

Pear tree Hill Solar Farm

Written Representation Summary

Albanwise Limited, Albanwise Synergy Limited, Albanwise Farming Limited and Field House Renewables Limited. (Reference: [REDACTED])

1. Albanwise Limited own land known as Field House Farm, which has the benefit of an implemented planning permission for a 40MW solar farm ('Field House Solar Farm') with a grid connection date of September 2027. This connection date is a hard date set by the DNO, Northern Powergrid. If Field House Solar Farm does not hit the progression milestones to make the connection date, then the grid connection would be put back to May 2033. That would thwart the investment case for proceeding to deliver Field House Solar Farm at a time when it is a national strategic priority to provide more renewable energy to the grid.
2. The resulting uncertainty is having dire consequences for the securing of investment in Field House Solar Farm and, as such, Albanwise respectfully requests that Change 9 be rejected in full.
3. RWE seeks *inter alia* temporary possession (TP) powers over Plot 2A-5. Whilst Plot 2A-5 only covers approximately 2% of the operational area of Field House Solar Farm, in terms of generation capacity it represents approximately 500kW of the project as a result of the number of solar arrays that would be effected. Of even greater concern is the fact that Plot 2A-5 includes the Field House Solar Farm substation. Plot 2A-5 is therefore critical to the construction and operation of Field House Solar Farm.
4. RWE are seeking TP powers over Plot 2A-5 for the purpose of creating a construction access. However, given that the oCTMP [REP4-031] states that access tracks will have a width of up to 4.5m (paragraph 3.3.4), the extent of Plot 2A-5, which is significant (14,509sqm / 3.6 acres) is wholly unjustifiable for that purpose. In Change 9, RWE has made no attempt to hone its design parameters so as to seek TP powers only over the amount of land that is *necessary* for the purpose of creating a temporary access. This is entirely contrary to the precept that the use of arbitrary powers, such as temporary possession powers, which interfere with human rights, must be proportionate and justifiable and fails to meet the statutory tests under s.122 of the PA 2008.
5. The only rationale given for seeking a new construction (Change 9) (save for there being a veteran tree and risk of utilities closing the road for repairs) to reduce the use of Meaux Lane – the original access which is being retained – is that this “*has some attraction given that it is a narrow route with existing weight restrictions in force*” [REP2-149, §9.1.3]. This does not even get close to meeting the statutory

tests which require necessity and a compelling case. It is not reasonable for RWE to seek to acquire compulsorily at this late stage Albanwise's land when the failure to meet the required tests is so pronounced and obvious from the start.

6. Furthermore, (as set out in detail in Albanwise's full WR) RWE has failed to robustly assess the impacts of its construction access proposals on the continued development of Field House Solar Farm and thus Albanwise's ability to meet its September 2027 grid connection deadline.
7. While proposed Requirement 16 indicates RWE's willingness to co-operate so as to minimise the impacts of the proposed development on Field House Solar Farm, it does not include binding commitments so as to provide Albanwise (or the project investors) with the certainty it needs that Field House Solar Farm will be able to proceed unhindered and be completed in time to meet its grid connection deadline.
8. The resulting uncertainty is having dire consequences for the securing of investment in Field House Solar Farm and, as such, Albanwise respectfully requests that Change 9 be rejected in full.