

Written Representation by Network Rail Infrastructure Limited in relation to the Tillbridge Solar Limited application for the Tillbridge Solar Project Development Consent Order 202[]

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Unique Identification Number: 20049928

Further to Network Rail Infrastructure Limited's (**Network Rail/NR**) relevant representation submitted on 01 August 2024, NR wishes to make this written representation in relation to Tillbridge Solar Limited's (the **Promoter**) application (**Application**) for the above development consent order (**DCO**).

The Application includes provisions which would, if granted, authorise the Promoter to carry out works on and in close proximity to operational railway land in the control of Network Rail, to use such land temporarily and to acquire permanent interests in such land, and disapply railway legislation which allows NR to carry out its statutory undertaking in respect of the region. This DCO also has potential to impact both bridges and level crossings.

As set out in Network Rail's earlier relevant representation, the Book of Reference identifies 7 plots (**Plots**) of land over which Network Rail have rights or land is owned or occupied by Network Rail, in respect of which compulsory acquisition powers are sought. These include land forming part of (or adjacent to) the operational railway (the Sheffield to Lincoln line).

The Promoter has identified in the Book of Reference that the rights sought to be compulsorily acquired from NR fall within both Class 1 and 2, and without the adequate protective provisions in place, the acquisition of these rights could have a detrimental impact on the safe and efficient running of railway.

The Promoter is seeking, through compulsory purchase (**Compulsory Powers**), the permanent acquisition of rights over the Plots (including rights of access to land adjoining the Railway and rights to install a cable under the railway) in accordance with the class rights above. The Promoter has provided Network Rail with the Table of Interests in the Book of Reference (Part 1 – Categories 1 and 2) which detail the proposed works and the nature of the powers sought over the Plots.

NR objects to the use of Compulsory Powers and the exercise of the class rights over the Plots to deliver the development to be authorised by the DCO on the ground that the proposed works will interfere with the safe and efficient operation of the railway and give rise to impacts on NR's railway and associated infrastructure. The exercise of class rights are a particular cause for concern for NR due to the impacts that they will have, and the exercise of these on NR property without the necessary provisions in place would be at the detriment of public safety.

Network Rail are aware that the development may also have an impact on various bridges and level crossings and are, at the time of writing currently assessing what these impacts are. Network Rail will provide a further update in respect of the same to the Inspectorate once such implications have been determined.

As mentioned above, Network Rail continues to investigate the extent of the risk to its assets and is liaising with the Promoter in relation to any mitigation required and it is anticipated that this will continue during the examination process.

Until agreement has been reached with the Promoter on all matters to its satisfaction, Network Rail will not be in a position to withdraw its objection to the making of the DCO. Network Rail reserves the right

to be heard at an appropriate hearing to explain in detail the impacts of the scheme on its operations and also reserves the right to supplement these representations once further determinations have been made in respect of the interference of Network Rail rights.