

**Tillbridge Solar Project  
EN010142**

**9.3 Written Summary of Applicant's Oral  
Submissions at the Open Floor Hearing 1 (OFH1)  
EN010142/APP/9.3**

**Infrastructure Planning (Examination Procedure) Rules 2010**

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## **Tillbridge Solar Project**

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# 1. Introduction

- 1.1 This document sets out a summary of the Applicant's oral submissions made at Open Floor Hearing 1 (OFH1) on Wednesday 16 October 2024, within section 2 below.
- 1.2 This document also addresses discrete elements of certain specific submissions made by interested parties across the hearing, so that the Applicant can clarify any inaccuracies and/or uncertainties. These are set out at section 3 below.
- 1.3 Any of the wider issues/themes which were raised by multiple interested parties (for example, site selection and alternatives, impacts on agricultural land and impacts on visual amenity and mental health), as set out briefly at section 4, are not the focus of this submission. Those matters are captured within either the Applicant's Response to Relevant Representations [EN010142/APP/9.1] or are intended to be captured in future Issue Specific Hearings or Compulsory Acquisition Hearings, to be set down by the Examining Authority for later in the Examination.

# 2. Written summary of the Applicant's oral submissions at OFH1 on Wednesday 16 October 2024

- 2.1 The OFH1 was held at 10:00am on 16 October 2024 as a blended event at Thonock Park Golf Club, The Belt Road, Gainsborough DN21 1PZ and by virtual means using Microsoft Teams.
- 2.2 Ms Alexis Coleman, on behalf of the Applicant, thanked those who made oral submissions. Ms Coleman then stated that many of the issues raised have been raised already in Relevant Representations to which the Applicant is providing a response in Deadline 1. Ms Coleman also reassured participants that many of the topics raised by the Interested Parties will be explored in more detail at the Issue Specific Hearings.
- 2.3 Ms Coleman acknowledged that given the large-scale nature of Nationally Significant Infrastructure Projects (NSIPs), some adverse effects will be unavoidable, despite the Applicant's best efforts to avoid them. These remaining effects must be weighed by the decision maker against the urgent need for renewable generation and its benefits for energy security and climate change, along with the other significant benefits the Scheme will deliver, including in respect of construction employment, habitat creation and enhancement to achieve biodiversity net gain, and benefits to existing farms through the diversifying of farm activities and the recovery of soil resources.
- 2.4 Ms Coleman addressed the following key thematic points raised by Interested Parties at OFH1.

## Site selection and alternatives

- 2.5 In response to concerns regarding the selection of the Site (including in respect of the decision not to utilise brownfield sites) and the consideration of alternative methods or technologies (including rooftop solar, wind or nuclear energy), Ms Coleman set out a brief

summary of the Applicant's approach to site selection and the consideration of alternative technologies and methods for the Scheme.

- 2.6 This included an explanation of the iterative process for the initial selection of the broader area for grid connection, the identification of potential sites within the proximity of the agreed grid connection once secured, and the refinement of the identified Site to avoid various areas of value or sensitivity in respect of ecological and human receptors or areas of agricultural or heritage value. This process sought to avoid, minimise and mitigate any adverse effects through the location and design of the Scheme, and with input from local communities and consultation. A fulsome response in respect of concerns raised regarding site selection and the consideration of alternatives is set out from paragraph 3.2 onwards below.

### **Efficiency and scale of Scheme**

- 2.7 Ms Coleman also addressed points raised by Interested Parties about scale, efficiency, energy production, Scheme lifetime, and generation fluctuations of the Scheme, confirming that the Applicant is preparing a note to respond on these matters where these also arose within ISH1. That note is provided as Appendix B to the Written Summary of the Applicant's Oral Submissions at ISH1 (ISH1 Written Summary) **[EN010142/APP/9.2]**. Ms Coleman acknowledged some queries as to the need for, suitability and function of ground mounted solar go to the heart of the National Policy Statements for Energy (EN-1) and Renewable Energy Infrastructure (EN-3) as well as broader government policy, which go beyond the scope of matters this examination can address.

### **Decommissioning**

- 2.8 Ms Coleman noted the queries raised by interested parties, including Mr Derek Moffat, in respect of concerns by local communities that the future decommissioning of the Scheme will be completed to their satisfaction. Ms Coleman reiterated, further to the discussion at ISH1, that there are legally binding requirements proposed in the draft Development Consent Order (DCO) **[EN10142/APP/3.1(Rev3)]** to secure decommissioning, failure to comply with which is a criminal offence. The Applicant will be setting aside funds to ensure it can meet its obligations under the DCO in this respect, and would need to do so in accordance with the decommissioning environmental management plan approved by the Councils at the time. Decommissioning matters are also addressed further within the ISH1 Written Summary at **[EN010142/APP/9.2]**.

