

Tween Bridge Solar Farm

8.4 Written Summary of Oral Submissions at the Open Floor Hearing 1

Planning Act 2008
Infrastructure Planning (Applications: Prescribed Forms
and Procedure) Regulations 2009

Document Reference: 8.4

Deadline 1 May 2026

Revision 1

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1 Introduction

1.1. Introduction

- 1.2. This document summarises the oral submissions made on behalf of RWE Renewables UK Solar and Storage Limited (the **Applicant**) at Open Floor Hearing 1 (**OFH1**) on 14 April 2026 in relation to the Applicant's application for development consent for the Tween Bridge Solar Farm (the **Scheme**).
- 1.3. This document does not purport to summarise the oral submissions made by other parties at the OFH1 and references to submissions made by other parties are only included to give context to the Applicant's submissions in response.
- 1.4. The Applicant acknowledges that various matters were raised at the OFH1 by the Interested Parties in attendance and that the Applicant had an opportunity to respond at the end of the OFH1. This document summarises the Applicant's oral submissions at the OFH1.
- 1.5. Reflective of the Applicant's confirmation that a detailed response would be provided at Deadline 1, this document also includes post-hearing responses to some matters raised at the OFH1. Where the comment is a post-hearing comment submitted by the Applicant, this is indicated.
- 1.6. This document uses the headings for each item in the agenda published for OFH1 by the Examining Authority (**ExA**) on 7 April 2026 [**EV2-001**].

2 Agenda item 1 – Welcome, introductions and arrangements for the Hearing

- 2.1. The Applicant was represented at OFH1 by Tom McNamara (**TM**), TLT LLP, Legal Director.

3 Agenda item 2 – Purpose of the Open Floor Hearing

- 3.1. The Applicant did not make submissions on this agenda item.

4 Agenda item 3 – Oral submissions from Interested Parties

- 4.1. The following Interested Parties who intended to make submissions during the OFH1 were introduced:
 - 4.1.1. Mr Brooke, a person with an interest in land affected by the Scheme;
 - 4.1.2. Mr Burtwistle, a person with an interest in land affected by the Scheme; and
 - 4.1.3. [REDACTED] representing the Canal and River Trust (CRT).
- 4.2. Submissions were made by the Interested Parties to which the Applicant's responses are recorded below at agenda item 4.

5 Agenda item 4 – Responses by the Applicant

- 5.1. TM gave responses to each of the Interested Party's submissions (as follows), noting that written responses would be given at Deadline 1.
- 5.2. **Mr Brooke:**
- 5.3. In relation to Mr Brooke's submissions, the Applicant provided the following responses.
- 5.4. In response to Mr Brooke's concerns about flood risk within the Order Limits, TM explained that flood risk has been assessed in detail in the submitted application documents, noting in particular **Environmental Statement (ES) Appendix 10.1: Flood Risk Assessment [Document Reference 6.3.10.1 Revision 2]**. TM explained these documents set out in detail the assessments that have been carried out in relation to flood risk and the steps taken to ensure the Scheme would be resilient to flood risk and would not itself present a flood risk. TM also confirmed that the Applicant was engaging with the Environment Agency and the relevant Internal Drainage Boards on Statements of Common Ground in relation to drainage matters. In respect of Mr Brooke's concerns regarding pumping stations in the local area being removed, TM confirmed that no pumps were proposed to be decommissioned as part of the Scheme.
- 5.5. **Post-hearing note: the Applicant has obtained some further information in relation to Mr Brooke's submission regarding proposals for the removal or decommissioning of local pump stations. This information has been set out in the Written Summary of Oral Submissions at the Issue Specific Hearing 1**

[Document Reference 8.5 Revision 1] and does not affect the response to Mr Brooke on this matter during the OFH1.

