

## Tween Bridge Solar Farm

### 8.17 Written Summary of Oral Submissions at the Issue Specific Hearing 3

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# WRITTEN SUMMARY OF ORAL SUBMISSIONS AT THE ISSUE SPECIFIC HEARING 3

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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 the Issue Specific Hearing 3 (ISH3) on 24 June 2026 in relation to the Applicant's application for development consent for the Tween Bridge Solar Farm (Scheme).
- 1.3. This document does not purport to summarise the oral submissions made by other parties at the ISH3 and references to submissions made by other parties are only included to give context to the Applicant's submissions in response.
- 1.4. Reflective of the Applicant's confirmation that a detailed response would be provided at Deadline 3, this document also includes post-hearing responses to some matters raised at the ISH3. Where the comment is a post-hearing comment submitted by the Applicant, this is indicated.
- 1.5. This document uses the headings for each item in the agenda published for ISH3 by the Examining Authority (ExA) on 4 June 2026 [EV5-001].

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

- 2.1. The Applicant was represented at ISH3 by Tom McNamara (TM), TLT LLP, Legal Director.
- 2.2. The following persons who intended to make submissions on behalf of the Applicant during the ISH3 were introduced:
  - Kate Curtis (KC), Pegasus, Environmental Planner;
  - Henri Scanlon (HS), Pegasus, Director Planning;
  - Rana Alidad (RA), Pegasus, Director – Water & Infrastructure;
  - Isobel Holland (IH), Pegasus, Director – Environment; and

- Michael Baker (MB), RWE, Development Project Manager.

2.3. The following other parties who intended to make submissions during the ISH3 were introduced:

- Mr Paul Skelton and Mr Michael Robinson-Smith representing North Lincolnshire Council (NLC); and Mr Andrew Sierakowski, Mr David Hornsby, and Mr Richard Campbell representing City of Doncaster Council (CDC), together the Councils;
- Ms Emily Jones and Ms Suzanne Stamp of Tetra Tech Europe speaking on behalf of the Councils;
- Mr John Carr, a local resident and a person with an interest in the land affected by the Scheme; and
- Mr Michael Brooke, a local resident and a person with an interest in the land affected by the Scheme.

### **3 Agenda item 2 – Purpose of the Issue Specific Hearing**

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

### **4 Agenda item 3 – Environmental Matters**

#### **4.1. Item 3a – Landscape and Visual**

*The landscape and visual effects of the proposed development.*

4.2. The ExA drew attention to paragraph 10.15 of **CDC’s Local Impact Report [REP1-062]** in relation to landscape character sensitivity. The ExA summarised the Council’s position and sought clarification as to why the nature of the Scheme and the detailed landscape baseline justified a “very high” sensitivity rating.

4.3. Ms Jones made submissions on behalf of CDC, suggesting a need for a more detailed assessment of landscape character areas. CDC submitted that certain areas may warrant classification as valued landscapes and therefore a higher

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sensitivity rating. Ms Jones further noted that more recent landscape character assessments should have been given greater weight in the Applicant's assessment, including the Isle of Axholme and Hatfield Chase Landscape Partnership Assessment (2014) and the North Lincolnshire Landscape Character Assessment (2021) prepared by JBA as part of the emerging Local Plan. Ms Jones acknowledged that these documents are not formally adopted by the Council but submitted that they provide a more up-to-date and detailed understanding of landscape character than the currently used assessment documents.

- 4.4. In response, KC explained that the Applicant has relied on the adopted landscape character assessments, as confirmed in paragraphs 6.4.19 – 6.4.39 of **ES Chapter 6 Landscape and Visual [REP2-033]**, which remain extant and have not been superseded by the more recent assessment documents referenced by CDC. KC noted the Isle of Axholme and Hatfield Chase Landscape Partnership Assessment had not been identified as a key baseline document through consultation with the Council and therefore had not been expressly relied upon within the Environmental Statement.
- 4.5. KC confirmed, however, that the more recent assessments had been reviewed as part of the Applicant's baseline work and informed the overall understanding of landscape character, albeit not explicitly referenced within **ES Chapter 6: Landscape and Visual [REP2-033]**.
- 4.6. Ms Jones reiterated that the more recent assessment documents provide a higher level of detail and identify areas of elevated landscape value which CDC considers have not been adequately reflected in the Applicant's assessment.
- 4.7. The ExA observed that the Applicant's responses to written questions acknowledge consideration of the more recent documents and suggested that this position may need to be more clearly reflected within the Environmental Statement itself.
- 4.8. **Post-Hearing Note: The Applicant provides a correction to the ExA's reference to the Applicant's responses to written questions. The Applicant confirms that consideration of the more recent assessment documents has been discussed in Table 3-7 of the City of Doncaster Statement of Common Ground [Document Reference 9.2. Revision 3].**

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- 4.9. KC confirmed that the Applicant would consider updating ES Chapter 6 to provide clearer explanation of how the more recent landscape character assessments have been taken into account, in order to ensure consistency between the Environmental Statement and the Applicant's Written Responses.
- 4.10. **Action 1: The Applicant agreed to update ES Chapter 6 Landscape and Visual to take account of the Isle of Axholme and Hatfield Chase Landscape Partnership Assessment (2014) and the North Lincolnshire Landscape Character Assessment (2021).**
- 4.11. **Post-hearing note: The applicant will submit an updated ES Chapter 6: Landscape and Visual [Document Reference 6.2.6 Revision 4] and updated ES Figure 6.2 Landscape Character Areas [Document Reference 6.4.6.2 Revision 2] at Deadline 4.**
- 4.12. Mr Brooke made submissions in relation to peat soils, expressing concern regarding the potential effects of the Scheme on peat structure.
- 4.13. TM noted that the relevant specialist was not present at the hearing and confirmed that the Applicant would provide a response in the written summary of oral submissions.
- 4.14. **Action 2: The Applicant agreed to provide a written response to Mr Brooke addressing concerns in respect of peat soils, including the potential effects on peat structure and bog oak.**
- 4.15. **Post-hearing note: Chapter 9 of the Environmental Statement [Document Reference 6.2.9 Revision 2] has considered the effects of the Scheme on peat in each phase of the development. Table 9-18 [Document Reference 6.2.9 Revision 2] shows that a Phase 2 ground condition assessment, which will assist with the foundation design BESS/Substations etc, and is required as a pre-commencement requirement in the Outline CEMP [Document Reference 7.1 Revision 4]. With these mitigations in place the Scheme will have a negligible effect on peat stability and natural ground gas.**

