



Hearing Transcript

Project:	EN010148 - Tween Bridge Solar Farm
Hearing:	Issue Specific Hearing 1 (ISH1) - Part 1
Date:	15 April 2026

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AUDIO_TWEENBRIDGE_ISH1_SESSION1_1 50426

Wed, Apr 15, 2026 12:19PM • 1:15:59

SUMMARY KEYWORDS

Tweenbridge Solar Farm, grid connection, environmental impact assessment, National Grid, substation, network connection, planning consent, regulatory obligations, construction delay, operational effects, decommissioning, environmental statement, local impact report, stakeholder engagement, procedural issues.

SPEAKERS

Speaker 9, Speaker 7, Speaker 8, Speaker 5, Speaker 4, Speaker 6, Speaker 1, Speaker 3, Speaker 2

00:23

Okay, good morning. It is 10am and this issue specific hearing is now open. I would like to welcome you all to this hearing. This is the first issue specific hearing for the tweenbridge solar farm project. Can I just confirm that everyone can hear me clearly? Okay, excellent. Could I also confirm with the case team that the live streaming of this event has commenced? Yes, thank you. My name is Luke Simpson. I am a chartered town planner, and I have been appointed by the Secretary of State as the single appointed person, otherwise known as the examining authority, or ex a to examine this application. I'm also joined in person by my colleagues, Sarah Norris and Emma Smith from the planning Inspectorate case team. They're set at the back of the room and handling the virtual components of the meeting online are Jessica Dunlop and Sam Stevens and I'll deal with a few housekeeping matters for those attending in person. Could everyone please turn all devices, including laptops and phones, to Silent mode. Toilets are located in the middle of the room on the right hand side. I don't mean there's a fire drill planned today, but in the event that the alarm goes off, fire exit is behind me here, and you exit the front of the building and turn left, and the meeting point is outside the tourist information center on the high street. It's quite warm in here, so feel free to remove your jackets if you are too hot. Today, I won't penalize you. This hearing will follow the agenda published on the national infrastructure planning website. It was published on the seventh of April, the agenda examination, Library Reference, Ev, 3001, it would be helpful if you had a copy of that in front of you. The agenda is for guidance only, and I may add other considerations or issues as we progress. I will conclude the hearing as soon as all relevant contributions have been made and all questions have been asked and responded to. But if the discussions cannot be concluded because we have run out of time, for example, then it may be necessary for me to prioritize some matters and defer other matters to further written questions. And obviously, the draft examination timetable also includes provision for further issue specific hearings. And it's likely that a lot of these issues and topics will be will have additional issue specific hearings in later in June. Okay, so I will also aim to take regular breaks during the hearing, including a lunch break. The timing of the breaks will depend on how we progress today. The hearing is being undertaken in a hybrid way, which means some of you are present with me in the hearing venue, and some of you are joining virtually, using Microsoft Teams. A recording of today's hearing will be made available on the tween bridge solar farm section of the national infrastructure planning website as soon as practicable after the hearing has closed. With this in mind, please ensure that you speak clearly into the microphone, stating your name and who you are representing each time you speak, primarily for the benefit of the transcript. So there will be a transcript, transcript of the meeting published as well. Could you also ensure that you turn your microphone on and off accordingly? If you're not at a table with a

microphone and you wish to speak, there should be a roving microphone, so please wait for one of those to be brought to you before you speak. A link to the planning inspections privacy notice was provided in the Hearing Notification. I therefore assume that everybody here today has familiarized themselves with this document which establishes how the personal data of our customers is handled in accordance with the principles set out in data protection laws. If you have any questions or concerns about this, then please speak to the case team after the hearing.

04:54

Okay, I'm now going to ask those of you who are participating in today's hearing to introduce your. Cells. So when I state your organisation's name, could you introduce yourself, stating your name, who you represent and which agenda item you wish to speak on. If you're not representing an organization, please confirm your name, summarize your interest in the application, and confirm the agenda item you wish to speak on. And please, could everybody confirm how they wish to be addressed? So Mr. Mrs. Miss, Miss and so on. So I'll start with the applicant. Who will be, who will be representing the applicant? Please? Applause. I

05:51

think we're just having some problems with the microphones. Just bear. Bear with us. I

06:09

Good morning, sir. My name is Tom McNamara. Mr. McNamara is fine. I am a legal director at the law firm, TLT, LLP, and I'm here representing the applicant for this application. The way we propose to do it is that we brought the relevant people up to speak to the first agenda item on network connection. So I'll ask them to introduce themselves, and then we have other people in the room behind me, other members of the project team who will be able to speak to the later agenda items under environmental topics. So, okay,

06:46

sorry, if you could just list everyone off and then, yeah, people can introduce themselves, sure. So for example, if you list your entire team now, that would be great, and they're doing that, individuals can introduce themselves when they speak.

07:02

Sure, I will do that, sir. So in terms of the people to my right, first of all, I have my colleague, Mustafa Latif aramesh, partner at TLT immediately to Mr. Latifah Ramesh is right, is Michael Mr. Michael Baker, who of RW E. And then to Mr. Baker's right, we have Hannah Baker, environmental specialist at Pegasus. To my left, I have Angus Duncan of RW e as well, behind me, sir, and just to run through the list, speaking to landscape and visual matters, I have Miss Curtis of Pegasus, speaking to flood risk matters, I have Rana alidad also with Pegasus, speaking to cultural heritage matters, Mr. Jonathan Millwood, Ellsworth, Pegasus, and then finally, sir, speaking to ecology, I have Mr. Jonathan Julian Arthur of Tyler Grange. And so that's the full extent of the people I expect to be speaking today.

08:21

Okay? Thank you very much. And who will be speaking on behalf of City of Doncaster Council, please?

