



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	EN010159 - One Earth Solar Farm
Hearing:	Open Floor Hearing 3
Date:	06 November 2025

Please note: This document is intended to assist Interested Parties.

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The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

00:00:05:05 - 00:00:25:14

Good morning everyone. It's now 9:30 and it's time for this hearing to begin. I would like to welcome you all to this open floor hearing for the One Earth Solar Farm project. Can I just confirm that everyone can hear me clearly and. And by asking you to use the team's raise hand function.

00:00:28:03 - 00:00:37:28

Yeah, I'm seeing several hands there. Thank you. Can I also confirm with the case team that the recording and the live streaming has commenced?

00:00:39:00 - 00:00:40:02

It has.

00:00:40:14 - 00:00:56:11

Super. Thank you very much. My name is Edwin Maund. I'm a chartered town planner and planning inspector. I've been appointed by the Secretary of State to be the lead member of the panel to examine this application. I'll now ask the other panel member to introduce himself.

00:00:58:16 - 00:00:59:01

Thank you.

00:00:59:03 - 00:01:10:29

Good morning. My name is Alex Jack. I am a chartered transport planner and a planning inspector, and I've been appointed by the Secretary of State as a member of the panel of Examining inspectors to examine this application.

00:01:13:08 - 00:01:20:24

Thank you. Now, can I just clarify if there are any members of the press here today? Can they please declare themselves?

00:01:24:17 - 00:01:35:08

No. Okay. Thank you. So I'll just ask Mr. Jack to just go through some basic logistics of how we're going to conduct this hearing this morning.

00:01:36:28 - 00:02:12:05

Thank you. So I'll now explain a little about the agenda for this hearing, as well as some of the logistics and agenda has not been prepared for this hearing, because its purpose is to hear the representations of the interested parties who have registered to make oral representations, elaborating on their written representations to date, the order in which you will be invited to speak will follow the list provided to us by the case team, and is based upon the order in which the request to speak were received.

00:02:13:00 - 00:02:49:14

Today's hearing is being undertaken using virtually using Microsoft Teams. We will make sure that everyone is given a fair opportunity to participate. A recording of today's hearing will be made available on the One Earth Solar Farm Project section of the National Infrastructure Planning website,

as soon as practicable after the hearing has finished. With this in mind, please ensure that you speak clearly, stating your name and who you're representing each time before you speak.

00:02:52:06 - 00:03:17:27

A link to the Planning Inspectorate Privacy Notice was provided in the notification for this hearing. We assume that everybody here today has familiarized themselves with this document, which establishes how the personal data of our customers is handled in accordance with the principles set out in the data protection laws. Please contact the case team if you have any questions about this.

00:03:20:06 - 00:03:31:15

As the recordings are retained and published. They form a public records that can contain personal information to which the General Data Protection Regulation applies.

00:03:33:07 - 00:03:59:26

In order to minimize the risk of needing to adapt the recording, please ensure that you do not share personal data when making your representation this morning. If there is a need to refer to information, the parties that participants would otherwise wish to keep private and confidential, it should be in written form, which can be redacted before published on our hand. Back to Mr. Maund.

00:04:01:20 - 00:04:38:09

Thank you. As Mr. Jack has explained, this is the your opportunity to raise anything directly to the examining authority that is important and relevant and that you think we should know about and consider. Um, they're not about a particular topic or location. However, you'll be aware that, uh, it's not an opportunity to repeat what's already been said to us. There's no need to do that. We've read the submissions that you've made. Now, when we've created the agenda for this, we had a a significant number of people's registers to speak.

00:04:38:11 - 00:05:06:04

And so we proposed a limit of four minutes per person to give everyone the opportunity to speak. Now, um, as it happens, uh, we have far fewer actually in attendance today. So I just need to clarify, Mr. White. Are you there? Can I just clarify with you? Um, are you proposing to speak for seven people today?

00:05:09:13 - 00:05:40:04

Yes. Thank you sir. Uh, I do apologize for the, uh, this last minute change, uh, due to the constraints. Of course, that, uh, you had to put on the amount of time we need to speak. Uh, several people have given way, if you like to make sure. Some, uh, some some items that we've been prioritizing, uh, get talked about sufficiently. So I do plan to speak on behalf of multiple people. And if at the end, there is time for me to introduce what they want to say, uh, then if we could do that, that would be great as well.

00:05:40:27 - 00:06:12:27

Uh, I, I wouldn't be coming back to you. I want to give you one opportunity, so I need to understand how many people you're actually speaking for so that we can make sure that make sure that, uh, we're fair to everybody in terms of the time that we provide. So we have Mr. Radley in attendance, and I'm

told that you're speaking on his behalf. Is that correct? Correct. And and Mr. Coverdale? Uh, yes. Okay. So, um, if.

00:06:13:27 - 00:06:48:21

Yes, sorry, I was going to say. And Sheila and Jim Pumphrey. Yes, but I don't believe they're actually in attendance this morning. And so what I'm just trying to clarify, um, before we actually start so that everyone gets a fair chance, um, as to how many people you're actually speaking for who are here. Um, because obviously, if Mr. Radley and Mr. Coverdale are stepping aside and you're speaking on their behalf, then we have a little bit more flexibility for everybody.

00:06:49:07 - 00:07:24:15

Um, but I want to be fair to everyone. Um, so. Okay. So that's fine. Um. Totally understand. I could get them to connect, I think. Uh, uh, Sheila is ready to connect. Um, and I could I could allow an encoder to connect. Now, if that helps. I think some people are remotely watching or something, but I don't know. Yeah, they may well be watching via the live stream, but how do you if you're speaking on behalf of everyone, how long are you likely to take Mister White? Um, no.

00:07:24:17 - 00:07:57:08

I think originally they were talking about ten minutes, and I think I looked at what I'd like to say, and it may run into two separate items of around six minutes each, but it may be that's the worst case scenario. So 12 minutes or so, which okay. That's fine. That's helpful. Um, right. So on that basis, um, Mr. Fox, you you'd indicated that your, uh, A presentation is likely taken around five minutes. I think in light of what Mr. White said, that should actually not be a problem.

00:07:57:10 - 00:08:35:06

And I think if we're going to give you an extra minute, it would be fair to all those present that they should have the same opportunities, should they wish. So on that basis, if we can begin, uh, and I think that Mr. White, Mr. Fox, you're the first person on my list who's attending. So if we we start on the basis that everyone has five minutes. Um, and I'll pass over to you now, Mr. Fox, and we'll let you know when, um, the the timing started and we'll give you a warning when you have one minute left.

00:08:36:12 - 00:08:39:01

Thank you. Good morning.

00:08:41:01 - 00:09:17:25

Good morning. My name is Steven Fox and I'm a resident of North Clifton. I will be exercising my mandatory mandatory statutory right to address the procedural lawfulness of this examination, as required by the principles of natural justice and public law. Let the record reflect that my presence. This hearing is compulsory under statute and is therefore strictly under protest. My continued participation in the examination does not, and cannot constitute a waiver of my rights to challenge the systematic, procedural illegality that has.

00:09:20:00 - 00:09:46:09

Irreparably corrupted this process. As of today, the Secretary of State and the Government Legal Department have been served with a final legal mandate demanding the immediate suspension of the

examination. The failure to act constitutes an endorsement of the institutional misconduct. The integrity of the examination is destroyed by two conclusive, documented procedural failures.

00:09:48:09 - 00:10:23:17

The breach of natural justice and administrative firewall has been breached, leading to a structural conflict of interest. The examining authority has allowed the examination to proceed while being the explicit subject of a formal, documented complaint alleging bias and censorship. This constitutes an incurable breach of the rule of natural justice, namely in Kosovo. No one should be a judge in their own case. This fundamental defect renders the entire examination structurally incapable of impartial adjudication.

00:10:25:02 - 00:10:58:20

The act of unlawful censorship. Despite receiving my formal letter before action for judicial review. The examination authority chose to commit a further act of administrative misconduct on the 4th of November 2025. It unlawfully suppressed my formal allegation of apprehended bias report and heavily redacted my legal analysis detailing the applicant's [REDACTED] This is not a clerical error. This is a deliberate act of censorship and concealment of evidence from the public record and Secretary of State.

00:11:00:20 - 00:11:20:07

The applicant has already committed an abuse of process by failing to comply with the examination authority's own disclosure request. Two things x two regarding the missed the missing full suite of consultation documents. This confirms their [REDACTED] and material breach of section 49 Planning Act.

00:11:20:15 - 00:11:58:08

Mr. Fox, can I just pause? I'm sorry to interrupt. Um, I would ask you not to, uh, use the language that you're using where we've needed to, as you're aware, redact certain phrases and used because we cannot have those on the public record in an area that we publish. So I don't wish to hear that those phrases again, please. I would also ask you to focus your time this morning on the issues that are before the examination rather than your concerns about procedural matters.

00:11:58:10 - 00:12:10:25

The open floor hearing is about the examination and the issues before us that we are seeking to examine. So. And with that, I'll revert back to you. Thank you.

00:12:13:26 - 00:12:15:12

Okay. Um.