**Peat is also considered in Chapter 14 of the Environmental Statement [REP2-026]. Paragraph 14.4.16 considered that due to the peat soils being subject to cultivation and disturbance from agricultural activities the soils are "*degraded*"**

*and wasted at shallow depths and as such are not likely to be actively sequestering carbon. Given disturbance during construction will only occur at shallow depths (not dissimilar to cultivation), it is considered that minimal disturbance of peat soils will occur and carbon emissions will not be materially different to the current agricultural use of the land."* It is therefore intrinsic within the assessment that due to the poor sequestering qualities of the soils at this baseline stage, there will not be a significant effect on the release of carbon dioxide from the disturbance of peat within the Order Limits in any phase of the development.

The Applicant has also submitted an Outline Soil Management Plan [REP2-078] that protects the peat resource during soil handling in the construction phase. This is secured by Requirement 10 within the Draft DCO [Document Reference 3.1 Revision 6]. As part of the detailed foundation design work further field data would be obtained through intrusive investigation in the form of detailed peat probing. This intrusive investigation enables the identification of deep peat areas (often >0.5m) along with peat type and condition classification. Once the data is obtained, accurate peat depth maps can be overlain onto Scheme plans to determine the interaction of peat and development infrastructure. The Outline CEMP also allows for micro-siting of the BESS/substations and compounds to minimise impacts to peat where possible.

- 4.16. The ExA drew attention to paragraph 10.22 of **CDC's Local Impact Report [REP1-062]** in respect of proposed planting and landscape character. The ExA summarised the Council's comment and sought clarification as to whether CDC was asserting that the proposed planting would give rise to adverse effects.
- 4.17. In response, Ms Jones clarified that this was not CDC's position. Rather, the Council's concern was whether the Environmental Statement adequately addressed the effects of planting over time, in particular the maturation of hedgerows and how this would contribute to landscape change. CDC queried whether this had been fully acknowledged and taken into account within the assessment.
- 4.18. KC explained that the Applicant considered the effects of planting at the decommissioning stage, including the presence of established hedgerows. KC referred to Table 6-6 of **ES Chapter 6: Landscape and Visual [REP2-033]**, where

effects at decommissioning are assessed as minor adverse to moderate to minor. KC confirmed that proposed planting has been taken into account within this assessment.

- 4.19. The ExA queried whether the Environmental Statement includes sufficient analysis of the condition and contribution of planting at later stages (including year 15 and at decommissioning). KC explained that the Applicant's approach assumes that, following decommissioning, the land would be returned to landowners for future management.
- 4.20. The ExA requested a more detailed explanation within the Environmental Statement Chapter 6 setting out how the conclusions on decommissioning effects (including those arising from matured planting) have been reached.
- 4.21. **Action 3: The Applicant agreed to update ES Chapter 6: Landscape and Visual (Table 6-6) to provide additional detail supporting the conclusions of the decommissioning assessment in respect of proposed planting.**
- 4.22. **Post-hearing note: The Applicant will submit an updated ES Chapter 6: Landscape and Visual [Document Reference 6.2.6 Revision 4] at Deadline 4.**

***Residential Visual Amenity Assessment***

- 4.23. Mr Brooke made submissions in relation to the visual effects of the Scheme from his property, in particular the impact of solar panels and the effectiveness of proposed screening.
- 4.24. KC confirmed that proposed hedgerows would be managed at a height of 3 metres and that the Scheme includes additional hedgerow and woodland planting to provide screening. KC noted that, in locations beneath overhead power lines where vegetation height must be restricted, the Applicant is proposing additional planting set back from the power line to ensure effective screening can still be achieved.
- 4.25. The ExA queried whether the **ES Appendix 6.2 Residential Visual Amenity Assessment (RVAA) [APP-062]** considers views from first-floor windows. KC confirmed that the RVAA did take account of views from first-floor windows, having regard to principal views from residential properties.

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- 4.26. The ExA drew attention to paragraph 10.27 of CDC's **Local Impact Report [REP1-062]** in relation to the RVAA. The ExA summarised CDC's concerns in respect of Receptor 21 (Mauds Bridge) and sought the Council's views on the Applicant's assessment and conclusions.
- 4.27. Ms Jones made submissions setting out a concern of CDC that the assessment does not adequately address the transition from open to more enclosed views resulting from the Scheme.
- 4.28. In response, KC explained that the effectiveness of proposed mitigation planting has been considered within the RVAA. KC noted that there is an inherent balance to be struck between providing screening and maintaining openness within the landscape, and that the proposed hedgerow planting represents the most appropriate form of mitigation within that balance.
- 4.29. The ExA requested that KC provide an example within the RVAA where this balance is explicitly addressed.
- 4.30. KC explained that these considerations are addressed holistically within the narrative of the RVAA, including reference to set-backs and embedded mitigation measures.
- 4.31. The ExA expressed concern that this rationale is not sufficiently explicit within the reporting and requested that the RVAA be updated to provide clearer explanation, including whether mitigation itself may give rise to adverse visual effects.
- 4.32. Action 4: The Applicant agreed to update the ES Appendix 6.2: RVAA to clarify the effects of mitigation measures, including any adverse effects arising from proposed planting.
- 4.33. Post-hearing note: The Applicant will submit an updated **ES Appendix 6.2: RVAA [Document Reference 6.3.6.2 Revision 2]** at Deadline 4.
- 4.34. Mr Carr made submissions in relation to the existing hedgerow providing screening to property #44. Mr Carr requested that evergreen planting be included to provide year-round screening and raised concerns regarding the extent of solar panels surrounding his property, including potential health and safety implications (including fire risk). The ExA invited a response from the Applicant on the former

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submission noting that fire risk implications could be considered as part of the Open Floor Hearing 2.