### **Criticism of Applicant**

- 2.9 Ms Coleman addressed the criticism of the Applicant or the companies making up the Tillbridge Solar Limited JV made by some Interested Parties in respect of their capabilities and sufficient funding to promote the Scheme. She outlined that this criticism is unfounded and strongly refuted allegations in this respect. The Applicant is a joint venture between Tribus Clean Energy Limited and Recurrent Energy, who are both experienced developers of renewable energy projects. It is very much the intention of Tillbridge Solar Limited to build and operate the Scheme. Further detail is provided in the **Funding Statement [APP-018]**.

## **Cumulative effects with the other Lincolnshire solar NSIPs**

- 2.10 Several Interested Parties raised concerns about the cumulative impact of multiple solar NSIPs within the Lincolnshire region. Ms Coleman outlined the efforts made by the Applicant to consider any significant cumulative effects and to minimise these where possible through collaborative work with the other Lincolnshire solar NSIPs during design development and environmental assessments, including identification of a shared Cable Route Corridor, sharing baseline environmental information and identification of shared mitigation measures. She noted that further information on cumulative effects, mitigation and the approach taken to coordinate with the other solar DCOs is provided in the **Joint Report on the Interrelationship with other National Infrastructure projects [APP-215 to APP-217]**.
- 2.11 Ms Coleman noted that whilst each of the solar DCOs is considered on its own merits, each of the DCO applications has also presented a cumulative assessment with the other solar DCOs in order to assess their impact "as one", and those cumulative assessments have been considered by the Secretary of State when granting consent for the Gate Burton Energy Park and Cottam Solar Project Orders.

## **Mental health & wellbeing**

- 2.12 In response to concerns raised by community members as to the impacts of the construction and operation of the Scheme on mental health and wellbeing, Ms Coleman outlined the various assessments and further mitigation which have been considered and put in place to minimise such impacts. She noted the Applicant's Environmental Impact Assessment (EIA) has taken a holistic approach to health and considered a wide range of health determinants which are relevant to quality of life and amenity. While the assessment considers elements of the Scheme that could affect mental health (for example changes in landscape and visual amenity, noise, access to open space and employment), no significant adverse effects have been identified in line with accepted environmental assessments with regards to human health.
- 2.13 Ms Coleman outlined the measures which have been proposed by the Applicant with the aim of keeping people informed and reducing anxiety around uncertainty, such as the community liaison group during construction, and newsletter updates pre-application. In recognition of the impacts that visual effects may have on mental health or use of local areas, the Applicant has worked hard to avoid, minimise and mitigate these as well as incorporating features such as two new permissive paths for walkers, cyclists and horse riders in an area where such routes are relatively limited - with 25m wide corridors to allow incorporation of habitats such as hedgerows to screen infrastructure and provide green infrastructure corridors.

## **Impacts on high quality agricultural land and food security**

- 2.14 Various Interested Parties raised concerns about the effect of the Scheme on agricultural land with regards to food production and the displacement of farmland. Ms Coleman outlined that this has been considered in **Chapter 14: Socio-economics and Land Use of the ES [APP-045]**. The Chapter concludes there are no likely significant effects across the construction and operational phases with regards to food production, considering that the Scheme area forms less than 0.25% of agricultural land available in Lincolnshire and

that following operation, the land used for the Scheme can be reverted back to agricultural land.

### **Flooding / drainage**

- 2.15 Some interested parties raised concerns with the drainage and run off impacts of the conversion of the Principal Site from arable farmland to solar panels. Ms Coleman pointed to the assessment and mitigation measures set out in **Chapter 10: Water Environment** of the ES [APP-041] and **Appendix 10-4: Outline Drainage Strategy** of the ES [APP-098]. A more detailed written response on these matters is set out from paragraph 3.43 further below.

