

**Tillbridge Solar Project
EN010142**

**Volume 9
Statement of Common Ground with
Anglian Water Services Limited
Document Reference: EN010142/APP/9.15**

The Infrastructure Planning (Examination Procedure) Rules 2010

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Statement of Common Ground

This Statement of Common Ground has been prepared and agreed by Tillbridge Solar Limited and Anglian Water Services Limited.

[REDACTED], Director on behalf of Tillbridge Solar Limited

Date: 27th March 2025

Signed

[REDACTED], Growth Strategy Manager, on behalf of Anglian Water Services Limited

Date: 27th March 2025

Signed

1. Introduction

1.1 Purpose of this Document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support an application for the proposed Tillbridge Solar Project ("the Application" or "the Scheme") made by Tillbridge Solar Limited ("the Applicant"). The Application was submitted to the Secretary of State for Energy Security and Net Zero ("the Secretary of State") for a Development Consent Order (DCO) ("the Order") under section 37 of the Planning Act 2008 ("PA 2008") (Ref 1) and accepted for examination on 8 May 2024.
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or on the Planning Inspectorate's website at <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010142/documents>.
- 1.1.3 SoCGs are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination. This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties and where agreement has not (yet) been reached. The SoCG will be progressed during the pre-examination and examination periods to reach a final position between the Parties and to clarify if any issues remain unresolved. This SoCG will be revised and updated as appropriate and/or required by the ExA at relevant examination deadlines.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared between (1) the Applicant and (2) Anglian Water Services Limited (jointly referred to as "the Parties").
- 1.2.2 The Applicant is a joint venture between Tribus Clean Energy Limited and Recurrent Energy, a subsidiary of Canadian Solar, who are both experienced developers of renewable energy projects.
- 1.2.3 Anglian Water Services Limited ("Anglian Water") is listed as a Statutory Consultee as part of the DCO Application. As a statutory undertaker whose functions are likely to be affected by the Scheme, Anglian Water is a prescribed consultee under Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("APFP Regulations"). The Applicant has accordingly consulted with Anglian Water during the preparation of the Application and following its acceptance.
- 1.2.4 The **Book of Reference [EN010142/APP/4.3(Rev042)]** and **Land and Crown Land Plans [AS-040]** identify apparatus for Anglian Water in the following plots 1-07, 12-01, 12-03, 13-07, 13-10, 13-19, 14-01a, 15- 01, 16-03, 17-06e, 17-07, 18-07, 18-08, 18-22, 19- 02, 19-07, 19-11, 20-01, 21-08, 21-08a, 21-08b, 21- 08c, 21-08d, 21-23, 21-26, 22-03, 23-02, 23-03, 23- 05, 5-12a, 9-10 and 9-11. The Parties are currently working to put in place relevant protective provisions to ensure that Anglian Water's functions as a statutory undertaker are not adversely impacted by the Scheme.

1.3 The Scheme

- 1.3.1 The Order, if granted, would authorise the construction, operation (including maintenance), and decommissioning of ground-mounted solar photovoltaic (PV) arrays. The Scheme will also include associated development to support the solar PV arrays.
- 1.3.2 The Scheme is made up of the Principal Site, the Cable Route Corridor and works to the existing National Grid Cottam Substation. The Principal Site comprises the solar PV arrays, electrical substations, grid balancing infrastructure, cabling and areas for landscaping and ecological enhancement.
- 1.3.3 The associated development element of the Scheme includes but is not limited to access provision; a Battery Energy Storage System (BESS), to support the operation of the ground mounted solar PV arrays; the development of on-site substations; underground cabling between the different areas of solar PV arrays; and areas of landscaping and biodiversity enhancement.
- 1.3.4 The Scheme also includes a 400kV underground Cable Route Corridor of approximately 18.5km in length connecting the Principal Site to the National Electricity Transmission System (NETS) at the existing National Grid Cottam Substation. The Scheme will export and import electricity to the NETS.

1.4 Terminology

- 1.4.1 Section 2 of the SoCG provides a high-level overview of the correspondence to date between the Parties. This record of engagement is not exhaustive of all communications but focuses on those which are more pertinent to the Application and Anglian Waters interests.
- 1.4.2 Section 3 of the SoCG summarises the issues that are ‘agreed’ or are ‘under discussion’.
- 1.4.3 These terms are used as follows:
 - a. “Agreed” indicates where the issue has been resolved;
 - b. “Under discussion” indicates where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties;
 - c. “Not Agreed” indicates a final position where the Parties have agreed to disagree.

2. Record of Engagement

2.1.1 A summary of all meetings and correspondence that have taken place between the Parties in relation to the Application is outlined in **Table 1**. This includes email correspondence between the Parties to discuss sharing of information, arrangement of meetings and, where appropriate, to comment on draft documentation. **Table 1** reflects the key meetings and emails to date.

