

**Application by Tillbridge Solar Limited for Tillbridge Solar Project**  
**The Examining Authority's third written questions and requests for information (ExQ3)**  
**Issued on 11 March 2025**

The following Table sets out the Examining Authority's (ExA's) third written questions and requests for information – ExQ3.

Questions are set out using an issues-based framework, which is primarily derived from the Initial Assessment of Principal Issues provided as Annexe C to the Rule 6 letter of 17 September 2024. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the Table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 3 (indicating that it is from ExQ3) and then has an issue number and a question number. For example, the first question on air quality and emissions issues is identified as Q3.1.1. When you are answering a question, please start your answer by **quoting** the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a Table based on this one to set out your responses. An editable version of this Table in Microsoft Word is available on request from the case team: please contact [tillbridgesolarproject@planninginspectorate.gov.uk](mailto:tillbridgesolarproject@planninginspectorate.gov.uk) and include **Tillbridge Solar Project** in the subject line of your email.

**Responses are due by Deadline 6 (DL6): Tuesday 01 April 2025**



## Abbreviations:

<b>AN</b>	<b><i>Advice Note</i></b>	<b>EMF</b>	<b><i>Electromagnetic Field</i></b>
<b>ALC</b>	<b><i>Agricultural Land Classification</i></b>	<b>ES</b>	<b><i>Environmental Statement</i></b>
<b>ATC</b>	<b><i>Automatic Traffic Count Survey</i></b>	<b>ExA</b>	<b><i>Examining Authority</i></b>
<b>BDC</b>	<b><i>Bassetlaw District Council</i></b>	<b>FCEMP</b>	<b><i>Framework Construction Environmental Management Plan</i></b>
<b>BESS</b>	<b><i>Battery Energy Storage System</i></b>	<b>FDEMP</b>	<b><i>Framework Decommissioning Environmental Management Plan</i></b>
<b>BMV</b>	<b><i>Best and Most Versatile land</i></b>	<b>FLEMP</b>	<b><i>Framework Landscape and Ecological Management Plan</i></b>
<b>BNG</b>	<b><i>Biodiversity Net Gain</i></b>	<b>FOEMP</b>	<b><i>Framework Operational Environmental Management Plan</i></b>
<b>BoR</b>	<b><i>Book of Reference</i></b>	<b>GVA</b>	<b><i>Gross Value Added</i></b>
<b>CA</b>	<b><i>Compulsory Acquisition</i></b>	<b>ha</b>	<b><i>Hectare</i></b>
<b>CCGT</b>	<b><i>Combined Cycle Gas Turbines</i></b>	<b>HDD</b>	<b><i>Horizontal Directional Drilling</i></b>
<b>CEMP</b>	<b><i>Construction Environmental Management Plan</i></b>	<b>HGV</b>	<b><i>Heavy Goods Vehicle</i></b>
<b>DCO</b>	<b><i>Development Consent Order</i></b>	<b>HE</b>	<b><i>Historic England</i></b>
<b>dDCO</b>	<b><i>Draft Development Consent Order</i></b>	<b>HRA</b>	<b><i>Habitats Regulation Assessment</i></b>
<b>EIA</b>	<b><i>Environmental Impact Assessment</i></b>	<b>IDB</b>	<b><i>Internal Drainage Board</i></b>
<b>EM</b>	<b><i>Explanatory Memorandum</i></b>	<b>IPs</b>	<b><i>Interested Parties</i></b>
<b>LCC</b>	<b><i>Lincolnshire County Council</i></b>	<b>ISH</b>	<b><i>Issue Specific Hearing</i></b>



