

1. We are writing for and on behalf of Medebridge Solar Limited (MSL), which is a ground-mounted solar PV project at land off Fen Lane and Medebridge Road, South Ockendon, Essex (the Project). The Project was granted planning permission by Thurrock Council on 10th May 2022 (reference 21/02159/FUL) (the Planning Permission) and it is expected to enter into construction in late 2023, with a view to being operational early 2024 / early 2025.
2. MSL benefits from various land agreements in order to develop the Project. It is anticipated that the Project will connect to the electricity network at a substation located on land occupied by the adjoining Ockendon Solar Farm (Ockendon) and consequently, cabling will be installed between the Project and Ockendon. Furthermore, during the construction and operation of the Project, access will be required between the fields comprising the Project, from both Medebridge Road to the south and from Fen Lane to the north of the Project. Overall the Project is expected to generate significant benefits for the local community, including the generation of renewable electricity to power some 13,000 homes for an operational life of up to 40 years.
3. The Lower Thames Crossing project (the LTC) intersects the Project and will have other adverse impacts on the Project. Accordingly, MSL registered as an Interested Party to the Lower Thames Crossing DCO Examination (the Examination) and submitted a relevant representation on 22nd February 2023.
4. MSL has been working with the LTC Applicant (National Highways) in order to reach agreement on matters impacting the Project arising from the LTC. MSL continues to pursue these discussions and is optimistic that an acceptable solution on all outstanding matters will be achieved.
5. However, agreement has not yet been reached, and there are outstanding issues between MSL and the Applicant. Accordingly, MSL wish to lodge this submission now in order to provide the Examining Authority with an update on the outstanding issues and to seek protection for the Project in the event agreement is not achieved ahead of the end of Examination.
6. Further to condition 10 of the Planning Permission, prior to commencement of development of the Project a Landscape and Ecological Management Plan (LEMP) is to have been submitted and approved in writing by the local planning authority (Thurrock Council). The LEMP is to be implemented as approved before operational use of the Project. MSL has submitted a LEMP to Thurrock Council and this has been approved.
7. As part of the approved LEMP, an area has been identified by the Project for implementing the habitat works approved under the LEMP. The Project has taken steps to secure the land rights necessary to comply with the approved LEMP and condition 10 of the Planning Permission. The relevant land agreements required for MSL's compliance with the LEMP are anticipated to be entered into shortly, and in any event well before the granting of powers under the LTC DCO (if granted) and exercise of any of those compulsory acquisition powers.
8. However, as currently proposed, the LTC would compulsorily acquire part or all of the area to be utilised by the Project for compliance with the LEMP.
9. MSL seeks comfort from the Applicant that the LTC will not have adverse impacts for the Project in terms of compliance with condition 10 of the Planning Permission. MSL is aware of Article 56(3) of the draft LTC DCO, however MSL notes that this may not be included in the LTC DCO (if granted), may not give protection to the Project, and in any event would not come into effect for a number of years after the Project requires to comply with condition 10 of the Planning Permission and to enter into the necessary land agreements. Accordingly, the LEMP land will be operational and will be subject to land agreement(s) when compulsory acquisition rights are exercised over it (if those rights are exercised, either in full or in part).
10. MSL are aware that the LTC Examination concludes in less than two months, accordingly MSL wishes to record the current status of this issue and to preserve its position with respect to making further submissions. MSL continues to seek a negotiated solution with the Applicant and is optimistic that such a solution can be reached. MSL looks forward to hearing from the Applicant.