00:12:19:17 - 00:12:52:17

Well, I've only got a few things I have to say anyway. The examiners choice to allow this hearing to proceed, despite fixed knowledge of the structural bias and the censorship, is the final, unconscionable act required to secure the judicial review claim. This Constitution situation constitutes an act of compound illegality that actually creates two legal consequences for the Secretary of State. It guarantees that the Final Development Consent Order will be challenged as void and unlawful before the outset.

00:12:53:03 - 00:13:25:29

It demonstrates the institutional [REDACTED] on the part of the decision maker, which will be explicitly cited in the High Court to demand punitive costs and the application of [REDACTED]. Exceptional costs against the Secretary of State and the Planning Inspectorate for the protection of the Administrative Record, and to prevent the continuing waste of public resources on the process that is, by its own product, irrevocably corrupted. I reiterate the mandatory demand. The examination must be immediately suspended.

00:13:26:08 - 00:13:39:13

My full legal position, including the unredacted evidence of misconduct, is now fully before the government legal department and will be filed in the planning court without further notice. Thank you.

00:13:42:01 - 00:13:42:27

Thank you.

00:13:44:17 - 00:13:48:19

Okay, I'll go on to our next speaker. Uh, Mrs. Heather Fox.

00:14:03:09 - 00:14:03:25

Good morning.

00:14:05:05 - 00:14:06:01

Good morning, sir.

00:14:07:24 - 00:14:09:21

Would you like me to start now?

00:14:09:24 - 00:14:10:25

Yes. Please do.

00:14:12:02 - 00:14:52:11

Sir. Heather Fox, resident in North Clifton. I maintain the fire has been insufficiently addressed and underestimated in its consequence. I question the allocation of any or early allocation of a tolerance. And I believe it has been prematurely considered to have satisfied the exception test in the consultation report, April 2025. Appendices. J1 and J2 the EA's position. Quote is for a 600mm free board to be sought wherever possible, with 300mm accounting for model uncertainty and 300mm accounting for trap debris.

00:14:52:29 - 00:15:26:03

Although we accepted the approach to free board set out in the Miss team's meetings between EA and the applicant in February 2024, there is still a need to ensure adequate mitigation is in place to reduce the risk of flooding and damage to the solar panels, wherever 600mm is not achieved. The applicant's response. The approach to freeboard was further discussed with the EA and 300mm across the site was agreed, with some localized flooding to the base of the panels.

00:15:26:16 - 00:15:58:03

What ensued was the prospect of 45,000 panels being submerged by 300 to 600mm of floodwater, which have now had to be removed, or the angle changed. At issue two, the EA gave an explanation of tolerance, which makes the early allocations surprising. There is no standard tolerance as referred to by the applicant as a relatively standard model. Tolerance of plus or -five millimetres on any EA model.

00:15:58:19 - 00:16:31:16

The EA's response of it's much more nuanced than that does not align with the applicant statement, and given the scale and majority of flood zones two and three that this proposal encompasses. I would suggest, sir, that this is not a standard situation, given that all policies adopt the risk averse approach of no increase to have proposed a five millimetres tolerance sewn into so soon into discussion of the flood risk assessment would seem to have been incautious.

00:16:32:12 - 00:17:03:23

No policy has negligible, not significant, or within a tolerance as a written desired outcome. The core policy of the UK flood policy is that new development in flood risk areas must not increase flood risk elsewhere. In volume six as AWP stroke 6.21.2. The applicant states the area of design flood extent within the order limits has been used to determine the potential change in flood level.

00:17:03:29 - 00:17:46:28

The reality, however, is that the change in flood level would actually spread further than the order limits and would be less as a result. There appears to be no strategy to control where the spread would go, which, if not contained on site, negates the applicant's claim to have satisfied the exception test. Every factor that affects the flood plains capacity to store flood water is critical. The principle of volume displacement applies to all new Structures added above or below ground, not including the visible and underground elements of such large numbers of posts, mountain structures, fencing, cables, etc.

00:17:47:00 - 00:18:19:22

is ignoring a considerable amount of lost floodplain floodplain storage capacity. On the west side, the thousands of piles have the potential for interfering with groundwater flow, which in some areas is only 1 to 2.3 meters below ground level. Increases of 2.2 and 3.5mm have been indicated despite the mitigation measures. The inclusion of a five millimetres tolerance is contrary to the aim of all policy of no increase.

00:18:20:04 - 00:18:31:13

If a tolerance could be deemed to be visible, then it should be viewed cumulatively because of the interdependence of the hydrological and floodplain function. Thank you sir.

00:18:32:15 - 00:18:43:22

Thank you very much, Mr. Fox. Can I just clarify? You made a reference to an application document. I didn't quite catch the reference. If you could let me know what that was, please.

00:18:44:01 - 00:18:45:09

Which bit was that, sir?

00:18:45:18 - 00:18:51:22

You, uh, you made reference to an application document. You said app, and then I didn't.

00:18:52:03 - 00:18:56:22

It was a WP stroke 6.21.2.

00:18:59:22 - 00:19:08:12

So that's not the examination library reference. I'm just. Do you know the document title or just so that I know where I can.

00:19:08:22 - 00:19:16:17

Um, I think it's in. I think it's in, uh, it could be. Well, it's reference based in the logical flood assessment.

00:19:16:19 - 00:19:17:09

Yeah.

00:19:17:12 - 00:19:39:16

As well as if that isn't the logical one, then it's also referenced in the in the logical, because I didn't follow the logic of what they were saying, sir, because they said, uh, the reality, however, is that the change in flood level would actually spread further than your limits. Well, of course it would say, but they wouldn't have any control of where it was going.

00:19:40:12 - 00:19:49:14

No, no, I think I think you're right. It's part of the flood risk assessment. Um, and so that's helpful. Thank you very much.

00:19:51:03 - 00:19:52:00

Well thank you, sir.

00:19:52:12 - 00:20:14:22

Thank you. Okay, so my next speaker, Mr. White, if I can ask you and rather than, um, going backwards and forwards, if you can just, uh, speak in one go on behalf of yourself and the various of the parties. Um, and that's probably more straightforward. I would have thought.

00:20:16:08 - 00:20:47:05

Thank you, sir. I appreciate that very much. And so will the people behind us. Um, my name is David White, and as well as planning officer for the North Clifton, I'm representing over 98% of the villages of North and South Clifton through our action group. Thank you for the opportunity to speak today. I'm here on behalf of hundreds of local residents who feel strongly that their concerns should be formally on record and getting somewhere. This would this, by the way. Uh, I hope you can bear with me as I highlight some, uh, specific examples.

00:20:47:09 - 00:21:30:15

Many are very concerned about which are only just, uh, coming to light. The Environment Agency is responsible for protecting and improving the environment in England, including managing flood risks, ensuring spurs sustainable water resources, and regulating industries to prevent pollution. It operates under legislation such as the Environment Act, the Water Framework Directive and Environmental Protection Act, which collectively empower it to safeguard water quality and conserve biodiversity and promote sustainable development. Public confidence in the agency depends on its ability to act fairly, transparently and consistently, balancing environmental protection with the needs of communities, particularly small rural ones that are often most affected by environmental decisions.

00:21:30:17 - 00:22:03:10

The precautionary principle is a widely recognised environmental management concept embedded in EU and UK law and policy frameworks. Core idea, which is where there is scientific uncertainty about potential serious or irreversible environmental health impact. Regulators should take preventative action rather than wait for full scientific certainty. At present, there is a notable loss of trust among our rural communities. This undermines cooperation, fuels concern, and reduces the shared commitment needed to protect and manage the environment effectively.

00:22:03:12 - 00:22:51:03

Our community's objections to this application are a matter of public record, reflecting the desire to protect the landscapes and resources that are important to us. As we investigated further, we have identified areas where the environment agencies appear. Acts appear inconsistent with its statutory responsibilities. Plastic pollution phase and inverted fire risks are a vast part of our concerns fall under the responsibility of the AA, and our communities have every right to expect the to fill their statutory duties and precautionary principles, particularly when communities can see a clear pathway to future pollution we believe is highly likely to occur, including the permanent burial of cables, and we do not believe the Environment Agency are fulfilling their statutory duties.

00:22:51:05 - 00:23:27:04

And and recent articles relating to the EA might in many ways point to a lack of effectiveness. For instance, the year internal documents reveal staff shortages force major cuts to and agency water quality monitoring, and commuters impacted by pollution don't feel they're acting swiftly enough. Lincolnshire Council has warned EA lacks funding to protect from flooding. Um and EA is under-resourced and the relevance is funding and resource shortfalls hamper years ability to act, leaving local communities vulnerable.

00:23:27:16 - 00:23:59:00

toxic PFAS above proposed safety levels in almost all English waters tested analysis of the EPA data has found 117 monitored rivers lakes in England, 110 would fail the newly proposed safety standards that was reported in The Guardian. References. This suggests large scale environmental contamination and questions whether the EPA another boaters bodies bodies are adequately regulating PFAS monitoring for every chemicals found in 10,000 sites in England.

00:23:59:02 - 00:24:31:09

That was in the times. Communities living near such sites feel exposed, especially if monitoring and testing is limited and responsibilities are unclear. Investigation found the EAF contact Council 10,000

water quality tests over a three month period due to staff shortages in its main lab. Um the Environment Agency refused to be revealed direct as possible conflicts of interest that was published in The Guardian. Watchdogs and water bosses had dinner parties at private London club London Club.