### **Noise impacts on East Cottage, Northlands Road**

- 2.16 Mr Nicholas Mapstone raised concerns in respect of noise impacts on his property and family members. Ms Coleman acknowledged that the Applicant is aware and working directly with Mr Mapstone to address these concerns. She noted that further information will be provided within the Applicant's response to relevant representations made by Mr Mapstone and Ms Wood and a specific SOCG which the Applicant is looking to progress with Mr Mapstone and Ms Wood. Ms Coleman further noted that the noise experts for the Applicant and Mr Mapstone and Ms Wood were in discussions, and suggested that noise impacts would be dealt with at a future Issue Specific Hearing.
- 2.17 ***Post hearing note:** Since the OFH, the Applicant has continued to engage with Mr Mapstone and Ms Wood. They have since indicated through their solicitor that they do not wish to engage with the SOCG. The Applicant has submitted at Deadline 1 the draft SOCG [EN10142/APP/9.23] which was provided to Mr Mapstone and Ms Wood but which is not agreed between the parties.*

### **Skills Plan & other Scheme benefits**

- 2.18 Questions were raised by Interested Parties as to the benefits for the local community from the Scheme. Ms Coleman outlined the economic and employment benefits the Scheme can provide for local communities, including through the mechanisms within the proposed **Skills, Supply Chain and Employment Plan [APP-232]**, a community benefit fund offered as part of the Scheme, and the two new permissive paths proposed for the Principal Site. Benefits for local communities are set out in greater detail below from paragraph 3.14 onwards.
- 2.19 The hearing closed at 13:17.

## **3. Summary of specific issues raised by interested parties at OFH1 and the Applicant's response**

- 3.1 This section summarises briefly any discrete elements of individual submissions made at the open floor hearing, along with a written response from the Applicant which has been prepared following OFH1 to rebut any inaccuracies and ensure a full response is provided.

## Alternatives considerations

- 3.2 Ms Margaret O'Grady on behalf of the Fillingham Parish Council and Ms Elizabeth Garbett on behalf of 7000 Acres raised questions in respect of the consideration of rooftop solar, onshore wind or other alternatives. The Examining Authority asked the Applicant to respond on the consideration of alternative proposals for the Scheme.

### *Applicant response*

- 3.3 The Application is supported by a **Statement of Need [APP-210]**. Chapter 5 of the **Statement of Need [APP-210]** includes an overview of different technologies and their role to play in delivering net zero, which is a legally binding target. It sets out the role of different technologies and the risks associated with their delivery. This includes presenting evidence on the current and future electricity generation mix including offshore wind (Section 5.4), onshore wind (Section 5.5), nuclear (Section 5.6), combined cycle gas turbines (CCGT) and carbon capture, utilisation, storage (CCUS) (Section 5.7), hydrogen (Section 5.8) and biomass (Section 5.9),
- 3.4 **Rooftop solar:** Rooftop solar is difficult to deploy at scale. Larger commercial structures or buildings with shared roof space may have contractual issues relating to ownership, occupation and upkeep, which must be resolved prior to any solar development coming forward. Any roof space facing north will be unsuitable for solar panels. Smaller buildings, including listed buildings are unlikely to be suitable. There may be locations suitable for rooftop solar from an engineering perspective, but they may be overshadowed by nearby taller structures or natural features which could significantly impact irradiation and output, and therefore yield and benefit. Shaded homes in built up areas are an example of this. Other roof space may need to be reinforced to accommodate additional loading associated with solar infrastructure, all of which will add to installation costs for homes and businesses. However, the Applicant agrees that there is a need for rooftop solar, as set out in paragraph 10.1.14 of the Statement of Need which states that:
- “Large-scale solar is needed alongside rooftop solar because without increasing capacities of both types of solar generation, the UK will likely fall short of its solar capacity aims and therefore its climate change targets.”*
- 3.5 **Onshore wind:** In 2015, the then Conservative Government placed an effective moratorium on further onshore wind development in England. In September 2023, the government announced a lift on the ban on onshore wind in England, by introducing changes to the National Planning Policy Framework (NPPF) that would allow local authorities to give the go-ahead for onshore turbine proposals where the impacts are (or can be made) acceptable and the proposal has community support. However, the prescriptive nature and policy tests ascribed to this change meant that onshore wind remained stalled with the moratorium effectively remaining in place.
- 3.6 The current Labour Government published a policy statement on onshore wind on the 8 July 2024, which was confirmed in Parliament on the 18 July 2024. This confirmed that *“delivering our clean power mission will help boost Britain’s energy independence, save money on energy bills, support high-skilled jobs and tackle the climate crisis.”* The policy statement clarified the government’s commitment to double onshore wind energy by 2030 through removing the de facto ban on onshore wind that has been in place since 2015.

