The following is an augmented transcript of my oral submission to OFH2 on 25th February regarding technical and financial competence, together with some additional points and observations arising from the applicants response or lack thereof.

There has been no response, either from the applicant or the Examiner, regarding the matter of technical competency and I would urge once again that this be considered. It cannot be taken on trust that the applicant is capable of completing this project successfully. Given the lack of detail in the plans, all the evidence appears to be to the contrary. It is notable that none of the applicants representatives at the ISH on BESS was able to speak knowledgeably about the BESS, and did not even appear to know the storage capacity of the proposed batteries in MWh,

It is appreciated that the Examiner has recognised the importance of upfront Decommissioning funding via a bond or similar during the ISH on Public Rights of Way, but the applicants neglect of this must shed more doubt on their financial competence to manage a project of this size.

An obvious example of this situation is where Planning Consents are granted by a county council for mineral extraction on agricultural land. Following the winning of the minerals and the subsequent backfilling with approved waste it is essential that the land is returned to agricultural use and in particular that topsoil is reinstated to make that use possible.

Whilst solar generating stations as compared with mineral extraction are relatively novel, the temporary planning consent for this change of use and the requirement for the land to be returned to agriculture upon expiry of the term exactly matches the situation where minerals are extracted. It was noted that Counsel for the applicant had nothing material to offer in response to the Exa's question at the Hearing and presumably the applicant will address this important issue by the deadline on 11th March 2025.

Although there may be no precedent for the provision of a Bond to ensure that the land is, as required, returned to agricultural use, the planning statute that allows a county council to require an applicant to obtain this facility before granting consent must apply equally here. It is wholly appropriate to guard against a situation where the owner of this development (either at the end of the 40 year period or potentially earlier) is, for whatever reason, unwilling or unable to comply with the condition of returning the land to agricultural use. Without the security afforded by a Bond there can be no guarantee of reinstatement at all. In that scenario, particularly with a site that is likely to represent a serious, and largely unknown, safety hazard, the cost of decommissioning and agricultural reinstatement would necessarily fall on the public purse.

TRANSCRIPT

I would like to address serious concerns relating to the technical and financial competence of the applicants to plan and deliver a project of this scale. I believe there may be serious flaws and worrying lack of detail in this plan as it stands

Renewable energy, including solar, is critical for our future energy security and net zero goals and we as a community and a country need to have confidence in the companies, such as EPL001 Limited, carrying out such Nationally Significant Infrastructure Projects.

The examination of a proposal for such a Project should give serious consideration to the competency of the applicants to plan, construct and deliver the project in a safe, timely and efficient manner providing maximum benefit to the future energy needs of the country at minimum cost while minimising harm to the environment and quality of life.

A project of similar scale for other forms of energy production, oil gas or nuclear, would surely never be granted consent without a high degree of confidence in the applicants competence to deliver it.

According to 2023 accounts EPL001 Limited is a company of no great substance, with no income and net assets of just £1300. Funding for the DCO Application Process is provided by their Finnish backers – Korkia Renewables.

Section 2.2 of the Funding Statement (REP1-012) indicates that construction costs are estimated to be £150 million excluding the cost of decommissioning.
According to this Funding Statement EPL001 and its parent company Evolution Power don't have the funds and neither do their Finnish backers.
In their letter of support Korkia specifically exclude a commitment to fund the construction and instead provide various vague fundraising ambitions (Ref Funding Statement).

It remains uncertain how the project will be funded

To build and operate such a solar and BESS installation clearly requires a competent work force, management systems and experience. Aside from the 5 directors, there is no evidence that EPL001 has any employees nor experience of building and operating a solar farm, let alone a combined Solar and BESS installation as proposed here.

A Development Consent Order (DCO) if granted, will confer great powers on EPL001 to install solar panels and batteries in our countryside.
The plans submitted for the location of these are only indicative; batteries and solar panels will be permitted within 25m of residential properties and the DCO will allow their replacement after 20years.

Given the hazardous nature of BESS, this is a serious health and safety issue

All the directors of EPL001, as listed at Companies House, appear to be investment professionals without proven engineering expertise of any kind, and, although they may have experience of financing similar, but much smaller, projects, there is no doubt that considerably more professional expertise will be required to deliver a project of this size and scope.

Allowing that any engaged contractors (or subsequent owners) are competent to complete the project safely, it remains apparent that the choice of site and plan of works proposed have been prepared with the aim of maximising return on an investment and not of providing the best solution to the problems inherent in siting a solar PV project of this size on agricultural land so close to a thriving village.
Indeed the siting of the project is clearly dictated not by maximising generating capacity or minimising adverse effects on the environment and residents, but by the availability of the land, it having been largely the property of one individual.

Due to the proximity of the adjoining East Stour Solar Application, it is possible and instructive to compare the performance and planning of EPL001 to an established and experienced energy company, EDF. I have detailed some points of comparison

- On the subject of PROW

  EDF have maintained the existing alignment of all footpaths – EPL001 are terminating several and redirecting most around field boundaries
  EDF have provided mitigation to ameliorate the impact on walkers by planting – EPL have provided none
  EDF have augmented the existing PROW network – whereas EPL001 have only added sections where this is unavoidable on account of diversions proposed

- On the subject of Landscape Visualisations

  EDF provided printed Landscape Visualisations at A0 scale so that the visual impact could be appreciated by the community – EPL001 provided printed visualisations at A4 scale at the 1st statutory consultation and when requested to provide visualisations at a more suitable

scale so the community could get a proper impression, they responded by producing nothing at all at the 2nd statutory consultation

- On the subject of impact on residential properties

  EDF maintained a minimum solar panel setback of 150m from adjoining residential properties – EPL001 have not – Solar panels are located within 35m of at least one property

- On the subject of Glint and Glare

  EDF considered solar glint events of over 30 minutes per day as being high impact – EPL001 consider impacts of over 30 minutes to be low impact
  EDF provided information on the time of day glint may be experienced, the number of hours per year that glare may be experienced and the areas of the solar farm from which glint and glare originates – EPL001 have not

Decommisioning costs for the project have not been disclosed in the funding statement. These should be estimated by a truly independent 3rd Party expert and made available within the Examination Library. If, for whatever reason, there are insufficient funds to meet the decommissioning liability, the community will be left with the blight of “rotting infrastructure” in our countryside.

The applicants do not appear to have a sufficiently strong balance sheet to meet the decommissioning liability, and they should be required to procure a Bond to meet the estimated costs. Provision for this should be included in the Draft DCO.

Decommissioning should occur once energy generation ceases, not at the end of the 40 year temporary consent.

While strongly in favour of Solar generation, I feel that to give consent to a project of this nature without giving proper consideration to all these issues would set unfortunate and possibly disastrous precedents in what is still a relatively new and unregulated industry. Indeed this examination should be regarded as an opportunity to set standards and regulations from the outset rather than in reaction to mishaps and mistakes.

The application as it stands appears to be a speculative venture rather than a serious attempt to create lasting safe and environmentally friendly generating capacity.

Should the proposal be approved in its present form, it seems possible, even likely, that the site and surrounding area will be blighted by uncertainty, costs will be greater then anticipated, and the future of PV solar generation in this country seriously impacted.