

**Tillbridge Solar Project
EN010142**

**9.3 Written Summary of Applicant's Oral
Submissions at the Open Floor Hearing 2
EN010142/APP/9.31**

Infrastructure Planning (Examination Procedure) Rules 2010

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Tillbridge Solar Project

9.3 Written Summary of Applicant's Oral Submissions at the Open Floor Hearing 2 on 15 January 2025

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Table of contents

| | |
|--|-------------------------------------|
| Table of contents | 1 |
| 1. Introduction | 2 |
| 2. Written summary of the Applicant's oral submissions at OFH1 on Wednesday 16 October 2024..... | 2 |
| 3. Summary of specific issues raised by interested parties at OFH1 and the Applicant's response | Error! Bookmark not defined. |
| 4. Wider issues raised by interested parties at OFH1 and the Applicant's response | Error! Bookmark not defined. |

1. Introduction

- 1.1 This document sets out a summary of the Open Floor Hearing 2 (OFH2) held at 6:00pm on Wednesday 15 January 2025 as a blended event at Lincolnshire Showground, Lincoln LN2 2NA and by virtual means using Microsoft Teams.
- 1.2 This document provides a summary of the wider themes raised by Interested Parties at OFH2 in section 2 below, as well as the Applicant's oral submissions made in response in section 3 below.

2. Summary of key themes raised by interested parties at OFH2

- 2.1 The Applicant acknowledges the wide range of points raised by interested parties across OFH2. The key themes of these comments which the Applicant has noted included:
 - (a) Concerns as to government policy in support of large-scale ground mounted solar in agricultural regions;
 - (b) Questions as to the need for, and value of the renewable energy which would be provided by solar at this site, as opposed to other sources of energy, or other locations for solar (such as rooftop or brownfield locations);
 - (c) Impacts on agricultural land, including utilising land of best and most versatile value which could be used for food or other crops, but also the impacts on rural character and employment opportunities provided by farms to local communities;
 - (d) Explanations of the landscape, recreational and other values held by local communities for the site and surrounds, and concerns as to the impacts of the Scheme in removing or reducing the value of this local landscape and recreational use;
 - (e) Concern as to impacts on local biodiversity, including hedgerows and wildlife like deer;
 - (f) The impacts of flooding within the region and the Scheme's resilience to such events, as well as the concern that the Scheme may contribute to increased flooding;
 - (g) Nature of the local road network and concern as to impacts on this by construction traffic;
 - (h) The procurement processes for the Scheme, including in respect of procurement of solar panels from ethical companies and the impact of waste;
 - (i) Impacts of the Scheme and application process on the mental health and wellbeing of local residents;

- (j) The cumulative effects of the Scheme with other solar farms proposed for the broader area;
- 2.2 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 3 below.
- 2.3 Specific concerns similar to these have been raised by Interested Parties in relevant representations and written representations made throughout the Examination. The Applicant has responded to these matters in detail within the following documents in particular:
- (a) the **Applicant's Responses to Relevant Representations** provided for Deadline 1 [REP1-028];
 - (b) the **Applicant's Response to Written Submissions at Deadline 1** as submitted at Deadline 2 [REP2-007]; and
 - (c) the **Applicant's Response to Written Submissions at Deadline 2** as submitted at Deadline 3 [REP3-063]; and
- 2.4 The Applicant is providing further responses at Deadline 4 with the **Applicant's Response to Written Submissions at Deadline 3 [EN010142/APP/9.29]**. The Applicant will also consider and respond to any written versions of the submissions heard at OFH2, when those are provided at Deadline 4.

