

**Tillbridge Solar Project
EN010142**

**Volume 1
Covering Letter**

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**Regulation 5(2)(q)
Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009**

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Tillbridge Solar Limited
111 Park Street
Mayfair
London
United Kingdom
W1K 7JF

10 April 2024

Mr R Cook
Case Manager
Planning Inspectorate
National Infrastructure
Planning
Temple Quay House
2 The Square
Bristol
BS1 6PM

FAO: TillbridgeSolarProject@planninginspectorate.gov.uk

EN010142 - Planning Act 2008 - Application for a Development Consent Order for the Tillbridge Solar Project

Application Ref: EN010142

On behalf of Tillbridge Solar Limited (the Applicant) I am pleased to enclose an application for a Development Consent Order (DCO) (the Application) pursuant to section 37 of the Planning Act 2008 (PA 2008) for the proposed Tillbridge Solar Project (the Scheme).

1. Subject of the Application

- 1.1.1 The Tillbridge Solar Project (the Scheme) will comprise the construction, operation (including maintenance), and decommissioning of ground-mounted solar photovoltaic (PV) arrays. The Scheme will also include associated development to support the solar PV array.
- 1.1.2 The Scheme is made up of the Principal Site, the Cable Route Corridor and works to the existing National Grid Cottam Substation. The Principal Site comprises the solar PV arrays, electrical substations, grid balancing infrastructure, cabling and areas for landscaping and ecological enhancement.
- 1.1.3 The associated development element of the Scheme includes but is not limited to access provision; a Battery Energy Storage System (BESS), to support the operation of the ground mounted solar PV arrays; the

development of on-site substations; underground cabling between the different areas of solar PV arrays; and areas of landscaping and biodiversity enhancement.

- 1.1.4 The Scheme also includes a 400kV underground Cable Route Corridor of approximately 18.5km in length connecting the Principal Site to the National Electricity Transmission System (NETS) at the existing National Grid Cottam Substation. The Scheme will export and import electricity to the NETS.
- 1.1.5 A full description of the Scheme is included in **Chapter 3: Scheme Description** of the Environmental Statement [EN010142/APP/6.1]. An overview of the Scheme and its environmental impacts is provided in the **Environmental Statement Non-Technical Summary** [EN010142/APP/6.4].
- 1.1.6 The Scheme will generate a significant amount of renewable energy with an anticipated export capacity of 500 megawatts (MW). The Application is accompanied by a **Statement of Need** [EN010142/APP/7.1] which provides further detail on the need for the Scheme. The **Statement of Need** [EN010142/APP/7.1] concludes that:

“The Scheme is required to ensure that the UK remains on track to meet its legally binding carbon emissions reduction targets, while enhancing national security of supply, and at a cost which, in relation to other electricity generation infrastructure developments, provides value for money for end-use consumers.”

“Other conventional low-carbon generation (e.g. nuclear or conventional generation with CCUS) and new low-carbon dispatchable generation (e.g. hydrogen) will be important contributors to achieving the 2050 net zero obligation, but their contributions in the important 2020s will be very low.”

“The Scheme would generate power ahead of other potential technologies (which may have longer construction timeframes or have potentially not yet been proven at scale) which will support decarbonisation only in future years and only if they are brought forwards.”

The Scheme will, if consented, be capable of supporting the achievement of that aim by 2035.”

- 1.1.7 **Chapter 3: Scheme Description** of the Environmental Statement (ES) [EN010142/APP/6.1] and the **Design and Access Statement** [EN010142/APP/7.3] comprise a detailed technical description of the Scheme setting out the components, parameters and design principles associated with it. A non-technical description of the Scheme is included within the **Guide to the Application** [EN010142/APP/1.2] and the **Non-technical Summary of the ES** [EN010142/APP/6.4].
- 1.1.8 The Application is required because the Scheme is classified as a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(a) and 15(1) and (2) of the PA 2008, as an onshore generating station in England with a capacity exceeding 50 megawatts (MW). As such, the decision

whether to grant development consent will be made by the Secretary of State for Energy Security and Net Zero (Secretary of State). The NSIP and associated development for the Scheme are formally described in **Schedule 1** of the **draft DCO [EN010142/APP/3.1]**.

- 1.1.9 The Scheme is an Environmental Impact Assessment (EIA) development and therefore the Application is accompanied by an Environmental Statement (ES) **[EN010142/APP/6.1]**, in accordance with The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations).