<b>LEMP</b>	<b><i>Landscape and Ecological Management Plan</i></b>	<b>km</b>	<b><i>Kilometre</i></b>
<b>LIR</b>	<b><i>Local Impact Report</i></b>	<b>LCC</b>	<b><i>Lincolnshire County Council</i></b>
<b>LLFA</b>	<b><i>Lead Local Flood Authority</i></b>	<b>PoC</b>	<b><i>Point of Connection</i></b>
<b>LPA</b>	<b><i>Local Planning Authority</i></b>	<b>PRA</b>	<b><i>Preliminary Risk Assessment</i></b>
<b>LSE</b>	<b><i>Likely Significant Effects</i></b>	<b>PRoW</b>	<b><i>Public Right of Way</i></b>
<b>LVIA</b>	<b><i>Landscape and Visual Impact Assessment</i></b>	<b>PV</b>	<b><i>Photovoltaic</i></b>
<b>MW</b>	<b><i>Megawatt</i></b>	<b>SoR</b>	<b><i>Statement of Reasons</i></b>
<b>RR</b>	<b><i>Relevant Representation</i></b>	<b>SAC</b>	<b><i>Special Area of Conservation</i></b>
<b>RVAA</b>	<b><i>Residential Visual Amenity Assessment</i></b>	<b>SoS</b>	<b><i>Secretary of State</i></b>
<b>NE</b>	<b><i>Natural England</i></b>	<b>SuDS</b>	<b><i>Sustainable Drainage Systems</i></b>
<b>NCC</b>	<b><i>Nottinghamshire County Council</i></b>	<b>TPO</b>	<b><i>Tree Preservation Order</i></b>
<b>NMU</b>	<b><i>Non-Motorised User</i></b>	<b>WLDC</b>	<b><i>West Lindsey District Council</i></b>
<b>NPS</b>	<b><i>National Policy Statement</i></b>	<b>WR</b>	<b><i>Written Representation</i></b>
<b>NRMM</b>	<b><i>Non-Road Mobile Machinery</i></b>	<b>ZTV</b>	<b><i>Zone of Theoretical Visibility</i></b>
<b>NSIP</b>	<b><i>Nationally Significant Infrastructure Project</i></b>		
<b>ONS</b>	<b><i>Office of National Statistics</i></b>		

### **The Examination Library**

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

[Examination Library](#). It will be updated as the Examination progresses.

### **Citation of Questions**

Questions in this Table should be cited as follows:

Question reference: issue reference: question number, eg ExQ3 3.1.1 – refers to question 1 in this Table.

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ExQ1	Question to:	Question:
<b>1. General and cross-topic questions</b>		
<b>General and cross-topic questions</b>		
Q3.1.1	Applicant, LCC, WLDC and 7000 Acres	<p><b>Planning Balance in SoCGs</b></p> <p>Could the applicant and the respective parties to Statements of Common Ground (SoCG) please include a clear section on the planning balance to be applied in the determination of this application? In particular, the ExA would like these parties to please confirm their positions (and points of difference) on the weight to be afforded to the adverse effects and the benefits of the proposal.</p> <p>For example, the ExA understands that WLDC does not criticise the conclusions reached on adverse effects in the applicant's ES. Where it differs is on the weight to be afforded to these adverse effects in the overall planning balance. As such, it is essential that the difference between the applicant and WLDC is established on a topic-by-topic basis in the SoCG. The same exercise should be undertaken in respect of SoCGs with LCC and 7000 Acres.</p>
Q3.1.2	All parties	<p><b>SoCG</b></p> <p>Please ensure that all final SoCGs are <u>signed</u> by the parties to them. Please also ensure that they clearly express any matters <u>not agreed</u> (i.e. outstanding matters in dispute) between parties to each SoCG.</p>
<b>2. Biodiversity and ecology</b>		
Q3.2.1	Applicant, EA	<p><b>Riparian Mammals</b></p> <p>Please can the applicant update Construction Environmental Management Plan with reference to the comments raised by the Environment Agency in the response at DL5 (REP5-052). Please can the Environment Agency comment upon the suitability of the existing provisions in the Construction Environmental Management Plan and any possible changes proposed by the applicant for all riparian mammals.</p>
Q3.2.2	Applicant, EA	<p><b>EMF effects on migratory fish</b></p> <p>With regards to the issue raised by the Environment Agency (REP3-068) at DL3 and subsequently discussed at ISH3. Please can the Environment Agency and the applicant comment on the adequacy of</p>

ExQ1	Question to:	Question:
		the proposed monitoring regime; and the potential manners in which the risks could be mitigated if the monitoring establishes an impact is taking place?
Q3.2.3	Applicant, WLDC, LCC	<p><b>Bat roosting, foraging and commuter sites</b></p> <p>Further to the discussions at ISH3 with regards to the potential for bat roosting sites within and outside of the order limits, please can the applicant comment on the concerns raised regarding the potential for roosting sites above ground level to be present in those trees within the order limits; and the potential for roosting sites to be present adjacent to order limits?</p> <p>Can the applicant also advise of any potential impacts for bats transiting or foraging across the proposed development site, both during the construction and operational period may be affected.</p>
Q3.2.4	Applicant, NE, LCC, WLDC	<p><b>Biodiversity Net Gain</b></p> <p>Further to the discussion at ISH3 and points raised in responses at DL3 and DL5, please can the applicant clarify the BNG and habitat provision within the order limits, and identify how much, if any, of that new gain habitat is considered to be land underneath the solar arrays.</p>
<b>3. Climate change</b>		
Q3.3.1	Applicant	<p><b>The 'Finch Judgement'</b></p> <p>Could the applicant please direct the ExA to the assessment of downstream greenhouse gas emissions in light of Judgment R (on the application of Finch on behalf of the Weald Action Group) (Appellant) v Surrey County Council and others (Respondents)? If necessary, please update the assessment to ensure that the implications of this judgement are addressed.</p>
<b>4. Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations</b>		
Q3.4.1	Applicant	<p><b>Affected Persons</b></p> <p>Can the Applicant provide an update on negotiations with regards to affected persons where heads of terms remain to be agreed?</p>
<b>5. Cumulative and in-combination effects<sup>1</sup></b>		
No further questions at this time		

