

Fosse Green Energy_ISH1_Session 4_07.01.26

Wed, Jan 07, 2026 1:54PM • 1:03:55

00:04

Well, it is just now a little past 10, past 12, so

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the hearing is resuming, if people would can take their seats,

00:17

and we're now moving on to agenda item 3.2

00:23

which is alternatives to the proposed development.

00:28

And again,

00:31

turning to the applicant. If you can do some introductions who's going to lead on this session, please Reuben Taylor for the applicant. So thank you very much.

00:41

To my right, it is Miss Naomi Kretschmer, and I've also got Mr. Snedden, who's returning for for this particular part of the agenda. Thank you. Thank

01:04

or North Kesteven, who's going to lead

01:08

Jonathan's on behalf of North custodian District Council that Mr. Franklin, who is sat to behind me, but I'll ask if you may, if you could come up to Mr. Franklin landscape will be dealing with that.

01:22

I beg your pardon. I beg your pardon. Sorry, I've taken things out of order. I'm sorry. It's Mr. Hunt to my left. I beg your pardon.

01:29

Got ahead of myself. I

01:46

and for Lincolnshire Council, Justine foster for Lincolnshire county council, it'll be myself leading on items 3.2

01:59

sir, could I just raise my mind to John Hunter on behalf of North Kesteven District Council? Again, I think we've discussed with the county council the relevant order for making submissions to you, and I think it would suggest it might be better for the county council on this point to go first, ahead of us. I mean, I've just naturally taken North Kesterman, certainly through the sessions I've led because you are you feel like host, host, and yes, the county council is also host, but just etiquette while I That's how I've always tended to do things. But

02:32

that's fine.

02:36

Okay, then turning to the applicant, any idea how long your summary is going to take? Just conscious that we need to make up as much time as possible.

02:47

Are we nearer to five than 10 minutes for this session? I

02:51

think we're probably nearer to 10 than five, I'm afraid. But we'll, we'll take that on board and try and summarize as much as we can. And I presume again, there's a note. So there will, there will indeed be a note. The presentation is actually going to be from

03:11

scratch, but and a little part from me at the end relating to alternatives, and the little part on the law, she'll have to forgive me for, yeah, thank you, sir. And before I get started, is my echo microphone, microphone, okay, you've got no echo, which is great. I've got speak just a little bit louder, maybe. Okay, sorry, I was is that better?

03:44

Thank you. So Naomi Kretschmer on behalf of the applicant. So for the 10 minutes summary, we are going to provide context around the alternatives considered and signposts to relevant policy and legislation, including the overarching national policy statement for energy em one, and the national policy statement for renewable energy infrastructure, em three, both versions designated in January 2024

04:12

we're also going to refer to the just before you carry on, there was a point I meant to make an opening this morning, which I should have done and forgot, because it's on one many pieces of paper at this end,

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as of yesterday, the 2025,

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versions of the national policy statements in one in three in five as relevant to this case, took effect, but under The transitional provisions written into the new versions. We are still primarily working to the 2024,

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versions, with the updated versions being capable or being considered as important and relevant matters in the secretary states decision making. I'm

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being.

05:00
Nods around the table from those who are familiar with the process, but that's really to assist

05:08
other interested parties who may not be quite so familiar with the subtlety of

05:14
how policy emerges. And because this application was made some time ago, the old policy still applies to it primarily

05:25
that clarifies things.

05:28
Please carry

05:31
on. Naomi Kretschmer, on behalf of the applicant, thank you for that clarification. That's why I added in the date, so it was clear the versions that I was referring to. So just to continue, we're also going to be referring to the infrastructure planning, environmental impact assessment regulations, 2017,

05:49
which we will refer to as the EIA regulations.

05:53
So in terms of the EIA regulations, there is no general obligation upon an applicant to consider alternatives to the development proposed rather regulation 14 to D requires an environmental statement to include and I quote a description of the reasonable alternative studied by the applicant which are relevant to the proposed development and its specific characteristics, and an indication of the main Reasons for the option chosen taking into account the effects of the development on the environment.

06:26
Thus, where an applicant examines a reasonable alternative as part of its design process, there is an obligation to describe that alternative in the environmental statement.

