

**Tillbridge Solar Project
EN010142**

**Volume 9
Statement of Commonality**

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Infrastructure Planning (Examination Procedure) Rules 2010

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1. Introduction

1.1 Purpose of this Statement of Commonality

- 1.1.1 This Statement of Commonality (“this Statement”) has been prepared to support the examination of an application (“the Application”) made to the Secretary of State for Energy Security and Net Zero for a Development Consent Order (DCO) under section 37 of the Planning Act 2008 (PA 2008) (Ref. 1) for the proposed Tillbridge Solar Project (“the Scheme”). The Application for the Scheme was submitted on 10 April 2024 and subsequently accepted for examination by the Planning Inspectorate on 8 May 2024.
- 1.1.2 This Statement has been prepared to provide the Examining Authority (ExA) with an overview of the current position of matters under discussion between the Applicant, prescribed consultees, statutory undertakers and interested parties included within the Statements of Common Ground (SoCGs).
- 1.1.3 This Statement has been updated throughout the examination process, to reflect the current progress that has been made with the various SoCGs. This Statement has been submitted at Deadline 6, and is the final Statement reflecting the final position of all of the SoCGs and the matters within them.

1.2 Description of the Scheme

- 1.2.1 The Tillbridge Solar Order, if granted, would authorise the Applicant to construct, operate (including maintenance), and decommission ground-mounted solar photovoltaic (PV) arrays. The Scheme will also include associated development to support the solar PV arrays.
- 1.2.2 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.
- 1.2.3 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.
- 1.2.4 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.

1.3 Format of SoCGs

- 1.3.1 Each SoCG adopts a standard format in order to provide clarity to other parties and the ExA, as follows:
- Section 1 provides an introduction to the SoCG, its purpose, and the terminology used within the document.
 - Section 2 outlines the engagement the Applicant and the relevant prescribed consultee, statutory undertaker or interested party have had with regard to the Scheme, summarising when engagement took place, and the nature of engagement.
 - Section 3 summarises issues that are 'agreed', 'in discussion' or 'not agreed'.

2. List of Statements of Common Ground

- 2.1.1 Following the acceptance of the Application for examination, the Applicant began preparing SoCGs with various prescribed consultees, statutory undertakers and interested parties. SoCGs with other parties were also requested by the ExA through publication of their Rule 6 letter dated 17 September 2024 [PD-005] and Rule 8 letter dated 24 October 2024 [PD-008].
- 2.1.2 The parties with which the Applicant have prepared SoCGs are listed in **Table 2-1** below.

Table 2-1 List of Parties for SoCGs

List of Parties for SoCGs

Prescribed Consultees

Natural England (NE)

Canal and River Trust (CRT)

Environment Agency (EA)

National Highways (NH)

Trent Valley Internal Drainage Board (TVIDB)

Historic England (HE)

Scunthorpe & Gainsborough Water Management Board (SGWMB)

Upper Witham Internal Drainage Board (UWIDB)

Lincolnshire Wildlife Trust (LWT)

Network Rail (NR)

Statutory Undertakers

Anglian Water (AW)

List of Parties for SoCGs

Local Authorities

West Lindsey District Council (WLDC)

Lincolnshire County Council (LCC)

Nottinghamshire County Council (NCC)

Bassetlaw District Council (BDC)

Other Interested Parties

Other Solar Developers (OSD) – Gate Burton Energy Park, Cottam Solar Project and West Burton Solar Project

7000 Acres (7000A)

3. Summary of Current Position

- 3.1.1 This section provides the final position of each SoCG at Deadline 6. All final versions of the SoCGs have been submitted alongside this Statement.
- 3.1.2 The final position of the SoCGs and, where necessary, further detail to aid the ExA's understanding, is provided in **Table 3-1**. The positions used in the table are:
- a. **Final Signed SoCG all matters agreed** – The final version of the SoCG has been signed by both parties and all matters are agreed.
 - b. **Final Signed SoCG with matters outstanding** – The final version of the SoCG has been signed by both parties, but there remain some areas of discussion or disagreement. Both parties agree these issues will not be resolved during the examination.
 - c. **Final Unsigned SoCG with matters outstanding** – The final version of the SoCG that has not been signed by the other party, but shows both parties final position on areas of discussion or disagreement.
 - d. **Draft SoCG** – The SoCG has been drafted by the Applicant and shared with the other party. Comments have been provided and discussions are ongoing.
 - e. **SoCG drafted and shared with other party** – The SoCG has been drafted by the Applicant and shared with the other party but is awaiting comments to be provided.
 - f. **SoCG not submitted for Examination Deadline** – The SoCG has not been submitted by the Applicant for the current examination deadline.