00:24:31:11 - 00:25:01:12

That was also reported in The Guardian. There have been credible concerns raised about the potential conflicts of interest and vested interest involving environment, environment Agency directors and senior officials. Smoke screens called on Teresa Coffey, the then Environment secretary responsible for the oversight of the EA to investigate potential EA conflicts of interest. The Information Commissioner's Office ordered the EA to disclose interest forms for directors, not just board members.

00:25:01:27 - 00:25:33:14

Finally, they're not taking responsibility for infrastructure such as the flood gates in our village. They say they belong to Severn Trent. Even though we often see the agency maintaining and managing these gates, we're still looking into that. We took out freedom of Information requests on the EA, the Drinking Water Inspectorate and Defra on October the 10th. both the DWI and death. Very quickly wrote back and said they're not being involved in any discussions on meetings regarding this application. Considering the scale of this application.

00:25:33:16 - 00:26:09:16

This concerns our communities. We wrote to the EA in all good faith and tried to point them towards specifics regarding their discussions and meetings with the developers and other stakeholders. Disappointingly, it took almost four weeks to tell us they couldn't answer our FOI due to it being too broad. We will try again, but because we only got a reply two days ago, it's not possible for us to report anything. In summary, remember, many members of our communities have expressed serious concerns about the Environment Agency's ability to fulfill its statutory duties, particularly in light of reported job funding cuts, missed targets and ongoing pollution in local rivers.

00:26:09:18 - 00:26:49:13

Concerns over potential conflicts of interest among directors, as highlighted in The Guardian, further undermined trust. Given these issues, our communities have little confidence that the EA could adequately assess or manage the environmental risk posed by the first one Earth solar phone. Emerging pollutants, including PFAS and microplastics, remain inadequately monitored and in line with the precautionary principle. Developments of this scale should not only should only proceed when risks are fully understood and mitigated. On this basis, we strongly recommend that the planning Inspector advise the Secretary of State for energy to refuse this application, as reliance on the statutory regulator under current conditions cannot provide the necessary assurance to both the environment and local communities.

00:26:50:01 - 00:27:25:02

And we will send this in writing. And there's a link to all the news articles we've been talking about. Thank you. That's one of my submissions, if that's okay. Okay. Do you want to go on to your second one then? Thank you. Thank you I will do. Thank you. Um, we're looking at all this we're all so concerned about, uh, the representation from the fire brigade. Uh, when looking at this, we came

across multiple identical areas in multiple statements of common ground referencing unrelated project the Spring World Solar Farm development Consent Order when identifying statutory stakeholders.

00:27:25:04 - 00:28:00:09

For example, page 44 of the. On 0101598.2. Draft statement of common ground. Lincolnshire County Council including Lincolnshire Fire Brigade. It reads. Lincolnshire Fire and Rescue. Our statutory stakeholder defined for the Springvale Solar Farm Development Consent Order. They are responding. They are the responding rescue service covering the proposed development. Another draft statement of Common Ground with Nottinghamshire Fire Rescue reads Nottinghamshire Fire Rescue and statutory stakeholders defined for the spring Ball for Solar Farm Development Consent Order their responding fire and rescue cover.

00:28:00:11 - 00:28:30:13

In this proposed document, we found another statement for the National Highways which makes the same error. It seems likely that this is a copy and paste error. Probably. It probably re-used section from the statement of common ground for spring or solar farm. Forgot to update the project name. These repeated inaccuracies demonstrate a clear pattern of carelessness. There is serious concerns about whether statutory consultations have been properly carried out, and undermine confidence in the reliability of the submitted documents.

00:28:30:15 - 00:28:45:14

If the applicant cannot get the name of the development right in their own documents, it casts doubt on whether due diligence, diligence as being exercised in preparing this application. So one more very important one, if that's okay. Okay. Um,

00:28:47:03 - 00:29:30:07

uh, sorry. Again, my name is David White, and, well, a planning officer representing 98% of the north and south Clifton villages. This is about a linked NSP that not is not being considered while carrying out our own background research. Our local action group recently and quite accidentally, came across information linking the one solar farm with the proposed Anglian links. What Anglian water links reservoir? We were surprised and frankly concerned to find this out ourselves, as it appears this connection has not been clearly highlighted due to do the examination process? The one of solar farm sits across a designated drinking water protected area, which feeds directly into the River Trent, just 2.5 miles downstream.

00:29:30:16 - 00:30:08:16

Water from the same stretch of the Trent is planned to be transferred via the Fosdick and the river with them to supply the new Lynx Reservoir, located southeast of Sleaford. We would also like to note that a review of publicly available one of solar farm applications, such as news, shows no explicit reference to the Lynx reservoir or its extraction of water from the Fosdick River, Witham. In particular, chapter seven of Hydrology and Hydrogeology, appendix 7.4 to Framework Directive Screen Work Screening Assessments and chapter 18 of Cumulative Effects and appendix 18.1 long list of other developments.

00:30:09:04 - 00:30:48:07

And there is no entry for the Lynx Reservoir or comparable downstream water supply infrastructure. This absence suggests a potential cumulative and hydrological link between one of the solar farm and the Lynx reservoir has not been explicitly assessed or disclosed in the years. This is particularly concerning because Anglian Water are directly involved in both developments as a consulting and infrastructure partner for one of the solar farms, and as promoter of the Links reservoir scheme. Given that both project interact with the same water system and that one is situated in a drinking water protected area, while the other depends on the same source, it is surprising that this relationship has not been transparently addressed from the outset.

00:30:48:20 - 00:31:07:24

This is a real issue of potential pollution, whether from the construction and operation of one Earth solar farm itself, or, more seriously, an event of a large scale battery energy storage system fire, which could release toxic substance into the soil and watercourses feeding the River Trent. Such contamination could then travel downstream into the Foss Stack and with them.

00:31:10:26 - 00:31:11:20

Excuse me.

00:31:14:02 - 00:31:49:06

Ultimately impacting the proposed link to reservoir future supply. In our view, these factors clearly meet the threshold for consideration of cumulative and in combination effects under the Environment Impact Assessment Regulations, as well as the Environment Agency's own guidance for drinking water protected areas. We therefore respectfully ask the examining authority to seek clarification from both the Environment Agency and Anglian Water on this issue, and consider whether it would be appropriate to involve Defra and the Drinking Water Inspectorate, given their statutory responsibilities for drinking water and safety.

00:31:49:18 - 00:32:26:06

And finally, the situation serves as a more clear example of why large scale industrial development should not be permitted within a drinking important drinking Water Protected Area, an area that provides essential drinking water to many local communities and downstream users. The risk, both immediate and cumulative, are simply too significant to overlook. In addition to our action, group intends to write to our own MP attorney as well as Sir Edward Leigh MP and Doctor Caroline Johnson MP, whose constituency include the planned Lakes Reservoir. To raise our concerns about the lack of assessment of this downstream infrastructure and potential risk from the Warner Solar Farm development.

00:32:26:08 - 00:32:34:25

We believe that this awareness of this issue is important given the implication of public water and safety and local local communities. Thank you.

00:32:37:03 - 00:32:40:24

Thank you very much. And you made reference

00:32:42:20 - 00:32:45:27

to a number of Guardian articles. I think.

00:32:46:05 - 00:32:46:23

Before.

00:32:46:25 - 00:33:17:11

You send your submission in, it would be worth having a brief chat with the case team to make sure that when you do send, um, your submission in, if you were to do hyperlinks, they tend to get redacted. So it's just about how you share that with us. So if you have a chat with the case team, uh, after today, they'll be able to share with you the most appropriate way of doing that so that we get the information you wish to share with us. I'd be very happy to.

00:33:17:13 - 00:33:19:15

Thank you. Thank you very much.

00:33:21:15 - 00:33:26:01

Okay, so, uh, next speaker, um, Rebecca Walker.

00:33:31:06 - 00:33:48:14

Um, when I registered, I registered for myself and my husband. Therefore, could I request that I have longer than five minutes? I shouldn't need more than ten minutes. And I'm also speaking on behalf of the other people I've registered, which meant that our time was then shorter.

00:33:49:01 - 00:33:57:20

Sorry, I'm struggling to hear you. Mrs.. Well, is it possible you can turn up your or be closer to your microphone, perhaps?

00:33:58:15 - 00:34:00:14

Can you hear me now speak.

00:34:00:16 - 00:34:10:14

Yeah, it's quiet, but that's fine. If you're speaking on behalf of yourself and your husband, then that's fine. Who else are you saying that you're speaking on behalf of?

00:34:11:03 - 00:34:20:03

Um, I was raising some points for Tanya Russell as well, but she'd registered, but registered not to speak. I was going to speak on her behalf.

00:34:20:20 - 00:34:42:29

Okay, well, if you're able to do that in ten minutes, then that's fine, because I think we should have, uh, in terms of the people present. We only have now, Mr. Steele, after yourself. And because I think all other parties have been spoken for so that. That's fine. Um, so if you want to begin with what you want to tell us.

00:34:44:15 - 00:35:27:15

Uh. Good morning. My name is Rebecca Walker, resident of North Clifton. Thank you for letting me speak at the open floor hearing. I'm speaking on behalf of myself and my husband, Craig Walker, as

well as Tanya Russell. I would like to speak about the following subjects. Consultation with United Kingdom Health Security Agency UK HSA outline battery Safety Management Plan app 183 The Power Conversion Station units and the Water Framework Directive. So, starting with the consultation with Ukhsa, as stated in the Planning Act 2008, section 42, there is a requirement to consult with the prescribed consultees, with one of the consultees being the UK HSA.