06:36
Accordingly, the applicant has set out the reasonable alternatives that studied in chapter four, alternatives and design evolution of the environmental statement, that's a P, P zero to nine, which are relevant to the proposed development and its characteristics. The alternatives studied include alternative sites, overhead lines or underground cables, alternative solar infrastructure technologies and alternative storage arrangements, layouts and cable corridors. Chapter Four, alternatives and design evolution of the ES, AP, P, zero to nine also considers an alternative layout, an alternative point of access put forward at statutory consultation, the applicant has set out in chapter four, alternatives

and design evolution of the ES AP zero to nine, the main reasons for the options chosen taking into account the effects of the development on the environment. This approach therefore fulfills the requirements of the EIA regulations in terms of describing the reasonable alternative studied by the applicant.

07:47

Moving on to the national policy statements, em one and en three, starting with em one,

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as set out in paragraph four, point 3.9, of em one, the NPS does not contain a general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective.

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Paragraph four, point 3.9, goes on to state that there are specific requirements in relation to compulsory acquisition and habitat sites and alternatives in relation to compulsory acquisition are addressed in the statement of reasons that's reference a P, P, zero to zero

08:28

in relation to habitats, paragraph five, point 4.42, of em one states that development should aim to avoid significant harm to biodiversity and geological interest through consideration of reasonable alternatives. The site selection report at Annex A of the planning statement that's as 098,

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demonstrates that biodiversity and geological interests comprise criteria used in the assessment of potential alternative sites. Furthermore, chapter four alternatives and design evolution of the environmental statement, A, P, P, 029, demonstrates how biodiversity and other constraints have been taken into account in determining layout, design and refinement of the cable corridors to one preferred option.

09:17

Paragraph five, point 8.36, of em one requires applicants to demonstrate that the sequential test has been applied and satisfied as part of site selection. The site selection report at Annex A of the planning statement as 098, demonstrates that the sequential test has been applied and satisfied in

09:39

terms of the Secretary of State's decision making. The following paragraphs of em one are relevant. Paragraph four, point 3.23, states that the Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity, including a.

10:00

Energy security, climate change and other environmental benefits in the same timescale as the proposed development.

10:08

Paragraph four, point 3.24, states that the Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals.

10:33

Paragraph four, point 3.25, of Ian one states that alternatives not among the main alternatives studied by the applicant, as reflected in the environmental statement, should only be considered to the extent that the Secretary of State thinks they are both important and relevant to the decision,

10:52

and just as a point around the newly designated em one the points that I've identified above remain unchanged in that version.

11:02

So moving on to en three. En three considers alternatives in the context of site selection and design. Section 2.3, of en three sets out factors influencing site selection and design. Paragraph two, point 3.5, of en three states that I quote, it is for applicants to decide what applications to bring forward. In general, the government does not seek to direct applicants to particular sites for renewable energy infrastructure. Furthermore, paragraph two, point 3.9, of en three states that, as most renewable energy resources can only be developed where the resource exists and where economically feasible, and because there are no limits on the need established in part three of en one, the Secretary of State should not use a consecutive approach in the consideration of renewable energy projects, for example, by giving priority to The reuse of previously developed land for renewable technology development

12:04

in terms of site selection in the context of solar the relevant paragraphs in en three are two point 10 point 18 to two point 10 point 48 these paragraphs cover the factors influencing site selection and design, and include matters such as irradiance and site topography, proximity of a site to dwellings and agricultural land classification and land type.

12:31

The points raised in these paragraphs in en three are considered in paragraph two, point 1.3, of the site selection report, which is set out in Annex A of the planning statement as the dash 098,

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in terms of design, paragraphs two point 10.59

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to two point 10 point 72, of en three set out matters related to site, layout, Design and appearance. Notably paragraph two, point 10, point 60 comments that applicants will consider several factors when considering the design and layout of sites, including proximity to available grid capacity to accommodate the scale of generation, orientation, topography, previous land use and ability to mitigate environmental impacts and flood risk. These factors are considered as appropriate in Appendix A, assessment indicators and evaluation criteria of the site selection report, which is set out in Annex A, the planning statement as 098,

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finally,

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section 2.6 of en three sets out that where flexibility is sought, as is the case with the proposed development, applicants should assess the worst case, environmental, social and economic effects of the proposed development to ensure that the impact of the project as it may be constructed have been

properly assessed, as confirmed in chapter five, environmental impact assessment methodology of the environmental statement. That's a P, P, 030,

14:08

the Rochdale envelope has been applied, and the worst case assessed in terms of the flexibility being sought.

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Thus, the approach taken to the consideration of alternative aligns with the provisions of en one and en three, and I'll just hand over to Mr. Taylor, who will cover some points on case law,

14:29

sir, as you will have seen in en one paragraph four point 3.9 the en one explains that, as in any planning case, the relevance, or otherwise, to the decision making process of the existence or alleged existence, of alternatives to the proposed development is, in the first instance, a matter of law, and the legal position in relation to the circumstances when alternatives may become relevant when determining an application for a DC.