This policy statement confirmed that previous policy tests restricting onshore wind would no longer apply and that this change took immediate effect (8 July 2024). The change in policy direction would also be reflected in the forthcoming update to the NPPF.

- 3.7 Consultation on the proposed changes to the NPPF ran from 30 July 2024 to 24 September 2024 proposing that onshore wind is integrated into the Nationally Significant Infrastructure regime for proposals over 100MW and for smaller schemes to remain to be determined under the Town and Country Planning Act. The government has not yet published its response to the consultation received or confirmed timing for the final amended policy. Therefore, whilst the planning policy context in relation to onshore has recently changed to provide in principle policy support, it will take the industry and market time to build confidence to deliver projects for this policy change to be effective and for onshore wind to start contributing towards electricity generation again in England, let alone at such a level that other technology like solar would not be required.
- 3.8 **Nuclear:** Nuclear technology forms part of the government's energy strategy and has done since the mid-2000s. Whilst many barriers have been removed to the deployment of nuclear power (site selection, early regulatory approval or reactor designs, revenue and back-end cost), the nuclear development process remains difficult and long. Nuclear projects have long development and construction lead times with many regulatory and commercial approvals and decision points along the way. Hinkley Point C development started in earnest in the late 2000s and civil site construction commenced in 2016. Hinkley Point C is still under construction, and it was announced in January 2024 that the plan to start commercial operations has been further delayed to between 2029 and 2031.
- 3.9 In the 2020 Energy White Paper, the then Conservative Government stated its aim "*to bring at least one large scale nuclear project to the point of Final Investment Decision by the end of this Parliament [i.e. in 2024], subject to clear value for money and all relevant approvals.*" Sizewell C, which is proposed to be a replica of Hinkley Point C, received a Development Consent Order in July 2022. If a Final Investment Decision is taken by the new, Labour Government and EDF before the end of 2024, and construction commences soon afterwards, overlaying Hinkley Point C's construction programme would see first commercial operation at Sizewell C well into the second half of the 2030s. While construction efficiencies may be secured through replication of construction methods from Hinkley Point C to Sizewell C, this is not guaranteed.
- 3.10 **Energy mix:** As reflected in the suite of Energy NPSs, the intention by the government is to support a multi-technology approach to deliver low carbon and renewable electricity generation to ensure the country's resilience to variations in weather, technical failures and market forces. To improve the likelihood of being able to ensure system adequacy from renewable generators in all but the most unlikely of meteorological situations, a large capacity of interconnected assets from as broad as possible a range of technologies and geography is required. Many low-carbon generating technologies are urgently needed to meet government's energy objectives by providing security of supply; providing an affordable, reliable system (through the deployment of technologies with complementary characteristics); and ensuring the system is net zero consistent.
- 3.11 The alternative technologies described above will be challenging to deliver at the required pace and scale required for the UK to meet its legally binding targets to decarbonise electricity generation by 2035. The development of proven technologies, like large scale

solar are necessary to mitigate against the potential non-delivery of other technologies to deliver electricity generation.

- 3.12 Solar power generation has global momentum and large-scale schemes are already being developed in the UK. Solar is a proven technology. It is already delivering as part of the UK's electricity system and will continue to deliver further critical benefits to consumers through the urgent and continued decarbonisation, security of supply and affordability. If solar generation does not meet the decarbonisation and energy security contributions ascribed to it, the challenge faced by the UK in meeting its decarbonisation targets from other technologies will be significantly harder.
- 3.13 Conversely, large-scale solar is a proven technology, its deployment is important to protect against the possibility that technologies that are currently in development stage do not deliver operational capacity at a pace and scale that is required.

### **Benefits provided to the local community**

- 3.14 Ms Elizabeth Garbett on behalf of 7000 Acres, Ms Nuala May and Ms Catrine Fieldstone raised questions about the benefits the Scheme would provide to the local community, including in respect compensation or other forms of addressing rising energy costs.