08:30

Andrew coughs key for city of Doncaster Council, sir. Mr. Sharikovsky is fine. I will, as yesterday, make comments as we go through on various issues that's necessary. We have five other representatives from city of Doncaster council at present today, to my left, we have Roy Sykes, who's the head of head of planning, David Hornsby, who will be speaking in relation to heritage in the built environment, and

then attending virtually. We have got, I hope we've got, because I can't see him on the screen there, but I think he may be, still be there is Martin Novaki, who's going to be speaking on ecology. Emily Jones, who's consultant for Tetra Tech, who will be speaking on landscape, and Richard Campbell, who will be speaking on flood, who's here on behalf of the Iffa? That's our teamson.

09:25

Do you have Suzanne stamp as well?

09:30

She may be here? Yes, in which in which case, she will be joining us as well.

09:35

She's landscape and she's landscape. Thank you very much. And for North Lincolnshire Council, please.

09:44

Thank you, sir. My name is Mr. Paul Skelton, representing North Lincolnshire Council. In person, I will speak as and when required throughout the agenda in terms of the other matters in person. And we have Mike Smith, two to my right, who will speak on flood risk matters. We also have Alicia Morley, who will speak on biodiversity and ecology matters online. We have Richard Goddard, who will speak on cultural heritage matters. I think we might or we might not, have Mike Kitching, who will speak on flood risk matters as well, and similarly, representing North Lancashire Council are the representatives from Tetra check, Tetra Tech, teeth back in, Emily Jones and Suzanne stamp. Thank you, sir.

10:52

Okay, so they also represent north, north Lincolnshire. Okay, and do you have a Matt Gillian as well. Or is he not in attendance? He is

11:04

he's once best to my right, it's unlikely he will be speaking. Sir. Thank you.

11:15

Okay, thank you. So in terms of statutory parties, I think we've got Lincolnshire Wildlife Trust participating virtually. Is that correct? If you'd like to introduce yourself, Good

11:32

morning, sir. Dr James Wood, Lincolnshire Wildlife Trust, I'll be responding to relevant points on item 4d biodiversity and ecology. Thank you.

11:43

Thank you very much. And we have representatives from the Environment Agency, including in the room. I believe, would you like to introduce yourself?

11:54

Good morning, Miss Danielle McLean, Spencer, planning advisor for the Environment Agency. I am supported today by flood risk colleagues, Paul Goldsmith and Sarah Street, who are joined online. We will be speaking where required, on item 4b flood risk hydrology and water resource matters.

12:17

Okay. Thank you very much. And in terms of other interested parties, I think we have. Mr. Brooke, would you like to introduce yourself?

12:30

Michael Brooke, landowner, farmer, within the scheme, but not in it, on the drainage board for many years. I'm the drainage delegate for this area. I was former chairman of Hatfield chase for 20 odd years, quite disgusted yesterday, I was the only one yesterday here, more or less quite disgusted by the response from what we had heard from the last meeting prior to that in May

13:02

this sorry, Mr. Brooke, at this stage, I'll just ask you to introduce yourself. Yeah, and I believe it's I,

13:11

I am going to be affected greatly.

13:17

So if you could just introduce yourself, we're going to move on to discuss the merits of the application. Yeah, okay, we're just doing introductions, all right, and I think there's a Samantha Brooke as well. Would you like to introduce yourself?

13:36

Samantha Brooke from stupor Gate Farm also?

13:41

Okay, thank you

13:42

very much. Thank you.

13:46

Right. Are there any other interested parties, or anyone else who wishes to speak today, including those participating virtually?

13:56

Sorry sir. Just one further clarification in my morning state. I forgot to mention that Mr. Gareth Roberts, oldsworth, Pegasus will be speaking to progress matters.

14:11

Okay, that's why, yeah, he's on, he's on my list. Okay, anyone else? Virtually? I think that's everyone. Okay, brilliant. Okay, so most of today's questions are for the applicant. What I would typically do here is ask the applicant a question, and then I'll hear from the councils, followed by interested parties, and usually the applicant will have a final right of reply. The discussion will be structured and led by me. So we'll now move on to item two, which is the purpose of the hearing. So could I just raise

14:54

one procedural point before you proceed? I believe that two of us. Could you, Andrew, city of Doncaster, Council, two of our attendees who are who joined us online, I think, slightly constrained in their time that they can attend today because of other commitments. And I just wondered if you had, you could give any indication very roughly for timings, for things, what,

15:19

which issues I specialize in,

15:22

it'll be landscape and ecology.

15:26

Okay? Well, ecology is the last topic to be discussed. Landscape is the second. So I imagine landscape will be covered in the next hour and a half, two hours, biodiversity and ecology may be later this afternoon, so I don't know if that helps.

15:49

Hopefully the two people can concern can can join us briefly if they need to.