15:00

Two were considered in the crown on the application of safe Stonehenge, World Heritage Site limited and the Secretary of State for Transport. And a paragraph 269

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of his judgment, Mr. Justice Holgate, as he then was summarized the position as follows, first, land may develop, be developed in any way which is acceptable for planning purposes. The fact that other land exists upon which the development proposed would be yet more acceptable for such purposes would not justify the refusal of planning permission for that proposal. But secondly, where there are clear planning objections to development upon a particular site, then it may well be relevant and indeed necessary to consider

15:46

where there is a more appropriate site elsewhere. This is particularly so where the development is bound to have significant adverse effects and where the major argument advanced in support of the application is that the need for the development outweighs the planning disadvantages inherent in it. Examples of this second situation may include infrastructure projects of national importance. The Judge added that even in some cases which have these characteristics, it may not be necessary to consider alternatives if the environmental impact is relatively slight and the objections not especially strong. The Court of Appeal approved a similar set of principles in the in crown on the application of Mount Cook land limited against Westminster City Council from 2017

16:34

and there's a paragraph 30 in particular. And so in the absence of conflict with planning policy and or other planning harm, the relative advantages of alternative uses on the application site or of the same use on alternative sites are normally irrelevant in those exceptional circumstances where alternatives might be relevant vague or in CO eight schemes or schemes which have no real possibility of coming about are either irrelevant or where relevant should be given little or no weight. And that approach, too was adopted by the Court of Appeal in the case of Jones and North Warwickshire Borough Council from 2001

17:19

so that's all we intended to say in our 10 minute presentation. Thank you.

17:28

Thank you.

17:38

And turning to you

17:42

to increase your county council. Mrs. Foster, did you have anything you wanted to say in response to what the applicants just said about consideration of alternatives?

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Thank you. Justine Foster, for Lincolnshire county

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council,

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we have in our local impact report, which I appreciate you haven't got sight of us yet covered consideration alternatives, particularly around site selection and the alternative sites that have been considered

18:13

for this proposal. So I'm not

18:17

proposing to sort of go into repeating verbatim what is going to be in our local impact report, because I don't think that will report, because I don't think that would be of benefit at this moment. So interest in the interest of brevity, I think I just just a couple of points that I would like just to raise at this stage. And

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we will be raising a concern

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regarding the site selection repose process, having reviewed the

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report

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around

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the process, to us, appears to have been driven primarily by landowner willingness, whilst we acknowledge that the technical and environmental factors have been considered within the site selection report, and those have been in line with what is set out in year three for solar development.

19:09

The initial driver appears to us to be an availability of land offered by landowners, which was a starting point, which then shaped that search area, and it also comes into play later in the process, during Stage Five. While we absolutely acknowledge that landowner willingness is an important aspect of delivery for any developer,

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we believe that further explanation is perhaps needed on when this factor should enter the assessment, whether it comes before or alongside the consideration of land use policy.

19:45

That's our first point.

19:49

A further point is regarding the size of sites that have been considered. And again, we acknowledge that the applicant did look at smaller sites of at least 40 hectares.

20:00

Their stated preference within the site selection report is for a single contiguous site of around 1000 hectares.

20:09

Commercial viability seems to have driven this choice. However, we just like to highlight that there are other solar projects in Lincolnshire, such as the nearby cotton solar scheme, which has had its DCO granted, that have successfully combined smaller, non contiguous sites and have been considered viable by their developers. So therefore, we just feel that some further justification is required for the applicant's position on those points. Thank you. Do

21:07

Thank you, Mrs. Foster, did North Kesteven want to provide in your response to what the applicant said?

21:15

Mr. Hunt, Thank you, Sir Ben Hunt, for North Kesteven District Council,

21:21

just to make a few sort of broad points,

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because similar to Lincolnshire County Council, the sort of approach to site selection on alternatives is dealt with in our LIR, which will be with you by deadline one and the applicant has seen a near finished version of that.

21:43

I think it's relevant to say that

21:46

the District Council, in general terms, is satisfied with the overall site selection process. But that is on a couple of sort of main assumptions, the sort of paradigm within which they're working. The first is the context, and if you like constraints for consideration of selection alternatives, which are provided by the NPS guidance, which the applicant referred to.