- 5.6. In response to Mr Brooke's concerns that there had been a degrading of the agricultural classification of the land within the Order Limits, TM confirmed that this was not the case. TM explained that the profile of the land within the Order Limits has been assessed and gradings identified in **ES Chapter 15: Agricultural Circumstances [APP-052]**. These assessments demonstrated that there would be no significant effects on best and most versatile (BMV) land within the Order Limits and that the majority of areas would be fully restored on decommissioning. TM also drew attention to the site selection process for the Scheme, in particular **ES Chapter 3: Site Description, Site Selection and Iterative Design Process [APP-040]** which set out why this particular site for the Scheme was selected and the alternatives that were considered.
- 5.7. **Post-hearing note: the Applicant would also refer to National Policy Statement EN-3 for Renewable energy infrastructure, in particular paragraph 2.10.22 which notes that "development of ground mounted solar arrays is not prohibited on Best and Most Versatile agricultural land". The Applicant can confirm that the Agricultural Land Classification grade of land within the Order limits will not be changed by the Scheme and impacts to the quality of soil would generally be temporary and reversible. Further, all works will be completed in accordance with the Outline Soil Management Plan [Document Reference 7.8 Revision 2] and the Outline Construction Environmental Management Plan [Document Reference 7.1 Revision 2] which included the necessary controls and measures to protect the quality of the land**
- 5.8. In response to Mr Brooke's concerns in relation to the Scheme increasing incidences of fly-tipping in the local area, TM confirmed that a response in writing would be given at Deadline 1.
- 5.9. **Post-hearing note: the Applicant notes that it cannot control third party behaviour and that it is ultimately for local police services to deal with any illegal and antisocial behaviour including fly-tipping. The Applicant would however note that there will be sections of fencing around parts of the Order Limits and increased CCTV in certain locations (noting paragraphs 3.10.31, 3.10.40 and 3.10.90 of NPS EN-3) which will generally enhance security in the area. In this regard, the Applicant would cite section 4.2 the Outline Operational Environmental Management Plan [APP-177] where further**

information can be found in relation to Operational Security measures for the Scheme.

- 5.10. In respect of Mr Brooke's concerns relating to noise, TM noted that noise impacts associated with the Scheme have been assessed in detail within the Environmental Impact Assessment carried out and findings have been reported in **ES Chapter 13: Noise and Vibration [APP-050]**. These findings set out that no likely significant effect on the environment is anticipated as a result of the Scheme during construction and operation.
- 5.11. **Post-hearing note: the Applicant would also note that Mr Brooke's submission on this matter at OFH1 specifically related to noise from the wind turbines and the Applicant would reiterate that this is a separate, operational project that is entirely independent from the Scheme. The environmental assessments carried out to assess the noise impacts of the Scheme (which include noise associated with the wind turbines as part of the existing noise baseline assessed in ES Chapter 13: Noise and Vibration [APP-050]) have identified no likely significant effects in relation to noise.**
- 5.12. In response to Mr Brooke's concerns relating to glare from solar panels affecting his property, TM explained that glint and glare has been assessed in detailed in the submitted documents as part of the application, specifically **ES Appendix 16.1: Glint and Glare Assessment (Fixed and Tracker Design) [APP-122]** and **ES Appendix 6.2: Glint and Glare Assessment (Fixed Design) [APP-123]**. These assessments have considered glint and glare impact on road users and residents close to the Scheme's Order Limits.
- 5.13. **Post-hearing note: following ISH1, the Applicant contacted Mr Brooke directly to assist with his queries in relation to glint and glare impacts on his property. The Applicant confirmed with Mr Brooke that his property is dwelling reference no. 200 in both the Glint and Glare Assessment (Fixed and Tracker Design) [APP-122] and the Glint and Glare Assessment (Fixed Design) [APP-123]. The Applicant advised Mr Brooke that the image on page 272 of the Glint and Glare assessment [APP-122] represented the assessment results for road receptor A333, and so the results were not relevant to the dwelling receptors. The Applicant confirmed the correct results for dwelling reference no.200 were shown on page 27 of the Glint and Glare Assessment [APP-122] and provided a direct link to where the document can be accessed. The Applicant also advised Mr Brooke in respect of what the different colours on**

the chart represented and the conclusions of the glint and glare assessment on his residential property. The Applicant explained to Mr Brooke that there were no established criteria for categorising glint and glare effects on receptors such as farming fields, farmsteads or sheep and therefore his land, separate from his residential property, did not have a separate assessment. The nearest receptor to those fields was dwelling reference 257 of the Glint and Glare assessment, and the reports of this were provided in the table on page 93 of the Glint and Glare assessment [APP-122].

