

**Tillbridge Solar Project
EN010142**

**Volume 9
Statement of Common Ground with
Anglian Water Services Limited
Document Reference: EN010142/APP/9.15**

The Infrastructure Planning (Examination Procedure) Rules 2010

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Table of Contents

1.	Introduction	3
1.1	Purpose of this Document.....	3
1.2	Parties to this Statement of Common Ground	3
1.3	The Scheme	4
1.4	Terminology	4
2.	Record of Engagement.....	5
3.	Areas of Discussion between the Parties.....	7
4.	References	10

Tables

Table 1:	Record of Engagement.....	5
Table 2	Areas of Discussion with Anglian Water.....	7

1. Introduction

1.1 Purpose of this Document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support an application for the proposed Tillbridge Solar Project ("the Application" or "the Scheme") made by Tillbridge Solar Limited ("the Applicant"). The Application was submitted to the Secretary of State for Energy Security and Net Zero ("the Secretary of State") for a Development Consent Order (DCO) ("the Order") under section 37 of the Planning Act 2008 ("PA 2008") (Ref 1) and accepted for examination on 8 May 2024.
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or on the Planning Inspectorate's website at <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010142/documents>.
- 1.1.3 SoCGs are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination. This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties and where agreement has not (yet) been reached. The SoCG will be progressed during the pre-examination and examination periods to reach a final position between the Parties and to clarify if any issues remain unresolved. This SoCG will be revised and updated as appropriate and/or required by the ExA at relevant examination deadlines.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared between (1) the Applicant and (2) Anglian Water Services Limited (jointly referred to as "the Parties").
- 1.2.2 The Applicant is a joint venture between Tribus Clean Energy Limited and Recurrent Energy, a subsidiary of Canadian Solar, who are both experienced developers of renewable energy projects.
- 1.2.3 Anglian Water Services Limited ("Anglian Water") is listed as a Statutory Consultee as part of the DCO Application. As a statutory undertaker whose functions are likely to be affected by the Scheme, Anglian Water is a prescribed consultee under Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("APFP Regulations"). The Applicant has accordingly consulted with Anglian Water during the preparation of the Application and following its acceptance.
- 1.2.4 The **Book of Reference [EN010142/APP/4.3(Rev02)]** and **Land and Crown Land Plans [AS-040]** identify apparatus for Anglian Water in the following plots 1-07, 12-01, 12-03, 13-07, 13-10, 13-19, 14-01a, 15- 01, 16-03, 17-06e, 17-07, 18-07, 18-08, 18-22, 19- 02, 19-07, 19-11, 20-01, 21-08, 21-08a, 21-08b, 21- 08c, 21-08d, 21-23, 21-26, 22-03, 23-02, 23-03, 23- 05, 5-12a, 9-10 and 9-11. The Parties are currently working to put in place relevant protective provisions to ensure that Anglian Water's functions as a statutory undertaker are not adversely impacted by the Scheme.

1.3 The Scheme

- 1.3.1 The Order, if granted, would authorise 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 arrays.
- 1.3.2 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.
- 1.3.3 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.
- 1.3.4 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.

1.4 Terminology

- 1.4.1 Section 2 of the SoCG provides a high-level overview of the correspondence to date between the Parties. This record of engagement is not exhaustive of all communications but focuses on those which are more pertinent to the Application and Anglian Waters interests.
- 1.4.2 Section 3 of the SoCG summarises the issues that are ‘agreed’ or are ‘under discussion’.
- 1.4.3 These terms are used as follows:
 - a. “Agreed” indicates where the issue has been resolved;
 - b. “Under discussion” indicates where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties;
 - c. “Not Agreed” indicates a final position where the Parties have agreed to disagree.

2. Record of Engagement

2.1.1 A summary of all meetings and correspondence that have taken place between the Parties in relation to the Application is outlined in **Table 1**. This includes email correspondence between the Parties to discuss sharing of information, arrangement of meetings and, where appropriate, to comment on draft documentation. **Table 1** reflects the key meetings and emails to date.

Table 1: Record of Engagement

Date	Form of Correspondence	Key topics discussed
16 August 2022	Letter	Statutory Undertaker letter issued.
9 September 2022	Email	Statutory Undertaker letter chaser email to confirm receipt.
25 May 2023	Letter	Section 42 statutory consultation correspondence.
30 June 2023	Letter	Land Interest Questionnaire (LIQ) issued.
4 August 2023	Email	Emails exchanged regarding LIQ. Additional information provided to Anglian Water.
18 August 2023	Email	LIQ Response provided by Anglian Water.
15 September 2023	Email	Applicant provided comments on Anglian Water's standard protective provisions.
3 October 2023	Email	Anglian Water provided response to Applicant's comments on protective provisions.
6 December 2023	Email	Applicant provided further comments on protective provisions.
11 December 2023	Letter	Section 42 targeted consultation correspondence.
23 February 2024	Email	Anglian Water provided response to Applicant's further comments on protective provisions.
13 March 2024	Letter	Confirmation Schedule of land interests issued.
18 March 2024	Letter	Confirmation Schedule returned.
19 March 2024	Email	Applicant provided further comments on protective provisions.
12 June 2024	Letter	Section 56 notification.
10 July 2024	Email	Correspondence sent to new email address.