3. Written summary of the Applicant's oral submissions in response at OFH2 on Wednesday 15 January 2025

- 3.1 Ms Alexis Coleman, on behalf of the Applicant, thanked those who made oral submissions, and noted that representatives from Tillbridge Solar and its consultants have been present at the hearing to listen to and consider the concerns raised.
- 3.2 The process of determining an application for a Nationally Significant infrastructure energy project almost always involves a tension between the urgent national need for low carbon generation, including solar, and some local adverse effects which are unfortunately often unavoidable despite an applicant's best efforts to avoid, minimise or mitigate them.
- 3.3 The application for the Tillbridge Solar Project has to be determined in accordance with the National Policy Statements for Energy, and that policy is clear that there is a demonstrated urgent need for solar, and that substantial weight should be given to this need. The policy provides that in determining the application, the Secretary of State (SoS) is not required to consider the specific contribution of any individual project to be satisfied that need is established. So whilst the Applicant is aware from the many submissions made at OFH2, that many people in the local community do not agree that large scale ground mounted solar is part of the solution towards net zero, those arguments go to the merits of the National Policy Statements, which the SoS cannot change via this application.
- 3.4 Ms Coleman referred to the discussion of the Scheme's benefits at the first OFH, including:

- (a) a substantial contribution to the urgent need for renewable energy and a positive contribution to energy security and climate change mitigation, due to the displacement of greenhouse gas emitting forms of energy production;
- (b) the cumulative effect from construction employment;
- (c) proposed habitat creation and enhancement of habitat which would achieve a minimum 10% biodiversity net gain;
- (d) recovery of soil resources; and
- (e) diversifying the activities of existing farms.

3.5 Ms Coleman outlined that the Applicant understands and takes seriously the concerns raised by local people about the potential impacts of the Scheme, which is why the Applicant has made sure to assess these effects thoroughly in its environmental statement.

3.6 The Applicant has worked hard to avoid, minimise and mitigate significant adverse effects identified wherever possible. This started at the site selection stage, and continued through the design of the scheme, to consideration of additional mitigation and management measures. The process by which the site was originally selected included identification and where possible avoidance from the outset of key environmental constraints such as protected ecological areas and landscapes, and mapping of “best and most versatile” agricultural land. As part of the design evolution, the Applicant has introduced offsets and buffers for residential properties, removed parcels due to heritage and noise impacts, made adjustments to the order limits in response to landowner discussions, included two new permissive paths to facilitate connecting access by the public, introduced archaeological mitigation sites and biodiversity zones to provide connectivity for wildlife.

3.7 The Applicant has done its utmost to avoid and minimise residual adverse effects in applying the mitigation hierarchy. The decision is therefore for the ExA and SoS to consider whether the urgent need and critical national priority for the scheme outweighs those effects. The Applicant considers that those adverse effects are outweighed by the substantial benefits the scheme would deliver - namely a substantial contribution to meeting the urgent need for low carbon generation, supporting the overarching aim of meeting net zero targets and fighting climate change and its effects, which ultimately will benefit us all.

3.8 Ms Coleman then went on to briefly address the following specific topics raised by interested parties.

Human health and wellbeing

3.9 In response to submissions made by Mr Latham, Dr Proctor, Ms Garbitt, Ms Rose, Mrs Coleman, Mr Broadbent on matters affecting health and wellbeing; Ms Coleman noted that the Applicant recognises the potential for future environmental changes associated with the Scheme during construction, operation and decommissioning is a source of concern for local residents. To address this concern and support the long-term wellbeing of the community, the Applicant has undertaken a comprehensive and robust Environmental Impact Assessment so that any likely significant effects of the Scheme can be identified and mitigated.

3.10 The assessment considers effects of the scheme on a wide range of health and wellbeing determinants which are relevant to wellbeing, quality of life and amenity (for example changes in landscape and visual amenity, noise, access to open space and employment) as well as physical health (for example associated with air pollution and access to healthcare facilities). While the Applicant understands the local community does not agree with the outcomes of the assessment, it did identify that no significant adverse effects on human health or wellbeing should be generated by the activities of the Scheme. There is the potential for beneficial impacts on employment and income, prioritisation of walking and cycling routes (through new permissive paths) and climate change. These impacts will lead to beneficial effects on human health and wellbeing, and specifically, could lead to beneficial effects on mental health through increasing public access to recreational space in an area where there are few Public Rights of Way.