22:15

And the second is on the assumption that it is found to be reasonable to begin the site selection process with a focus on the location of the

22:29

proposed grid connection that

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the national grid and even be substation, which, of course, is not yet built and on on that second point,

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our sort of satisfaction with the site selection process is also partly predicated on the basis that the development, if granted consent,

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will not be allowed to proceed unless And until, at the very least, planning permission has been granted for the substation,

23:06

a matter which we will be addressing, I think, in ish Two,

23:17

in broad terms,

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North Cayenne District Council is also satisfied that the applicant appears to have considered alternative scheme designs so as to take into account relevant constraints and the need for Built in mitigation.

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Having said that we do have some remaining concerns which are reflected in our lar LIR, which relate to particular issues,

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such as,

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have all reasonable attempts been made to locate solar rays and other infrastructure on non BMV land,

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and is there, perhaps in some parts of the overall principal site,

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a lack of clarity on why

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some areas which are not

24:22
BMV land, why those have not been

24:27
used for solar arrays?

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Another example might be,

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we think there's perhaps a certain lack of clarity on why

24:41
some development of solar rays remains within flood zones to stroke three A and

24:51
why that's considered necessary not to locate it on land outside those flood risk areas. So.

25:00
Okay, so we anticipate those matters being dealt with in more detail, in other topic sessions of the issue specific hearings,

25:11
and I think you'll get greater clarity on all of these points once you receive our LIR. So at this stage, I don't think we have any more comments to make.

25:32
Thank you. Mr. Hunt.

25:34
Mr. Lyons,

25:38
good morning. Nick Lyons Thorpe, on the Hill parish council, I'm the chairman

25:44
the parish council does not believe that the applicant has provided sufficient evidence of a rigorous assessment of reasonable alternatives, particularly those involving brownfield or industrial land.

25:58
Four sites appear to have been considered, of which the selected site is included.

26:05
However, the process does not appear to have been rigorous in thoroughly exploring or evaluating the Brownfield sites with existing or closed grid connection capability, even even if this meant widening this radius of study

26:20

the overall layout of the site strongly suggests that selection has been driven primarily by the availability of willing landowners. This has resulted in the highly inefficient and damaging configuration with solar arrays located up to 10 kilometers from the proposed grid connection at Navon Bay.

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It has also led to a major concentration within Thorpe on the hill,

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and a resulting very high density of development within our parish boundary.

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Self evidently, Thorpe on the Thorpe is a village on a hill, and if the scheme proceeds, views from the village is elevated, position will be dramatically and adversely impacted, even if screening is introduced. This will damage the open aspects of the recreational amenity. These factors are addressed in our neighborhood plan, which is which heavily emphasized landscape character and key views, these appear to have been inadequately addressed in the proposed development.

27:32

Once again, the conflict with the neighborhood plan is a major issue for the parish council.

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I'm not naive enough to suppose that having such a plan

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confers special powers that override national policy or legislation. But not only was the plan democratically endorsed, it was created by a wide variety of people across the community

28:04

who contributed, and those people expect the parish council to fight for the content of that plan to be respected.

28:13

Thank you.

28:18

Councilor Overton,

28:22

Thank you.

28:24

There were seven areas of objection on the District Council's response,

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and some of those do well, they do relate to the location. So, for example, the public footpaths, there's some, some 33 I think, that are due to be

28:43

shut at least during construction, and perhaps three permissive paths. So those are things I realized they're coming up later, but that is a result of this location. I think the key point about whether it has been selected adequately or not. The point is that they started with saying they wanted 1000 hectares,

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and that

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isn't what they apparently need now,

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so they used a criteria for selection, which is not, in their own words, what they're using now is not valid.

29:26

Secondly, a point was made. It does not have to be continuous in other applications, very nearby, so there's no reason why it should be in this area.

29:38

This I don't believe the sequential test has been adequately met.

29:44

There are industrial areas very nearby, where, if the substation were placed there, we would be able to start with using the roofs, rather than start with an open field where everything all.

30:00

The infrastructure has to be from scratch on an open ground,

30:07

and then that creates expense, but also damaging impacts on the character of the landscape, which deeply affects the way people feel about the place they live, their sense of identity and their sense of health and well being,

30:29

the site visits made to the

30:32

substation proposed, or actually, it's not proposed, is it? It's imagined. At the moment, it's not even had a full proposal yet, so that's imagined site of the

30:46

substation,

30:49

and they're only looking within 15 kilometers of that. I

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think it would be more sensible to take a sequential approach, looking at the area as a whole, rather than starting with a particular

31:07

business who wanted to go out of farming. So I think it's really important that we actually

31:15

recognize that the sequential test has not been adequately filled, and that this is simply the wrong location for such a significant

31:27

amount of development,

31:31

industrial development. Thank you. Thank

32:03

you

32:04

see a couple of hands, start with a gentleman to my right, and then we'll come to the other side of the room in a minute.