- 4.35. KC explained that the Applicant has visited Mr Carr's property and has incorporated mitigation within the Scheme accordingly. KC noted that the use of evergreen planting is limited by the requirement to use native species, but confirmed that the proposed planting mix could be adjusted to include a greater proportion of holly to enhance year-round screening. The ExA queried whether this commitment could be secured within the **Outline Landscape Ecological Management Plan (LEMP) [CR1-021]**.
- 4.36. KC confirmed that the Applicant could include a commitment within one of the landscape and visual application documents to provide a mitigation planting mix which includes holly where appropriate.
- 4.37. **Action 5: The Applicant agreed to include a commitment to a planting mix which includes holly within proposed mitigation planting.**
- 4.38. **Post-hearing note: The Applicant will submit an updated version of the Figure 6.4 Landscape and Visual Mitigation Strategy [Document Reference 6.4.6.4 Revision 2] at Deadline 4 to set out that the proposed hedgerow planting mix will include a strong proportion of holly in this location, to improve the screening for property #44 during winter.**
- 4.39. **Item 3b – Flood Risk**
- The effect of flood risk on the proposed development and the effect of the proposed development on flood risk, hydrology and water resources.***
- 4.40. The ExA sought clarification on the justification for locating elements of the substation and Battery Energy Storage System (BESS) within Flood Zone 3b. The ExA referred to Question 7.0.31 in the **Written Questions [PD-010]**, in which the Applicant had stated that a 132 kV substation is required in this location to provide adequate coverage for the Scheme, and invited the Applicant to elaborate on the operational rationale and supporting evidence for this position.
- 4.41. RA made submissions in several parts.

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- 4.41.1. First, RA explained that the Applicant has sought, wherever reasonably practicable, to avoid locating infrastructure within Flood Zone 3b, and that only a limited proportion of the relevant infrastructure is affected (approximately 11% of the BESS compound and 1.2% of the substation). RA emphasised that these are small proportions within the wider Scheme.
- 4.41.2. Second, RA explained that the siting of the 132 kV substation in Parcel A is driven by operational requirements, including the need to provide efficient electrical coverage for the Scheme. The co-location of the BESS with the substation reflects both operational efficiencies and the requirement for an appropriately sized compound, noting that the substations do not have uniform capacities and therefore cannot be evenly distributed across the site.
- 4.41.3. Third, RA noted that the siting approach also takes account of other constraints, including the need to maintain appropriate separation distances from existing wind turbines (typically turbine tip height plus a 10% buffer) for safety purposes.
- 4.41.4. Fourth, RA explained that Parcel A provides advantages in environmental terms, including being located at a greater distance from residential receptors (the nearest dwelling is approximately 2.8km from the Parcel A BESS location), thereby assisting in limiting potential noise effects, and benefiting from an existing elevated background noise environment due to nearby turbines.
- 4.41.5. Finally, RA noted that, in flood risk terms, Parcel A represents the largest available contiguous area capable of accommodating the BESS adjacent to the required substation location, with other substations located in areas of lower flood risk.
- 4.42. The ExA queried whether there was sufficient flexibility within the Scheme design to avoid encroachment into Flood Zone 3b altogether, querying whether further refinement could be possible without altering the Order Limits.
- 4.43. RA explained that further detailed design work will be undertaken post-consent, at which stage the precise orientation and layout of the BESS and substation could be refined with a view to minimising (so far as practicable) any encroachment into Flood Zone 3b.
- 4.44. The ExA queried why this level of design optimisation could not be undertaken at the current stage.

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- 4.45. TM explained that there is a distinction between the flexibility afforded at the detailed design stage and the parameters set at the application stage. TM acknowledged the ExA's point and confirmed that the Applicant would consider whether further refinement can be undertaken at this stage, noting that this would require additional technical input. TM reiterated that the Applicant's current position is that there are operational and policy-based reasons which justify the limited extent of infrastructure within Flood Zone 3b.
- 4.46. MB made further submissions clarifying that the layout shown in the application represents a worst-case scenario. MB explained that the footprint of the BESS and associated infrastructure has been based on the largest possible equipment dimensions from potential manufacturers, in circumstances where the final supplier has not yet been determined.
- 4.47. **Action 6: The Applicant agreed to consider whether further amendments to the Scheme design can be made to avoid or reduce the extent of infrastructure within Flood Zone 3b.**
- 4.48. **Post-hearing note: The Applicant is currently undertaking the design review in response to Action 6 and will provide an update to the ExA at Deadline 4. The Applicant notes that the assessment of design changes requires detailed technical input and therefore considers it appropriate to allow sufficient time to undertake this work robustly.**
- 4.49. The ExA queried whether evidence could be provided to substantiate the Applicant's assertions in respect of system losses and how these have influenced the siting of infrastructure.
- 4.50. **Action 7: The Applicant agreed to provide supporting calculations and evidence relating to system losses and the design constraints considered in determining the location of infrastructure within Flood Zone 3b.**
- 4.51. **Post-hearing note: The siting of the substation in field A20 is necessary to facilitate the efficient generation of electricity from the scheme. The 132kV substation in field A20 collects and transmits not only the energy generated across the Eastern portion of parcel A, but also all the energy generated in parcel B. Due to the high number of constraints across parcel A (flooding, wind turbines, SPA/SSSI, small fields, watercourses, etc.) the nearest potential**

alternative locations for this substation would be in field A8 (1.3km away) or field A9 (2.3km away).

Both of these sit to the West of field A20, meaning that all associated cabling would be increased, leading to substantially higher cable losses. In the case of field A8, the overall (33kV & 132kV) losses for energy generated via this substation would increase by ~0.65%. As this substation represents ~17.5% of the capacity of the site, the resulting loss in generation would be ~1,500MWh p.a., or nearly 60,000MWh over the life of the Scheme.

