



National Infrastructure Planning
 Temple Quay House
 2 The Square
 Bristol
 BS1 6PN

Your Ref EN010142

Our Ref IPP-146

Tuesday 15th October 2024

By email to:

tillbridgesolarproject@planninginspectorate.gov.uk

Dear Sir or Madam,

RE: Tillbridge Solar Project DCO Application by Tillbridge Solar Limited (“the Application”)

Summary of Relevant Representation

The Canal & River Trust (“the Trust”) has previously provided comments to the applicant on the route options for the cable connection and now wishes to register and comment as an interested party for the examination relating to the above Application.

The Trust’s role and responsibilities

The Trust is a statutory party¹ for the purposes of s.88(3) of the Planning Act 2008 (“the 2008 Act”) as the Application is likely to have an impact on the River Trent, or land adjacent to the river, which is an inland waterway in England. The Trust is a statutory undertaker for the purposes of s.127 of the 2008 Act. The Trust is navigation authority for the River Trent and has a duty to maintain the river between Meadow Lane Lock, Nottingham and Gainsborough Bridge as a commercial waterway under s.105 of the Transport Act 1968 and is lessee of the foreshore and riverbed under a lease from The Crown Estate dated 16 February 2011 and registered at the Land Registry under title number NT473004. The Trust is freehold owner of land to the west and east of the River Trent registered at the Land Registry under title numbers NT239763 which are used operationally as dredging tips.

The Trust also has environmental and recreational duties under s.22 British Waterways Act 1995 when considering proposals relating to its functions. These include consideration of effects on flora and fauna and preserving access to towing paths for the public. The Trust’s charitable objects include, for the public benefit, the preservation, protection, operation and management of inland waterways for navigation and conservation, protection and improvement of the natural environment and landscape of inland waterways.

In light of the Trust’s responsibilities, our focus is on the potential impact of the project on the operation and management of the river as a navigation and the river’s ecology.

Tillbridge Solar Project (“the Project”) and the River Trent

The proposed route of the cable connection for the Project would have one interface/crossing (underground) with the River Trent, just south of Trent Port, Marton. The River Trent in this location is a tidal commercial waterway used by both large commercial vessels and for leisure purposes. As navigation authority, the Trust is responsible for navigational safety for this part of the river. The Trust is also the owner and operator of the dredging tips for the deposition of river dredgings to maintain the

¹ Reg 3 & Schedule 1, Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 (SI 2015/4620)

Canal & River Trust Planning Team

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navigational safety of the River Trent. The southern bund and edge of the western dredging tip and the southeast corner of the eastern dredging tip are located within Works Package 4D. This is a rural stretch of river with a mixture of open fields and mature hedgerows within the managed river flood plain. The river corridor is well used for leisure and recreation and the west riverbank carries the long-distance Trent Valley Way path.

Collaborative working with other solar NSIPs in the area

We welcome a joint working approach with all four schemes to ensure efficiency in the consenting process and to limit the potential for short and long term economic, environmental, and social impacts on the navigation and its users.

The draft Development Consent Order (DCO) and Protective Provisions for the Trust

The draft DCO contains the same specific protective provisions for the Trust as have been made in the Gate Burton Development Order and included within the draft DCO's from the Cottam and West Burton Solar Projects. These protective provisions address the powers sought in the draft DCO which could otherwise impact the Trust as navigation authority for the River Trent. The Trust thanks the applicant for the inclusion of these protective provisions within schedule 16. The Trust also thanks the applicant for the wording in article 6(1)(f) of the draft DCO ensuring the disapplication of legislation will not impact the Trust's functions relating to the river.

The Trust's Third-Party Works Code of Practice

As with other nationally significant infrastructure projects (NSIPs) that include works that interface with the Trust's network, any parts of the Project with the potential to affect the River Trent and its associated operational dredging tips, should be carried out in accordance with the Canal & River Trust Third-Party Works Code of Practice (CoP). The protective provisions for the Trust in the draft DCO include an express obligation ensuring the applicant to have regard to the CoP in the detailed survey, design, construction and approval of the relevant works.

The Trust's CoP is designed to protect operational land, safeguard all users of the navigation and to deal with the nuances of developing adjacent to a commercial waterway with an ever-changing tidal riverbed. The extent of potential impacts from development adjacent to, or under, navigational waters could reach far beyond the crossing point proposed. Ensuring that development is appropriately located and controlled is crucial to limit the potential for risk to our operational land, users of the river and the associated economic, environmental and social consequences.

Through the CoP, developers engage with the Trust's engineers who are specialists in waterway engineering, navigational safety, the protection and safeguarding of the riverbed and the ecology of the waterway. It is essential that the projects incorporate appropriate measures to protect our operational land and the users of the river before, during and after construction for all temporary and permanent works affecting the waterway, including surveying and sampling within the waterway. Engaging with the Trust's engineers ensures the appropriate measures are taken.

The protective provisions and use of the CoP will deal with all of the Trust's concerns relating to:

- Horizontal Directional Drilling and surveys
- Protection of the Trust's dredging tip
- Discharge of water into, and prevention of siltation etc. of, the river
- Noise & Vibration
- Ecology & Biodiversity in the river
- Lighting during construction
- Landscape & Visual Impact
- Use of River Trent for Works Traffic

Yours faithfully,

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Patron: H.R.H. The Prince of Wales. Canal & River Trust, a charitable company limited by guarantee registered in England and Wales with company number 7807276 and registered charity number 1146792, registered office address National Waterways Museum Ellesmere Port, South Pier Road, Ellesmere Port, Cheshire CH65 4FW