- 5.14. In response to Mr Brooke's submission that a field within his ownership was subject to compulsory acquisition as part of the Scheme, TM noted that the Applicant would look into this and contact Mr Brooke directly.
- 5.15. Action 1: follow up with Mr Brooke to clarify position regarding compulsory acquisition of his land.**
- 5.16. Post-hearing note: following the OFH1, the Applicant has contacted Mr Brooke directly in respect of his concerns relating to compulsory acquisition of part of his land.**
- 5.17. In response to Mr Brooke's concerns that too much land had been identified for proposed ecological mitigation areas, TM explained that the rationale for the selection of the mitigation areas has been clearly stated in the ES and these proposals have been subject to long-standing engagement and agreement with statutory bodies including Natural England and the Lincolnshire Wildlife Trust.
- 5.18. Post-hearing note: the Applicant would refer to the Outline Landscape Ecological Management Plan [Document Reference 7.6 Revision 2] which sets out the proposed mitigation areas for ecology and the justification for the inclusion of these areas.**
- 5.19. In response to Mr Brooke's concerns related to collisions on local roads, in particular Sandtoft Road and Jacques Bank, TM confirmed that transport impacts associated with the Scheme have been considered and assessed in detail as part of ES submitted, in particular **ES Chapter 12: Transport and Access [APP-049]**. The assessments undertaken in relation to transport impacts conclude that the Scheme would be safe from a road safety perspective.

- 5.20. **Action 2: follow up with Mr Brooke to explain where these roads have been assessed in the application documents.**
- 5.21. **Post-hearing note: following the OFH1, the Applicant has contacted Mr Brooke to explain that these specific roads have been assessed within the ES Chapter 12: Transport and Access [APP-049] and that collision data for these junctions can be found in Appendix A of ES Appendix 12.1: Transport Statement [APP-111]).**
- 5.22. **Mr Burtwistle:**
- 5.23. The Applicant thanked Mr Burtwistle for his submission and support for the Scheme.
- 5.24. **██████████ from CRT:**
- 5.25. In response to ██████████ comments that the protective provisions (PPs) for the CRT were not agreed yet, TM confirmed that the Applicant was actively discussing and engaging with CRT on the Protective Provisions and was optimistic that an agreement will be reached on the Protective Provisions before the close of examination.
- 5.26. In response to both ██████████ and the ExA's comments that the Applicant should seek to align PPs to a party's standard, preferred form, TM acknowledged the benefits of a consistent approach but highlighted that each Development Consent Order was a bespoke Statutory Instrument and that the PPs accordingly needed to reflect the specific facts of each case and this could justify a departure from standard in certain cases. Furthermore, there were instances where, although a party may have a standard position in relation to PPs, no clear precedent emerges from the made Orders.
- 5.27. TM further noted that to the extent that any differences of opinion remained with the CRT (and any other statutory bodies with the benefit of protective provisions in the **draft Development Consent Order [Document Reference 3.1 Revision 3]**) further to negotiations, the Applicant would set out those differences in detail at an appropriate deadline towards the end of the examination. The Applicant anticipated that the relevant statutory undertaker would do the same. TM reiterated that this a standard approach but confirmed that the Applicant had no reason to suspect that an agreement on PPs could not be reached with the CRT given the early stage in the examination process.

- 5.28. Post-hearing note: further to OFH1, the Applicant would also refer to PINS' guidance on the Content of a Development Consent Order required for Nationally Significant Infrastructure Projects¹, where it says: *"Most statutory undertakers have now developed their own preferred form of protective provisions which is very helpful to the preparation of the draft DCO. However, these must be adapted as necessary so they accurately reflect the proposed development. They should also not simply negate other provisions of the DCO, particularly concerning proposed compulsory acquisition of statutory undertakers' land. Examining Authorities are expected to ensure that the final form of a recommended DCO contains protective provisions which are bespoke to the application under consideration."*

The Applicant asserts that the standard form of CRT's PPs is intended to deal with a significant interface and not all of the PPs are relevant to the Scheme. The standard form has therefore been adapted to reflect the specifics of the Scheme, noting that not many of CRT's preferred PPs have been lost. This approach is in line with PINS' guidance as above.

6 Agenda 5 – Close of Hearing

- 6.1. The ExA confirmed that the Rule 8 Letter with the final examination timetable would be issued by the end of the week commencing 20 April 2026.
- 6.2. The ExA closed the OFH1.

¹ [Planning Act 2008: Content of a Development Consent Order required for Nationally Significant Infrastructure Projects](#)