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Dear Sir/Madam

Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 –Rule 8 and 9, 10, and 17

Application by Tillbridge Solar for an Order Granting Development Consent for the Tillbridge Solar Project

Following the Planning Inspectorates Rule 8 letter dated 22 October 2024 the County Council submits its written representation in respect of this application. The Council provided initial comments in relation to this application in its Relevant Representation response earlier this year.

This written representation provides the Council's updated position following consideration of the application by the Council's Planning and Regulation Committee on 4th November 2024.

This written representation has been prepared in accordance PINS advice note 8.4 and should be read in conjunction with the Council's Local impact Report submitted by the Council at deadline 1A. The Local Impact Report was brought to the Council's November Planning Committee when it was resolved to approve the Impact Report for submission. Based on the findings of this impact report the Council resolved to submit a **formal objection** to the application on the following grounds:-

The project would produce 500MW clean renewable energy that would support the nation's transition to a low carbon future, deliver significant biodiversity net gain benefits through the creation of mitigation and enhancements as well. At this time these positive benefits are not outweighed by the negative impacts that arise given the overall size and scale of the development both on its own and in combination with the other NSIP scale infrastructure projects proposed in this geographical area as follows:

There is a tension in relation to BMV impacts given that land in and around of the energy park site comprises land in Grades 1,2 or 3a and a full survey of the cable route as yet to be assessed but is predicted to be around 50-60% BMV. The National Policy Statements direct that previously developed land, brownfield land, contaminated land, industrial land and non-BMV land should be developed as a preference, and where policies S14 and S67 of the CLLP seek to protect the best and most versatile agricultural land so as to preserve opportunities for food production and the continuance of the agricultural economy. A significant permanent and negative impact as a consequence of the loss of agricultural land is identified, a proportion of which of which is classed best and most versatile land. This loss is not only at a local level but significant when considered in-combination with the loss of land from other NSIP scale solar developments that are also being promoted and considered across Lincolnshire contrary to Policy S67.

A permanent and negative impact upon the landscape character and the appearance of the area as a consequence of changes to the current arable agricultural land use. In view of the conclusions from the Council's assessment of the landscape and visual impact of the development negative impacts have been identified for the site some of which may be mitigated by the production of further evidence but the cumulative impact when combined with the other proposed solar farms in this location is negative which results in a conclusion that the scheme would be contrary to Local Plan Policies S5, S14 and S16.

In terms of provision of facilities to process and recycle solar panels and associated equipment once they reach the end of their useful life there is currently insufficient waste facilities to process this waste. Currently there are no waste facilities to process discarded solar infrastructure as it is replaced during the lifetime of the development and at the decommissioning stage. When combined with the other solar projects in the County that have already been granted and others that may be granted DCOs in the next twelve months this will present an issue that will need additional facilities to ensure these products are sustainably disposed of and until a satisfy mechanism is in place to address this issue an objection is raised as contrary to Minerals and Waste Local Plan policy W1.

The Council's questions the efficacy of large solar farms in managing the impact of climate change, both from the direct usage of renewable energy sources in just the UK, and from the carbon footprint produced in the making and transportation of solar panels. This aspect is compared to the impacts of using around 1200 hectares of usable agricultural land, and that the cost of importing food supplies to compensate for the loss of this agricultural land has not been taken into consideration. This impact is not just from this project but should be considered cumulatively with the other projects clustering in this geographical area. Therefore, there is a distinct issue in relation to cumulative impacts on greenhouse gas emissions (GHG emissions) particularly following the Supreme Court decision in *R (Finch) v Surrey County Council* [2024] UKSC 20. Whilst Finch was not directly on this point, the reasoning of the Supreme Court if applied in this context would be sufficient to cast doubt upon the correctness of the Institute of Environmental Management and Assessment Guidance and therefore the Applicant's position on this issue. In Finch, the Court was clear that the fact that Green House Gas emissions are a global issue does not mean that they are not capable of assessment in relation to a single or cluster of projects. The Council's view is arguably there is no reason why a list of

connected projects could not be drawn up upon sensible parameters and the clustering of solar schemes in Lincolnshire would form a sensible list for such an assessment, particularly given this is the list of projects considered for other cumulative effects.

In conclusion whilst the Council currently objects to the proposed development on a number of grounds, the Council will continue to engage with the applicant and Examining Authority throughout the examination period in an attempt to resolve as many as these concerns as possible by the close of the examination.

Yours faithfully

Neil McBride
Head of Planning