Table 1: Record of Engagement

Date	Form of Correspondence	Key topics discussed
16 August 2022	Letter	Statutory Undertaker letter issued.
9 September 2022	Email	Statutory Undertaker letter chaser email to confirm receipt.
25 May 2023	Letter	Section 42 statutory consultation correspondence.
30 June 2023	Letter	Land Interest Questionnaire (LIQ) issued.
4 August 2023	Email	Emails exchanged regarding LIQ. Additional information provided to Anglian Water.
18 August 2023	Email	LIQ Response provided by Anglian Water.
15 September 2023	Email	Applicant provided comments on Anglian Water's standard protective provisions.
3 October 2023	Email	Anglian Water provided response to Applicant's comments on protective provisions.
6 December 2023	Email	Applicant provided further comments on protective provisions.
11 December 2023	Letter	Section 42 targeted consultation correspondence.
23 February 2024	Email	Anglian Water provided response to Applicant's further comments on protective provisions.
13 March 2024	Letter	Confirmation Schedule of land interests issued.
18 March 2024	Letter	Confirmation Schedule returned.
19 March 2024	Email	Applicant provided further comments on protective provisions.
12 June 2024	Letter	Section 56 notification.
10 July 2024	Email	Correspondence sent to new email address.

Date	Form of Correspondence	Key topics discussed
30 July 2024	Online	Meeting took place to discuss protective provisions, relevant representations and provide general scheme update.
30 July 2024	Online	Relevant Representation submitted by Anglian Water.
14 August 2024	Letter	Section 42 Notice - Change Application.
11 September 2024	Email	Copy of Consultation Letter and update on status of SoCG provided by the Applicant.
21 October 2024	Email	Copy of SoCG issued to Anglian Water.
18 November 2024	Email	Applicant requested comments on SoCG.
25 November 2024	Email	Copy of latest SoCG provided for comment.
2 December 2024	Email	Anglian Water comments on draft DCO.
3 December 2024	Email	Request for a call from Anglian Water to discuss protective provisions.
4 December 2024	Email	Comments on Protective Provisions returned by Anglian Water.
6 December 2024	Online	Meeting to review latest draft of Protective Provisions.
6 December 2024	Email	Final version of Protective Provisions issued to Anglian Water.
9 December 2024	Email	Confirmation from Anglian Water that Protective Provision wording is accepted.
07 January 2025	Email	Request for Anglian Water to provide comments on the draft SoCG.
17 January 2025	Email	Request for Anglian Water to provide comments on the draft SoCG.
20 January 2025	Online	Meeting to review amendments to SoCG.
12 February 2025	Online	Meeting to review amendments to SoCG.
14 February 2025	Email	Email summarising points discussed oin 14 February 2025 meeting.

Date	Form of Correspondence	Key topics discussed
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<u>25 February 2025</u>	<u>Online</u>	<u>Meeting to review amendments to SoCG.</u>
<u>25 February 2025</u>	<u>Email</u>	<u>Follow-up email to provide an update ahead of Deadline 5 submission.</u>
<u>18 March 2025</u>	<u>Email</u>	<u>Comments provided on asset plans by Anglian Water Operations Team.</u>
<u>18 March 2025</u>	<u>Online</u>	<u>Meeting to agree final amendments to SoCG.</u>

3. Areas of Discussion between the Parties

3.1.1 Table 2 below details the areas of discussion and matters that are agreed, under discussion and not agreed between the Parties.

Table 2 Areas of Discussion with Anglian Water

Ref.	Relevant Application Document	Description of Matter	Status	Likelihood of Resolution
1.1	Draft DCO [EN010142/APP/3.1(Rev 073)]	The Applicant has agreed that the draft DCO [EN010142/APP/3.1(Rev07)] can exclude a provision which seeks the right to connect to the public sewer. The draft DCO submitted at Deadline 1 has been updated to remove this provision and Anglian Water is to provide further comment ahead of Deadline 2.	Under Discussion <u>Agreed</u>	High <u>Resolved</u>
1.2	Draft DCO [EN010142/APP/3.1(Rev 073)]	The Parties have substantively agreed draft protective provisions, which will be included in the draft DCO. Anglian Water is presently in contact with their legal and operations teams to i) respond to the Applicant's further comments on the draft protective provisions and ii) determine whether the set off distances required for water pipes is >400mm (if applicable within the proposed Order land). Anglian Water confirmed via email on 9 December 2024 that the Protective Provisions included within the draft DCO [EN010142/APP/3.1(Rev073)] are agreed.	Under Discussion <u>Agreed</u>	High <u>Resolved</u>
1.3	Outline Drainage Strategy [APP-098] Chapter 10: Water Environment of the ES [REP3-012APP-041]	Anglian Water's relevant representation asks that the Applicant should, despite the consideration for rainwater harvesting in the Outline Drainage Strategy [APP-098] , still investigate rainwater collection for the non-potable supply for the fire tanks. The Applicant has included information regarding Surface Water Drainage & Rainwater Harvesting within the Outline Drainage	Under Discussion <u>Agreed</u>	Resolved <u>High</u>