15:54

Okay? I mean, as I said earlier, we'll be having additional issue, specific hearings on these, certainly on biodiversity and ecology so and obviously we've got written questions coming up, so there are plenty of opportunities to put forward cases, right? So the first topic to be discussed will be the network connection. I will then move on to environmental environmental matters, which include landscape and visual flood risk, hydrology and water resources, cultural heritage, and finally, biodiversity and ecology. The purpose of this hearing is for me to get the information that I need in order to properly and effectively examine this application. The questions which I have are those which I consider warrant or would benefit from discussion in a hearing setting, given that the examination is only just opened and that we have not yet received the local impact reports, many of these questions are quite high level, and they largely relate to my initial observations on some of the more fundamental issues associated with each topic. The NCIP process is primarily written, and I will be sending out my written questions, my first written questions, at the end of next week, probably on published on Friday as such, just because I don't mention something, for example, a particular effect or an issue which you may have raised in a representation does not mean that I won't be considering it. It is likely that we will hold further issue specific hearings on Summit, if not all of these topics. Okay, before we move on to Agenda Item three, does anyone have any questions about the purpose of the hearing? No, okay, so we'll move on to Agenda Item three, and the first item is network connection. Now this refers to the connection between up to and including the National Grid substation, which the applicant asserts is to be constructed in the future. And given that this does not form part of the proposed development, it is a subject which requires further discussion. During this agenda item, I will be referring to the following documents which I would be grateful if the applicant could try and show on the screen, just generally, as they are discussed. So I won't ask for them to be shown, but as I discussed them, if you could generally try and show them on screen, that would be helpful. The first is the infrastructure, planning applications, prescribed forms and procedures, procedure regulations, 2009 you don't know. You don't have to display that. But I'll be referring to Article Six, one, a of that legislation. I'll also be referring to grid connection statement, or the app the applicant's grid connection statement, which is exam library reference as 008, I'll refer to the national grid electricity transmission, PLCs, relevant representation, which is exam Library Reference, rr, 021, and I'll also refer to MPs Ian one. Okay, so Article Six of the infrastructure planning applications prescribed forms and procedure regulations 2009 sets out matters prescribed in relation to applications for specific types of projects. Now, Article Six, one a requires that if the application is for a generating station that is not an offshore generating station, it should include a statement of who will be responsible for designing and building the connection to the electricity grid. Yes, okay, that's just by way of background. Now paragraph one point 1.6 of the applicant's grid connection statement, which is examined at library reference as 008

20:16

states that a connection to a new 400 kilovolt substation will be consented and delivered separately by national grid electricity transmission, otherwise known as N Get however N gets relevant representation, which is exam, library, reference, rr, zero to one casts doubt on this so firstly, it states that the connection cable could potentially be designed and built by the applicant, and it highlights that the applicant is required to seek consent for build and maintain all assets up to the bus bar within the substation. Secondly, and gets relevant representation states that enget is not currently proposing to construct a new substation in the area. With all of that in mind, does the applicant consider that the grid connection statement satisfactorily explains who will be responsible for designing and building the connection to the electricity grid?

21:29

Thank you, sir. Tom McNamara, on behalf of the applicant, if I may, I think I will disaggregate between two aspects we can deal with what the first one very quickly. Clearly that there is going to be need for an offside 400 KV substation, and I think it's not in doubt that national grid electricity transmission will be responsible for the design and construction of that. And I don't think National Grid have said otherwise in their relevant representation. So I think the second issue, and the issue you're concerned with is the export connection cable that will be necessary to connect this development to that off site, 400 KV substation, and the grid connection statement, as You says, As you have said, Sir, indicates that on the on the applicant's understanding, National Grid would be responsible for that. But I would emphasize the grid connection statement does also clarify and confirm that there is optionality. So if I can refer you to paragraph 4.3, point one of the grid connection statement. It does say that the 400 KV export connection cable could be delivered by national grid as the transmission license holder or by the applicant. And similarly, at paragraph five, point 1.5 the document says the applicant, or National Grid could be responsible for designing and construction, constructing the 400 KV export connection cable between the RW on site, 400 KV substation and the N Get 400 KV substation. And so we would say, sir, that the document already confirms that there is, there are different ways in which the 400 KV cable could be delivered. And so where National Grid have said that it will be the responsibility of the applicant, we don't think that that is inconsistent with anything we've said. And I would just, I would just add three further points, if I can, just to underscore why, why we have included provision for the optionality in the good connection statement. The first is that it's based on our, the applicant's experience of what happens on other schemes. The second point here is that we're dealing with a 400 KV cable, and that under the Electricity Act, is defined as transmission level, and National Grid holds a transmission license. And so understandably, we take in the view that if we're dealing with cables at that level that would ordinarily be a matter for national grid as the holder of the transmission license. And the third point to note is there that as part of protective provisions which national grid will routinely seek to secure as part of a development consent order, it generally seeks powers to implement transmission level works itself in place of the applicant. And so we've simply reflected that in the in the drafting of the grid connection statement. And so so our fundamental position is that we think the grid connection statement is accurate on this point. We don't think there's an inconsistency with what National Grid is saying. And. And we think we're compliant with with regulation six, one, a of the 2009 regulations, because we've confirmed that responsibility for delivery and construction of the cable could be either national grid or the applicant. And that will be that will be confirmed as part of ongoing discussions that are taking place, both with the national electricity systems operator and national grid itself.

25:30

Okay, thank you. I think the most the fundamental issue here is that enget are stating that they have no plans to construct a new substation, and the applicant is asserting that they do have plans. Indeed, I think paragraph 3.1, point two of the grid connection statement states that enget has commenced its siting process for the enget 400 kilovolt substation, and the exact location of the and get 400 kilovolt

substation will not be confirmed until this process is concluded. But that statement, whilst vague, implies that there is a process being undertaken, but that isn't really reflected in in N gets relevant representation. So I don't really understand what the situation is in terms of that new substation, whether it's proposed, where it's proposed, who, whether enget have got any firm proposals to actually construct it.

26:40

Thank you, sir. I can, I can respond to my story on behalf of the applicant. Apologies, sir. I'll take that into two parts. So the basis on which the grid connection statement was drafted with those paragraphs that you've cited in mind that that was based on the applicant's understanding of the of of the position at that point in time, and discussions with National Grid had indicated that a substation would be, or could be located, to the east of the Ord limits, east of area E, and that was the basis on which we were proceeding. And clearly that position has now evolved to something different. And I think this just underscores the embryonic nature of the process at the moment national it's a process that National Grid manages, and there is fundamentally uncertainty at this stage as to where the point of connection is going to be. But the fundamental point there is that the applicant for this project holds a grid connection agreement, and National Grid is subject to regulatory obligations to provide connections to projects which hold such agreements. And so we say there is a legally binding process, pursuant to which a point of connection will be provided in the future, notwithstanding that there is currently uncertainty as to it, as to its precise geographical location, and that process will run its course. But we don't control it. We don't manage it, and we can't, we can't confirm to you, so when that clarity will be provided, but there is a legally binding and regulatory process that underpins it, and so so we say that that should be sufficient to provide comfort that it will be will be brought forward.