00:35:27:26 - 00:36:03:21

We note the UK HSA were consulted with by the applicant, but we have been unable to find any documentation which the UK HSA have submitted and have only found the summary which has been done by the applicant, as detailed in ApoE 45 and App 161, where the UK HSA has concerns associated with EMF. We also note that the examining authority has asked the applicant about consultation with the UK HSA in PD 010. At the end of August this year, the UK HSA were asked to provide further comments on the battery energy storage system and associated infrastructure planning application at Navan Bay.

00:36:04:00 - 00:36:38:17

This additional consultation with the UK HSA was due to local community objections based on health concerns. Whilst we appreciate the nave and be best. Is a local planning authority scheme, even though it will be associated with a larger NSP solar scheme. We feel the points raised by the UK HSA are very important and will be relevant to the One Earth scheme, given the number of repeated concerns raised by the local communities of North and South Clifton. We therefore, respectfully asked the examining Authority to request for a further response from the UK HSA specifically about air quality assessment.

00:36:38:19 - 00:37:09:07

The long term public health risks with the decommissioning, noise, cumulative effects, fire safety and contamination risk to land and groundwater, especially as the best is planned to be constructed and operated on a protected drinking water site and sits adjacent to a reservoir and water treatment plant, and the PCC's units are being placed directly in flood zones two and three. Next, we have a couple of points on the outlined battery safety management plan whilst reviewing the documents for information relating to the Ukhsa.

00:37:09:13 - 00:37:42:24

We note in app 183, it discusses the potential for unplanned admissions on page 60 under C4. See .4.4.1. Results and conclusion. It states and I quote, as illustrated in figure 3.2 at the eastern best site in all emission rate scenarios, there are no sensitive receptors located within the area where the assessment level may be exceeded in 90% of meteorological conditions. Thus, it can be concluded that a fire at the eastern best site would not result in any significant adverse health effects.

00:37:43:04 - 00:38:20:24

We would respectfully question if this statement is accurate. Looking at looking on page 61, figure 3.2, which shows a plan with the impacts from unplanned emissions at East and West compound. It is clear from the picture there are sensitive receptors within the marked areas. These being Northfield Farm poultry houses, Northfield Farm Bungalow and the Anglian Water Water Treatment Plant. We also know that the modelling was done on three and six hours of fire, which we are sure is following

required guidance. But when we know there are many cases of best fires where they burn for a lot longer, the modelling appears to be rather limited and likely best case scenario.

00:38:21:06 - 00:38:53:19

We would also point out for accuracy, there is an error in app 183 with the labeling of figure 3.3 on page two. As it states, it's the eastern best compound, but we believe it's actually showing the West and best compound. Turning now to the power conversion station units. We have serious concerns about the combined risks of noise, flooding and contamination within a protected drinking water area. The applicant proposes six units up to six metres high, yet this height appears barely discussed in terms of mitigation.

00:38:53:25 - 00:39:27:07

Managing noise at that scale will be extremely difficult in a landscape that is flat, open and often windy, where sound carries easily. Visually, the problem is even greater the applicant's landscape and visual mitigation. Planting of mainly new native hedgerows is only expected to reach about 3 to 4m in height, and that could take 10 to 15 years to establish. So the six metre high peaks units in the flood zone areas on the east of the site will likely remain exposed for years, if not permanently harming the visual amenity of the whole area.

00:39:27:18 - 00:40:09:24

The applicant has said peaks units will likely be located alongside alongside access tracks, but those tracks sit close to residential properties on the eastern side of the scheme. That raises another question what happens once these are installed and the mitigation fails? Can the noise and visual impacts ever truly be reduced for residents, people using public rights of way or for drivers of the public roads? According to the design layout, there will be 92 peaks units, 16 in flood zone two and 76 in flood zone three, all within a drinking water catchment, both the solar panels and the PKS units contain toxic materials such as lead, mercury, cadmium, and PVC wiring.

00:40:09:26 - 00:40:41:04

In flood conditions, these substances could leach into the soil or flow into the river and contaminate an important water supply. There is also the fire risk pieces. Units are known to overheat and ignite, particularly in hot conditions or within inadequate maintenance. Once burning, they can release hazardous chemicals and continue drawing power from the wider system, effectively feeding the fire in a flood zone. That creates a dangerous scenario of toxic firewater spreading across the floodplain and contaminating the water supply.

00:40:41:07 - 00:41:20:17

We have not found any clear assessment of this within the applicant's documentation pieces. Units are mentioned briefly in the Outline Battery Safety Management Plan, but only in connection with the best compounds and not the numerous pieces units within the solar array areas. If the applicant can point to the document where this risk is properly addressed, that would help us understand how they intend to manage it. The site itself lies on the Mercia Mudstone group, a geology known to chemically attack concrete. Over decades, this could degrade the two metre deep plinths supporting the PCs units, releasing contaminants directly into the ground again within a protected water drinking water zone.

00:41:20:19 - 00:41:54:03

And finally, the combination of these plinths and the proposed perimeter fencing may alter natural flood water flows, potentially worsening local flooding and dispersing contaminants even more widely. In relation to the PXE units, we do not believe the applicant's mitigation claims match the physical reality of this site. The risk to water quality, flood safety, noise pollution, local amenity and visual impact remains substantial. Much stronger evidence based safeguards are needed before the project can be considered acceptable, and should not be left until the detailed design stage.

00:41:54:19 - 00:42:27:20

And finally, we wanted to speak about the Water Framework Directive in PD Zero. One. Zero. Question. 12 .0.6. The Examining Authority highlighted the statement from paragraph five point 16.4 of MPs n1, and I quote the Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good status or good potential, unless the requirements set out in regulation 19 are met whilst the applicant is provided.

00:42:27:22 - 00:43:03:10

Document rep 40186.21.2. Appendix 7.4. Stage one Water Framework Directive screening Assessment and states there will be no deterioration of a water body or failure to achieve good status or good potential. We would respectfully disagree. It is not possible to mitigate all the risks to meet this statement. The planning inspectors own NPS guidance explicitly requires sufficient certainty that no deterioration will occur and not a risk managed approach or deferred mitigation.

00:43:03:17 - 00:43:36:22

The One Earth Solar Project puts large amounts of electrical and battery equipment inside active flood zones and within a drinking water protected area that feeds into the River Trent. If those areas flood contaminated water and fire suppression, runoff from fires being treated from the best could reach the river and groundwater, which is exactly what the Water Framework Directive is designed to prevent. Regulation 19 only allows an exception if stopping that damage would be impossible or disproportionately costly.

00:43:36:24 - 00:44:06:15

And if the benefits clearly outweigh the harm here, that just isn't the case. The developer could easily avoid these risks, choosing an alternative, safer site because those legal tests aren't met. The Secretary of State is required by law to refuse consent under paragraph five point 16.4 of NPS one. The risk to our drinking water environment is too high and cannot be justified when there are alternative sites available that could provide the same, but without the risk. Thank you very much.

00:44:07:17 - 00:44:08:11

Thank you.

00:44:16:00 - 00:44:28:24

I don't think I have any questions, Mrs. Walker. Um, when you put your submission in, can you make sure that the various references you've quoted are there so that we can refer back? Thank you.

00:44:28:26 - 00:44:30:20

Yes. Oh, well, thank you very much, sir.

00:44:30:28 - 00:44:32:02

Thank you very much.

00:44:33:18 - 00:44:36:02

I come next to, uh, Barry.

00:44:36:04 - 00:44:36:23

Steele.

00:44:40:18 - 00:45:12:08

Morning, sir. Good morning everybody. My name is Parrish Steele. I'm representing myself as a resident of South Clifton. Uh, I think what I've got to say will take probably about one minute. Okay. Um. And it's in respect of lessons from history in terms of this country being able to feed itself in times of conflict and war. And sadly, such conflict is no more likely than any time since the Second World War.

00:45:13:02 - 00:45:44:18

And that's kind of evidence. But the country is to some extent now rearming and preparing for such a conflict like the Second World War. The UK remains heavily dependent on imports to feed itself. With estimates of such dependency sitting at 84% of fruit and 50% of vegetables requiring to be imported. Now, in the second war, we have the largest merchant fleet in the world.

00:45:45:00 - 00:45:53:05

That merchant fleet now stands at 26th in the world, relatively tiny to what it was in the second war.

00:45:54:29 - 00:46:31:10

Uh, No. Clearly, in the event of such a conflict, uh, having solar power would be very much an asset, but surely not at the expense of being able to feed ourselves when other solutions do exist. Uh, for example, offshore, where, uh, hybrid sites with, with wind power allows it to share the same electrical infrastructure connection to the grid. Uh, so my submission is to use arable land for this purpose has the potential to have very severe consequences of national survival.

00:46:31:12 - 00:46:43:18

And that sounds dramatic, but I do not think it truly is. When we look at history. Uh, and therefore politically reckless and short sighted. And that's my submission. So thank you.

00:46:44:16 - 00:46:46:00

Thank you very much, Mr. Steele.