Ref. Relevant Application Document	Description of Matter	Status	Likelihood of Resolution
	<p>Strategy [APP-098] and within Appendix 10-4 of the Environmental Statement (ES). In accordance with Paragraph 056 of the Planning Practice Guidance for Flood Risk and Coastal Change, rainwater harvesting should also be considered as part of the drainage strategy. During the detailed design stage following DCO consent the use of rainwater harvesting for non-potable water supplies for operational buildings will be investigated.</p> <p>Further information in that regard has also been shared in the response to Anglian Water's Statutory Consultation comments. This can be found in Table 10-5 in Chapter 10: Water Environment of the ES [APP-041<u>REP3-012</u>].</p> <p><u>Following a meeting on 20 January 2025, Anglian Water reviewed the information provided by the Applicant on 14 February 2025 and consulted with their Operations team regarding the potential impact the Scheme could have on Anglian Water assets as identified in the Book of Reference [EN010142/APP/4.3(Rev04)]. At a subsequent meeting on 18 March 2025, the Applicant confirmed that, in accordance with the Protective Provisions, they will provide a plan for any proposed works within a certain proximity to Anglian Water assets, which will be subject to Anglian Water's approval. Furthermore, the Applicant highlighted the requirement to seek Anglian Water's express consentability for Anglian Water to for accessing their apparatus in the public highway for maintenance purposes under the Protective Provisions.</u></p>		

Ref.	Relevant Application Document	Description of Matter	Status	Likelihood of Resolution
1.4	N/A	<p>Anglian Water raised concerns about the interface the Scheme may have with projects it may look to soon promote within close proximity to the Order land.</p> <p>Anglian Water to therefore confirmed <u>ed on 18 March 2025 that if</u> there are <u>currently any no</u> prospective <u>significant</u> developments within the vicinity of the proposed Order land.</p>	<u>Under Discussion Agreed</u>	<u>ResolvedHigh Medium</u>
1.5	<p>Chapter 10: Water Environment of the ES [REP3-012APP-044]</p> <p><u>Draft DCO [EN010142/APP/3.1(Rev 07)]</u></p>	<p>Anglian Water asked during a meeting on 30 July 2024 that the Applicant confirms their assumption made as part of their relevant representation and that no permanent connection to the mains water will be required for the construction phase of the project.</p> <p>As described in Chapter 10: Water Environment of the ES [APP-044REP3-012], the Scheme is not proposed to have a permanent connection to the mains water during construction. The provision for water supply will be from commercial sources with dedicated clean water tanks provided to supply the various temporary welfare facilities (see paragraph 10.4.30).</p> <p><u>Following discussions and agreement on the Protective Provisions, the ability for the Applicant to take a water connection has been removed from the draft DCO [EN010142/APP/3.1(Rev07)].</u></p>	<u>Under Discussion Agreed</u>	<u>ResolvedHigh</u>
1.6	<p><u>Framework Construction Environmental Management Plan (CEMP) [REP5-015]</u>N/A</p>	<p>Anglian Water asked during a meeting on 30 July 2024 that the Applicant confirms the position regarding disruption to access to their existing above <u>and below</u> ground plant and apparatus.</p>	<u>Under Discussion Agreed</u>	<u>HighResolved</u>

Ref.	Relevant Application Document	Description of Matter	Status	Likelihood of Resolution
		<p>The Applicant confirms that, according to the asset plans provided to-date by Anglian Water, unfettered access can be maintained to existing surface infrastructure. The closest identified asset is the Fillingham Lane Sewage Treatment Works (Willingham).</p> <p><u>Subsurface infrastructure mitigation measures are also referenced in the Framework Construction Environmental Management Plan (CEMP) [REP5-015]. Additionally, the Protective Provisions, which require Anglian Water's agreement, are established to safeguard Anglian Waters assets in any event.</u></p>		
1.7	N/A	<p>Anglian Water asked as part of their relevant representation and during a meeting on 30 July 2024 that the Applicant confirms the position regarding potential diversion of their apparatus.</p> <p>According to the asset plans provided to-date by Anglian Water, no diversion of their existing apparatus will be required to enable the delivery of the Scheme.</p>	<u>Under Discussion Agreed</u>	<u>High Resolved</u>

4. References

- Ref. 1 His Majesty's Stationary Office (HMSO) (2008) Planning Act 2008. Available at: <https://www.legislation.gov.uk/ukpga/2008/29/contents> [Accessed 09/09/2024]