32:13

Thank you. Ealing resident at Basingham.

32:18

I would just like to draw attention to the fact that at the time that the FOSS green energy site was initially selected, no alternatives were considered

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the site selection report, which is Appendix A to the planning statement, document A, P, P, 185,

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which is a different document to that that has just been referred to by the applicant's representative.

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Clearly states a paragraph two, point 3.1,

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that the site was selected as a result of an approach from the landowners, and that's the point that the county council has just made. No alternatives were considered at this time,

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and the site selection report does not relate to the initial selection of the site. It represents a retrospective justification of the site based on a consideration of sites within a 15 kilometer radius

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of the Navy, the now proposed Navy substation, which was not proposed at the time that the site was initially selected. I

33:26

think it's also clear that the site was not selected following a search for sites that would wholly, mainly, or even partly utilize the types of land the paragraphs two point 10 point 21 and two, point 10, point 23. Of NPS, en three prioritized for solar development. Amy brownfield previously developed industrial or contaminated land, nor was the site selected following a search for sites that could achieve a connection to the existing grid infrastructure as prioritized by paragraph 210, 17 of NPS en three. At the time that the site was selected, there was no available substation for the solar farm to connect to.

34:18

So in conclusion, the initial selection of the site was not based on a concern to comply with national planning policy priorities for solar deployment, as set out in the paragraphs of en three that I have just quoted, and no alternatives that were consistent with these provisions of en three were considered at the time that the site was initially selected. Thank you.

35:05

Thank you. Go to the gentleman here on the left. The microphone is just arriving.

35:16

Thank you. So my name is Gordon cobish. I'm a resident of Thorpe on the Hill. I'm also, of course, a council tax payer.

35:27

I would just like to bring to the attention of this examination something that has not been mentioned so far as I'm aware, by the applicant, or by the District Council or the

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county council, which I feel might have a bearing on the location and the exam. The applicant might have wished to have an alternative site, because Thorpe on the Hill is already producing

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a 93 acres

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of electricity from a digest, an anaerobic digester at South highcomb.

36:07

It's a significant size in so far that the Lincoln Eastern bypass was the route was altered to avoid this particular industrial development, and in 2020 we fought a long and hard battle with the District Council for

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an application to build a lagoon to store the digestate in which would mean An increase in traffic through our village.

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Eventually,

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it was passed through by,

36:48
sorry,

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I

37:00
permitted, permitted development rights. And so it didn't apply. We didn't have a an end result to the planning application as such. But so that is in progress. Now it's it's functioning. Now there is a similar scheme at Thirlby, which is in the area. So

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assuming that Thirlby is the same area we're talking about, what 400 of the 460

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hectares that the applicant is

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suggesting to use that we've got nearly half of that already in production

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for producing electricity. So what happens to that

37:49
crop growing for the anaerobic digester when you've got solar panels on it? Does that mean that the existing electricity system producer will go in favor of solar panels, or does it mean? Well, I don't know what it means. Perhaps you could examine that and look into that, please,

38:12
and possibly it's applicable at this stage. If I could just add that I'm not opposed to solar panels, and indeed, I would find it hard to oppose this particular application, notwithstanding what I've just said, if we didn't have another 15 or so such schemes, some of which have already been passed within a 30 mile radius of Lincoln. And I understand that there are 50 such schemes in greater Lincolnshire, and I think that's overkill, and I don't think that's being particularly fair to Residents and council taxpayers.

38:53
So thank you very much. Thank

39:16
Thank you. I'm trees Brewer councils. Trees Brewer from Colby.

39:22
I'd like to point out, as been mentioned before, about the government, CDN, three

39:29
guidelines which state that the solar project should be on brownfield land, previously developed land, contaminated, etc, as has been mentioned, which isn't the situation we're finding with this application. Also, the G has guidance on large scale, ground mounted solar developments, and one consideration is whether the land is being used effectively, recommending the developments are focused on previously developed and non agricultural land.

40:01

And the central Lincolnshire local plan policy s5

40:05

development in the countryside states the rural location of an enterprise should be justified by means of proximity of existing, established businesses or natural features. Also the development is of a size and scale commensurate with the proposed use and with the rural character of the location.