- 4.52. Mr Brooke made submissions raising concerns regarding the potential effects on flood risk associated with the closure of local water pumps and other development in the area, including nearby agricultural operations and potential residential development.
- 4.53. The ExA queried whether the developments identified by Mr Brooke had been considered within the Applicant's cumulative effects assessment presented in ES **Chapter 17: Cumulative Effects [REP2-029]**.
- 4.54. The Applicant agreed to review this and confirm the position with the ExA.
- 4.55. **Action 8: The Applicant agreed to review whether the developments referred to by Mr Brooke have been captured within the cumulative effects assessment presented in ES Chapter 17: Cumulative Effects.**
- 4.56. **Post-hearing Note: The Applicant has reviewed the Cumulative Assessment [Chapter 17: Cumulative Effects] [APP-054] presented within the Environmental Statement and the Cumulative Long List: Appendix 17.1 [APP-126] to determine if the 2No. cumulative sites raised by Mr Brooke had been considered. The first site links to an application for residential development at the crossroads of Moor Edges Road and Coulmans Street. This application has reference 18/O3163/FULM and was within CDC area. This application was for 179 dwellings and associated infrastructure. It was submitted by Gleeson Developments Ltd on 21/12/2018. It was refused via delegated powers on the 22/07/2019. No further applications have been made on this parcel of land. As this application was refused 7 years ago it has not been included within the cumulative long list nor the cumulative assessment within the ES. It is not proposed to be included within the cumulative assessment as it is not a Tier 1-**

**3 project as defined in the Planning Inspectorate's NSIP Advice Note on Cumulative Effects Assessment, 2024. (last updated 2025).**

**The second site linked to some land which had been recently sold which was, as described by Mr Brooke, "to be land north of the Chicken Sheds". The Applicant has identified this land to be in close proximity to Chesterfield Poultry Limited processing factory off Coulmans Street. Currently there is no planning application, EIA Scoping/Screening, relevant Development Plan or other plans that set out a framework for future development on this land. Therefore, at this time in the Examination the possibility of development of this land is speculative and cannot be categorised as a Tier 1-3 project. Therefore, the Applicant does not intend to include this land within the Cumulative Assessment of the Environmental Statement.**

- 4.57. North Lincolnshire Council (NLC) reiterated its concerns regarding the siting of infrastructure within Flood Zone 3b. NLC submitted that the proportion of infrastructure within Flood Zone 3b is not determinative, noting that even a small encroachment presents a material flooding risks. NLC further raised concerns regarding potential environmental effects, including the risk of pollution.
- 4.58. The ExA queried whether the Applicant's proposed mitigation, namely raising infrastructure above design flood levels, would address concerns regarding pollution risk during flood events.
- 4.59. RA explained that the Applicant is proposing to raise the BESS units above the modelled 1 in 1,000-year flood level (plus freeboard), representing a highly precautionary approach agreed with the Environment Agency. RA noted that Flood Zone 3b is defined by a 1 in 30-year event and that modelling indicates relatively shallow flood depths during a 1 in 30-year event (c. 0.1-0.2 metres) in the affected BESS and substation areas. In comparison, 1 in 1,000 year flood depths at the BESS and substation encroaching Flood Zone 3b generally reach up to 0.6-0.9m. RA confirmed that, on this basis, the proposed infrastructure, which would be raised above the 1 in 1,000 year flood levels plus 100mm freeboard, would remain above flood levels associated with more frequent events, and that residual flood risk is therefore considered to be low.

- 4.60. NLC reiterated its concern that, notwithstanding raised infrastructure, below-ground drainage systems remain vulnerable and could facilitate the release of contaminants if compromised.
- 4.61. RA responded noting that the drainage systems are designed to be sealed and isolated, in accordance with the Outline Surface Water Drainage Strategy proposed within the **Flood Risk Assessment [REP2-47, REP2-49, and REP2-51]**. RA explained that this design approach ensures that drainage infrastructure is not affected by fluvial flooding and incorporates containment measures (including in the event of fire) to prevent the release of contaminants into the surrounding environment.
- 4.61.1. **Post-hearing note: The Outline Surface Water Drainage Strategy included within the submitted Flood Risk Assessment [REP2-47, REP2-49, and REP2-51] has been designed to ensure any potentially contaminated BESS fire water is contained within the drainage system and is not able to pollute the local water environment (refer to Flood Risk Assessment paragraphs 7.23 to 7.29 and Appendix L). The Outline Surface Water Drainage Strategy for the BESS includes a manhole fitted with a penstock that would be engaged prior to fire water being used on the BESS and will ensure any fire water is contained within the drainage system. The Flood Risk Assessment [REP2-47, REP2-49, and REP2-51] also notes that although the details of the below ground storage for BESS fire water are subject to detailed design, there are various options suitable for the associated potential heat and contaminants (paragraph 7.27 to 7.28). The Outline Battery Safety Management Plan [Document Reference 7.4 Revision 2] is secured via Requirement 7 of the Draft DCO [Document Reference 3.1 Revision 6], which states that the no part of Works No. 5 must commence without a detailed battery safety management plan being submitted to and approved by the local planning authorities following consultation with South Yorkshire Fire and Rescue or Humberside Fire and Rescue Service. As such, consultation on all matters concerning the detailed battery safety management plan will be undertaken, including on the proposed drainage strategy.**

**4.61.2. *Flood storage capacity***

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- 4.62. The ExA referred to NLC's response to Question 7.0.31 **[REP2-101]** concerning potential impacts on floodplain storage. The ExA noted that NLC had expressed a lack of confidence regarding potential loss of floodplain storage and the risk of displacement or obstruction arising from the Scheme. The ExA contrasted this with the Environment Agency's position, which confirmed that the Scheme would not affect flood storage capacity within Flood Zone 3b, and sought clarification as to whether NLC's position differed from that of the EA.
- 4.63. NLC clarified that its concerns relate primarily to the presence of impermeable surfaces and the difficulty in assessing impacts without detailed modelling of drainage and displacement effects. NLC noted that such modelling would be complex and resource-intensive.
- 4.64. The ExA sought to clarify whether NLC's position was that, although any impacts may be negligible, there remains uncertainty as to their location and extent, and therefore a worst-case approach should be adopted. The ExA queried whether such a worst-case assessment had been undertaken in respect of floodplain storage.
- 4.65. RA explained that no detailed hydraulic modelling had been undertaken for floodplain storage, as the Applicant considered this to be disproportionate in light of the very limited extent of the impact (approximately 1.7% of the total functional floodplain and less than 0.1% of the overall Order Limits). RA noted that this approach had been discussed with the Environment Agency, as the statutory consultee on fluvial flood risk associated with Main Rivers, during several consultations, and that the Environment Agency had accepted the proposed methodology and did not make a request for modelling.
- 4.66. RA further explained that the Scheme design minimises impacts on floodplain storage through the use of pile-mounted infrastructure and use of areas of permeable surfacing (for example gravel bases), such that any displacement of floodwater is negligible in the context of the wider floodplain. RA also referred to discussions with the EA regarding the 1 in 100-year plus climate change model (2025 River Torne model), including minor raising of access tracks where necessary (typically 5–10 cm of access track length), noting that such tracks are also permeable. RA confirmed that the Environment Agency has been satisfied that the Scheme would not increase flood risk.