Table 3-1 Current Position of SoCGs

Doc Ref	Party	Position at Deadline 1: 29 October 2024	Position at Deadline 2: 14 November 2024	Position at Deadline 3: 10 December 2024	Position at Deadline 4: 28 January 2025	Position at Deadline 5: 25 February 2025	Position at Deadline 6: 1 April 2025	Position at Deadline 7: 8 April 2025
Prescribed Consultees								
9.18	Natural England	Draft SoCG	Position as at Deadline 1. Targeting Deadline 3 for next version.	Draft SoCG	Position as at Deadline 3. Targeting Deadline 5 for next version.	Position as at Deadline 3. Targeting Deadline 6 for next version.	Final Signed SoCG with matters outstanding.	
9.20	Canal and River Trust	Draft SoCG	Position as at Deadline 1. Targeting Deadline 3 for next version.	Draft SoCG	Final signed SoCG and all matters agreed			
9.16	Environment Agency	Draft SoCG	Position as at Deadline 1. Targeting Deadline 3 for next version.	Draft SoCG	Position as at Deadline 3. Targeting Deadline 5 for next version.	Draft SoCG	Final Signed SoCG and all matters agreed.	

Doc Ref	Party	Position at Deadline 1: 29 October 2024	Position at Deadline 2: 14 November 2024	Position at Deadline 3: 10 December 2024	Position at Deadline 4: 28 January 2025	Position at Deadline 5: 25 February 2025	Position at Deadline 6: 1 April 2025	Position at Deadline 7: 8 April 2025
9.22	National Highways	Final signed SoCG all matters agreed						
9.14	Trent Valley Internal Drainage Board	Draft SoCG	Position as at Deadline 1. Targeting Deadline 3 for next version.	Position as at Deadline 1, Targeting Deadline 4 for next version.	Position as at Deadline 1. Targeting Deadline 5 for next version.	Position as at Deadline 1. Targeting Deadline 6 for next version.	Final Signed SoCG with matters outstanding.	
9.17	Historic England	Final signed SoCG all matters agreed						
9.13	Scunthorpe and Gainsborough Water Management Board	Final signed SoCG all matters agreed						
9.12	Upper Witham Internal Drainage Board	Final signed SoCG all matters agreed						

Doc Ref	Party	Position at Deadline 1: 29 October 2024	Position at Deadline 2: 14 November 2024	Position at Deadline 3: 10 December 2024	Position at Deadline 4: 28 January 2025	Position at Deadline 5: 25 February 2025	Position at Deadline 6: 1 April 2025	Position at Deadline 7: 8 April 2025
9.19	Lincolnshire Wildlife Trust	Final signed SoCG all matters agreed						
9.25	Network Rail	SoCG not submitted for examination deadline	SoCG drafted and shared with NR	Position as at Deadline 2.	Position as at Deadline 2. Targeting Deadline 5 for next version.	Position as at Deadline 2. Targeting Deadline 6 for next version.	Final Unsigned SoCG with matters outstanding.	
Statutory Undertakers								
9.15	Anglian Water	SoCG drafted	Position as at Deadline 1. Targeting Deadline 3 for next version	Position as at Deadline 1. Targeting Deadline 4 for next version.	Position as at Deadline 1. Targeting Deadline 5 for next version	Position as at Deadline 1. Targeting Deadline 6 for agreed version	Final Signed SoCG all matters agreed.	
Local Authorities								

Doc Ref	Party	Position at Deadline 1: 29 October 2024	Position at Deadline 2: 14 November 2024	Position at Deadline 3: 10 December 2024	Position at Deadline 4: 28 January 2025	Position at Deadline 5: 25 February 2025	Position at Deadline 6: 1 April 2025	Position at Deadline 7: 8 April 2025
9.8	West Lindsey District Council	SoCG drafted and shared with WLDC	Position as at Deadline 1. Targeting Deadline 3 for next version	Draft SoCG	Draft SoCG	Draft SoCG	Final Signed SoCG with matters outstanding.	
9.9	Lincolnshire County Council	SoCG drafted and shared with LCC	Position as at Deadline 1. Targeting Deadline 3 for next version	Position as at Deadline 1. Targeting Deadline 4 for next version,	Draft SoCG	Draft SoCG	Final Signed SoCG with matters outstanding.	
9.10	Nottinghamshire County Council	Draft SoCG	Position as at Deadline 1. Targeting Deadline 3 for next version	Draft SoCG	Draft SoCG. Targeting Deadline 5 for a signed version.	Final signed SoCG all matters agreed		
9.11	Bassetlaw District Council	SoCG drafted and shared with BDC	Position as at Deadline 1. Targeting Deadline 3 for next version	Final signed SoCG all matters agreed				

