

Written Representations by Network Rail Infrastructure Limited in relation to The One Earth Solar Farm Order 202[*] (DCO)

Planning Inspectorate Reference Number: EN010159

Registration Identification Number: FEF440653

Applicant: One Earth Solar Farm Limited

Application: The One Earth Solar Farm Order 202*

Further to Network Rail Infrastructure Limited's (**Network Rail/NR**) relevant representation submitted on 15 May 2025, NR wishes to make this written representation in relation to One Earth Solar Farm Limited's (the **Promoter**) application (**Application**) for the above development consent order (**DCO**).

The draft DCO submitted with the Application includes provisions which would, if granted, authorise the Promoter to carry out works on, under and in close proximity to operational railway land in the control of Network Rail and to permanently acquire new rights over NR's freehold interests in such land, as well as extinguish, suspend and/or interfere with NR's rights over third party land and, at present, the draft DCO does not contain any protective provisions for the protection of the railways.

As set out in Network Rail's earlier relevant representation, the Book of Reference (document reference number 4.3) identifies the following plots of land over which Network Rail have rights, own or occupy. The relevant plots are as follows:

1. Freehold owner and Occupier in respect of the High Marnham Test Track - Permanent acquisition of new rights over 10083 square metres of disused railway, hardstanding, scrubland, copse (west of Ragnall Road) and National Cycle Route 647 (Plot 5-008);
2. Freehold owner and Occupier in respect of sub-soil in respect of subsoil beneath half width of public highway - Permanent acquisition of new rights 1378 square metres of access splays, bridge carrying public road and verges over hedgerows (Ragnall Road) and National Cycle Route 647(Plot 05-010);
3. Rights over third party land as stated in an Agreement dated 29 December 1959 – Permanent acquisition of new rights over 583093 square metres of scrubland, outbuildings, hardstanding, grassland, tanks, car park, copses, hedgerows, drains, access roads and overhead electricity cables (High Marnham Substation) (plot 05-011);
4. Freehold owner in respect of subsoil beneath half width of public highway and rights in respect of railway apparatus – Permanent acquisition of new rights over 309 square metres of bridge carrying public road over disused railway (High Marnham Test Track) (Crabtree Lane) (Plot 07-002);
5. Rights over third party land as stated in an Agreement dated 29 December 1959 - Permanent acquisition of new rights over – Permanent acquisition of new rights over 8883 square metres of private road, verges and copse (east of Fledborough Road) (Plot 07-015);
6. Rights over third party land as stated in an Agreement dated 29 December 1959 - Permanent acquisition of new rights over 2829 square metres of electricity substation, hardstanding, copse and overhead electricity cables (High Marnham Substation) (Plot 08-003);
7. Rights over third party land as stated in an Agreement dated 29 December 1959 - Permanent acquisition of new rights over 47380 square metres of electricity substation, outbuildings, hardstanding, access roads, tanks and overhead electricity cables (High Marnham Substation) Plot 08-004);

8. Rights over third party land as stated in an Agreement dated 29 December 1959 - Permanent acquisition of new rights over 16 square metres of hardstanding (High Marnham Substation) (Plot 08-005);
9. Rights over third party land as stated in an Agreement dated 29 December 1959 - Permanent acquisition of new rights over 241 square metres of hardstanding and access track (High Marnham Substation) (Plot 08-006);
10. Rights over third party land as stated in an Agreement dated 29 December 1959 - Permanent acquisition of new rights over 521 square metres of electricity substation, hardstanding, outbuildings and pylons and overhead electricity cables (High Marnham Substation) (Plot 08-007);
11. Rights over third party land as stated in an Agreement dated 29 December 1959 - Permanent acquisition of new rights over 1806 square metres of electricity substation, outbuildings, hardstanding, access road and overhead electricity cables (High Marnham Substation) (Plot 08-008);
12. Rights over third party land as stated in an Agreement dated 29 December 1959 - Permanent acquisition of new rights over 252 square metres of grassland (High Marnham Substation) (Plot 08-009); and
13. Rights over third party land as stated in an Agreement dated 05 June 2001 - Permanent acquisition of new rights over 12124 square metres of agricultural land, shrubbery and verges (Skellingthorpe Walk) and National Cycle Route 647 (Plot 14-019).

Together the **Plots**.

Network Rail continues to investigate the extent of the risk to its assets and is liaising with the Promoter in relation to any mitigation required and it is anticipated that this will continue during the examination process. In particular:

- Network Rail requires protective provisions to be included within the DCO to ensure that its interests are adequately protected and to ensure compliance with the relevant safety standards. The content and format of these protective provisions is contained within Appendix 1 of the NR's relevant representations submit on the 15 May 2025.
- Network Rail requires a private agreement to regulate the manner in which rights over railway property are to be granted and in which works are to be carried out in order to safeguard Network Rail's statutory undertaking. Engineers for Network Rail are continuing to review the extent of impacts on operational railway and Network Rail property and any mitigation required (including NR's review and prior approval of the design proposals for the parts of the DCO scheme which interface with the railway at detailed design and construction stages) will be considered in this agreement.
- The completion of the necessary deeds of easement and asset protection agreement to govern the construction, maintenance and, where appropriate, removal of the parts of the development proposed by the DCO which are located on or adjacent to operational railway land.
- Network Rail and the Promoter are in discussions about the effects of the DCO in general and will continue to liaise to address all outstanding matters.

Until satisfactory agreement has been reached with the Promoter on all matters to its satisfaction, Network Rail will not be in a position to withdraw its objection to the making of the DCO. Network Rail reserves the right to be heard at an appropriate hearing to explain in detail the impacts of the scheme on its operations.