28:34

Okay, so you're suggesting that the process has evolved to something different. But my question is, what does it evolve to so where you talk about geographical locations and the legally binding nature of the grid connection agreement and their obligation to provide you with or the applicant with a connection, but what, what scope is there for that geographical location? Is that tight? Is there a geographical area, or is it open ended? Could it is are there parameters spelled out anywhere in any of the documentation as to what that geographical area that they are legally obliged to provide you a connection within is Tom

29:23

McNamara on behalf of the applicant. So the existing good connection agreement refers to tween bridge, tween bridge substation, I believe. But there are no geographical parameters that surround that. And you're right to say that the position has evolved, because, as I said earlier, we were working to a on an understanding that the substation could be east of the Ord limits, and clearly that position has changed. What we don't know, because we don't manage the process, and we're not responsible for siting, is the. What parameters at the moment National Grid looking at where it's where it external to that process. We do obviously. We are obviously in discussions with national grids, and there is engagement. But we we at the current time, we don't have knowledge of the geographical premises within which they're working, and so that position is uncertain. And that simply underscores our decision, I think, sir, to remove from the application a any indicative grid connection corridor, because we don't know where it's going to be, and that's something that we will keep under review. We're managing it. We're in discussions with national grid, but the certainty as to geographical premises has not emerged at this point in time, sir, and that, I can't give you any definitive time scales as to when that might emerge, but we'll obviously keep keep you abreast as the examination proceeds. And obviously we're at an early stage in the examination now, and there is time for for things to evolve.

31:00

Okay? I mean, it's pretty fundamental issue, and I'm sure one that you appreciate is important. And in terms of the statements of common ground, I think I asked for a statement of common ground with enget but if I didn't, I would like one produced. And given the fundamental nature of the of the grid connection and its importance to the scheme, that should be something that the applicant seeks to resolve as a matter of priority, just wanted to make you aware of that.

31:38

Tom McNamara, on behalf of the applicant, i i I will check just with colleagues to my right, whether we are progressing an S, O, C, G, I'm getting some nods. So we are, we are doing that, sir, and that will be submitted at deadline one as a draft.

31:55

Okay, thank you. We are going to talk about other aspects of the grid connection, including the date implications for the environmental statement. But does anyone have any duet? Do either of the council, so North English, a council or city of Doncaster Council, have anything to say on what has been discussed thus far?

32:16

Yes, thank you, sir. I'm Andrew costing for city of Doncaster Council. We were essentially, actually going to identify exactly the points you've identified, and in particular the line that I think you've already quoted from the end, and get relevant representation, which I'll just, I'll just read it again, if I may, which simply says that enget wishes to make clear that and get is not responsible for the connection cable between the project And the enget substation. And get is not currently proposing to construct a new substation in this area. Clearly, that raises a fairly fundamental question, as you say, Sarah, about actually, whether there's any reasonable prospect of that grid connection connection being delivered within the timescales of the project. There's obviously requirement 21 I think it is which, which essentially requires the submission of the details of the grid connection or the substation. Obviously, we welcome what Mr. McNamara said, in terms of, you know, any further update that there is from then get and I think the suggestion that there is a statement of common ground is a good one, because I think it really does raise a very, very fundamental issue here about the deliverability of a project.

33:32

Okay, thank you. And is there anything from North Lincolnshire Council on the same

33:41

Thank you. Seth, probably not, not anything to add on this specific point that you, or Mr. Sherikovsky, sorry, Paul Skelton, North Lancashire Council, that's already been mentioned. I presume that will you will also have questions about the ES and the implications for that, which will come on to

34:02

Yes, okay, and before the applicant comes back, Mr. Sierra coughsky mentioned the prospect of a network connection. I've got a specific question on that, and perhaps I could ask you that first, and you could build your reply in with that response. So if we turn to NPS en one paragraph, four point 11.8 and perhaps that could be displayed on screen. So that's four point 11.8 en one okay, that states in full on some occasions, it may not be possible to coordinate applications. For example, different elements of a project may have different lead in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks. For example, grid companies on. Operate within off gem controls, making it inefficient, from a delivery perspective, to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant

should include information on the other elements and explain the reasons for the separate application, confirming that there are no obvious reasons for why other elements are likely to be refused. So does the applicant accept that if it is necessary to demonstrate that there are no obvious reasons why other elements, in this case, the substation and cable route, are likely to be refused, then it follows that the applicant should at least demonstrate that there is a realistic prospect of consent being granted for those elements.