Doc Ref	Party	Position at Deadline 1: 29 October 2024	Position at Deadline 2: 14 November 2024	Position at Deadline 3: 10 December 2024	Position at Deadline 4: 28 January 2025	Position at Deadline 5: 25 February 2025	Position at Deadline 6: 1 April 2025	Position at Deadline 7: 8 April 2025
Other Interested Parties								
9.21	Other Solar Developers	Draft SoCG	Position as at Deadline 1. Targeting Deadline 3 for next version	Position as at Deadline 1. Targeting Deadline 4 for next version	Position as at Deadline 1. Targeting Deadline 5 for next version	Position as at Deadline 1. Targeting Deadline 6 for next version	Final Signed SoCG with matters outstanding.	
9.37	7000 Acres	SoCG not submitted for examination deadline	SoCG not submitted for examination deadline. Targeting Deadline 3 for first draft.	SoCG not submitted for examination deadline. Targeting Deadline 4 for first draft	SoCG not submitted for examination deadline. Targeting Deadline 5 for first draft.	Draft SoCG	Final Unsigned SoCG with matters outstanding.	

4. Commonality

- 4.1.1 This section provides a summary of the key issues covered in each SoCG and demonstrates where there is a commonality in the topics or matters.
- 4.1.2 The topics covered below in **Table 4-1** are presented in such a way to show the final position of the Applicant and the Parties in relation to those specific topics within the SoCGs. The positions are set out in **Plate 4-1**.

Plate 4-1: Key to colour coding used in the commonality table

	Matter agreed with other Party
	Some matters agreed, some matters not agreed
	Some matters agreed, some matters subject to further discussions
	Matters subject to further discussion
	Matters not able to be agreed
	Matters not relevant to other Party

- 4.1.3 Where a matter is not relevant to the other Party, it is not included within the SoCG and therefore is coloured grey in **Table 4-1**.

Table 4-1 Table of Commonality at Deadline 6

Ref.	Interested Party	draft DCO	Protective Provisions	Cooperation Agreement	Book of Reference	Climate Change	Cultural Heritage	HRA	BNG	Water Environment (inc. Flood Risk)	Landscape and Visual	Noise and Vibration	Socio-Economics and Land Use	Transport and Access/PROW	Human Health	Soils and Agriculture	Construction	Ecology/Biodiversity	Planning Policy	Minerals and Waste	Air Quality	Glint and Glare	Ground Conditions	Safety	Cumulative Assessment
9.18	Natural England																								
9.20	Canal & River Trust																								
9.16	Environment Agency																								
9.22	National Highways																								
9.14	Trent Valley IDB																								
9.17	Historic England																								
9.13	Scunthorpe and Gainsborough WMB																								
9.12	Upper Witham IDB																								
9.19	Lincolnshire Wildlife Trust																								
9.15	Anglian Water																								
9.8	West Lindsey District Council																								
9.9	Lincolnshire County Council																								
9.10	Nottinghamshire County Council																								
9.11	Bassetlaw District Council																								

Ref.	Interested Party	draft DCO	Protective Provisions	Cooperation Agreement	Book of Reference	Climate Change	Cultural Heritage	HRA	BNG	Water Environment (inc. Flood Risk)	Landscape and Visual	Noise and Vibration	Socio-Economics and Land Use	Transport and Access/PROW	Human Health	Soils and Agriculture	Construction	Ecology/Biodiversity	Planning Policy	Minerals and Waste	Air Quality	Glint and Glare	Ground Conditions	Safety	Cumulative Assessment
9.21	Other Solar Developers																								
9.25	Network Rail																								
9.37	7000 Acres																								

5. Additional Commentary

5.1 Deadline 1

- 5.1.1 In the Rule 8 letter dated 24 October [PD-008], the ExA requested that the Applicant submits SoCGs for the following parties:
- a. West Lindsey District Council;
 - b. Bassetlaw District Council;
 - c. Lincolnshire County Council;
 - d. Nottinghamshire County Council;
 - e. Scunthorpe & Gainsborough Water Management Board;
 - f. Upper Witham Internal Drainage Board;
 - g. Trent Valley Internal Drainage Board;
 - h. Natural England;
 - i. Historic England;
 - j. National Highways;
 - k. Environment Agency;
 - l. Canals and Rivers Trust;
 - m. National Grid Electricity Transmission;
 - n. Network Rail;
 - o. Cadent Gas;
 - p. Representatives or promoters of any other Nationally Significant Infrastructure Projects, including as a minimum: Cottam, West Burton and Gate Burton; and
 - q. 7000 Acres.
- 5.1.2 The Applicant also prepared an SoCG with Anglian Water, Lincolnshire Wildlife Trust, and Alison Wood and Nicholas Mapstone, and these were submitted into the examination at Deadline 1.
- 5.1.3 At Deadline 1, the Applicant was in the process of preparing SoCGs and discussing their content with 7000 Acres, Cadent Gas, National Grid and Network Rail and expected to submit these at subsequent deadlines.

