across the whole Country. He added that we (the residents) make the 'assumption' that all agricultural land will be used for agricultural purposes. For the record, we not do assume this. We argue that arable land should not be industrialised by ground-mounted solar on such vast scales as proposed by the Applicant and the other NSIP schemes.

Lastly, Mr Phillips stated that Lincolnshire is known as a region which is a 'power base' and that there is a 'significant history of power production' in the County and therefore, such proposed schemes are

in-keeping with historic past of the County. This is incorrect. Lincolnshire is an agricultural area. Nottinghamshire is the location of both the Cottam and West Burton power stations, amongst others and not Lincolnshire.

ⁱ <https://committees.parliament.uk/publications/42481/documents/211176/default/>