<sup>1</sup> Please note that each topic includes separate questions on cumulative effects. Those included here are overarching questions.

ExQ1	Question to:	Question:
<b>6. Draft Development Consent Order (DCO)</b>		
<b>Articles</b>		
<b>40. Trees subject to tree preservation orders</b>		
Q3.6.1	Applicant	The ExA would like to clarify the location of the existing TPOs within the order limits. It is noted in the Applicant's Responses to ExA First Written Questions (REP3-062) in the response to Q2.6.1 it was stated that there are no TPOs within the order limits and that this was reaffirmed at ISH1. However, it notes from the Applicant's Responses to ExA Second Written Questions (REP5-032) under Q2.6.1 this does refer to two trees having TPOs. Please could a drawing be produced to indicate the location of these trees and copies of the TPO information listing their reasons for protection status. Can the applicant advise on the planned works, if any, to these trees.
<b>Schedule 15 – Protective Provisions</b>		
Q3.6.2	Applicant	Please can the applicant provide an update with regards to the remaining outstanding protective provisions with statutory undertakers and the likelihood of these draft protective provisions being agreed prior to the closure of the examination? In particular can it describe progress with regards to those organisations that agreements are not likely to be reached at the close of the examination.
<b>7. Heritage</b>		
<b>Archaeology</b>		
Q3.7.1	Applicant and LCC	<b>Viking Winter Camp</b> Could the applicant please provide a response to LCCs response to written question 2.7.6 [REP5-062]? In addition, could both LCC and the applicant please include this matter in the final SoCG? It is essential that any differences between the parties on this matter are established and communicated fully and concisely to the ExA prior to the close of the examination.
Q3.7.2	Applicant	<b>Viking Winter Camp</b> The ExA notes the applicant's response to Q2.7.6 [REP5-033] and specifically the references in appendix E, which relate to the extent to which this matter has already been considered in relation to other projects. However, could the applicant please provide a more concise and clear response on the



ExQ1	Question to:	Question:
		<p>effect of the previously made DCOs on the consideration of this matter. For example, is it the case that the exact same effects would occur in the absence of this project? Is the temporary access location and alignment identical to that consented under other DCOs? Please annotate figure 1 of Appendix E to identify the cable route and accesses for other DCOs (i.e. where they are the same or similar).</p> <p>If the exact same effects would occur regardless of this project, then what are the implications of this in terms of:</p> <p>a) applying the NPPF test for less than substantial and substantial harm; and</p> <p>b) the overall planning balance to be applied in a hypothetical scenario where substantial harm is identified.</p>
<b>8. Human health, safety, accidents and major incidents</b>		
Q3.8.1	Applicant, LCC LFRS	<p><b>Fire fighting provisions</b></p> <p>Further to the discussions at ISH2 and the applicant's response at DL5 please can the LCC LFRS advise on the adequacy of the access and turning arrangements for fire fighting response, including the local highways approach to the site for passing for vehicles, the provision of access with regards to wind direction and adequacy of access and turning once on site. Can the applicant provide an update with regards to the ongoing discussions with LCC LFRS in this respect and the status of the FBSMP.</p>
Q3.8.2	Applicant, LCC LFRS	<p><b>Community Warnings</b></p> <p>The ExA notes the applicant's response to Q2.8.3 of Applicant's Responses to ExA Second Written Questions (REP5-032). Specifically the section "The Applicant expects that LCC and LFR would finalise any local community alert protocols they would be responsible for when the Emergency Response Plan was drafted" and queries the progress with regards to this and also LCC's view as member of the Local Resilience Forum and how these community warnings might be triggered and issued.</p>
Q3.8.3	Applicant	<p><b>Potential for Heat Island Effect</b></p> <p>The ExA notes the applicant's response to Q2.8.3 of Applicant's Responses to ExA Second Written Questions (REP5-032). The ExA notes that there is currently no consensus on this phenomena. However it requests that the applicant consider this potential for the reasonable worst case scenario and its likely impacts including consideration of the elevated temperatures with respect to local community health and the operating environment for the BESS.</p>