40:27

So that's government and county level guidelines. Also has been mentioned. Thorp on the Hill is particularly impacted by this proposed development, and aspects contravene their neighborhood plan so and this is the case for other villages. This includes Colby ourselves. We have a neighborhood plan and policy one appropriate location for the development sets out amongst other things that the development will need to demonstrate it can be carried out without resulting unacceptable impact on the setting of the village and within the wider landscape and landscape character. What that particularly relates to is the cable corridor, which, of course, is been mentioned. It is 10 kilometers long.

41:19

Would

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actually have a separate question on that, which is, could we have more detail on the size of and exactly what will be visible above ground after all the works are completed

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that's needed to assess the impact and

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all this brings together, leading on from the proposed site being positioned on productive farmland, is that the national grid was duty bound to respond to this request, along with Springwell and but it leads to the fact that the substation is also being proposed on similar land. It continues the chain reaction. There's the proposed Leota solar and others, not in the public domain, of which there are many, and they're all will be placed on rural farming land, because that's what we are in this area. There's no justification for the solar developments. The cumulative effect will snowball once any of these are approved, and it will be devastating for the area, large areas of industrialization in a rural farming area.

42:30

And there's another prong to that matter, which is that food security, which is an equally important national issue to achieving net zero, and should be taken into account as well.

42:46

Thank you.

42:56

Thank you. David Crampton, resident of North Kisteman, general point, if I may, we heard from the applicant about clauses in one and three in particular that support their case, as we've heard from the Casey that legal precedent from more general perspective and the layman's reading of one and three, there are clearly clauses they have not stated, which would suggest they should consider

different clauses. I'll give you an example. 310, 14 says, While land should not, land type should not be a predominant factor in determining the suitability of Site Location applicants should, where,

43:36

should where possible, utilize previously developed land, and the important word, there being possible develop brownfield land, contaminated land and industrial land, where the proposed use of any agricultural land has been shown to be necessary. The important word, there being necessary, poorer quality land should be preferred to high quality land. There are other clauses that are contrary to what the applicant has said, I believe I just quote that one Rather than taking more time of the inspectorate, thank you.

44:24

Alistair King, local resident of North custodon,

44:29

in the applicants earlier statement the applicant, the applicant quoted some case law. It was difficult to keep up and hear it all and even understand it all, but I'm pretty sure I heard the words, except where there are clear harms and objections.

44:47

Well, I think we have harms and objections here in shed loads, and therefore I would ask whether the inspector will discard those aspects of case law where harms and objections.

45:00

Questions are accepted. Thank you. Thank

45:27

sir. Michael Campbell, resident of Thirlby.

45:33

Very comprehensive introduction from the applicant. And yes, a lot of reference made to policy, particularly in one in the end three. But as other people have pointed out, it was perhaps a partial reference to those documents, because my understanding and I bow to yourself and the lady sitting there as the experts in planning, but my understanding of Ian one and the end three is that a material consideration in the location of it is the proximity to infrastructure. And both en one and en three, as I've read them,

46:12

state that site should a be reasonably close to grid connection points, substations, transmission lines, etc, to choose sites that can achieve a grid connection to an existing electricity substation with capacity

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minimize the need for extensive new infrastructure, especially long grid connections

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for efficient delivery and operation of the energy system, and that grid accessibility is a material, locational consideration. There is no existing nor yet planned, even though there's lots of rumors about a potential substation at navenby,

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that is quite an uncertain future, because, for instance, if this, if the solar farms don't get planning approval, the substation certainly won't we know that national grid has got a vast backlog of connection challenges ranging from the Highlands of Scotland throughout that They need to connect to National Grid is a company, its responsibilities to its shareholders, and it will be looking to do the best economic and business cases it can, and creating substations where there is no actual need for them at this moment in time will come very, Very low on their list

47:40

as regards the national policy, I would just like to provide a direct quote. I was in correspondence with the prime minister last year on various matters on energy, and I had a reply from the Minister for net zero, because he said it was within his ministerial portfolio. I can provide a copy of the letter as required. It says all solar projects are subject to a rigorous planning process in which the views and interests of local communities are considered. Planning guidance makes clear that, wherever possible, developers should utilize brownfield industrial contaminated or previously developed land where the development of agricultural land is shown to be necessary, lower quality land should be preferred to higher quality land. The

48:32

government recognizes that England has limited land with demands on it growing, including for vital clean energy structure. The government will introduce a land use framework to consider how we balance the competing demands and transform how we use land. The framework will work hand in hand with the strategic spatial energy plan. That plan will assess and identify the optimal locations, types and quality, quantities of energy infrastructure required for generation and storage

49:08

and storage across a range of plausible futures to meet our future energy needs with clean, affordable, secure energy, I do not believe, and especially After discussion with representatives the applicant at their early public meetings that they had looked at alternative sites. The point has also been made by Mr. Keeling, with some good evidence to back that up. It looks like a post justification. And quite frankly, and I'm conscious of I'm with you sir, about emotive language, but one could be cynical and say there were self selecting sites easily to be dismissed to provide a cloak of respectability to the process.