00:46:49:02 - 00:47:02:09

Now, as far as I'm aware, everyone who's, uh, registered to speak has now spoken. So can I just check that there are no other parties who have not yet spoken? Who would wish to do so?

00:47:04:00 - 00:47:06:21

Anyone wish to raise their hand and let me know?

00:47:09:13 - 00:47:19:24

Mr. white, um, you've raised your hand, but you've obviously already spoken in some detail. Is this a point of clarification that you're wishing to?

00:47:22:06 - 00:47:53:02

Thank you, sir, if there is time and I understand what your, the time constraints you're working with, I would like to also, uh, put the submission in for Jane and Sheila Humphrey, but, um, I think there's somebody else put their hands up as well. Um, yeah. As I said at the beginning, I would give you the one opportunity and we've done that. So I think if you have other things to say on behalf of, uh, Jane and Sheila Pumphrey, if you can do that in writing, we'd would appreciate that.

00:47:53:04 - 00:48:01:16

Thank you. Okay, Mr. Fox, you've raised your hand. You've spoken already as well. Is there a this a point of clarification?

00:48:01:18 - 00:48:21:26

It is. I'd just like to say that I don't like being put in a position where I've had to take the steps that I have, and it is entirely down to the conduct of the developer or proposal. And anything I have said is entirely consistent with the law and the Companies Act and not the company. The Planning Act

00:48:23:12 - 00:48:29:28

redaction. I have said nothing that deserves redaction and that's my position.

00:48:31:06 - 00:48:34:13

Okay. Well, thank you for that clarification.

00:48:37:09 - 00:48:38:21

All right. Thank you, Mr. Ford.

00:48:40:12 - 00:48:58:13

Okay. So I think if there are no other interested parties, then I will just now turn to the applicant and see if there is anything you wish to say in response, you're not obliged to. But obviously you do have that opportunity. Should you wish.

00:49:02:01 - 00:49:34:04

My name is Richard Griffiths from Pincer Masons LLP. Uh, lawyers to the applicant. Um, if, uh, as you give us the opportunity to quickly respond, I will just cover a few points, if I may. Uh, as you've invited us to do so. Um, first of all, I'd say thank you to everyone who has made their points known this morning. It is, uh, all the points made at all open floor hearings have been very helpful. Um, I'll start in order, uh, with regarding Mr. Fox, we have seen the submissions by Mr.

00:49:34:06 - 00:50:11:21

Fox that the examining authority have published on the project website, and we will respond in writing to those at deadline five. But just to be clear, the applicant not only has responded to all questions raised on consultation by the examining authority, but we have also complied with our statutory duties under the Planning Act 2008. Both pre submission, post submission and during this

examination regarding Mrs. Fox's submission on hydrology and flood risk. Of course, we will be discussing flood risk and the fray at issue specific hearing three later this morning, and will respond to examining authority questions during that hearing.

00:50:11:23 - 00:50:48:12

But I would note that at deadline for the the Environment Agency confirmed that a five millimetres tolerance for this site is acceptable and that is not deemed to have an unacceptable increase. Regarding Mr. White, first of all, he would have got he referred to um, uh, pollution risk from, uh, Barry Cables and the bass, for example. Again, we've responded to the examining authority questions on these points and refer residents to our responses on these regarding the statement of common ground with Lincolnshire County Council and Nottinghamshire County Council.

00:50:48:14 - 00:51:19:26

There is an unfortunate typographical error that has been corrected, and in the statement of common ground that we have agreed with the two authorities that will be submitted at deadline five. Regarding the Lincolnshire Reservoir, this reservoir is outside the zone of influence for all topics under the EIA regulations, and as such does not fall within the long list of cumulative projects and the long and the list of projects was agreed, discussed and agreed with the host authorities. Regarding Mrs.

00:51:19:28 - 00:51:52:26

Walker, the Battery Fire Safety Management Plan is subject to requirement seven of schedule two of the Draft Development Consent Order, which means that plan in its final form, must be submitted to the local authority for approval, in consultation with the fire services and the EA. Regarding noise for the PCs units that are also subject to requirements and indeed all the topics that was raised by Mrs. Walker. Flood noise landscape. All the mitigation that we presented in the application are subject to the Development Consent Order requirements.

00:51:53:07 - 00:52:24:24

The WFD assessment that the applicant has carried out that has been agreed with the Environment Agency. And I would just say that no evidence has been presented here this morning to present any contrary evidence. Contrary position it's only been assertion whereas we have agreed at WFD with the Environment Agency. And finally, Mr. Steele on food security. Again, no evidence has been presented that the temporary loss of BMV would have any material impact on food security.

00:52:24:26 - 00:52:49:23

And that was a conclusion drawn not only by the examining authority in the recent Delbridge Development Consent Order report, but also the Secretary of State in his decision on granting that development consent order. Uh, that's a rattle through of the points razor that we've heard this morning. We will, of course, respond uh, Further in writing, where we consider it necessary to do so. Thank you.

00:52:50:18 - 00:53:00:00

Thank you very much. Uh, Mr. Fox, your hand is raised. Is that, um, a historic raised hand, or is there a final point that you wish to raise?

00:53:00:07 - 00:53:32:29

I just wanted to make the point on the 5.5mm tolerance. Um, it is actually 5.7, and there's a there's a calculation error in both the, the Environment Agency's use of the tolerance and that of the applicant. They've got to be added together. You cannot use them and say the boat, it's below um, five millimeters. Second point to that, I don't think that the, um, allowing of the tolerance in the first place is legitimate.

00:53:33:01 - 00:53:35:20

Uh, within within the all the regulations and the planning Act.

00:53:36:03 - 00:53:44:18

Okay. Well, I think I think that's how are you going to be able to attend the issue specific hearing that we will be commencing later that's.

00:53:44:24 - 00:53:45:14

That's all.

00:53:46:19 - 00:53:56:17

Okay. Well, hopefully we can get to those points during the issue specific hearing where I think they're more appropriately discussed. Well, I'm just responding.

00:53:56:19 - 00:53:57:04

Thank you.

00:53:57:06 - 00:54:09:19

Yeah. Okay. Thank you. Um, Mr. Griffith, is there anything you would wish to say, or are we going to be content to deal with that issue? Um, at the issue specific hearing later.

00:54:13:01 - 00:54:16:25

Flooding section of the issue. Specific hearing later this morning.

00:54:17:19 - 00:54:38:12

Okay. Thank you very much. Um, on that basis, then, I think we've heard from everyone, and I would wish to just thank everyone for their attendance and their contributions this morning. And, um, we'll close the hearing now it is 1025, and no doubt we'll see many of you later on. Thank you very much.

00:00:05:05 - 00:00:25:14

Good morning everyone. It's now 9:30 and it's time for this hearing to begin. I would like to welcome you all to this open floor hearing for the One Earth Solar Farm project. Can I just confirm that everyone can hear me clearly and. And by asking you to use the team's raise hand function.

00:00:28:03 - 00:00:37:28

Yeah, I'm seeing several hands there. Thank you. Can I also confirm with the case team that the recording and the live streaming has commenced?

00:00:39:00 - 00:00:40:02

It has.

00:00:40:14 - 00:00:56:11

Super. Thank you very much. My name is Edwin Maund. I'm a chartered town planner and planning inspector. I've been appointed by the Secretary of State to be the lead member of the panel to examine this application. I'll now ask the other panel member to introduce himself.

00:00:58:16 - 00:00:59:01

Thank you.

00:00:59:03 - 00:01:10:29

Good morning. My name is Alex Jack. I am a chartered transport planner and a planning inspector, and I've been appointed by the Secretary of State as a member of the panel of Examining inspectors to examine this application.

00:01:13:08 - 00:01:20:24

Thank you. Now, can I just clarify if there are any members of the press here today? Can they please declare themselves?

00:01:24:17 - 00:01:35:08

No. Okay. Thank you. So I'll just ask Mr. Jack to just go through some basic logistics of how we're going to conduct this hearing this morning.

00:01:36:28 - 00:02:12:05

Thank you. So I'll now explain a little about the agenda for this hearing, as well as some of the logistics and agenda has not been prepared for this hearing, because its purpose is to hear the representations of the interested parties who have registered to make oral representations, elaborating on their written representations to date, the order in which you will be invited to speak will follow the list provided to us by the case team, and is based upon the order in which the request to speak were received.

00:02:13:00 - 00:02:49:14

Today's hearing is being undertaken using virtually using Microsoft Teams. We will make sure that everyone is given a fair opportunity to participate. A recording of today's hearing will be made available on the One Earth Solar Farm Project section of the National Infrastructure Planning website,

as soon as practicable after the hearing has finished. With this in mind, please ensure that you speak clearly, stating your name and who you're representing each time before you speak.

00:02:52:06 - 00:03:17:27

A link to the Planning Inspectorate Privacy Notice was provided in the notification for this hearing. We assume that everybody here today has familiarized themselves with this document, which establishes how the personal data of our customers is handled in accordance with the principles set out in the data protection laws. Please contact the case team if you have any questions about this.

00:03:20:06 - 00:03:31:15

As the recordings are retained and published. They form a public records that can contain personal information to which the General Data Protection Regulation applies.