Date	Form of Correspondence	Key topics discussed
30 July 2024	Online	Meeting took place to discuss protective provisions, relevant representations and provide general scheme update.
30 July 2024	Online	Relevant Representation submitted by Anglian Water.

3. Areas of Discussion between the Parties

3.1.1 Table 2 below details the areas of discussion and matters that are agreed, under discussion and not agreed between the Parties.

Table 2 Areas of Discussion with Anglian Water

Ref.	Relevant Application Document	Description of Matter	Status	Likelihood of Resolution
1.1	Draft DCO [EN010142/APP/3.1(Rev 03)]	The Applicant has agreed that the draft DCO can exclude a provision which seeks the right to connect to the public sewer. The draft DCO submitted at Deadline 1 has been updated to remove this provision and Anglian Water is to provide further comment ahead of Deadline 2.	Under Discussion	High
1.2	Draft DCO [EN010142/APP/3.1(Rev 03)]	The Parties have substantively agreed draft protective provisions, which will be included in the draft DCO. Anglian Water is presently in contact with their legal and operations teams to i) respond to the Applicant's further comments on the draft protective provisions and ii) determine whether the set off distances required for water pipes is >400mm (if applicable within the proposed Order land).	Under Discussion	High
1.3	Outline Drainage Strategy [APP-098] Chapter 10: Water Environment of the ES [APP-041]	Anglian Water's relevant representation asks that the Applicant should, despite the consideration for rainwater harvesting in the Outline Drainage Strategy [APP-098] , still investigate rainwater collection for the non-potable supply for the fire tanks. The Applicant has included information regarding Surface Water Drainage & Rainwater Harvesting within the Outline Drainage Strategy [APP-098] and within Appendix 10-4 of the Environmental Statement (ES). In accordance with Paragraph 056 of the Planning Practice Guidance for Flood Risk and Coastal	Under Discussion	High

Ref. Relevant Application Document	Description of Matter	Status	Likelihood of Resolution
	<p>Change, rainwater harvesting should also be considered as part of the drainage strategy. During the detailed design stage following DCO consent the use of rainwater harvesting for non-potable water supplies for operational buildings will be investigated.</p> <p>Further information in that regard has also been shared in the response to Anglian Water’s Statutory Consultation comments. This can be found in Table 10-5 in Chapter 10: Water Environment of the ES [APP-041].</p>		
1.4 N/A	<p>Anglian Water raised concerns about the interface the Scheme may have with projects it may look to soon promote within close proximity to the Order land.</p> <p>Anglian Water to therefore confirm if there are any prospective developments within the vicinity of the proposed Order land.</p>	Under Discussion	Medium
1.5 Chapter 10: Water Environment of the ES [APP-041]	<p>Anglian Water asked during a meeting on 30 July 2024 that the Applicant confirms their assumption made as part of their relevant representation and that no permanent connection to the mains water will be required for the construction phase of the project.</p> <p>As described in Chapter 10: Water Environment of the ES [APP-041], the Scheme is not proposed to have a permanent connection to the mains water during construction. The provision for water supply will be from commercial sources with dedicated clean water tanks provided to supply the various temporary welfare facilities (see paragraph 10.4.30).</p>	Under Discussion	High

Ref. Relevant Application Document	Description of Matter	Status	Likelihood of Resolution
1.6 N/A	<p>Anglian Water asked during a meeting on 30 July 2024 that the Applicant confirms the position regarding disruption to access to their existing above ground plant and apparatus.</p> <p>The Applicant confirms that, according to the asset plans provided to-date by Anglian Water, unfettered access can be maintained to existing surface infrastructure. The closest identified asset is the Fillingham Lane Sewage Treatment Works (Willingham).</p>	Under Discussion	High
1.7 N/A	<p>Anglian Water asked as part of their relevant representation and during a meeting on 30 July 2024 that the Applicant confirms the position regarding potential diversion of their apparatus.</p> <p>According to the asset plans provided to-date by Anglian Water, no diversion of their existing apparatus will be required to enable the delivery of the Scheme.</p>	Under Discussion	High

4. References

- Ref. 1 His Majesty's Stationary Office (HMSO) (2008) Planning Act 2008. Available at: <https://www.legislation.gov.uk/ukpga/2008/29/contents> [Accessed 09/09/2024]