35:50

Tom McNamara on behalf of the applicant, so I'm just trying to work out how to how to bring forward my response. But I might just take that point, if I may. So I don't I, with respect, I don't think that is what the policy test is requiring here. I don't think we can read into the policy, which is requiring a demonstration that there are no obvious reasons why other elements are likely to be refused. Amounts to a requirement to show that there is a reasonable prospect of consent being granted. But I think they are. There are two separate things. I think in this case, what we are confronted with is an is, at the moment, an uncertain point of connection. And I think the test is simply, is there any reason to suspect that that point of connection, the consent at that point of connection would be refused? And I think the answer to that has to be fundamentally No. There's no obvious reason why that, why that consent would be refused. That stands to reason in circumstances where no applications come forward yet. But what we can say, Sir, is that there is that national grid. This is business as usual for National Grid. It has it follows its own processes for siting new grid infrastructure. There's no reason to suspect it will do that in anything other than the standard way of applying proper planning policies, and it will bring forward a sensible proposal into the planning system. So in those circumstances, Sarah, I think, I think we would say that four point we're right, within the limits here of four, 11.8 and that there's no obvious reason why those element, other elements, are likely to be refused. And so, because it's a very recent decision on another, another solar scheme, I think it's worth mentioning. So this is the very recent decision in the spring, well, solar farm decision that was given, taken by the Secretary of State on the eighth of April and there was some significant discussion in that case around whether a requirements or conditions should be imposed on the DCO, which would effectively prohibit commencement of that solar farm development, In the absence of evidence until a big one, until evidence had been produced that planning permission had been granted for the off site substation. And the Secretary of State ultimately disagreed with the view that restriction in those terms should be imposed. And in doing so, the Secretary of State, in the decision letter, said there has been, there has been no substantive evidence put forward that that demonstrate there is an obvious reason as to why planning permission would be refused. So I use, I would emphasize, would be refused, because that's not the Secretary of State saying there's no obvious, you know, there is no evidence to the effect that consent would be granted. There is no obvious reasons why planning permission would be refused for either the proposed National Grid substation or overhead lines. Secretary State also notes that the applicant has a grid connection agreement with national grid to export power to the national electricity transmission system, and that national grid, as a regulated business, has a legal obligation to meet any requests for new power connections from developers that make such requests. So we would say that substantively, we're in the same position here. There is, we accept that there is grid connection, there is grid infrastructure that would be needed to be brought forward as part of separate applications, and there is nothing to suggest that consent for those things would be refused. And so. Say, sir, that this is precisely the sort of situation that paragraph four, point 11.8, of en one is designed to cater for.

40:12

Okay. I mean, you've just referred to this extra state decision, which is helpful. Thank you. But you also state that he referred to the proposed National Grid substation in that instance. So there obviously was a substation proposed in this instance, and get a saying that they are not proposing a substation. So that's the opposite. So if there are parallels, what would be useful is if you could draw them out and any differences, if you could highlight those as well between the two developments.

40:50

Tom McNamara on behalf of the applicant, so we can do that absolutely. But we, I would just say that fundamentally, the principle is the same whilst there was a proposed substation in that case, and the location was known, whilst that's not the case here, the key point is that there will be, because there's a regulatory process, that will mean that there will be a substation brought forward in the fullness of time, or a or a point of connection brought forward by National Grid, and that will be subject to its consenting process.

41:26

Okay? So in those terms as well, it would be helpful if you provided further detail on the regulatory or statutory obligation under which I mean you mentioned that and get are obliged to provide a connection. I'd like to know a bit more about that, perhaps in writing, and what that actually means in practice. What they obligated to provide? Are they obligated to build a new substation, or are there get out clauses? Is it a certainty? Because at the moment, it's all very vague, as you will appreciate, so a bit of certainty there would be much appreciated.

42:14

Tom McNamara on behalf of the applicant, so we can do that, I would just say to reassure you that what we are doing here is is not novel. This is, this is very common in the renewables industry. There. There is precedent in in different consenting regimes for the approach we've taken to rely upon a process that is underpinned by regulatory obligations is, we would say, not, not uncertain. There are agreements in place. There are legally binding obligations on on national grid to provide connections to projects that seek a connection. And so I can, you know, in one sense, I can see why you're saying it's vague, but I that isn't the case, and we can, we can certainly make a submission in writing, sir, for deadline one, setting out more fully why that why that is the case, and I hope that that will provide you so with The comfort you need going forward into the examination, okay?

43:23

I mean, it is a fairly novel approach in the respect that there is no grid connection as part of the application. And I know you provided some limited examples of instances where that has been the case previously, but in those cases, there are different differences in the consenting route, or the certainty of the consenting route, and mechanism for securing the consent for the grid connection and substation in some cases there were substations. It was mainly the grid connection that wasn't included in the application. So there are differences. And so you highlighted some of those. I don't know if it was in the grid connection statement those other projects, the wind farms, offshore wind farms, for example. So it would be helpful if you built that into your written response as well and provided that a bit more information on that to me in terms of the similarities and differences between differences between those projects

44:25

and this project, to make them on behalf the applicant. So we can do that, and we accept that. I think this is possibly the first solar DTO going through the system that has sought to take this approach. But we don't think the principles are technology specific, so to speak. There are, there are ample examples of other generating projects where this, this approach has been taken. It's also been taken in the solar context, under the Town and Country Planning app regime. We can provide you with examples of that, sir. You. In our written submission. But fundamentally, the point here is that the approach we have taken is within the limits of what the national policy statement is saying. So four point 11.8, of the National Policy Statement specifically confirms that the approach we have adopted is, is satisfactory. And I would also say, sir, that there is reference in NPS en five as well to this approach, which also

applies to the project in this case. And I'll provide you with the paragraph references there, sir, because they do embellish the point and further underscore the validity of what we have done. So, for example, sir, paragraph 2.7, point two of en five states that accordingly, the government envisages that wherever reasonably possible, applications for new generating stations and their related infrastructure should be contained in a single application. However, a consolidated approach of this kind may not always be possible, nor represent the most efficient strategy for the delivery of new infrastructure. And then two point 7.3, of the same NPS goes on to say this could, for example, be due to differing lengths of time needed to prepare the applications for submission, or because a network application relates to multiple projects, or because the works involved a strategic reinforcements required for a number of reasons. All of this, I say, Sir, because what I'm trying to emphasize to you is that the approach we've taken is recognized and acknowledged as being necessary by the national policy statements, and those national this this application has to be determined in accordance with those national policy statements. So notwithstanding that we're potentially the first solar DCO going through the process that has taken this approach. We're compliant with policy.

47:07

Okay, thank you. Is there any response?

