



TILLBRIDGE SOLAR PROJECT  
WEST LINDSEY DISTRICT COUNCIL

**DEADLINE 7**

**TUESDAY 8<sup>TH</sup> APRIL 2025**

**CLOSING STATEMENT**

This Closing Statement is submitted by West Lindsey District Council (WLDC) at Deadline 7 in the examination of the Tillbridge Solar Project ('the Scheme').

WLDC recognises that the submission of Closing Statements is not cited in the Examination Programme, however has noted that the Applicant has submitted a similar Statement accepted by the Examining Authority (ExA) at Deadline 6.

This Closing Statement serves to summarise WLDC's key matters at the conclusion of Examination. It does not introduce any new or additional matters, and nor does it serve to supersede any of the submissions made by WLDC during the course of the Examination, but it is intended to complement them.

Matter/Issue	WLDC Position
Decision Making - sec.104	<p>The WLDC's position is that the Scheme is to be determined under section 104 of the Planning Act 2008, which requires a consideration of that section as a whole (compliance with all subsections).</p> <p>The decision making must have regard to all criteria set out in subsection (2). In summary, the matters set out in s104(2) include any relevant national policy statements, any local impact report and any other matters the SoS thinks are both important and relevant to the decision.</p> <p>In determining NSIP applications, the decision maker must decide the application in accordance with all subsections (3) – (9) inclusive. A failure to comply with one or more of the subsections, would indicate non-compliance with section 104.</p>

	<p>Under Section 104(3) of the PA2008 the Secretary of State is required to determine the scheme in accordance with relevant NPSs. The Scheme is therefore required to comply with the NPSs in order to be granted development consent.</p> <p>In the event that the Secretary of State find the Scheme compliant with section 104(3), compliance with, inter alia, section 104(7) which requires them to be satisfied that the adverse impacts of the Scheme would outweigh its benefits.</p> <p>In determining compliance with section 107(7), the Secretary of State must have regard to matters set out in section 104(2), including any Local Impact Report and any matters that are both important and relevant to the decision. Such matters will include the statutory development plan and other important and relevant policy.</p>
Decision making – Planning Balance	<p>WLDC has set out its position on the positive and negative impacts of the scheme in its LIR, Written Representation, responses to ExQs and in the Statement of Common Ground with the Applicant.</p> <p>WLDCs view is that the Scheme must be determined on the basis of its cumulative impact with the three solar farm NSIP projects consented in close proximity (Gate Burton Energy Park, Cottam Solar Project and West Burton Solar Project). The cumulative impacts of these projects during construction, operation, 'maintenance'/re-planting and decommissioning will have significant adverse impacts on the environment and communities. Determining the Scheme on its impacts as an individual project would not be sound.</p> <p>Whilst acknowledging and have due regard to the need case expressed in the relevant National Policy Statements (NPSs), WLDCs position is that the adverse impacts of the scheme outweigh the benefits.</p> <p>The significant adverse impacts that weigh against the Scheme include:</p> <ul style="list-style-type: none"> <li>• Cumulative impacts on landscape character;</li> <li>• Cumulative impacts on visual effects (inc. residential amenity/sequential impacts)</li> <li>• Cumulative construction activity – traffic, noise and air quality.</li> </ul> <p>WLDC recognizes the Tillbridge Solar Project as a 'Critical National Priority' (CNP) under NPS EN-1, which typically means the need for such projects outweighs residual effects. However, WLDC argues that the cumulative impacts of this project, combined with three other adjacent NSIP solar projects in West Lindsey, are 'exceptional'. These impacts will last at least 60 years and significantly alter the district's landscape</p>