00:03:33:07 - 00:03:59:26

In order to minimize the risk of needing to adapt the recording, please ensure that you do not share personal data when making your representation this morning. If there is a need to refer to information, the parties that participants would otherwise wish to keep private and confidential, it should be in written form, which can be redacted before published on our hand. Back to Mr. Maund.

00:04:01:20 - 00:04:38:09

Thank you. As Mr. Jack has explained, this is the your opportunity to raise anything directly to the examining authority that is important and relevant and that you think we should know about and consider. Um, they're not about a particular topic or location. However, you'll be aware that, uh, it's not an opportunity to repeat what's already been said to us. There's no need to do that. We've read the submissions that you've made. Now, when we've created the agenda for this, we had a a significant number of people's registers to speak.

00:04:38:11 - 00:05:06:04

And so we proposed a limit of four minutes per person to give everyone the opportunity to speak. Now, um, as it happens, uh, we have far fewer actually in attendance today. So I just need to clarify, Mr. White. Are you there? Can I just clarify with you? Um, are you proposing to speak for seven people today?

00:05:09:13 - 00:05:40:04

Yes. Thank you sir. Uh, I do apologize for the, uh, this last minute change, uh, due to the constraints. Of course, that, uh, you had to put on the amount of time we need to speak. Uh, several people have given way, if you like to make sure. Some, uh, some some items that we've been prioritizing, uh, get talked about sufficiently. So I do plan to speak on behalf of multiple people. And if at the end, there is time for me to introduce what they want to say, uh, then if we could do that, that would be great as well.

00:05:40:27 - 00:06:12:27

Uh, I, I wouldn't be coming back to you. I want to give you one opportunity, so I need to understand how many people you're actually speaking for so that we can make sure that make sure that, uh, we're fair to everybody in terms of the time that we provide. So we have Mr. Radley in attendance, and I'm

told that you're speaking on his behalf. Is that correct? Correct. And and Mr. Coverdale? Uh, yes. Okay. So, um, if.

00:06:13:27 - 00:06:48:21

Yes, sorry, I was going to say. And Sheila and Jim Pumphrey. Yes, but I don't believe they're actually in attendance this morning. And so what I'm just trying to clarify, um, before we actually start so that everyone gets a fair chance, um, as to how many people you're actually speaking for who are here. Um, because obviously, if Mr. Radley and Mr. Coverdale are stepping aside and you're speaking on their behalf, then we have a little bit more flexibility for everybody.

00:06:49:07 - 00:07:24:15

Um, but I want to be fair to everyone. Um, so. Okay. So that's fine. Um. Totally understand. I could get them to connect, I think. Uh, uh, Sheila is ready to connect. Um, and I could I could allow an encoder to connect. Now, if that helps. I think some people are remotely watching or something, but I don't know. Yeah, they may well be watching via the live stream, but how do you if you're speaking on behalf of everyone, how long are you likely to take Mister White? Um, no.

00:07:24:17 - 00:07:57:08

I think originally they were talking about ten minutes, and I think I looked at what I'd like to say, and it may run into two separate items of around six minutes each, but it may be that's the worst case scenario. So 12 minutes or so, which okay. That's fine. That's helpful. Um, right. So on that basis, um, Mr. Fox, you you'd indicated that your, uh, A presentation is likely taken around five minutes. I think in light of what Mr. White said, that should actually not be a problem.

00:07:57:10 - 00:08:35:06

And I think if we're going to give you an extra minute, it would be fair to all those present that they should have the same opportunities, should they wish. So on that basis, if we can begin, uh, and I think that Mr. White, Mr. Fox, you're the first person on my list who's attending. So if we we start on the basis that everyone has five minutes. Um, and I'll pass over to you now, Mr. Fox, and we'll let you know when, um, the the timing started and we'll give you a warning when you have one minute left.

00:08:36:12 - 00:08:39:01

Thank you. Good morning.

00:08:41:01 - 00:09:17:25

Good morning. My name is Steven Fox and I'm a resident of North Clifton. I will be exercising my mandatory mandatory statutory right to address the procedural lawfulness of this examination, as required by the principles of natural justice and public law. Let the record reflect that my presence. This hearing is compulsory under statute and is therefore strictly under protest. My continued participation in the examination does not, and cannot constitute a waiver of my rights to challenge the systematic, procedural illegality that has.

00:09:20:00 - 00:09:46:09

Irreparably corrupted this process. As of today, the Secretary of State and the Government Legal Department have been served with a final legal mandate demanding the immediate suspension of the

examination. The failure to act constitutes an endorsement of the institutional misconduct. The integrity of the examination is destroyed by two conclusive, documented procedural failures.

00:09:48:09 - 00:10:23:17

The breach of natural justice and administrative firewall has been breached, leading to a structural conflict of interest. The examining authority has allowed the examination to proceed while being the explicit subject of a formal, documented complaint alleging bias and censorship. This constitutes an incurable breach of the rule of natural justice, namely in Kosovo. No one should be a judge in their own case. This fundamental defect renders the entire examination structurally incapable of impartial adjudication.

00:10:25:02 - 00:10:58:20

The act of unlawful censorship. Despite receiving my formal letter before action for judicial review. The examination authority chose to commit a further act of administrative misconduct on the 4th of November 2025. It unlawfully suppressed my formal allegation of apprehended bias report and heavily redacted my legal analysis detailing the applicant's [REDACTED] This is not a clerical error. This is a deliberate act of censorship and concealment of evidence from the public record and Secretary of State.

00:11:00:20 - 00:11:20:07

The applicant has already committed an abuse of process by failing to comply with the examination authority's own disclosure request. Two things x two regarding the missed the missing full suite of consultation documents. This confirms their [REDACTED] and material breach of section 49 Planning Act.

00:11:20:15 - 00:11:58:08

Mr. Fox, can I just pause? I'm sorry to interrupt. Um, I would ask you not to, uh, use the language that you're using where we've needed to, as you're aware, redact certain phrases and used because we cannot have those on the public record in an area that we publish. So I don't wish to hear that those phrases again, please. I would also ask you to focus your time this morning on the issues that are before the examination rather than your concerns about procedural matters.

00:11:58:10 - 00:12:10:25

The open floor hearing is about the examination and the issues before us that we are seeking to examine. So. And with that, I'll revert back to you. Thank you.

00:12:13:26 - 00:12:15:12

Okay. Um.

00:12:19:17 - 00:12:52:17

Well, I've only got a few things I have to say anyway. The examiners choice to allow this hearing to proceed, despite fixed knowledge of the structural bias and the censorship, is the final, unconscionable act required to secure the judicial review claim. This Constitution situation constitutes an act of compound illegality that actually creates two legal consequences for the Secretary of State. It guarantees that the Final Development Consent Order will be challenged as void and unlawful before the outset.

00:12:53:03 - 00:13:25:29

It demonstrates the institutional [REDACTED] on the part of the decision maker, which will be explicitly cited in the High Court to demand punitive costs and the application of [REDACTED]. Exceptional costs against the Secretary of State and the Planning Inspectorate for the protection of the Administrative Record, and to prevent the continuing waste of public resources on the process that is, by its own product, irrevocably corrupted. I reiterate the mandatory demand. The examination must be immediately suspended.

00:13:26:08 - 00:13:39:13

My full legal position, including the unredacted evidence of misconduct, is now fully before the government legal department and will be filed in the planning court without further notice. Thank you.

00:13:42:01 - 00:13:42:27

Thank you.

00:13:44:17 - 00:13:48:19

Okay, I'll go on to our next speaker. Uh, Mrs. Heather Fox.

00:14:03:09 - 00:14:03:25

Good morning.

00:14:05:05 - 00:14:06:01

Good morning, sir.

00:14:07:24 - 00:14:09:21

Would you like me to start now?

00:14:09:24 - 00:14:10:25

Yes. Please do.

00:14:12:02 - 00:14:52:11

Sir. Heather Fox, resident in North Clifton. I maintain the fire has been insufficiently addressed and underestimated in its consequence. I question the allocation of any or early allocation of a tolerance. And I believe it has been prematurely considered to have satisfied the exception test in the consultation report, April 2025. Appendices. J1 and J2 the EA's position. Quote is for a 600mm free board to be sought wherever possible, with 300mm accounting for model uncertainty and 300mm accounting for trap debris.

00:14:52:29 - 00:15:26:03

Although we accepted the approach to free board set out in the Miss team's meetings between EA and the applicant in February 2024, there is still a need to ensure adequate mitigation is in place to reduce the risk of flooding and damage to the solar panels, wherever 600mm is not achieved. The applicant's response. The approach to freeboard was further discussed with the EA and 300mm across the site was agreed, with some localized flooding to the base of the panels.

00:15:26:16 - 00:15:58:03

What ensued was the prospect of 45,000 panels being submerged by 300 to 600mm of floodwater, which have now had to be removed, or the angle changed. At issue two, the EA gave an explanation of tolerance, which makes the early allocations surprising. There is no standard tolerance as referred to by the applicant as a relatively standard model. Tolerance of plus or -five millimetres on any EA model.

00:15:58:19 - 00:16:31:16

The EA's response of it's much more nuanced than that does not align with the applicant statement, and given the scale and majority of flood zones two and three that this proposal encompasses. I would suggest, sir, that this is not a standard situation, given that all policies adopt the risk averse approach of no increase to have proposed a five millimetres tolerance sewn into so soon into discussion of the flood risk assessment would seem to have been incautious.