#### *Applicant response*

- 3.15 In addition to the broader beneficial impacts of renewable energy generation, the Scheme proposes a range of benefits for local communities.
- 3.16 The Scheme will include the provision of two new permissive paths within the Principal Site for the duration of the Scheme. This will provide increased public access to recreational routes for a range of users including pedestrians, cyclists and horse riders. These permissive paths will link with existing and claimed Public Rights of Way that are located within the eastern and southern extents of the Principal Site.
- 3.17 Significant employment generation opportunities will be provided during construction and deliver economic benefits through the implementation of a Skills Supply Chain and Employment Plan to be secured by a requirement of the **draft DCO [EN010142/APP/3.1(Rev03)]**.
- 3.18 The employment generated by the construction phase of the Scheme will also generate additional Gross Value Added (GVA) benefits to the East Midlands and local area. GVA is an economic measuring tool which calculates the value of goods and services within a sector of the economy. For example, a construction worker eating out in local restaurants, shopping in local high streets and using leisure facilities will create additional value, thereby contributing to the wider economy. As set out within **Chapter 14: Socio-economics and Land Use** of the ES **[APP-045]**, it is estimated that approximately £52.3 million will be generated from the Scheme per year in total, of which approximately £7.9 million will be within West Lindsey and Bassetlaw districts, and £44.4 million within the East Midlands as a whole.
- 3.19 There will be a significant beneficial effect on farming circumstances as the Scheme provides a new diversified enterprise for landowning farm businesses. The soil resource

during the operation of the Scheme will also improve with the fallow period enhancing the functional capacity of the soil resource for future arable production.

- 3.20 The Applicant has considered a community benefit package as part of the Scheme. It is recognised that projects like the Scheme can be disruptive to those living and working closest to it. The Applicant has engaged with both the Lincolnshire and Nottinghamshire community foundations and, should the Scheme receive development consent, the Applicant would provide a community benefit package. The scope and application of this package will be developed with local communities at the time of operation.
- 3.21 As the electricity generated from the Scheme will be exported to the National Electricity Transmission System (NETS), and provided to consumers via third party electricity companies, the Applicant cannot commit to the provision of cheaper electricity prices for the specific community surrounding the Site. However, paragraphs 8.4.13 and 8.4.14 of the **Statement of Need [APP-210]** outline the impacts that insufficient renewable generation capacity would have on the UK, compared to building large quantities of renewable generation. The latter is anticipated to keep consumer costs down by capturing and storing energy when it is abundant (therefore cheap) and releasing it when it is needed. Solar remains one of the cheapest forms of electricity generation available with current technologies.
- 3.22 The Scheme, through generating electricity will make a positive contribution to the UK's energy security. It is expected that the more power that is generated from renewable and low carbon sources (and the provision of this power at periods of high demand, through the use of technology like BESS), will lower the market price of electricity so that expensive and more carbon intensive forms of generation do not need to generate as much. The **Statement of Need [APP-210]** concludes at Section 9.5 that solar power delivers national decarbonisation benefits and supports consumer affordability aims, to the benefit of electricity consumers.

### **Communications with local landowners and tenants**

- 3.23 Mr James Casswell and Mr Martin Casswell raised concerns in respect of communications by the Applicant throughout the pre-application and pre-Examination period in respect of Scheme design and changes to the Application. The Examining Authority requested the Applicant provide an update generally on communications made to Mr James and Mr Martin Casswell and other local land interests.

#### *Applicant response*

- 3.23.1 The Applicant does not propose to address a full breakdown of acquisition negotiations for the Principal Site or Cable Route Corridor, on the basis that these matters are set out in the **Schedule of Negotiations [EN010142/APP/4.4(Rev02)]** and in a number of cases, are the subject of ongoing negotiations. Furthermore, there will be opportunity for future Compulsory Acquisition hearings, should this be required
- 3.24 However, the Applicant generally notes that it disagrees with the characterisation of its initial engagement as presented by Mr James Casswell. While it has been made clear throughout that process that the Applicant will be seeking compulsory acquisition powers as part of the Order, neither the Applicant nor its agents have conducted negotiations with any landowner or tenant by way of refusing to fully engage on reliance of acquisition

powers, nor threatening the use of these powers where disagreements occur. The Applicant is committed to achieving voluntary settlements wherever possible.