ExQ1	Question to:	Question:
<b>9.</b>	<b>Landscape and visual impact</b>	
Q3.9.1	Applicant	<p><b>Mitigation</b></p> <p>ES section 12.7 [REP4-014] and pages 33 to 37 of the Environmental Mitigation and Commitments Register [REP3-021] outline 'embedded' mitigation measures. However, these documents include aspects of mitigation which might normally be considered to go beyond what is 'embedded' in the scheme design. For example:</p> <ul style="list-style-type: none"> <li>▪ 'Provision of woodland screening'.</li> <li>▪ 'Improvement of field boundaries'.</li> <li>▪ 'Provision of woodland or shelter belt planting'.</li> <li>▪ 'Provision of green infrastructure'.</li> </ul> <p>Could the applicant please explain the approach to embedded and additional mitigation? Bearing in mind that LSE should include the effects of the development without 'additional mitigation' with residual effects to include 'additional mitigation' as per ES paragraphs 5.4.1 to 5.4.5 [APP-036]. Please refer to the relevant IEMA guidance and correct the assessment accordingly if required.</p>
Q3.9.2	Applicant	<p><b>Year 15</b></p> <p>Section 6.8 of the ES non-technical summary [AS-025] outlines that there would be significant visual effects for 11 representative viewpoints during year 1 of operation, with significant visual effects for 3 viewpoints after during year 15. In particular there are two VPs where residual effects are reduced from 'Major Adverse' in year 1 to not significant by year 15. They are VP2b and VP19. Could the Applicant explain why this is, with reference to the conclusions of the ES where relevant?</p>
Q3.9.3	Applicant	<p><b>ES Tables 18-12 to 18-18</b></p> <p>During ISH3, the applicant explained that the fifth column of ES tables 18-12 to 18-18 [REP5-013] is the cumulative effect to be added to the residual effect of the proposed development in isolation (column 2). However, the ExA would like the applicant to explain where this addition (i.e. the sum total) of the effects is set out. Taking just one example: Table 18-12 sets out that the residual effect of the proposed development in isolation on LLCA 5a is 'minor adverse'. The cumulative effect on this LLCA is identified as 'Moderate adverse (significant)'. What does that mean for the overall conclusions on this effect? As the two effects differ.</p>

ExQ1	Question to:	Question:
		<p>It is accepted that in the majority of cases the effects in the fifth column match those in the second. In such instances, is the assumption that the overall effect would also be the same?</p> <p>It would be helpful if the applicant could add an additional column to these tables to explain what the sum total effect is as a result of the cumulative effects identified, with a brief explanation for the conclusions reached.</p> <p>Note: notwithstanding this query and the applicant's position at ISH3, the brackets seem to suggest that the final column is actually the sum total of the effects. But in other instances that can't be the case (for example VP8 in table 18-16).</p> <p>Effectively, the ExA would like the applicant to update the tables to make clear where (for which VPs) the cumulative effects are greater than for the scheme in isolation.</p>
Q3.9.4	LCC	<p><b>Visual effects</b></p> <p>LCCs LIR [REP1A-001] outlines that viewpoints 2b and 20 currently comprise open views across fields. It is understood that whilst LCC agrees that the visual effects on these views during construction and operation would be 'high' it disagrees that this would reduce to 'low' at year 15. This is because it considers that the proposed planting would foreshorten existing open views, resulting in a 'medium' magnitude of visual effect and increasing the visual effect and significance.</p> <p>Similarly, with regard to viewpoint 4, LCC disagrees with the applicant's assessment. It considers this viewpoint to comprise an open panoramic view across an agricultural landscape with a magnitude of visual effect which is 'high' during construction and year 1 of operation. LCC considers that the development would be conspicuous in an extensive part of the view and that these effects would be experienced along several sections of the B1398.</p> <p>The implication seems to be that the significance of effects is underestimated by the applicant. However, could LCC please explain what it considers the significance of the effect in both cases to be? Would there be significant adverse effects for VPs 2b, 20 and 4 or would they remain 'not significant'?</p>