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- 4.67. **Post Hearing Note:** For completeness, the Applicant notes that the request for further assessment of floodplain storage has been raised by North Lincolnshire Council in its role as the Lead Local Flood Authority. The Environment Agency, as the statutory consultee on fluvial flood risk associated with Main Rivers, reviewed the submitted Flood Risk Assessment and hydraulic modelling and did not identify detailed hydraulic modelling of floodplain storage as a requirement during its consultation on the application.
- 4.68. TM confirmed that any remaining differences in position between the Applicant and NLC would be clearly recorded within the Statement of Common Ground.
- 4.69. Mr Brooke made submissions referring to recent local flooding events and increased surface water flow in the local area. The ExA queried whether extreme or historic events had been taken into account within the assessment.
- 4.70. RA confirmed that the Scheme has been designed to avoid locating infrastructure within overland flow routes or areas of significant surface water ponding. RA noted that the design takes account of Environment Agency surface water flood mapping and includes appropriate buffers in accordance with requirements from the Doncaster East Internal Drainage Board (IDB) and the Isle of Axholme & North Nottinghamshire Water Level Management Board. RA confirmed that the Scheme would not alter existing drainage patterns or overland flow routes.
- 4.71. TM referred to the Applicant's **Written Summary of Oral Submissions from ISH1 [REP1-046]**, in particular paragraph 5.6.2, which explained the measures for protecting existing drainage infrastructure during construction and operation that are set out within the **Outline CEMP [REP2-062]**. TM emphasised that these measures are secured through the Draft DCO via Requirement 14 of Schedule and are therefore legally enforceable.
- 4.72. The ExA queried whether the **Flood Risk Assessment (FRA) [REP2-47, REP2-49, and REP2-51]** expressly considered specific storm or extreme flood events.
- 4.73. RA explained that the FRA includes assessment against a 1 in 1,000-year event, which represents a highly conservative scenario agreed with the Environment Agency. RA noted that this is supplemented by an additional freeboard allowance of 100 mm, providing further resilience to the proposed Scheme. RA confirmed that

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historic flood events have also been considered as part of the FRA, and agreed to verify whether the specific events referenced by Mr Brooke are explicitly captured.

- 4.74. North Lincolnshire Council, in its capacity as the Lead Local Flood Authority, also confirmed that the 1 in 1,000 year fluvial event represents the worst-case modelled design event and there are no other specific design events of greater magnitude against which the properties referred to by Mr Brooke should be assessed. North Lincolnshire Council further confirmed that it holds the same historic flood event records as the Environment Agency.
- 4.75. **Action 9: The Applicant agreed to review the Flood Risk Assessment to confirm the treatment of historic flood events and signpost the relevant sections of the FRA which address these events.**
- 4.76. **Post-hearing note: Historic flooding is assessed within paragraph 5.69 to 5.73 within the submitted Flood Risk Assessment [REP2-47, REP2-49, and REP2-51]. The assessment confirms that the EA's Historic Flood Map does not record any historic flood events impacting the Order Limits. The local Strategic Flood Risk Assessments are also noted as not highlighting any historic flood events within the Order Limits. The Applicant appreciates that occurrences of local flooding, such as those referred to by Mr Brooke, may not always be captured within the EA's Historic Flood Map or local Strategic Flood Risk Assessment information but consider provision of flood risk mitigation measures against the 1 in 1,000 year flood event plus 100mm freeboard to be sufficient to ensure the Scheme remains safe from flooding during its lifetime and that sufficient mitigation and surface water drainage measures are proposed to ensure flood risk on site or elsewhere does not increase as a result of the Scheme.**
- 4.77. Mr Brooke made further submissions in relation to proposals for the removal or rationalisation of pumping stations within the local area. The ExA noted that the Applicant had previously addressed this issue in its **Written Summary of Oral Submissions for ISH1 [REP1-046]**. TM added that matters relating to the management and rationalisation of pumping stations fall within the remit of the EA and that neither of the local Internal Drainage Boards had raised the pumping station proposals in the Applicant's discussions with them.

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- 4.78. Mr Carr raised concerns regarding flood risk within the local landscape, including how flood risk conditions have evolved over time and broader issues relating to the management of the Scheme.
- 4.79. TM replied that the Applicant did not accept the assertion that the Scheme is overly ambitious or inappropriate in scale, referring to the policy framework under NPS EN21 and EN23, which identifies solar development as a Critical National Priority (CNP), including large-scale proposals of this nature.
- 4.80. TM further explained that the proposed raising of infrastructure above the 1 in 1,000-year flood level plus 100mm freeboard is consistent with a highly precautionary design approach and addresses flood risk concerns. In relation to solar panel foundations, TM confirmed that these have been assessed as having a negligible impact on surface water flows and that the Environment Agency is satisfied with this approach.
- 4.81. TM also addressed concerns regarding increased runoff and drainage impacts in proximity to residential properties, confirming that the assessments demonstrate that the Scheme would not give rise to increased flooding or adverse impacts on local drainage systems. TM emphasised that the conclusions of the Environmental Statement did not support the suggestion that the Scheme would lead to large-scale flooding effects. TM concluded by noting that the Scheme had been subject to extensive consultation and design refinement, resulting in a well-considered proposal.
- 4.82. RA made further submissions distinguishing the Scheme from built development such as residential schemes. RA explained that solar PV panels are mounted above grassland, allowing continued infiltration of rainfall into the ground and avoiding the creation of impermeable surfaces. The maintenance of grass cover reduces the risk of channelised flow between panels.
- 4.83. RA further explained that the Outline Surface Water Drainage Strategy and proposed Sustainable Drainage Systems (SuDS) (set out in Section 7 and Appendix L of the Flood Risk Assessment) have been designed to manage runoff from infrastructure elements, ensuring that surface water effects are appropriately mitigated in accordance with the assessed scenario.