2. Application Fee and Preparation and Submission of Application documents

- 2.1.1 A fee of £8,244 has been submitted by BACS Transfer to the account of the Planning Inspectorate on 13 March 2024. A further £552 was submitted on 22 March 2024 due to the increase in fee commencing on 1 April 2024, totalling £8,796. Confirmation of receipt of the fee was received on the same day that each fee was submitted.
- 2.1.2 The Application has been submitted electronically using Sharepoint as agreed with the Planning Inspectorate in advance of submission via email on 23 January 2024.
- 2.1.3 A GIS shapefile showing the Order limits for the Scheme was issued to the Planning Inspectorate via email on 11 March 2024, this being at least two weeks/10 working days in advance of the submission date and in accordance with Advice Note Six: Preparation and Submission of Application Documents (Advice Note Six).
- 2.1.4 In accordance with paragraph 19.10 of Advice Note Six, a selection of draft Application documents was also shared with the Planning Inspectorate on 23 January 2024 to ensure that the documents have been prepared to the necessary standards. The shared documents comprised the draft DCO, draft Land Plans, draft Streets Rights of Way and Access Plans, draft Traffic Regulation Orders Plans, draft Works Plans, and a draft description of the Scheme. The Applicant has taken account of the feedback from the Planning Inspectorate in finalising the Application. This is with exception to the comments from the Planning Inspectorate regarding the overlap of areas in Sheets 19-24 of all plans under Volume 2, since the sheet layout has been modelled on other DCO applications in the locality which share the Cable Route Corridor to the point of connection at the National Grid Cottam Substation with the Scheme. Retaining the sheet layout from these other schemes is necessary to ensure consistency, particularly with respect to the inter-relationship of the Scheme with other projects as set out in the **Joint Report on the Interrelationships with other Nationally Significant Infrastructure Projects [EN010142/APP/7.6]**.
- 2.1.5 A completed **Section 55 Checklist [EN010142/APP/1.3]** has been included with the Application to assist the Planning Inspectorate with checking the Application to confirm it can be accepted for examination.

3. Application Formalities

- 3.1.1 This Application is made in the form required by section 37(3)(b) of the PA 2008. The Application documents comply with the requirements in section 37 of the PA 2008 and those set out in:
- a. The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations).
 - b. The EIA Regulations.
 - c. The Department for Communities and Local Government Guidance 'Planning Act 2008: guidance on the pre-application process' (March 2015).
 - d. The Department for Communities and Local Government's (DCLG, although now called the Department for Levelling Up, Housing and Communities or DLUHC) 'Planning Act 2008: Nationally significant infrastructure projects – Application form guidance' (June 2013).
 - e. The Planning Inspectorate's 'Advice Note Six: Preparation and submission of application documents' (September 2021).
- 3.1.2 The Planning Inspectorate in its pre-submission letter dated 5 March 2024 confirmed that it will publish the Application with all associated documentation on the National Infrastructure pages of the Planning Inspectorate website as soon as practicable after submission. The Applicant can confirm that we are happy for the Application documents to be published as soon as practicable after submission, subject to ensuring that documentation contains necessary redactions and excludes any confidential documents.
- 3.1.3 The following Application document within the **ES Appendices [EN010142/APP/6.2]** contains confidential information and therefore a redacted version is also provided:
- a. **Appendix 9-11: Badger Survey Report** of the ES [EN010142/APP/6.2].
 - b. **Appendix 9-7: Baseline Report for Breeding Birds** of the ES [EN010142/APP/6.2].
- 3.1.4 These documents have been marked as red in the **Electronic Application Index [EN010142/APP/1.5]** and the **Guide to the Application [EN010142/APP/1.2]** to highlight their confidentiality.

4. Consent Flexibility

- 4.1.1 The Scheme will use ground mounted solar PV panels to generate electricity from the sun. Technology associated with the Scheme is rapidly evolving, therefore the **draft DCO [EN010142/APP/3.1]** and supporting **Works Plan [EN010142/APP/2.3]** which form part of the Application propose a degree of flexibility to allow the Applicant to consider the latest technology to be utilised and incorporated into the Scheme post-consent at the time of construction.
- 4.1.2 A number of the design aspects and features of the Scheme cannot be confirmed until the tendering process for design and construction has been completed. The **Outline Design Principles Statement [EN010142/APP/7.4]**

sets out the design parameters within which the Scheme is proposed to be constructed and operated. The use of maximum design parameters has been adopted to present a likely worst-case assessment of potential environmental effects of the Scheme that cannot yet be fixed. **Requirement 5** of the **draft DCO [EN010142/APP/3.1]** requires the detailed design of the Scheme to be in accordance with these outline design principles. This will ensure that the outline design principles are embedded into and form part of the detailed design.

- 4.1.3 The EIA undertaken to assess the environmental effects of the Scheme has considered and reflected on the flexibility sought in the **draft DCO [EN010142/APP/3.1]**. The maximum design parameters and principles set out in the **Design and Access Statement [EN010142/APP/7.3]** and the **Outline Design Principles Statement [EN010142/APP/7.4]** have been assessed in the ES **[EN010142/APP/6.1]**, reporting likely worst-case impacts wherever an element of flexibility is maintained, and are secured by the **draft DCO [EN010142/APP/3.1]**.
- 4.1.4 The EIA has therefore been completed adopting the principles of the 'Rochdale Envelope', as described in the Planning Inspectorate Advice Note 9: Rochdale Envelope (July 2018). This involves assessing the maximum (and, where relevant, minimum) parameters for the Scheme where flexibility needs to be maintained, and to ensure that effects of the Scheme will be no worse than those assessed in the ES.