49:52

Next, and I wish to pick up on the points made yesterday by the applicant relating to the clean power 2030, initiative. You.

50:00

This emphasizes strategic site selection for infrastructure with key conditions and criteria for using selected site locations, highlighting proximity to existing grid infrastructure. Brownfield land previously developed is explicitly preferred for clean energy infrastructure due to faster permitting and community acceptance. As

50:25

far as we're concerned, there are numerous existing and preferable locations with proximity to existing grid infrastructure.

50:34

I won't go through the list. I'll put it in my written submission, but there's plenty of opportunities for that.

50:42

Additional point go to me this morning. I don't know if it's appropriate now, but as regards the site, the subject of the generation came up. So 2.1 I'd like to go back to yesterday about the seasonal fluctuation in terms of generation, and the examples you've asked for the scenarios about the amount generated and percentage of natural demand. Of course, that would be much more useful. That would be very useful full stop, but it even more useful if it was phased across a year. So we can see what the contribution of such an industrial installation will be in mid December, compared to mid June, when a demand is different and B, the generation is very, very different. And lastly, you'll be glad to know, is there any way we can get any sort of guarantee or condition that there'll be no other forms of energy generation involved in the location and that all and any electricity generated will be solely from solar panels, not from any other form, such as diesel generators, for when the solar panels are not producing. Thank you.

51:54

Thank you. Mr. You referred to a correspondence that you've had,

51:59

well, ultimately, with with the department, yes, could you please submit a copy of that? Because the rest of us, course, aren't privy to it. But

52:27

what? Ultimately, it's up to you to decide what you think is the most appropriate, but it might be that you append whatever correspondence you think is appropriate to your written representation for submission at deadline one.

52:52

Okay, gentlemen in the room, and then we've got a couple of parties online.

52:58

Thanks. Bird from Navy, I won't repeat what everybody else has said, but just a few additional bits, particularly with what Mr. Campbell just said,

53:08

AP, p2 100 states, the good connection. Offer a bilateral connection agreement to the applicant was originally received on the ninth of September 2022 and this was accepted by the applicant on the 24th of November 2022, the

53:23

national grid, namely substation, environmental impact assessment, scoping report, sorry, very long words, dated in June of 2025 which is available on the nkdc planning portal.

53:36

Para three point 3.8. States regarding seven potential options for substation

53:43

that, quote, the site visits were undertaken from publicly accessible areas to ground truth potential sites and receptors on the 22nd of June, 2023 and the 29th of June, 2023 if

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the current proposed location for National Grid and Avery substation was not known until after the site visits in June of 2023

54:05

How can the king connection agreement have been reached in late 2022

54:09

in respect of the proposed quote National Grid substation near navel be which was a key element in the site selection in

54:46

Hey,

54:48

Mr. Williams,

54:55

good morning or good afternoon. Mark Williams, spring Well, son. I.

55:00

Action Group,

55:02

I listened with interest, and I must

55:05

the comments from the people on the floor I find really valuable. I must admit the 10 minutes summary for the case from the applicant just seemed to be a case of rattling off lots of references to paragraphs, chapters and documents with absolutely no actual case

55:27

putting being put forward. The only thing I could take from that was essentially they rattled off lots of cases and references which basically said that they could do carte blanche of what they wanted to do because of various documentation they were referencing, which is highly concerning. And I think let's

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when we listen to all the people in the room, it's quite clear from from a site selection perspective,

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it's very much a landowner has come forward desperately trying to get out of farming, and they've jumped onto that.

56:03

We also need to be very conscious that Lincolnshire is an agricultural county. It's also a relatively cheap County. So land is cheap.

56:15

When we look at the requirements for energy in the UK,

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there's no real demand for it in Lincolnshire. It needs to be closer to it to our large connotations, the likes of Manchester, Liverpool, London, Bristol, etc, etc. So this is where these developments should be located, much closer to the the areas

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that require energy and where there is already existing infrastructure.