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- 4.84. **Action 10:** The Applicant agreed to provide a written response to Mr Carr’s submissions as part of this Written Summary of Oral Submissions for ISH3 [Document Reference 8.17 Revision 1].
- 4.85. **Post-hearing note:** As a further response to the submissions made by Mr Carr during ISH3, the Applicant would note that the scale of the Scheme is consistent with national policy objectives and reflects the contribution required from such projects to meet legally binding net zero targets. The Applicant has adopted a highly precautionary design approach to flood risk. All infrastructure, including the BESS and substations, will be raised above the modelled 1 in 1,000-year flood event (with an additional 100mm freeboard allowance). This approach, agreed with the EA, ensures that the Scheme will remain operational and safe during extreme flood events and is consistent with the requirements of NPS EN-1 for energy infrastructure to be resilient over its operational lifetime. The Applicant therefore considers that concerns regarding flood risk are appropriately addressed through the embedded design mitigation.

The findings of the Environmental Statement demonstrates that the Scheme will not give rise to increased runoff or adverse impacts on local drainage systems. Surface water management has been assessed and is secured through the Outline Surface Water Drainage Strategy and the implementation of Sustainable Drainage Systems (SuDS). Importantly, solar PV panels do not create impermeable surfaces. The design of the panels includes:

- gaps between panels, which allow rainfall to pass through to the ground; and
- drip points at panel edges, which assist in dispersing water onto the underlying ground surface.

These features ensure that rainfall continues to infiltrate into the soil beneath the panels, rather than being shed in a concentrated manner. The land beneath the panels will remain as grassland, further supporting infiltration and preventing the development of channelised flows. This design approach is illustrated in *Environmental Statement Figure 2.6: Indicative Layout and Cross Section Plans [APP-130]*, which shows the spacing between panels and the resulting rainwater pathways (including drip lines and infiltration through the

gaps). On this basis, and as confirmed in the Environmental Statement, the Scheme will not materially alter existing hydrological conditions and will not give rise to increased flooding risk either on-site or off-site. The solar panels will be supported on pile-driven or similar low-impact foundations, which do not create continuous impermeable surfaces. As assessed within the Environmental Statement, these foundations have a negligible effect on surface water flows and do not interfere with existing drainage pathways or groundwater processes. This approach has been reviewed with, and is supported by, the Environment Agency.

**4.86. Item 3c – Overall Planning Balance**

*Positions on the overall planning balance to be applied in concluding on whether or not a DCO should be made. The ExA may ask specific questions in relation to the planning balance.*

- 4.87. The ExA drew attention to **NLC’s Local Impact Report [REP1-063]**, Section 19, and summarised NLC’s conclusions, noting at paragraph 19.2 that NLC deemed the principle of the Scheme acceptable, whilst identifying a number of potential harms. The ExA sought clarification on NLC’s overall position.
- 4.88. NLC submitted that it had not yet reached an overall conclusion, due to what it considers to be shortcomings in the Applicant’s assessments. NLC explained that its position remains contingent on the resolution of these matters, and that the weight to be afforded to the Scheme’s benefits will need to be considered in light of whether the Secretary of State can be satisfied on those outstanding issues.
- 4.89. The ExA requested that NLC set out its position on the planning balance in writing by Deadline 3 or Deadline 4, including with reference to paragraph 4.2.15 of NPS EN-1.
- 4.90. The ExA also referred to Section 17 of **CDC’s Local Impact Report [REP1-062]**, which identified positive, neutral and negative effects, and invited CDC to elaborate on its overall position.
- 4.91. CDC submitted that it adopts a similar position to NLC, noting that there remain outstanding environmental matters which will influence its final view.

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- 4.92. TM submitted that the Applicant disagreed with any conclusion that the planning balance points towards refusal. TM referred to the **Planning Statement [REP2-012]**, which set out the basis for concluding that the planning balance weighed in favour of granting development consent for the Scheme. TM also referred to the **Applicant's Written Responses to ExQ1 [REP2-087]**, in particular response to Q1.0.4, and noted that the planning balance in the case of the Scheme points emphatically towards granting development consent. TM submitted that it was not necessary, in the Applicant's view, to rely on CNP as part of the overall planning balance and this conclusion was consistent with the interpretation of NPS EN-1 adopted by Examining Authorities and the Secretary of State in recent solar decisions.
- 4.93. Mr Carr made submissions expressing concern regarding potential impacts on Greylag geese, suggesting that there was a high probability they would be displaced by the Scheme towards nearby Doncaster airport causing a safety risk.
- 4.94. TM noted that the relevant consultees, including the Civil Aviation Authority, have not raised concerns either before or during the examination, which in the Applicant's view indicated that they are content with the Scheme as proposed. TM further noted that ecological impacts, including those relating to bird species, were addressed during ISH2, where the Applicant set out a comprehensive mitigation package for both breeding and non-breeding birds.
- 4.95. **Action 11: The Applicant agreed to clarify the position in respect of engagement with aviation stakeholders, including the Civil Aviation Authority.**
- 4.96. **Post-hearing note: The Civil Aviation Authority were identified and consulted as a prescribed consultee at the pre-application stage, in accordance with Section 42(1) (a) of the Planning Act 2008. However, no consultation response was received. The Applicant also notes that Doncaster Airport is currently closed.**
- 4.97. **Item 3d – General Matters**