5.2 Deadline 2

- 5.2.1 The only updated SoCG submitted into the examination at Deadline 2 was the SoCG with Network Rail.
- 5.2.2 The Applicant also removed references to the preparation of SoCGs with National Grid Electricity Transmission and Cadent Gas, on the basis that it no longer considered this to be required, where:

- a. Protective provisions were agreed with Cadent Gas with the agreed set of provisions to be included in the draft DCO at Deadline 3. There are no other outstanding matters subject to negotiation between the parties.
 - b. Negotiations with National Grid Electricity Transmission on protective provisions for their assets are advanced. The Applicant does not consider there are any additional matters outside of those captured within those protective provisions which require reporting on within an SoCG.
- 5.2.3 The Applicant also removed reference to the preparation of an SoCG with Alison Wood and Nicholas Mapstone as the Applicant understood that Mr Mapstone and Ms Wood did not wish to agree to enter into an SoCG.

5.3 Deadline 3

5.3.1 A total of six SoCGs were updated for Deadline 3. These were as follows:

- a. West Lindsey District Council SoCG
- b. Bassetlaw District Council SoCG (signed and all matters agreed)
- c. Nottinghamshire County Council SoCG
- d. Environment Agency SoCG
- e. Natural England SoCG
- f. Canal and Rivers Trust SoCG

5.3.2 These SoCGs provide the position between the Applicant and the above parties at Deadline 3.

5.3.3 The Applicant did not submit the following SoCGs at Deadline 3 for the following reasons:

- a. Trent Valley Internal Drainage Board: the Applicant continued to engage with Trent Valley Internal Drainage Board regarding protective provisions. Trent Valley Internal Drainage Board confirmed that it is comfortable with standard protective provisions such that bespoke provisions are not required. The Applicant provided Trent Valley Drainage Board with a copy of its standard protective provisions for review and comment.
- b. Network Rail: the Applicant and Network Rail discussed the remaining positions within the SoCG and aimed to submit an updated SoCG for Deadline 4.
- c. Anglian Water: the Applicant confirmed that the protective provisions included in the draft DCO for the benefit of Anglian Water are agreed between the parties. The Applicant acknowledged that other aspects of Anglian Water's position on the Scheme remain unresolved, and these were the subject of ongoing discussions between the parties as reflected in the **Anglian Water SoCG [REP1-036]**.
- d. Lincolnshire County Council (LCC): the Applicant continued discussions with LCC to seek to narrow areas of disagreement following the publication of its Local Impact Report **[REP1A-001]**. The Applicant met with LCC on these matters on the 7 November 2024 and the 6 December 2024. The Applicant also met with LCC as Local Highways

Authority on the 3 December 2024 to reach agreement on provisions within the draft DCO relating to street works and traffic management and in relation to control measures associated with highway design captured in an updated **Framework Construction Traffic Management Plan Part 1 of 2 [EN010142/APP/7.11(Rev03)]** submitted at Deadline 3. In terms of highway matters, LCC verbally confirmed agreement to the Applicant's approach to these matters but wished to review the Applicant's Deadline 3 submissions before updating the SoCG on highway matters. An updated version of the SoCG with LCC's latest position included was submitted at Deadline 4.

- e. Other Solar Developers: all positions within the SoCG are agreed apart from the final position relating to the further cooperation agreement which was circulated to the other solar developers for comment. An updated SoCG was targeted for submission at Deadline 4.
- f. 7000 Acres: the Applicant continued to engage with 7000 Acres on the preparation of a SoCG. The Applicant met with 7000 Acres on 5 November 2024 to discuss an initial SoCG. This was shared with 7000 Acres for comments with a further meeting arranged with the Applicant on the 17 December 2024.