00:16:32:12 - 00:17:03:23

No policy has negligible, not significant, or within a tolerance as a written desired outcome. The core policy of the UK flood policy is that new development in flood risk areas must not increase flood risk elsewhere. In volume six as AWP stroke 6.21.2. The applicant states the area of design flood extent within the order limits has been used to determine the potential change in flood level.

00:17:03:29 - 00:17:46:28

The reality, however, is that the change in flood level would actually spread further than the order limits and would be less as a result. There appears to be no strategy to control where the spread would go, which, if not contained on site, negates the applicant's claim to have satisfied the exception test. Every factor that affects the flood plains capacity to store flood water is critical. The principle of volume displacement applies to all new Structures added above or below ground, not including the visible and underground elements of such large numbers of posts, mountain structures, fencing, cables, etc.

00:17:47:00 - 00:18:19:22

is ignoring a considerable amount of lost floodplain floodplain storage capacity. On the west side, the thousands of piles have the potential for interfering with groundwater flow, which in some areas is only 1 to 2.3 meters below ground level. Increases of 2.2 and 3.5mm have been indicated despite the mitigation measures. The inclusion of a five millimetres tolerance is contrary to the aim of all policy of no increase.

00:18:20:04 - 00:18:31:13

If a tolerance could be deemed to be visible, then it should be viewed cumulatively because of the interdependence of the hydrological and floodplain function. Thank you sir.

00:18:32:15 - 00:18:43:22

Thank you very much, Mr. Fox. Can I just clarify? You made a reference to an application document. I didn't quite catch the reference. If you could let me know what that was, please.

00:18:44:01 - 00:18:45:09

Which bit was that, sir?

00:18:45:18 - 00:18:51:22

You, uh, you made reference to an application document. You said app, and then I didn't.

00:18:52:03 - 00:18:56:22

It was a WP stroke 6.21.2.

00:18:59:22 - 00:19:08:12

So that's not the examination library reference. I'm just. Do you know the document title or just so that I know where I can.

00:19:08:22 - 00:19:16:17

Um, I think it's in. I think it's in, uh, it could be. Well, it's reference based in the logical flood assessment.

00:19:16:19 - 00:19:17:09

Yeah.

00:19:17:12 - 00:19:39:16

As well as if that isn't the logical one, then it's also referenced in the in the logical, because I didn't follow the logic of what they were saying, sir, because they said, uh, the reality, however, is that the change in flood level would actually spread further than your limits. Well, of course it would say, but they wouldn't have any control of where it was going.

00:19:40:12 - 00:19:49:14

No, no, I think I think you're right. It's part of the flood risk assessment. Um, and so that's helpful. Thank you very much.

00:19:51:03 - 00:19:52:00

Well thank you, sir.

00:19:52:12 - 00:20:14:22

Thank you. Okay, so my next speaker, Mr. White, if I can ask you and rather than, um, going backwards and forwards, if you can just, uh, speak in one go on behalf of yourself and the various of the parties. Um, and that's probably more straightforward. I would have thought.

00:20:16:08 - 00:20:47:05

Thank you, sir. I appreciate that very much. And so will the people behind us. Um, my name is David White, and as well as planning officer for the North Clifton, I'm representing over 98% of the villages of North and South Clifton through our action group. Thank you for the opportunity to speak today. I'm here on behalf of hundreds of local residents who feel strongly that their concerns should be formally on record and getting somewhere. This would this, by the way. Uh, I hope you can bear with me as I highlight some, uh, specific examples.

00:20:47:09 - 00:21:30:15

Many are very concerned about which are only just, uh, coming to light. The Environment Agency is responsible for protecting and improving the environment in England, including managing flood risks, ensuring spurs sustainable water resources, and regulating industries to prevent pollution. It operates under legislation such as the Environment Act, the Water Framework Directive and Environmental Protection Act, which collectively empower it to safeguard water quality and conserve biodiversity and promote sustainable development. Public confidence in the agency depends on its ability to act fairly, transparently and consistently, balancing environmental protection with the needs of communities, particularly small rural ones that are often most affected by environmental decisions.

00:21:30:17 - 00:22:03:10

The precautionary principle is a widely recognised environmental management concept embedded in EU and UK law and policy frameworks. Core idea, which is where there is scientific uncertainty about potential serious or irreversible environmental health impact. Regulators should take preventative action rather than wait for full scientific certainty. At present, there is a notable loss of trust among our rural communities. This undermines cooperation, fuels concern, and reduces the shared commitment needed to protect and manage the environment effectively.

00:22:03:12 - 00:22:51:03

Our community's objections to this application are a matter of public record, reflecting the desire to protect the landscapes and resources that are important to us. As we investigated further, we have identified areas where the environment agencies appear. Acts appear inconsistent with its statutory responsibilities. Plastic pollution phase and inverted fire risks are a vast part of our concerns fall under the responsibility of the AA, and our communities have every right to expect the to fill their statutory duties and precautionary principles, particularly when communities can see a clear pathway to future pollution we believe is highly likely to occur, including the permanent burial of cables, and we do not believe the Environment Agency are fulfilling their statutory duties.

00:22:51:05 - 00:23:27:04

And and recent articles relating to the EA might in many ways point to a lack of effectiveness. For instance, the year internal documents reveal staff shortages force major cuts to and agency water quality monitoring, and commuters impacted by pollution don't feel they're acting swiftly enough. Lincolnshire Council has warned EA lacks funding to protect from flooding. Um and EA is under-resourced and the relevance is funding and resource shortfalls hamper years ability to act, leaving local communities vulnerable.

00:23:27:16 - 00:23:59:00

toxic PFAS above proposed safety levels in almost all English waters tested analysis of the EPA data has found 117 monitored rivers lakes in England, 110 would fail the newly proposed safety standards that was reported in The Guardian. References. This suggests large scale environmental contamination and questions whether the EPA another boaters bodies bodies are adequately regulating PFAS monitoring for every chemicals found in 10,000 sites in England.

00:23:59:02 - 00:24:31:09

That was in the times. Communities living near such sites feel exposed, especially if monitoring and testing is limited and responsibilities are unclear. Investigation found the EAF contact Council 10,000

water quality tests over a three month period due to staff shortages in its main lab. Um the Environment Agency refused to be revealed direct as possible conflicts of interest that was published in The Guardian. Watchdogs and water bosses had dinner parties at private London club London Club.

00:24:31:11 - 00:25:01:12

That was also reported in The Guardian. There have been credible concerns raised about the potential conflicts of interest and vested interest involving environment, environment Agency directors and senior officials. Smoke screens called on Teresa Coffey, the then Environment secretary responsible for the oversight of the EA to investigate potential EA conflicts of interest. The Information Commissioner's Office ordered the EA to disclose interest forms for directors, not just board members.

00:25:01:27 - 00:25:33:14

Finally, they're not taking responsibility for infrastructure such as the flood gates in our village. They say they belong to Severn Trent. Even though we often see the agency maintaining and managing these gates, we're still looking into that. We took out freedom of Information requests on the EA, the Drinking Water Inspectorate and Defra on October the 10th. both the DWI and death. Very quickly wrote back and said they're not being involved in any discussions on meetings regarding this application. Considering the scale of this application.

00:25:33:16 - 00:26:09:16

This concerns our communities. We wrote to the EA in all good faith and tried to point them towards specifics regarding their discussions and meetings with the developers and other stakeholders. Disappointingly, it took almost four weeks to tell us they couldn't answer our FOI due to it being too broad. We will try again, but because we only got a reply two days ago, it's not possible for us to report anything. In summary, remember, many members of our communities have expressed serious concerns about the Environment Agency's ability to fulfill its statutory duties, particularly in light of reported job funding cuts, missed targets and ongoing pollution in local rivers.

00:26:09:18 - 00:26:49:13

Concerns over potential conflicts of interest among directors, as highlighted in The Guardian, further undermined trust. Given these issues, our communities have little confidence that the EA could adequately assess or manage the environmental risk posed by the first one Earth solar phone. Emerging pollutants, including PFAS and microplastics, remain inadequately monitored and in line with the precautionary principle. Developments of this scale should not only should only proceed when risks are fully understood and mitigated. On this basis, we strongly recommend that the planning Inspector advise the Secretary of State for energy to refuse this application, as reliance on the statutory regulator under current conditions cannot provide the necessary assurance to both the environment and local communities.

00:26:50:01 - 00:27:25:02

And we will send this in writing. And there's a link to all the news articles we've been talking about. Thank you. That's one of my submissions, if that's okay. Okay. Do you want to go on to your second one then? Thank you. Thank you I will do. Thank you. Um, we're looking at all this we're all so concerned about, uh, the representation from the fire brigade. Uh, when looking at this, we came

across multiple identical areas in multiple statements of common ground referencing unrelated project the Spring World Solar Farm development Consent Order when identifying statutory stakeholders.

00:27:25:04 - 00:28:00:09

For example, page 44 of the. On 0101598.2. Draft statement of common ground. Lincolnshire County Council including Lincolnshire Fire Brigade. It reads. Lincolnshire Fire and Rescue. Our statutory stakeholder defined for the Springvale Solar Farm Development Consent Order. They are responding. They are the responding rescue service covering the proposed development. Another draft statement of Common Ground with Nottinghamshire Fire Rescue reads Nottinghamshire Fire Rescue and statutory stakeholders defined for the spring Ball for Solar Farm Development Consent Order their responding fire and rescue cover.