	<p>character, creating a continuous solar farm landscape for residents and visitors. WLDC emphasizes that this situation is unprecedented, with no other DCO decision having to consider such extensive cumulative impacts during construction, operation, maintenance, and decommissioning. The eradication of the existing landscape character over such a large area is deemed 'exceptional' by WLDC, and we believe this must be taken into account when assessing the project's acceptability against policy, particularly due to its unique and significant cumulative impacts on the landscape.</p>
Landscape character & Visual effects	<p><b>Cumulative impacts</b></p> <p>WLDC objects to the Tillbridge Solar Project due to its cumulative landscape character impacts. As the fourth solar electricity generating station NSIP within West Lindsey District, the project's impacts must be assessed alongside the other three consented projects, which were evaluated against a rural agricultural baseline. No decision maker has yet considered the collective impact of all four projects, making this application unique.</p> <p>WLDC believes the cumulative impacts of the three existing NSIP solar farms have already reached a tipping point of harm to the landscape character. The addition of the Tillbridge Solar Project would exacerbate this harm, leading to a stark and rapid transformation from a rural landscape to one dominated by modern infrastructure. This change, spanning approximately 20km by 11km, is unprecedented and unacceptable.</p> <p>The situation of four adjacent NSIP projects is unique and has not been addressed under the Planning Act 2008. WLDC argues that this constitutes an 'exceptional circumstance' under NPS EN-1 (para. 4.2.15). The cumulative landscape character impacts must be considered kinetically and sequentially, appreciating the scale of change across the district. This requires understanding how the projects collectively create significant adverse impacts.</p> <p>In summary, WLDC maintains that the Tillbridge Solar Project, when combined with the other three NSIP projects, imposes unacceptable cumulative landscape character impacts. The rapid and extensive transformation of the landscape is unprecedented and must be carefully considered in the decision-making process.</p> <p>WLDC noted the applicant's comments that understanding the visual effects of the Tillbridge Solar Project requires considering sequential effects as one moves through the area. The applicant acknowledged that the ZTV was not particularly helpful and confirmed that the only assessment of visual effects is in ES Chapter 12. WLDC argues that there has not been a balanced assessment of the actual visual effects, especially cumulatively. The ES relies on VPs and ZTVs to reach conclusions based on methodology, focusing on what Tillbridge adds to the impacts of other projects on a viewpoint basis.</p> <p>WLDC believes a thorough understanding of large-scale cumulative visual effects requires an assessment based on traveling through the landscape. This includes considering impacts from traveling north at Blyton through the projects to Saxilby in the south, and from Marton in the west to The Cliff in the east. The solar projects will be visible along major highways and minor roads, offering limited relief from their visual impacts. WLDC contends this is an exceptional circumstance not foreseen in NPS policy</p>

	<p><b>Project only ('in solus') impacts</b></p> <p>WLDC objects to the Tillbridge Solar Project due to its impact on The Cliff, a designated Area of Great Landscape Value (AGLV). The project affects components within the AGLV and the adjacent Till Vale Landscape Character Area. The Cliff, located in National Character Area (NCA) 45 'Northern Lincolnshire Edge with Coversands', is a prominent Jurassic limestone ridge offering panoramic views, especially to the west. This scarp slope is a defining feature of the landscape.</p> <p>The West Lindsey Landscape Character Assessment (1999) identifies three local character areas: Lower Till Vale, The Cliff, and the Limestone Dip Slope. The transitions between these areas occur at the top of The Cliff, making it a sensitive zone. WLDC argues that The Cliff not only has its own protected landscape character but also significantly influences the character of the adjacent Till Vale. The Cliff provides strong definition and forms a distinct skyline feature visible from large parts of the Till Vale.</p> <p>The Tillbridge Solar Project extends into The Cliff LCA/AGLV, causing considerable harm to the landscape character, which WLDC deems unacceptable. WLDC believes this harm could be significantly reduced by redesigning the project to avoid infrastructure in the transitional area and the AGLV. Removing infrastructure from the eastern area of the scheme would minimize landscape character impacts while still allowing for a large-scale energy project that generates renewable electricity.</p>
Construction activities	<p>The cumulative impact of the construction of potentially four NSIP solar projects within the same area will give rise to significant impacts on the environment and communities over a long period of time. These cumulative impacts will occur through schemes being constructed concurrently (overlapping) or in sequence.</p> <p>Effective collaboration and co-ordination between projects is required to ensure that these impacts are minimised, however no such binding and enforceable commitment has been made by the respective Applicants/developers.</p> <p>The lack of co-ordination (either voluntary to enforced through the DCOs) will result in a piecemeal, project-by-project approach to managing cumulative construction activities that will include construction traffic, construction traffic management, noise and air quality impacts.</p> <p>WLDC considers the approach to be inadequate, failing to provide the required obligations on developers to work on a co-ordinated manner to minimise impacts as required by policy.</p> <p>The Applicant's point towards the 'Joint Report on Interrelationships' document as a commitment to joint working, however this document is neither included as a 'Certified Document' and nor is it to be enforced through a DCO 'Requirement', It is therefore a non-binding and unenforceable document that cannot be relied upon to minimise cumulative construction impacts.</p>
Operational activities	<p>WLDC has worked with the Applicant to seek to provide a process for the dealing of noise complaints during the operational phase of the Scheme.</p>