47:14

Andrew sharikovsky, Phil city of Doncaster, Council, so I think, I think there's, there's, there's two slightly different points here that I think on the one hand, as Mr. McNamara said, there's certainly precedence in other applications where it's proposed to bring forward a grid connection and the development of the substation either as a separate application or even under the Town and Country Planning Act. And how you deal with that on the one hand, but actually more fundamentally in this case, I think our concern, I think this is probably the point that you've highlighted, is that in some respects, we haven't even quite got to that question in this application, because the position appears to be based on the statement from enget that they're not actually proposing to bring forward any proposal, or there's currently no proposal on the table. Having said all that, it's as I understand it. It's quite a normal part of projects of this nature. And I'm involved in a number of others around the country, even some with RW e where, even as the hearings for the dcl are going on, there will be dialog ongoing within, within, with Nissan in particular. But also we then get on the detailed design, what that grid connection will be so, so that the the detail of how it will be provided, particularly if you've got projects that have, for example, a gate one grid connection offer from, from, from NISS, but maybe haven't got the gate to yet. You, by definition, you're not going to know all the detail. But there is that dialog going on, and the planning authority will be, will my experience invariably, be aware of that dialog going on between the developer and get and Lisa. I think the concern in this case, of course, is because of what enget have said in their relevant representation, actually has that dialog progressed? And I think what there needs to be, is there's got to be further reassurance from enget but actually that process is going forward, and it is moving forward to a more specific proposal in terms of how and where and when the grid connection is going to be provided.

49:16

Okay, would the applicant like to come back on that?

49:19

Tom McNamara, on behalf of the applicant, I don't have any substantive points to make. I think, I think it's right to say that, in a sense, we're a victim of the way in which the the process is is proceeding, and we're working against the backdrop, of course, of the niso grid connection reforms. And this project is facing that issue. Lots of projects are going to be facing that issue because of the reordering of the grid connection queue last year. All I can say as to the certainty is what I said previously, which is, whilst

there is no specific proposal on the table. People. Yet in terms of the geography of that proposal, this project benefits from a good connection agreement, and National Grid. As a regulated business is subject to regulator obligations to meet requests for new connections from developers, and we say that that is a high degree of confidence. It's difficult to see how in the absence of a specific proposal on the table that's going through the planning system, it's a high degree of clarity and comfort and assurance that that will be provided decisions need to be made by developers. On the strength of those regulatory obligations, binding on national grid. We say that they are sufficient in this case, and the Springwell decision that I mentioned, sir, indicates that is the case. We say that it's a that it's sufficient comfort to ensure that that those exterior proposals will be brought forward and consent will be, will be given for them.

51:04

Okay, did you have anything

51:07

to add? Andrew shark asking for city of Doncaster council. So I think we, as we brought up yesterday, I think the proposal is for the applicant to bring forward an additional statement, which will be submitted a deadline to and I think that that hopefully provides an opportunity to set out more of the detail. And I think we, as I said yesterday, I think the two councils will both welcome that statement, hopefully you can pick up on a lot of the issues we've discussed today.

51:31

Yeah, I think we'll come on to that. Because wherever, wherever this information can be built into that statement, or wherever it might be best suited as a separate document? Well, it will depend on how specifically related to the ES that document is that you're proposing. For example, it might not make sense to discuss the merits of the network connection within that document. So it may be better to have two separate submissions. Okay, so in terms of the prospect of the network connection, sorry, the connection date, grid connection statement, paragraph two, point 1.3 states in full that the current connection date for the scheme was June 2029, and it does state that, as with all electricity generation projects, this date is under review by nesso as part of their sorry the ongoing connections reform process. Obviously, that position has changed, and I just wondered if the applicant could provide a full sort of verbal update on how the connection date has changed or is likely to change, and what is the anticipated connection date at this present time.

52:51

Tom McLemore, on behalf of the applicant, thank you, sir, so I can confirm. And this was set out in our submission to you earlier this year, so that as part of the grid reform process that I mentioned and the reordering of the queue, the applicant was allocated to gate two, phase two. And that means that, Indicatively, at least, the scheme is proposed to be connected to the national electricity transmission system between 2031 and 2035 so that means a potentially later connection to the national grid than that which is set out in two point 1.3 where obviously we indicated that the connection was June 2029, and it's for this reason that we, as I mentioned yesterday, have been progressing the piece of work to understand what the implications of that delay would be on the conclusions that we've set out in the environmental impact assessment. And that has three elements to it, obviously, because a delay of this nature potentially speaks to all three aspects of the impact assessment. So construction effects, operational effects and decommissioning, because if you connect to the national grid later in time, then it brings into play the potential for the construction of the scheme to be built out slightly later, and potentially in a different way, in terms of the duration of construction activity in terms of operation as well, because it brings into play the potential for the scheme to be operating for slightly to a later date in time, and then for decommissioning, because the obligation to decommission would arise slightly later

in time as well. And so what. We have been, what we have been doing, sir, is to stress test the conclusion to the ES against all those different factors. And so that you have the references, sir, in chapter two of the environmental statement, we set out the temporal scope of the assessments. And chapter two of the s carries Library Reference, app 039, and we said in there that we would assume a 54, month construction period spanning the period 2028 to 2032, so two, that parts of the project could be brought online from 2029 to in a phased manner, and then the Full Scheme operation from 2032 that would then lead to an operational period of 40 years spanning 2032 to 2072 and obviously decommissioning would fall out at the back of that. And so those are the assumptions that have been applied in carrying out each topic assessment in the ES. So what we have done is to say, well, for each chapter of the ES, what would be the implications of moving the construction window back? What would be the implications of a later operational period? What would be the implications of a decommissioning period? And there's some complexity involved in that, sir, because for each for each topic, the position might be slightly different. So the worst case scenario could be one thing for for noise, and another thing for for cultural heritage. So we've we've considered what would be the reasonable worst case scenario for a topic having regard to delay.