- 3.25 The Applicant has been engaging with the landlord of both agricultural tenancies from an early stage in the Scheme's progress. The Applicant was asked by the landowner to negotiate with the landowner only and to respect the privacy of its tenants and the landlord-tenant relationship. The Applicant has adhered to this request.
- 3.26 However, the Applicant still consulted with both agricultural tenants as required by sections 42 and 47 of the Planning Act 2008. In response to matters raised by Mr Martin Casswell and the landowner, the Applicant made changes to the Order limits adjacent to Springthorpe Grange which formed part of the now accepted change application, see the **Change Request Report [AS-065]**, Table 4-1. In addition to this, the Applicant has also engaged with Mr Martin Casswell regarding his comments on archaeology (please refer to paragraph 3.41 onwards below).
- 3.27 The Applicant consulted with both Mr Martin Casswell and Mr James Casswell through its targeted consultation relating to the change application. The Applicant has had regard to the comments that it received through this consultation as outlined in Table 1 of the **NMC Change Consultation Report [AS-066]**.
- 3.28 More broadly, the Applicant's approach to early and proactive engagement with people living close to the Scheme is set out in section 5.4 of the **Consultation Report [APP-021]**. This early engagement took place between May and July 2022 and included a 'door-knocking' exercise to inform close neighbours about the proposals, the issuance of hard copy newsletters and face-to-face meetings with members of the project team on request.
- 3.29 The Applicant's engagement with land interests and people living close to the Order limits continued through its non-statutory consultation (as set out in section 5.5 of the Consultation Report) and during the statutory consultation held between May and July 2023 (as summarised in section 7.8 of the Consultation Report). A summary of the staged engagement with land interests is given in section 8.5 of the Consultation Report.
- 3.30 The Applicant has provided regular mailed updates to those living close to the Order limits which have shown how the Scheme design has evolved in response to the Applicant's consultation. This has included an update in March 2024 prior to submission of the DCO application. Further details of this, including the contents of each of the updates is provided in section 12.4 of the Consultation Report.

### **Hedgerow removal / replanting**

- 3.31 Mr James Casswell and Mr Simon Styles raised concerns as to the extent and nature of hedgerow removal by the Scheme. The Examining Authority requested a summary of the extent and basis for hedgerow removal.
- 3.32 The Scheme has been designed to minimise hedgerow loss with the majority of hedgerows across the Order limits retained. However, in some locations, removal of sections of hedgerow during construction is unavoidable, in order to facilitate cabling, new fence lines and access routes. Proposed hedgerow removals are set out within Schedule 12 of the **draft DCO [EN010142/APP/3.1(Rev03)]** and the **Hedgerow Removal Plan [AS-044]**.

- 3.33 As set out within **Chapter 9: Ecology and Nature Conservation** of the ES [APP-040], the Scheme proposes to remove approximately 6.91km of hedgerow. In accordance with the **Framework LEMP [EN010142/APP/7.17(Rev02)]**, hedgerows will be reinstated along the Cable Route Corridor and field boundaries following construction. In addition, the planting of over 10km of new species rich hedgerow, consisting of native species, has been embedded within the Scheme design, as illustrated by the **Indicative Landscape Masterplan [AS-028]**. Furthermore, 9.64km of existing hedgerow will be subject to re-enforced planting to strengthen and widen existing hedgerows.
- 3.34 **Chapter 9: Ecology and Nature Conservation** of the ES [APP-040] acknowledges that new hedgerow planting may take time to develop and therefore, there is likely to be a temporary (short-term) adverse effect on this habitat type. However once the proposed planting has established, it is predicted that the Scheme will be able to deliver a net gain in this habitat (as set out within the **Biodiversity Net Gain Report [AS-062]**) and the overall impact will be beneficial.
- 3.35 **Chapter 9: Ecology and Nature Conservation** of the ES [APP-040] concludes that the Scheme would result in a temporary minor adverse effect, that is not significant to the overall hedgerow resource present within the Order limits or the integrity of any particular hedgerow. In the long-term, the Scheme will result in a moderate beneficial (significant) effect on the hedgerow resource.

### **Project impacts on historic landscapes**

- 3.36 Mr Derek Catter outlined his understanding of the historic landscape character of the area, and his concerns that impacts on this were not being sufficiently mitigated. The Examining Authority requested that these impacts were specifically outlined in response.

#### *Applicant response*

- 3.37 **Chapter 8: Cultural Heritage** of the ES [APP-039] sets out the Applicant's assessment of the Scheme's impact on the historic landscape character. Furthermore, Section 4.6 of **Appendix 8-2: Cultural Heritage Desk-based Assessment** of the ES [APP-059] provides an assessment of the historic landscape character within the Order limits, with individual historic landscape character zones and types shown on **Figure 8-5: Historic Landscape Characterisations** of the ES [APP-161].
- 3.38 Embedded mitigation which either preserves or enhances individual aspects of the historic landscape includes buffers from landscape features established through the **Framework CEMP [EN010142/APP/7.8(Rev01)]**, such as PV panel free buffers of 5 m from hedgerows, 15 m from all trees above 4 m height, and 10 m from watercourses, and ditches. In addition, extant ridge and furrow earthworks will be preserved within 26 Sensitive Archaeological Sites defined across the Principal Site in the **Works Plans [EN010142/APP/2.3(Rev02)]**. Furthermore, as established through the **Framework LEMP [EN010142/APP/7.17(Rev02)]** and illustrated by the **Indicative Landscape Masterplan [AS-028]**, solar PV panels have been relocated away from the parkland and designed landscape of the Harpswell Hall scheduled monument and historic villages of Springthorpe and Sturgate. Buffers have also been provided setting back solar PV panels from the B1398 Middle Street and residential properties within post-medieval farmsteads retaining