Agricultural land & food production -

3.11 In response to submissions by Ms Garbitt, Mr Broadbent, Mr Skelton and Ms Bingham on agricultural land; Ms Coleman noted that climate change is highlighted as a key risk to future UK food security. In addition, the Scheme area forms less than 1% of agricultural land available in Lincolnshire – meaning the impact of the Scheme on food production would not be significant, including in combination with other solar NSIP projects.

3.12 The Application demonstrates that the use of agricultural land for the Scheme is justified, that the impact on best and most versatile land has been minimised. The Scheme mainly takes land out of agricultural use for a temporary long-term basis (as it can return to agricultural use post the decommissioning of the solar farm), with only 0.92 hectares of BMV being potentially permanently lost to proposed woodland planting, which itself will have benefits.

3.13 Ms Coleman also noted the submission on behalf of the Elwess family demonstrating some benefits for existing farms which can be provided by the Scheme, and the Applicant continues to engage with landowners within the region.

Wildlife, ecology, biodiversity

3.14 In response to submissions by Ms O'Grady, Mrs Coleman, Mr Broadbent, Mrs Johnson regarding impacts on wildlife and local biodiversity, Ms Coleman pointed to the details of the Applicant's assessments is set out in **Chapter 9: Ecology and Nature Conservation of the ES [APP-040]** and the conclusion that there will be no significant adverse effects on biodiversity, with significant beneficial effects to a variety of habitats, including broad-leaved woodland, running water, hedgerows and species, including breeding birds, particularly farmland birds associated with hedgerows and field margins.

3.15 The Applicant has also taken opportunities to provide mitigation and enhancement measures within the Order limits to increase biodiversity and provide overall net gains in habitat. This means that any loss of vegetation or trees required for the safe passage of construction traffic will be replaced (and further benefit added on top of this). These measures include woodland, scrub and hedgerow planting, encouraging areas to naturally regenerate, establish species rich grassland across the Principal Site, and other habitat restoration and creation within the Order limits. The Scheme therefore delivers a minimum of 10% BNG, and significant beneficial impacts on ecological features and habitats.

Battery safety

- 3.16 To address concerns raised in the submissions by Mrs Coleman, Mrs Johnson regarding the safety of the Battery Energy Storage Systems (BESS) onsite, Ms Coleman noted that the safety of the BESS would be managed and controlled by a battery safety management plan, which is being produced in consultation with the Lincolnshire Fire & Rescue Service and the BESS will comply with all relevant standards and regulations to ensure safety. The Applicant has worked closely with the Fire Service and will continue to do so.

Landscape and visual impacts

- 3.17 In response to submissions on landscape impacts, including by Mrs Coleman and Mr Johnson, Ms Coleman acknowledged that despite the Applicant's best efforts to avoid and mitigate landscape and visual effects, there will be some adverse residual impacts in this respect.
- 3.18 Direct impacts within the Area of Great Landscape Value, The Cliff will arise during construction and before planting matures, through the presence of an upgraded section of existing farm track to be used for access, with other areas within the Order limits proposed for biodiversity enhancement or remaining undeveloped as Sensitive Archaeological Sites. No significant residual (year 15 stage) landscape effects are assessed for LLCA associated with The Cliff. There are also significant adverse effects for various viewpoints during construction and year 1 of operation, albeit these are greatly reduced once planting is established by year 15 of the scheme.
- 3.19 The Applicant has worked hard from site selection stage and design of the scheme to avoid and minimise visual and landscape effects, however, it acknowledges that with large scale infrastructure projects, some landscape effects are generally unavoidable. The Applicant has proposed planting to assist with screening and mitigating impacts, and its Framework Landscape and Environmental Management Plan sets out monitoring measures in order to ensure that expected growth rates are achieved in order to deliver established screening by year 15, which forms the basis of the assessment, although acknowledging this is still a long period of time for visual effects for people living locally.