***General questions regarding the proposed development including in relation to the BESS proposals.***

***Installed MW output capacity***

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- 4.98. The ExA requested clarification on the installed MW output capacity of the Scheme.
- 4.99. MB confirmed that the AC generating capacity of the solar PV elements is approximately 800 MW (AC), and that the BESS has an overall capacity of approximately 400 MW (AC).
- 4.100. The ExA queried whether this information is clearly expressed within the application documents and, if not, whether it should be.
- 4.101. Action 12: The Applicant agreed to signpost the ExA to the relevant application documents where the MW output capacities are defined.**
- 4.102. Post-hearing note: The Applicant confirms that the generating capacity of the Scheme is set out in ES Chapter 2: Scheme Description [APP-039], including paragraph 2.3.1 (solar PV generating capacity) and paragraph 2.6.14 (BESS capacity). The Applicant also notes that equivalent information is set out in paragraph 1.1.2 of the Grid Connection Statement [REP1-014].**

### *Overplanting*

- 4.103. The ExA queried the extent to which the Scheme has been designed to account for panel degradation over time, noting that solar developments commonly include “overplanting” (i.e. installing a greater DC capacity than export capacity) to maintain output over the operational lifetime. The ExA asked where any overplanting assumptions are set out within the application documents, and whether such information should be provided.
- 4.104. MB explained that overplanting ratios are not explicitly set out within the application documents, but confirmed that they can be provided. MB explained that the Scheme design includes flexibility to accommodate both fixed panel layouts and hybrid configurations (comprising both fixed and tracked panels). In respect of overplanting for each design scenario, MB set out the following:
- 4.105. for a fixed panel layout, an overplanting ratio of approximately 1.6 had been adopted, which is within the typical range for schemes of this size and nature;
- for a hybrid (fixed and tracking) layout, a slightly lower overplanting ratio of approximately 1.56 is assumed, reflecting the greater generation efficiency of tracking systems; and

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- 4.106. the corresponding DC (peak) generating capacities are approximately 1280 MWp (fixed) and 1250 MWp (hybrid), prior to conversion to AC export capacity.
- 4.107. The ExA referred to the policy position in NPS EN-1 and EN-3, noting that reasonable overplanting is supported where it can be justified, and that the effects of overplanting must be assessed on the basis of the full extent of development. The ExA observed that the layouts presented within the application already reflect the worst-case development envelope (including overplanting), but requested that the Applicant provide a clear justification for the chosen ratios, including comparison with recently made solar DCOs and having regard to footnote 92 of NPS EN-1.
- 4.108. Action 13: The Applicant agreed to provide a short written statement (to be appended to this written summary) setting out the justification for the proposed overplanting ratios, including reference to relevant precedent from recent solar DCOs.**
- 4.108.1. Post-hearing note: The Applicant has produced a note providing the information requested from the ExA in respect of Action 13. This note is appended at Appendix 1 of this written summary.**
- 4.109. CDC made submissions raising concerns regarding overplanting, particularly in relation to potential impacts on the historic environment.
- 4.110. TM explained that the Applicant has assessed the Scheme on a worst-case basis, and that the heritage assessment reflects this approach. TM noted that, whilst a degree of flexibility is inherent within the Scheme design to account for technological development over time, the assessment must necessarily be based on reasonable assumptions at the point of application. TM emphasised that the Applicant cannot assess future technologies which are not yet known or defined, but confirmed that such matters would be considered at the appropriate time.
- 4.111. Mr Brooke raised concerns in relation to the use of tracking panels (including tilted panel configurations), particularly in respect of potential glint and glare effects.
- 4.112.** MB explained that the proposed use of tracking panels in the northern part of the Site reflects more favourable ground conditions in that area, which are better suited to accommodating such infrastructure. TM also noted that a glint and glare

assessment had been undertaken by the Applicant in respect of the tracking panel scenario [APP-122].

***The Applicant's Sensitivity Test Report [REP2-091].***

- 4.113. The ExA requested clarification on the rationale for the Sensitivity Test Report and its findings.
- 4.114. IH explained that the Sensitivity Test Report was undertaken following a change to the timing of the Scheme's anticipated grid connection, in comparison with that used to inform the Environmental Statement. The Sensitivity Test Report examined two scenarios:
- (a) a single connection date within the 2031–2035 window, resulting in a shorter 36-month construction programme; and
  - (b) multiple phased connection dates, consistent with the original assumptions in the Environmental Statement, including a construction period of approximately 54 months.
- 4.115. IH explained that the purpose of the Sensitivity Test Report was to determine whether these revised parameters would give rise to any materially new or materially different environmental effects to those identified in the Environmental Statement, and whether reassessment was required on a qualitative or quantitative basis. Given that the Environmental Statement already assessed a worst-case scenario, the majority of topics were addressed qualitatively. A quantitative assessment was only required in respect of socio-economic effects, specifically accommodation demand during construction.
- 4.116. IH confirmed that, whilst the sensitivity analysis resulted in an increase in the number of construction workers to be accommodated (for example, approximately 483 workers under a two-parcel scenario and approximately 654 under a three-parcel scenario), the overall assessment outcome remained unchanged. The original conclusion of a minor to moderate adverse effect on accommodation demand was maintained, reflecting the capacity of the local area to accommodate the workforce. IH confirmed that this position was consistent across all environmental topics, with no materially new or materially different effects identified. IH also explained that topics such as Transport and Access did

not need to undertake a new quantitative assessment as the ES assessment already undertook a worst-case scenario assessment, namely that all 5 parcels would be under construction at the same time. The ExA queried why the multiple connection date scenarios had been adopted.

- 4.117. TM explained that this reflected the Applicant's existing grid connection agreement, which envisaged a phased connection approach, including an initial connection of approximately 320 MW in 2029 followed by full Scheme connection from 2032. TM confirmed that, due to ongoing uncertainty as to whether the final connection will be phased or delivered as a single connection date, the Sensitivity Test Report has been designed to capture this optionality.
- 4.118. The ExA requested clarification of the original programme assumptions.
- 4.119. TM confirmed that the original ES assumed a construction period from 2028 to 2032, comprising a 54-month construction window.
- 4.120. The ExA requested clarification on whether a worst-case scenario had been assessed already within the Environmental Statement and IH confirmed that it had been.
- 4.121. The ExA asked whether any Interested Parties had any comments on the Sensitivity Test Report and no Parties made any submissions.

***The applicant's change request.***

- 4.122. No parties made submissions in relation to the Applicant's Change Request.