their scattered pattern in the landscape. The existing fieldscape will also be retained and selected former hedgerows lost during the 20th century will be replanted.

3.39 **Chapter 8: Cultural Heritage** of the ES [APP-039] concludes that the construction of the Scheme within the Principal Site would result in the long-term change of land-use from intensive agriculture to solar renewable energy generation. Despite this, the Scheme preserves the pattern, layout and key boundaries and features of the historic landscape, enabling the grain of the historic landscape character zones to retain their coherence, time depth and legibility. This is assessed to result in a long-term minor adverse effect, which is not significant. The impact of constructing the Cable Route Corridor would have a limited duration after which the buried cable would not alter the current historic landscape character. As such, this would result in a temporary negligible adverse effect, which is not significant.

3.40 In addition, Mr Martin Casswell set out concerns that the Scheme has not appropriately accommodated impacts on a field with heritage assets within the final Scheme design.

*Applicant response*

3.41 Mr Casswell has previously contacted both the Applicant and LCC's Historic Environment Officer regarding the use of Field 16 (which comprises the Sensitive Archaeological Site 3, Biodiversity Zone 3 and Area 13 for solar infrastructure, as shown on **Figure 3-1** of the ES [AS-055]), raising concerns with regards to the impact on earthwork remains of ridge and furrow agriculture.

3.42 As a result, the Applicant, in consultation with LCC's Historic Environment Officer, agreed to undertake a historic landscape review of Field 16 to confirm the effects of the Scheme on the character and surviving elements of the historic landscape within this location. A historic map regression exercise was undertaken, which confirmed that the Biodiversity Zone 3 and solar infrastructure proposed in Field 16 would have no significant effect on the character and surviving elements of the historic landscape within this location. This conclusion was agreed with LCC's Historic Environment Officer.

### **Management of flood zones by development**

3.43 In response to further questions on flooding by various Interested Parties, the Examining Authority requested clarity on the nature of Scheme apparatus within Flood Zones, and the consideration which has been made by the project for future increases in flood levels due to climate change related weather patterns.

*Applicant response*

3.44 **Figure 10-5** of the ES [EN010142/APP/6.3(Rev01)] shows the locations of Flood Zones across the Order limits. As set out within **Appendix 10-3: Flood Risk Assessment** of the ES [APP-097], a sequential approach has been applied to the layout and design of the Principal Site whereby the two on-site substations, BESS and the majority of the solar PV arrays are located in areas with the lowest risk of flooding from any source. Where areas of the Principal Site are located within Flood Zones 2 and 3, these have been proposed for

use as Biodiversity Zones or Sensitive Archaeological Sites and are excluded from solar development.