Flood risk

- 3.20 In response to submissions on flood risks raised by Ms O'Grady, Mr Todd, Mr Johnson, Ms Coleman referred to the Flood Risk Assessment of the **Environmental Statement [APP-097]** which assesses flood risk to and from the Scheme from all sources. This includes the assessment of development within the floodplain, and includes mitigation requirements, where required, to ensure there is no increase in flood risk. All above ground infrastructure, other than PV panels, is located outside of floodplain extents (Flood Zone 3 and Flood Zone 2), to ensure no loss of existing floodplain storage.

Criticism of Applicant

- 3.21 The criticism of the Applicant or the companies making up the Tillbridge Solar Limited JV as raised by Sir Edward Leigh and Mr Johnson is unfounded. Ms Coleman 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. Ms Coleman pointed these parties to the further detail is provided in the Applicant's **Funding Statement [APP-018]**.

Skills Plan / Ethical Procurement

- 3.22 In response to other queries raised by those interested parties regarding the ethical procurement plans by the Applicant, Ms Coleman recognised that there are risks of modern slavery being connected to UK businesses and supply chains. The Applicant takes these risks seriously and will comply with all legal obligations regarding modern slavery in its procurement processes. Regarding this, the **Framework Skills, Supply Chain and Employment Plan (SSCEP) [APP-232]** sets out that the procurement strategy for the Scheme must be shaped to maximise opportunities to local businesses, with an ethical procurement policy, whilst seeking to minimise associated environmental impacts and safeguarding human rights in the supply chain.
- 3.23 Ms Coleman outlined that the Applicant is committed to maximising the economic and employment benefits the Scheme can provide for local communities. The SSCEP sets out a range of opportunities the Applicant has identified to benefit communities, including construction and operational apprenticeships, workforce training and STEM career programmes; recruitment of local residents for roles; proactive advertising to local contractors of purchasing and contracting opportunities.

Recycling / waste

- 3.24 In response to the concern raised by Mr Rapley about the Applicant's plans for the recycling and disposal of Scheme components, Ms Coleman noted that various measures are included in each of the Construction Environmental Management Plan (CEMP), Operational Environmental Management Plan (OEMP) and Decommissioning Environmental Management Plan (DEMP) to ensure the mitigation hierarchy is adhered to and waste is recycled or reused, avoiding landfill where possible. The DEMP commits to a 70% waste recovery (diversion from landfill) in connection with decommissioning.

Cumulative effects with the other solar schemes

- 3.25 In response to the concerns raised by several interested parties, including Sir Edward Leigh, Mr Latham, Ms Garbitt, Ms Rose, Mr O'Grady, Mr Court about cumulative impacts, Ms Coleman explained that the Scheme assessment shows that there are both significant adverse and beneficial cumulative benefits from the scheme with the neighbouring solar schemes. 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 in deciding whether to grant consent for the schemes consented to date, and the same approach will be taken here, as confirmed by the ExA.
- 3.26 The Scheme and other solar DCOs have worked collaboratively during design development and environmental assessments, including identification of a shared Cable Route Corridor, sharing baseline environment information and identification of shared mitigation measures. 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.

Benefits and conclusion

- 3.27 In respect of benefits, Ms Coleman added in addition to those outlined above that the Applicant is proposing a community benefit fund as part of the Scheme. Should the Scheme receive development consent, this would be independently administered by a local foundation and would be available for local initiatives to provide services to the community. Addressing Ms Bingham's point about having a contact from the Applicant during construction, Ms Coleman noted that there are measures like this included in the CEMP and OEMP, and that a community liaison group will be in operation.
- 3.28 Ms Coleman also directed the interested parties to the issue specific hearing continuing the following day where concerns in respect of batteries, landscape impacts and cumulative effects would be addressed further. She otherwise noted that the Applicant would be able to provide a more detailed response in writing to any written submissions provided by the interested parties at Deadline 4.
- 3.29 The hearing closed at 20:17.