5. Habitats Regulations Assessment

- 5.1.1 The Application includes a **Habitats Regulations Assessment (HRA) Report (Appendix 9-12** of the ES **[EN010142/APP/6.2])**. The HRA Report considers whether the Scheme is likely to have an effect on areas that have been internationally designated for nature conservation purposes (termed 'European Sites') and has been completed having regard to Advice Note Ten: Habitats Regulations Assessment (November 2017) and Regulation 5(2)(g) of the APFP Regulations.
- 5.1.2 The HRA Report concludes that:

“there will be No Significant Effects to European sites either from the construction, operation and decommissioning of the Scheme or in combination with other plans and projects.”

6. Compulsory Acquisition

- 6.1.1 The land over which the Applicant is seeking powers of compulsory acquisition of land, rights and interests and powers of temporary possession in the **draft DCO [EN010142/APP/3.1]** for the purposes of the Scheme is listed in the **Book of Reference [EN010142/APP/4.3]** and shown on the **Land and Crown Land Plan [EN010142/APP2.2]**. The **Statement of Reasons [EN010142/APP/4.1]** also provides details of the powers sought and the **Schedule of Negotiations and Powers Sought [EN010142/APP/4.4]** sets out negotiations to date with respect to land matters.

- 6.1.2 The **Book of Reference [EN010142/APP/4.3]** has been prepared and is submitted in compliance with Regulation 5(2)(d) of the APFP Regulations, and in accordance with the Department for Communities and Local Government guidance 'Planning Act 2008: Guidance related to procedures for compulsory acquisition of land' (September 2013).
- 6.1.3 Details of the adequacy of the funding for compensation are provided in the **Funding Statement [EN010142/APP/4.2]**. The **Statement of Reasons [EN010142/APP/4.1]** and **Funding Statement [EN010142/APP/4.2]** are submitted in compliance with Regulation 5(2)(h) of the APFP Regulations.

7. Other Consents and Licences

- 7.1.1 A summary of other consents and licences likely to be required in addition to those being requested as part of the **draft DCO [EN010142/APP/3.1]** is provided in the **Consents and Agreements Position Statement [EN010142/APP/3.3]**.

8. Pre-application Consultation

- 8.1.1 The Applicant has had careful regard to the pre-application consultation requirements of the PA 2008, the guidance on pre-application consultation issued by the DCLG and the Planning Inspectorate, responses received during pre-application consultation and pre-application discussions held with the Planning Inspectorate, as required by Section 50(3) of the PA 2008.
- 8.1.2 As required by Section 37(3)(c) of the PA 2008, the Application is accompanied by a **Consultation Report [EN010142/APP/5.1]** and **Supporting Appendices [EN010142/APP/5.2]**, which provides details of the Applicant's compliance with sections 42, 46, 47, 48 and 49 of the PA 2008, the APFP Regulations, the EIA Regulations, and the relevant guidance.
- 8.1.3 The **Consultation Report [EN010142/APP/5.1]** sets out the responses to the statutory and non-statutory consultation and sets out how the Applicant has had regard to the relevant responses received through the design iteration and evolution of the Scheme and the Application in accordance with Section 49 of the PA 2008.

9. Other Matters

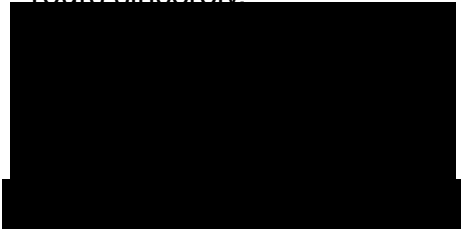
- 9.1.1 As required under Regulation 5(3) of the APFP Regulations, all plans, drawings or sections required to be provided by paragraph (2) of Regulation 5 of the APFP Regulations are no larger than A0 size, are drawn to an identified scale (not smaller than 1:2500) and, in the case of plans, show the direction of north. The exception to this is that some figures that accompany the ES **[EN010142/APP/6.3]** vary in scale due to the size of the Scheme. Context would be lost from these figures if they were to conform to the scale requirements required under Regulation 5(3). This approach has been agreed with the Planning Inspectorate via email on 26 February 2024.
- 9.1.2 In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retains all responses to the consultation carried out under Part 5 of the PA

2008 and can make them available at the request of the Planning Inspectorate and/or the Secretary of State.

- 9.1.3 The Applicant will keep all Application documents under review and will endeavour to provide updates (where it considers it necessary to do so) during the examination of the Application considering questions and comments received from the Examining Authority and Interested Parties.

We look forward to hearing from you in relation to a formal acceptance of this Application. If we can be of any assistance, please do not hesitate to contact us using the details provided below.

Yours sincerely



Luke Murray
Project Director
Tillbridge Solar Ltd