	<p>Whilst agreement has been reached in this regard, there remains an absence of an agreed process between all developers. Such a process will be required in the event of investigations into a noise complaint from a property that may be receiving noise from more than one solar farm. The current situation places the onus on WLDC to try and negotiate with each developers without a clear controlling mechanism being identified at the time consents are made.</p>
Scheme 'maintenance'	<p>The wide scope of the definition of 'maintenance' in the dDCO has the effect of allowing a developer to replace a whole NSIP project over its lifespan. Applicants have confirmed that panels, BESS and other associated development will need to be replaced at least once during the project, which have the potential for significant adverse environmental effects. This will be exacerbated when the need to re-place and re-construct applies to all four NSIPs cumulatively.</p> <p>There remains no mechanism for WLDC to consider the impacts of 'maintenance' and place any controls on what will be decommissioning and construction activity throughout the operations phase of the Scheme.</p> <p>The Applicant remains unable to provide any clarity on the management of waste from 'maintenance' activities.</p>
Socio-economic/Tourism	<p>WLDC remain concerned that the project will have a significant adverse impact on the tourism sector in the District.</p> <p>On a cumulative basis, the four NSIP projects in the District will be constructed for a period that may stretch to 10 years. The desirability of West Lindsey as being a place to visit will be reduced and ability for the market to recover is uncertain.</p> <p>Existing tourist accommodation in the District will be used to accommodate construction workers and staff associated with each of the four projects. With accommodation being used by workers for a number of years, the capacity for tourists will be significantly reduced, with the impact being a reduction in tourists visiting, staying and spending in the District. The ability for the sector to recover quickly following the completion of construction is a significant concern for WLDC.</p>
Soils & Agricultural land	<p>The cumulative impacts of four NSIP projects in the West Lindsey in terms of loss of agricultural land will be significant. All land to be used for infrastructure will be lost for food production, which must be weighed negatively in planning. NPS EN-3 requires avoiding 'Best Most Versatile' land, but WLDC argues that even avoiding such land results in agricultural land loss, which should be viewed negatively. The weight of this impact includes the cumulative loss of agricultural land due to the four NSIP projects.</p> <p>WLDC notes that there is no commitment for land upon which panels are sited to also be made available for the grazing of livestock for the purpose of food production. There is no enforcing mechanism and it must be held that this land is therefore lost for the purpose of food production for the 60 year lifespan of the Scheme and the other three solar NSIPs.</p>

Draft Development Consent Order	<p><b>Schedule 17 – Article 35 – procedure for discharge of requirements.</b></p> <p>WLDC maintain its position in requesting a determination period of 13-weeks due to the proliferation of submissions for approval likely to be sought by all four NSIP projects.</p> <p>With respect to the submission of further information, WLDC request that it has up to 20 working days from receipt of the application to request further information and that WLDC must issue consultations within 10 working days of receipt of the request by the consultee and within 20 working days of receipt of the application.</p>