56:55

And the document that we will set out will will confirm on a topic by topic basis, what the what the implications of that, of the delay would be for that topic, versus the conclusions that are reported in the environmental statement, so that you can understand whether there would be any new or different, likely significant effects, so that the headline position at the Moment, whilst the work is still developing, but the headline position is that there are no significant implications as a result of this delay. We're very much still going to be within the parameters of what we've assessed throughout the environmental statements. But obviously so when I wasn't proposing to go through the detail of each chapter. I do have someone here that can can give a headline across the yes, if you, if you'd like to see it. But equally, I know that, as I indicated yesterday, that's a document that will submit a deadline too, and so you might feel that it's better to await receipt of that document and to consider it fully at that point in time. But as I say, I can offer to you a brief summary of of each topic, if you would like it.

58:09

I'm quite interested to know how that sits with the ES, so what status that this new document has, and how it interrelates with the ES. I know it's going to obviously draw out conclusions that are comparable, but from a sort of procedural perspective, why have you gone down this route rather than amending the ES for example, Tom

58:36

McNamara, on behalf of the applicant, said, there are Different ways in which you can do it, but fundamentally we because the we're saying that this work does not undermine or change any of the conclusions in the s to our mind, it wouldn't make sense to do a wholesale redraft of the environmental statement. We say that that is still a solid document, and it's reflective of the likely significant effects of the project. So what we're proposing is that this would form the basis of a standalone submission that is environmental information in its own right, and it will be apparent from how we will draft the document, how the environmental statement should be read in light of it. And so we say so that it will work perfectly well in that way. And we're certainly not proposing to redraft es chapters wholesale. We think that would be an excessive approach and wouldn't be justified on that basis. And so it will be a standalone submission, and we say that that that ought to be sufficient.

59:46

Okay, I think my main concern is, obviously with a lot of these. Well, every topic is different, and the data underpinning some of the assumptions that. Might be significantly different for certain topics, and

that might require length free appendices and things like that. And I don't want it to be, I don't want to be in a situation where we've got this huge additional document with loads of appendices, lots of spreadsheets and data, and how does, and I'm in a visitor, I'm thinking, how does this relate to ES? And I don't want to be in that position, so that needs to be carefully considered, and the relationship between that document and es needs to be explained from a statutory and procedural and common sense perspective.

1:00:39

Tom on behalf of the applicant. So understand that what I might do to provide some more reassurances, just to hand over to Miss Baker, who should be able to do that, sir.

1:00:50

Okay. Thank you, Mrs. Baker, speaking on behalf of the applicant, my role as one of the EIA coordinators of this project is that I'm overseeing the production of the ES, obviously submitted, and what we are calling this report as the ES sensitivity test report. This is essentially stress testing the ES and the assessments and conclusions that were drafted within the original es, and the initial approach, obviously, was setting the new parameters that have come about from the delay in the grid connection process, and obviously the movement of the dates back a few years, and The subsequent effects on the construction operational decommissioning phases, the review from the environmental disciplines has showed that this movement in the dates does not materially create any new scenarios or give rise to new worse or materially different significant environmental effects, and that Proposed were in the ES chapters. So at current this drafting of the document is not overly lengthy with additional appendices or data, because the worst case has already been assessed through the original es, and this is more of a stress testing document that concludes that, essentially, our ES is fit for purpose and does not need to have any updates required to it.

1:02:27

Okay, that's very helpful. Thank you. Mr. Sierakowski, would you have anything to add?

1:02:35

Andrew Sharon coski for the city of Doncaster Council? I think, I think Roy Sykes may want to make some comments as well. I suppose what's going through my mind here is that, and bearing in mind the discussion we've just had about the uncertainties about the provision of the grid connection by engat, it leaves me wondering whether the issue here is more than just the temporal one. It actually relates more generally to the uncertainty around not just when the grid connection is going to be provided, but where and how, which leaves me wondering, actually, there's a possibly a more fundamental issue here, and then just the changes in any in the temporal, the timescales of the environmental statement, and more broadly, the uncertainties that there are in the environmental statement as a result, I don't know whether you want to come in.

1:03:35

Yeah. I mean just, I do agree, for example, issues relating to flood risk, the sequential tests, anything premised on a starting point for a location. Yes, there are implications associated with not being certain where the connection point is going to be, and that's reflected in a lot my written questions. But perhaps, do you want to come back on that point in ES terms, whether that's something that's been considered, the uncertainty on the point of connection

1:04:15

to Matt on behalf of the applicant. So the point here is, it's quite a simple one, because we don't know where the point of connection is. We can't assess it the purpose of environmental information. And if

one looks at the test in regulation, 14 of the infrastructure planning EIA regulations is that you provide information based on current knowledge and understanding. And if we don't know where the point of connection is, we can't assess it, nor can we assess a grid connection to a point which is currently unknown. And so we don't think there is the language of uncertainty and bigger fundamental issues with the yes, we just don't accept that, Sir, we've assessed. The project as it stands based on what we know. We don't have a point of connection, so we can't assess it. And so the second point I would just make, and we were talking about changes to the Yes, or, you know, how we go about submitting our sensitivity analysis, as you might call it, the approach of a standalone document is thoroughly precedented, and so I would just refer you to the examination, respected, alert and crossing examination, similarly, progress power and the A 303 Stonehenge applications, in all of those cases, the provision of a standalone document which did not, you know, go to the the amending the ES itself was deemed to be appropriate and sufficient. So we think we're in line with the body of precedent. But that's, that's my responses to the two points that have been raised.

1:06:09

Okay, thank you. Was it Mr. Sykes?

1:06:17

Roy Sykes, city of Doncaster, Council? Thank you, sir. Yeah, it's just to pick up on a point that's been raised about the new document that's proposed to be undertaken, given the uncertainty about the location of the substation and the stress testing of the material against the various material planning topics that it needs to be done, and then understanding the impacts of that. Just a fundamental concern we do have is that this is quite difficult in terms of an environmental impact assessment kind of process, in that it shouldn't be a paper chase. And I'm thinking here more for local residents, local groups trying to fully understand the the the impacts of the proposal, and just to share your point, sir, about if this document does start cross reference into tables and so forth, it's going to be very difficult for interested parties to fully understand.