- 3.45 This is with the exception of one area (comprising small extents of Fields 51, 56, and 57), where solar PV panels are located within Flood Zone 2 and 3 extents, as shown on Figure 1 of the **Outline Design Principles Statement [AS-058]**. The **Outline Design Principles Statement [AS-058]** establishes that solar PV panels will not be installed on ground that is lower than 20.06m Above Ordnance Datum (AOD) within Fields 51, 56 and 57, to mitigate the risk of flooding from the Yewthorpe Beck surface water ditch in this location. This ground level was specified on the basis of estimated flood depth extents from Yewthorpe Beck for the 1 in 100 year flood event (with allowance for climate change). At this level, the height of the PV panels above ground will enable a freeboard depth of 300mm between the lowest level of the PV panels and the expected fluvial flood level for the 1 in 100 year Higher Central climate change allowance event. During a stakeholder consultation meeting held on 4 September 2023, the fluvial flood risk methodology and approach for this location were presented to the Environment Agency, Lead Local Flood Authority and Internal Drainage Boards. All stakeholders concluded that the fluvial flood risk assessment approach was deemed appropriate and proportional to the Scheme. A copy of the minutes from the consultation meeting is included in **Appendix 10-5** of the ES **[APP-099]**.
- 3.46 In addition, **Appendix 10-4: Outline Drainage Strategy** of the ES **[APP-098]** proposes a drainage system for new impermeable areas, designed to accommodate the 1 in 100-year storm events, plus a 40% allowance for an increase in peak rainfall intensity due to climate change. Surface water runoff will be attenuated via sustainable drainage techniques and discharge to watercourses will be restricted to greenfield rates within the Order limits as per the existing conditions.
- 3.47 With these measures in place, **Appendix 10-3: Flood Risk Assessment** of the ES **[APP-097]** concludes that the Principal Site passes the Sequential and Exception Test of the NPS EN-1 and NPPF and will remain safe throughout its lifetime without increasing flood risk to third party land.
- 3.48 With regards to the Cable Route Corridor, the Order limits cover areas of high risk of fluvial flooding (Flood Zone 3). Whilst other cable route corridor options were considered, these would also cover areas of Flood Zone 3, in order to connect to National Grid Cottam Substation. In addition, consideration has been given to the potential of a shared corridor with other solar developments within the area (Gate Burton Energy Park, West Burton Solar Project and Cottam Solar Project) in order to minimise cumulative impacts. There are therefore no alternative routes at lower risk of flooding from any source.
- 3.49 There are two temporary construction compounds, as shown on **Figure 10-5** of the ES **[EN010142/APP/6.3(Rov01)]** which would be located within Flood Zone 3, associated with the floodplain of the River Trent. The flood risk extents in this area benefit from fluvial flood defences, and therefore the area is considered to be at a lower residual risk of fluvial flooding. Whilst the temporary compounds are still located within Flood Zone 3, their temporary nature (up to 36 months), limited spatial extent compared to Flood Zone 3 extent, presence of flood defence infrastructure on the River Trent and, distance from potential receptors that could be impacted, mean that the **Appendix 10-3: Flood Risk Assessment** of the ES **[APP-097]** has concluded the likelihood of increased flood risk

from these is considered to be low. By their nature, the construction compounds will be temporary with no long-term impact to the wider environment, with the existing baseline conditions reinstated once construction is complete. **Appendix 10-3: Flood Risk Assessment** of the ES [APP-097] concludes that the Cable Route Corridor therefore passes the Sequential and Exception Test of the NPS EN-1 and NPPF.

3.50 Following the receipt of the relevant representation from the Environment Agency [RR-093], the Applicant is undertaking a further review of the Environment Agency's Product 4 flood data in the location of the two temporary construction compounds. The Applicant is proposing to incorporate the review of the Product 4 data into **Appendix 10-3: Flood Risk Assessment** of the ES by Deadline 2.

## 4. Wider issues raised by interested parties at OFH1 and the Applicant's response

4.1 The Applicant acknowledges all the various points raised by interested parties across both OFH1 and OFH2. For example, in relation to the following (non-exhaustive) list of topics:

- (a) Need for the Scheme in respect of climate emissions;
- (b) Efficiency and scale of the scheme;
- (c) Glint and glare of solar panels;
- (d) Management of construction traffic;
- (e) Security of the scheme from potential break-ins or theft;
- (f) Impact of the scheme on house prices;
- (g) Removal and replacement of vegetation to achieve biodiversity net gain goals;
- (h) Impacts on agricultural land;
- (i) Impacts on health and wellbeing; and
- (j) Cumulative effects with other solar projects.

4.2 The Applicant does not intend to cover these wider topics in any more detail in this submission, than the responses made at the hearing as outlined at section 2 above. Such concerns relevant to these topics are covered to address the specific concerns raised by Interested Parties in their Relevant Representations in the **Applicant's Responses to Relevant Representations** provided for Deadline 1 [EN010142/APP/9.1].

4.3 To find their specific concern within this response document, the Applicant recommends Interested Parties search for their name within the document. It is also noted that further to the comments by Interested Parties and the Examining Authority at the OFH, the Applicant has undertaken further updates to this response to ensure the responses provide fulsome summaries of the issues raised, and where they do need to cross refer

out to other documents, include the specific page and/or paragraph number for ease of navigation through those documents by Interested Parties.

- 4.4 In addition, the Applicant proposes to address these matters in greater detail at the future Issue Specific Hearings or Compulsory Acquisition Hearings on these topics where held, or otherwise in future responses to Written Submissions.