5.4 Deadline 4

5.4.1 A total of four SoCGs were updated for Deadline 4. These were as follows:

- a. West Lindsey District Council SoCG
- b. Lincolnshire County Council SoCG
- c. Nottinghamshire County Council SoCG
- d. Canal and Rivers Trust SoCG

5.4.2 These SoCGs provide the latest position between the Applicant and the above parties at Deadline 4.

5.4.3 The Applicant did not submit the following SoCGs at Deadline 4 for the following reasons:

- a. Trent Valley IDB: the Applicant continued to engage with Trent Valley Internal Drainage Board regarding protective provisions. Trent Valley Internal Drainage Board confirmed that it is comfortable with standard protective provisions such that bespoke provisions are not required. The Applicant provided Trent Valley Drainage Board with a copy of its standard protective provisions for review and comment.
- b. Environment Agency: the Applicant continued to engage with the EA regarding the outstanding issues within the SoCG. This included ongoing discussions relating to protective provisions. Discussions on protective provisions advanced with the publication of the EA's updated standard provisions in January 2025.
- c. Anglian Water: the Applicant continued to engage with Anglian Water and awaited further comment from Anglian Water on outstanding issues within the SoCG. An updated SoCG was submitted at Deadline 5.

- d. Natural England: the Applicant continued to engage with NE and awaited further comment from NE on outstanding issues relating to soils, ALC surveys and measures within Framework SMP.
- e. Network Rail: the Applicant and Network Rail discussed the remaining positions within the SoCG and aimed to submit an updated SoCG for Deadline 5.
- f. Other Solar Developers: all positions within the SoCG are agreed apart from the final position relating to the further cooperation agreement. Discussions regarding this were ongoing. The parties hoped to submit an updated SoCG at Deadline 5.
- g. 7000 Acres: the Applicant continued to engage with 7000 Acres on the preparation of a SoCG. The Applicant held a meeting with 7000 Acres on the 17 December 2024 and the SoCG is being further updated following this. A draft SoCG was submitted into examination at Deadline 5.

5.5 Deadline 5

5.5.1 A total of five SoCGs were submitted at Deadline 5. These were as follows:

- a. West Lindsey District Council SoCG
- b. Lincolnshire County Council SoCG
- c. Nottinghamshire County Council SoCG (signed and all matters agreed)
- d. Environment Agency SoCG
- e. 7000 Acres SoCG

5.5.2 These SoCGs provide the latest position between the Applicant and the above parties at Deadline 5.

5.5.3 The Applicant did not submit the following SoCGs at Deadline 5 for the following reasons:

- a. Trent Valley IDB: the Applicant continued to engage with Trent Valley Internal Drainage Board regarding protective provisions. The Applicant provided Trent Valley Internal Drainage Board with a copy of its standard protective provisions for review and comment.
- b. Anglian Water: the Applicant met regularly with Anglian Water to address the outstanding matters in the SoCG and was awaiting further comment. Both parties are confident that the SoCG will be agreed and finalised before the end of the Examination.
- c. Natural England: the Applicant continued to engage with Natural England and awaited further comment from Natural England on outstanding issues relating to soils, ALC surveys and measures within the Framework SMP.
- d. Other Solar Developers: the Applicant continued to engage with the other solar developers on the final outstanding point relating to a cooperation agreement. The Applicant received comments from the developer for West Burton Solar Project and Cottam Solar Project on the further cooperation agreement but awaited comments from the developer of the Gate Burton Energy Park. All other positions are agreed and the Applicant aimed to submit an updated SoCG at Deadline 6.

- e. Network Rail: the Applicant and Network Rail continued to engage in relation to the outstanding positions within the SoCG. The parties will submit an updated SoCG at Deadline 6.

5.6 Deadline 6

5.6.1 A total of nine SoCGs have been submitted at Deadline 6. These include the following:

- a. SoCG with Environment Agency
- b. SoCG with Natural England
- c. SoCG with Trent Valley IDB
- d. SoCG with Network Rail
- e. SoCG with Anglian Water
- f. SoCG with Lincolnshire County Council
- g. SoCG with West Lindsey District Council
- h. SoCG with 7000 Acres
- i. SoCG with Other Solar Developers

5.6.2 All SoCGs listed above, except for the SoCG with 7000 Acres and the SoCG with Network Rail have now been signed and are final. The SoCGs with 7000 Acres and Network Rail show the final position of all parties, but these SoCGs have not been signed by the other parties.

- j. 7000 Acres: the Interested Party did not wish to sign the SoCG, albeit the SoCG is considered final.
- k. Network Rail: the Applicant has submitted a final draft version of the SoCG, which outlines the positions of the parties at Deadline 6. While this has not yet been signed, the parties are in agreement as to the contents of the SoCG. The parties aim to have a signed version submitted by Deadline 7.

5.6.3 The final signed (and unsigned) SoCGs, along with all of the other final signed SoCGs set out in this Statement should be considered by the Examining Authority in their recommendation to the Secretary of State, and by the Secretary of State in their decision making of the Scheme.

6. 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]