1:07:17

Yes, okay, and I guess I've got a follow up on that. So your stress test in the ES is saying there's no materially different effects. Does that mean that none of the conclusions on residual effects are changing, or are there? Is it going to be in a table which has your previously, previous residual effects with new residual effects. Okay, some of them, none of them are significant, perhaps, but they might be different. Are you going to have a table like that?

1:07:49

Mrs. Baker, speaking on behalf of the applicant? Yes, to alleviate concerns, this is a fairly condensed document, and there is no suggestion from the drafting so far of the environmental discipline chapters that are still underway that there would be any changes to the residual effects and the significant, likely effects that reported in the ES. It is set out fairly concisely under kind of Chapter disciplines within one document, but we can add a table at the end that clearly then just reports in a very concise manner of just a list of the chapter and essentially drawing that there's no changes, as we suspect at the moment.

1:08:31

Thank you. Okay, that would be helpful. I mean, from what the applicant is suggesting, it doesn't sound like it's going to be an over complicated document, but obviously we'll have to wait and see. But you mentioned deadline two for submission of that document. Is that

1:08:47

correct on behalf of the applicant? Yes, sir. And reflecting on that, we think that is still the realistic deadline, having regard to the final bits of work that are required. And I mentioned yesterday the reasons why we think it's an appropriate deadline in terms of the timetable.

1:09:05

Okay, what is the view of a city of Doncaster Council on that particular deadline?

1:09:13

Yeah, Andrew, sure. And Costco, the city of Doncaster Council. I have to say, I was being a bit empathetic with the applicant here and thinking, Are you sure you can do it within the timescales? But if, if they're happy to do that, then I don't really see a problem with it.

1:09:25

Okay, and North Lincolnshire, do you have a view on on that submission at that deadline? Okay, thank you. Okay. Does anyone else in the room have anything to say on that particular point, yes, is it Mrs. Brook Miss Brooke, Miss Brooks, just

1:09:49

just to as a member of the public, looking through the documents, I did find that you they are made as complicated as possible. Did. Through. So if you could make sure any changes or what have you are visible, because I spent hours and hours and hours going through them documents. So that's my point on them. Thank you.

1:10:13

Okay, thank you. Does the applicant want to come back on in terms of accessibility of documents? Perhaps reference non technical summary.

1:10:26

Tom McNamara on behalf of the applicant, two points on that. So I think, first of all, we, certainly, we hear you, will produce the document any user friendly way. A non technical summary might be one way of doing that as well, we'll give consideration to that, certainly a clear executive summary as a minimum. Second point is that we're more than happy to meet with you to discuss, to walk through the document, if that would be helpful as well, because we appreciate these things are difficult for everyone to engage with given the complexity.

1:11:04

Okay. Does anyone else have anything to add on the specific issue of the effect of the different connection date on the environmental statement and the conclusions reach?

1:11:20

Sorry. I'm just sitting Council. It's really just that we may want to make some additional submissions on this. On there, on deadline. One, event after, after the submission. On deadline.

1:11:32

Two, yes. I mean, it's difficult, because I think the local impact report deadline is obviously before, yeah, it may

1:11:39

make more sense once the deadline to submission has been made by the applicant.

1:11:42

Yeah. I mean, there's certainly be an opportunity to respond. Okay, well, I'll take that into account in formulating the rule eight final timetable.

1:11:52

Okay, yes, sorry. Paul Skelton, North Lincolnshire Council, just going back to the discussion about obvious reasons for refusal of the cables substation outside the order limits. And in terms of that question, we don't know, because there's been no assessment. And I guess it goes on to the question, and you may have a question about this, about what the project is, what the project should be, in terms of the ES, and whether they those elements are fundamental elements that should be included in the project. And having regard, in that context of the recent racial farms decision, when I think the applicants themselves have said that they were looking at sites, possibly to the east of parcel E, and at that Stage, the question is whether there were any reasons why they couldn't have considered potential alternatives to assess the likely significant effects through the ES, thank you.

1:13:14

Okay, do you want to come back on that?

1:13:16

Tom McNamara on behalf of the applicant, so I think we've, we've covered the kind of EIA points in my previous submission, and I accept that. Well, I think, you know, clearly, I accept the premise that the definition of a project for the purposes of environmental impact assessment is not necessarily constrained by the scope of the the application. And that's a matter of law in any given case as to what is the project for EIA purposes. But as I said, in circumstances where there is no known point of connection, it is not capable of meaningful assessment as part of the present environmental statement. And reference was made to the case of Rachael, which is a recent decision of the Scottish courts. But the fundamental difference in that case was that in Ray shore, there was a known point of connection to the national grid, and simply there had been a fundamental failure to consider that point of connection in the environmental statement that was submitted. So it's, it's completely distinguishable from the present case where there is no known point of connection. And so, so we don't think that the circumstances are very sure are comparable to the circumstances of this case, and we think our approach on EIA, in terms of the grid connection is robust, is lawful. And the other point I would stress here, so of course, is that that infrastructure will be subject to its own separate consenting process. It may well be the case that. Environmental impact assessment will need to be submitted with those applications as well, and the environmental effects of those proposals will be considered, and our project, if consented, will will need to be considered as part of those assessments, either as the baseline or as cumulative development.

1:15:19

Okay, I think we'll move on now and we're gonna have a quick break before moving on to landscape matters. So what we'll probably do is have a 10 minute break, and then I propose 45 minute lunch break at about one o'clock. But we'll see how we go. So if we just have a comfort break now for 10 minutes and reconvene at 20. We'll say 2026, minutes past 11, so the hearing is now adjourned. Thank you.