## **5 Agenda item 4 – Any other matters**

- 5.1. The Applicant confirmed that it had no additional matters to raise under this agenda item.
- 5.2. Mr Brooke made a submission expressing concern for the maintenance of land between the Internal Drainage Board (IDB) drains and the solar development, including concerns over the cutting and upkeep of ditches.
- 5.3. TM explained that maintenance obligations are addressed within the **Outline Landscape Ecological Management Plan [CR1-021]**. TM confirmed that this

includes provisions for ongoing management and maintenance, and that the Applicant would confirm in writing how these provisions apply specifically to ditches and buffer zones between IDB drains and solar infrastructure. TM further emphasised that obligations secured through the Outline LEMP will be legally binding for the duration of the Scheme via the Draft DCO.

- 5.4. **Action 14: The Applicant agreed to confirm in writing how the maintenance of ditches and associated buffer zones is secured within the Outline LEMP, including clarification of responsibilities for ongoing management.**
- 5.5. **Post-hearing note: The indicative layout [Document Reference 6.4.2.6 Revision 2 and Document Reference 2.9 Revision 2] includes a 9m buffer from the edge of the IDB drains to any infrastructure, except for crossing points (roads and cables). For ordinary watercourse, the layout includes a 5m buffer from the edge of ditch to any infrastructure, except for crossing points (roads, cables, and fencing).**

Table 4-1 Habitat Management by Type, within the Outline LEMP [CR1-021], provides details of the management for retained ditches and ponds. Many of the ditches within the site are under the control and management of the Internal Drainage Board (IDB) who have standard internal management procedures to ensure that each ditch is functioning as intended. This will continue to apply during the operation of the Scheme. The measures within the Outline LEMP therefore only apply to all non-IDB ditches and ponds or, where agreed with the IDB as a stakeholder, IDB ditches too.

The Applicant would be responsible for implementation and subsequent monitoring or management of the areas between IDB drains and the Scheme's infrastructure, where within the defined Order Limits [APP-007]. Page 16 of the Outline LEMP confirms "*mitigation area margins, ditch corridors, river corridor, hedgerow bases and woodland buffers will be allowed to develop a tussocky structure, with mowing or light grazing restricted to later summer or early autumn*".

Implementation of the Outline LEMP is secured by Requirement 8 of the Draft DCO [Document Reference 3.1 Revision 6]. Once the Scheme is implemented, the Applicant would appoint a Principal Contractor who would be responsible for working in accordance with the environmental controls documented in the

**Outline Operational Environmental Management Plan [REP2-064]. This would be a legal requirement, secured by Requirement 15 of the Draft DCO [Document Reference 3.1 Revision 6].**

## **6 Agenda item 5 – Closure of the hearing**

- 6.1. The ExA closed the hearing.

## Appendix 1: Overplanting

- 1.1 Solar panels generate electricity from the sun in Direct Current (DC) electricity. Generating capacity is often referred to in terms of megawatt peak (MWp). MW is the standardised measurement for the maximum, or rated, DC power output of a solar photovoltaic (PV) system operating under ideal standard test conditions (such as peak sunlight and optimal temperatures). Inverters convert the DC electricity from the solar panels to Alternating Current (AC) which is used by the national grid.
- 1.2 NPS EN-3 (November 2023) Footnote 92 states that “Overplanting” refers to the situation in which the installed generating capacity or nameplate capacity of the facility is larger than the generator’s grid connection. This allows developers to take account of degradation in panel array efficiency over time, thereby enabling the grid connection to be maximised across the lifetime of the site. Such reasonable overplanting should be considered acceptable in a planning context so long as it can be justified and the electricity export does not exceed the relevant NSIP installed capacity threshold throughout the operational lifetime of the site and the proposed development and its impacts are assessed through the planning process on the basis of its full extent, including any overplanting.”
- 1.3 Overplanting is required as part of the Scheme as a result of the following factors:
  - Degradation in panel array efficiency over time (‘wear and tear’);
  - Power losses from transporting electricity and the increasing or decreasing of voltage levels;
  - Power losses from converting the DC electricity which solar panels generate to AC electricity which is safe to export to the grid; and

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- Times of low irradiation, especially at the beginning and end of each day and throughout the seasons of the year.<sup>1</sup>

1.4 The table below sets out the overplanting ratios for recently made DCOs for comparison with the Scheme. Comparable nationally significant solar farms have been chosen if they have clear and specific figures for grid export capacity (MW AC), DC generation capacity (MWp) and whether this is available from documents submitted as part of an application or during the Examination of these projects.

**Table 1: Overplanting Ratios for recently made DCO's**

Project	Export (MW AC)	Installed DC generation capacity (MWp)	Fixed/Tracker	Overplanting ratio
Mallard Pass (Consented July 2024)	240	350	Both	1.45 (average across fixed and tracker panel layout)
East Yorkshire Solar Farm (November 2024)	400	480	Tracker	1.2

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<sup>1</sup> Whilst footnote 92 frames overplanting as a mechanism for accounting for panel degradation over time, in *Ross v Secretary of State for Housing, Communities and Local Government* [2025] EWHC 1183 (Admin), the High Court held that footnote 92 of EN-3 should *not* be construed so as to limit the only permissible overplanting to that which addresses panel degradation. In this regard, the Applicant confirms that panel degradation is one aspect of the case supporting reasonable overplanting in accordance with NPS EN-3, including footnote 92

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Byers Gill (Consented July 2025)	180	288	Fixed	1.6
Tillbridge (October 2025)	500	784	Tracker	1.57
Fenwick Solar Farm (February 2026)	237.5	353.52	Fixed	1.49

- 1.5 It is acknowledged that that the Scheme has an overplanting ratio that is at the upper end, though within, the range of ratios for recently consented projects. The comparison shows different approaches taken by developers; for instance Tillbridge solar farm has a higher overplanting ratio for a tracker solar PV layout (1.57) than the Applicant would propose for a solely tracker solar PB layout (1.4).
- 1.6 The Applicant considers the Scheme’s proposed ratio of 1.6 overplanting is justified for the fixed panels element and a ratio of 1.4 is appropriate for the tracker panel elements when considering the factors and comparison set out above. The Scheme would have an overplanting ratio of 1.56 if there is a mix of fixed and tracking panels.

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