56:48

If there is a requirement to do it in areas such as Lincolnshire, they should be looking, as our other people in the room have said, at brownfield industrial or previously contaminated land. However, as we all know, the reason the applicant does not want to do that is because of cost. So it would be more costly to them to have to

57:13

rectify a brownfield site or a previously contaminated site to install this infrastructure, whereas a willing farmer who basically says you can do what you need to do on our online land, makes it very easy for that for the developer. So I think let's be honest, this is not about having a solar, sole industrial solar complex in the right place. It's about putting it in the cheapest place. Thank you. Thank

57:50

you, Mr. Williams and the other gentleman of mine who I can't actually see the name or the initials for. That's my eyesight. Thank you, sir. I'm Mark weeks a resident of Thorpe on the hill.

58:02

We're having a little bit of issue with the sound. Could you give your name again? Yeah, I'm Mark. We to resident of Thorpe on the hill. Is that okay?

58:13

Sorry, I still didn't quite catch your name. Yes, Mark. We to sir.

58:20

Carry on. Thank you. Resident of Thorpe on the hill, I submitted an alternative design that the applicant referred to earlier

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based on the fact that the proposed development of the scale around Thorpe on the Hill is huge and will create significant adverse impacts for the visual amenity and landscape. It's a really significant amount of development

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in terms of the national policy statement and the suite of documents the applicant is under a duty to mitigate adverse impacts by applying good design principles. So on that basis, I submitted an alternative design. The alternative design is listed in chapter four, alternatives and design evolution section 4.9,

59:09

and in my view, I don't agree with the applicant's rationale for discounting the design for four key points were made.

59:20

I mean, basically the focus of the alternative design was to move panels away from Thompson Woods towards the bypass and take a common sense approach by putting panels alongside the road and protecting the ancient woodland and the amenity and the walks around Thorpe on The hill. So it's a common sense design

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and significantly did reduce some of those impacts, and it comes with the NPS principles. The reasons for discounting it by the applicant were the first one was a reduction of

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potential power of 175

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megawatts to 130

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megawatts

59:59

in.

1:00:00

And in my view, looking at the over planting ratio of 1.59

1:00:04

as was quoted yesterday, that that can be made up within the scheme, looking at other areas where panels could be cited, away from houses, but taking into account the benefits that are achieved by this proposed design that has been discounted because it does mitigate quite a lot of the

1:00:23

adverse effects of the development. The second reason for discounting it from the applicant was the alternative layout does not align with the design vision, which is to maximize renewable energy generation across the site. And in my view, that isn't a design vision. The design design the the design vision should be to bring forward a sustainable scheme that fits with a locality, not maximize energy, because that take discounts any sort of design issues, and it not in accordance with the the NPS. The third reason was some of the small area in the corner

1:01:00

of the proposal was outside the dcl and therefore could not be delivered at the time I submitted the design. This was at the consultation stage, so in my view, there shouldn't have been boundaries firmed up at that time. But notwithstanding that CPL CPO powers exist, it was only a small area of land outside the DCO. So I don't think this is a valid reason for rejection. And then fourthly, the access from the A 46

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the principle of the alternative design was to avoid traffic going into the village, which is already busy.

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The alternative scheme that I proposed could be delivered with access arrangements outside of the village, and not including the 846, so that's not a fundamental point. But in my view, the the alternative design did mitigate a number of issues that have been discussed over the over the last

1:01:53

meeting, you know, set of meetings and shouldn't be discounted. Where I was disappointed is the developer basically answered my submission through the documents that were submitted to this inquiry. So I had to find find them through all the documentation and proactive engagement would have been a lot better, because I think through talking and listening to the developer, we may be able to agree, you know, a better scheme than has been proposed. So really I'd like the revised scheme I did submit to be kept on the table, because I do think it does address some of the issues, and certainly with technology changing on the panels and potentially requiring less land, there is some really sensitive area around Thorpe on the Hill that shouldn't be in the scheme. Thank you. Thank you.

1:02:55

Mr. Peter, I'm conscious of the time we arrived at quarter past one, I'm going to suggest we take an adjournment, and then after the lunch adjournment, give the opportunity to the applicant to respond to the various comments that have been made by the councils and other interested parties,

1:03:16

and then we'll go on to look at some questions that I have got.

1:03:25

Gained conscious of time and the need for us to rise by five o'clock this evening.

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Are people comfortable that we resume at two o'clock, which is about 45 minutes,

1:03:40

certainly in the room we're getting nods, yep, so we'll adjourn then until two o'clock. Thank you. Bye.