ExQ1	Question to:	Question:
Q3.9.5	Applicant	<p><b>Decommissioning</b></p> <p>7000 Acres WR [Rep2-018] states in part:</p> <p><i>“The act of carrying out this decommissioning process, along with any resultant damage to the land and landscape across this vast Scheme will in our opinion have a significant effect on views.”</i></p> <p>Could the Applicant please provide a response?</p>
<b>10. Noise and vibration</b>		
Q3.10.1	Applicant	<p><b>Requirement 17</b></p> <p>The ExA notes the applicant's responses to Q2.10.2 and 2.10.3 [REP5-032]. However, the ExA was enquiring as to the applicant's opinion on a revised requirement (which does not only apply at pre-construction) whereby noise monitoring (at source) is undertaken and submitted to the local authorities. The applicant implies that this is unnecessary as noise monitoring is already controlled by dDCO Requirement 13 (R13) and the associated fOEMP [REP4-0023]. However, R13 only requires that the OEMP is implemented as approved and maintained throughout the operation of the relevant parts of the authorised development to which the plan relates. Table 13-8 of the fOEMP does not set out any concrete implications in circumstances where noise levels are higher than those set out in the ES. It states:</p> <p><i>‘Where this review indicates plant noise levels generated by the Scheme have materially increased, the undertaker and relevant planning authority will liaise in respect of any further maintenance or mitigation required to reduce levels at receptors back to those presented in the ES’</i></p> <p>The requirement to ‘liaise’ does not necessitate any form of conclusion or remedy and neither does it allow for any effective enforcement. On this basis - bearing in mind that there may only one more opportunity for the applicant to address this matter prior to the close of the examination - could the applicant please provide representations on revisions to R17, to incorporate noise monitoring at source during operation? Alternatively, could the applicant please revise the wording at Table 13-8 (fOEMP) to allow for a more precise and definitive solution to be secured in an event where noise levels exceed those set out in the ES (including a more precise definition of ‘regular monitoring’). In providing a response please refer to WLDCs response to the ExAs written questions (2.10.2 and 2.10.3) [REP5-061].</p>

ExQ1	Question to:	Question:
Q3.10.2	Applicant	<b>Requirement 17</b> Please could the applicant provide a response to WLDCs response to Q2.10.4 [REP5-021]?
<b>11.</b>	<b>Socio-economic effects</b>	
Q3.11.1	Applicant	<b>Residential Amenity</b> The ExA notes the applicant's response to Q2.11.2 [REP5-032]. Is the applicant suggesting that chapter 14 only deals with effects on amenity insofar as they relate to communities (as opposed to individual receptors)? If this is the case, then where in the application documents has the effect on residential amenity of individual receptors been assessed (bearing in mind the in-combination effects identified in ES Chapter 18)?
<b>12.</b>	<b>Soils and Agriculture</b>	
Q3.12.1	Applicant	<b>Future grazing potential of the operational site</b> The ExA appreciates the applicant's previous responses to the questions raised about grazing potential and the opportunity for others to graze the site should they be inclined. Could the applicant please comment on the likely context should grazing not be taken up and the potential impact this may have on loss of agricultural yields at the site versus the existing situation, appreciating that arable and cattle yields are not directly comparable.
Q3.12.2	Applicant	<b>Agricultural Land Classification</b> Further to the applicant's response at DL5 the ExA notes the approach taken by the applicant, but would request the applicant provides an additional short summary breakdown of land type by area and mapping to meet the requirements the Governments Written Ministerial Statement "Solar and protecting our Food Security and Best and Most Versatile (BMV) Land" made on 15 May 2024.
<b>13.</b>	<b>Transport and access</b>	
Q3.13.1	Applicant	<b>Sensitive Receptors</b> Please could the applicant provide a response to WLDCs response to written questions 2.13.8 and 2.13.9 [REP5-061]? Update the ES if necessary.

ExQ1	Question to:	Question:
Q3.13.2	WLDC/LCC	<b>ATC23</b> Could WLDC and LCC please confirm the acceptability or otherwise of changes to the application highlighted in the Applicant's response to Q2.13.11 [REP5-032]?
<b>14. Water environment including flood risk</b>		
Q3.14.1	Applicant, LCC LFRS	<b>Water storage for fire fighting purposes</b> Further to discussions at ISH2 & 3 please can the applicant comment on the progress made with regards to defining how water will be stored and provided at the site for fire fighting purposes. Can this commentary address the concerns that were raised with regards to seasonal availability of supply during periods of drought, the independence of any water stored for any integral fire fighting systems and the residual availability of water for fire fighting responders; and how supplies might be maintained during any ongoing fire fighting incident.
Q3.14.2	Applicant, EA	<b>NAFRA update</b> What is the context for flood risk for the proposed development based on the new National Flood Risk Assessment (NaFRA) dataset launched by the Environment Agency in 2024?
<b>15. Other planning matters</b>		
No further questions at this time.		