00:28:00:11 - 00:28:30:13

In this proposed document, we found another statement for the National Highways which makes the same error. It seems likely that this is a copy and paste error. Probably. It probably re-used section from the statement of common ground for spring or solar farm. Forgot to update the project name. These repeated inaccuracies demonstrate a clear pattern of carelessness. There is serious concerns about whether statutory consultations have been properly carried out, and undermine confidence in the reliability of the submitted documents.

00:28:30:15 - 00:28:45:14

If the applicant cannot get the name of the development right in their own documents, it casts doubt on whether due diligence, diligence as being exercised in preparing this application. So one more very important one, if that's okay. Okay. Um,

00:28:47:03 - 00:29:30:07

uh, sorry. Again, my name is David White, and, well, a planning officer representing 98% of the north and south Clifton villages. This is about a linked NSP that not is not being considered while carrying out our own background research. Our local action group recently and quite accidentally, came across information linking the one solar farm with the proposed Anglian links. What Anglian water links reservoir? We were surprised and frankly concerned to find this out ourselves, as it appears this connection has not been clearly highlighted due to do the examination process? The one of solar farm sits across a designated drinking water protected area, which feeds directly into the River Trent, just 2.5 miles downstream.

00:29:30:16 - 00:30:08:16

Water from the same stretch of the Trent is planned to be transferred via the Fosdick and the river with them to supply the new Lynx Reservoir, located southeast of Sleaford. We would also like to note that a review of publicly available one of solar farm applications, such as news, shows no explicit reference to the Lynx reservoir or its extraction of water from the Fosdick River, Witham. In particular, chapter seven of Hydrology and Hydrogeology, appendix 7.4 to Framework Directive Screen Work Screening Assessments and chapter 18 of Cumulative Effects and appendix 18.1 long list of other developments.

00:30:09:04 - 00:30:48:07

And there is no entry for the Lynx Reservoir or comparable downstream water supply infrastructure. This absence suggests a potential cumulative and hydrological link between one of the solar farm and the Lynx reservoir has not been explicitly assessed or disclosed in the years. This is particularly concerning because Anglian Water are directly involved in both developments as a consulting and infrastructure partner for one of the solar farms, and as promoter of the Links reservoir scheme. Given that both project interact with the same water system and that one is situated in a drinking water protected area, while the other depends on the same source, it is surprising that this relationship has not been transparently addressed from the outset.

00:30:48:20 - 00:31:07:24

This is a real issue of potential pollution, whether from the construction and operation of one Earth solar farm itself, or, more seriously, an event of a large scale battery energy storage system fire, which could release toxic substance into the soil and watercourses feeding the River Trent. Such contamination could then travel downstream into the Foss Stack and with them.

00:31:10:26 - 00:31:11:20

Excuse me.

00:31:14:02 - 00:31:49:06

Ultimately impacting the proposed link to reservoir future supply. In our view, these factors clearly meet the threshold for consideration of cumulative and in combination effects under the Environment Impact Assessment Regulations, as well as the Environment Agency's own guidance for drinking water protected areas. We therefore respectfully ask the examining authority to seek clarification from both the Environment Agency and Anglian Water on this issue, and consider whether it would be appropriate to involve Defra and the Drinking Water Inspectorate, given their statutory responsibilities for drinking water and safety.

00:31:49:18 - 00:32:26:06

And finally, the situation serves as a more clear example of why large scale industrial development should not be permitted within a drinking important drinking Water Protected Area, an area that provides essential drinking water to many local communities and downstream users. The risk, both immediate and cumulative, are simply too significant to overlook. In addition to our action, group intends to write to our own MP attorney as well as Sir Edward Leigh MP and Doctor Caroline Johnson MP, whose constituency include the planned Lakes Reservoir. To raise our concerns about the lack of assessment of this downstream infrastructure and potential risk from the Warner Solar Farm development.

00:32:26:08 - 00:32:34:25

We believe that this awareness of this issue is important given the implication of public water and safety and local local communities. Thank you.

00:32:37:03 - 00:32:40:24

Thank you very much. And you made reference

00:32:42:20 - 00:32:45:27

to a number of Guardian articles. I think.

00:32:46:05 - 00:32:46:23

Before.

00:32:46:25 - 00:33:17:11

You send your submission in, it would be worth having a brief chat with the case team to make sure that when you do send, um, your submission in, if you were to do hyperlinks, they tend to get redacted. So it's just about how you share that with us. So if you have a chat with the case team, uh, after today, they'll be able to share with you the most appropriate way of doing that so that we get the information you wish to share with us. I'd be very happy to.

00:33:17:13 - 00:33:19:15

Thank you. Thank you very much.

00:33:21:15 - 00:33:26:01

Okay, so, uh, next speaker, um, Rebecca Walker.

00:33:31:06 - 00:33:48:14

Um, when I registered, I registered for myself and my husband. Therefore, could I request that I have longer than five minutes? I shouldn't need more than ten minutes. And I'm also speaking on behalf of the other people I've registered, which meant that our time was then shorter.

00:33:49:01 - 00:33:57:20

Sorry, I'm struggling to hear you. Mrs.. Well, is it possible you can turn up your or be closer to your microphone, perhaps?

00:33:58:15 - 00:34:00:14

Can you hear me now speak.

00:34:00:16 - 00:34:10:14

Yeah, it's quiet, but that's fine. If you're speaking on behalf of yourself and your husband, then that's fine. Who else are you saying that you're speaking on behalf of?

00:34:11:03 - 00:34:20:03

Um, I was raising some points for Tanya Russell as well, but she'd registered, but registered not to speak. I was going to speak on her behalf.

00:34:20:20 - 00:34:42:29

Okay, well, if you're able to do that in ten minutes, then that's fine, because I think we should have, uh, in terms of the people present. We only have now, Mr. Steele, after yourself. And because I think all other parties have been spoken for so that. That's fine. Um, so if you want to begin with what you want to tell us.

00:34:44:15 - 00:35:27:15

Uh. Good morning. My name is Rebecca Walker, resident of North Clifton. Thank you for letting me speak at the open floor hearing. I'm speaking on behalf of myself and my husband, Craig Walker, as

well as Tanya Russell. I would like to speak about the following subjects. Consultation with United Kingdom Health Security Agency UK HSA outline battery Safety Management Plan app 183 The Power Conversion Station units and the Water Framework Directive. So, starting with the consultation with Ukhsa, as stated in the Planning Act 2008, section 42, there is a requirement to consult with the prescribed consultees, with one of the consultees being the UK HSA.

00:35:27:26 - 00:36:03:21

We note the UK HSA were consulted with by the applicant, but we have been unable to find any documentation which the UK HSA have submitted and have only found the summary which has been done by the applicant, as detailed in ApoE 45 and App 161, where the UK HSA has concerns associated with EMF. We also note that the examining authority has asked the applicant about consultation with the UK HSA in PD 010. At the end of August this year, the UK HSA were asked to provide further comments on the battery energy storage system and associated infrastructure planning application at Navan Bay.

00:36:04:00 - 00:36:38:17

This additional consultation with the UK HSA was due to local community objections based on health concerns. Whilst we appreciate the nave and be best. Is a local planning authority scheme, even though it will be associated with a larger NSP solar scheme. We feel the points raised by the UK HSA are very important and will be relevant to the One Earth scheme, given the number of repeated concerns raised by the local communities of North and South Clifton. We therefore, respectfully asked the examining Authority to request for a further response from the UK HSA specifically about air quality assessment.

00:36:38:19 - 00:37:09:07

The long term public health risks with the decommissioning, noise, cumulative effects, fire safety and contamination risk to land and groundwater, especially as the best is planned to be constructed and operated on a protected drinking water site and sits adjacent to a reservoir and water treatment plant, and the PCC's units are being placed directly in flood zones two and three. Next, we have a couple of points on the outlined battery safety management plan whilst reviewing the documents for information relating to the Ukhsa.

00:37:09:13 - 00:37:42:24

We note in app 183, it discusses the potential for unplanned admissions on page 60 under C4. See .4.4.1. Results and conclusion. It states and I quote, as illustrated in figure 3.2 at the eastern best site in all emission rate scenarios, there are no sensitive receptors located within the area where the assessment level may be exceeded in 90% of meteorological conditions. Thus, it can be concluded that a fire at the eastern best site would not result in any significant adverse health effects.

00:37:43:04 - 00:38:20:24

We would respectfully question if this statement is accurate. Looking at looking on page 61, figure 3.2, which shows a plan with the impacts from unplanned emissions at East and West compound. It is clear from the picture there are sensitive receptors within the marked areas. These being Northfield Farm poultry houses, Northfield Farm Bungalow and the Anglian Water Water Treatment Plant. We also know that the modelling was done on three and six hours of fire, which we are sure is following

required guidance. But when we know there are many cases of best fires where they burn for a lot longer, the modelling appears to be rather limited and likely best case scenario.

00:38:21:06 - 00:38:53:19

We would also point out for accuracy, there is an error in app 183 with the labeling of figure 3.3 on page two. As it states, it's the eastern best compound, but we believe it's actually showing the West and best compound. Turning now to the power conversion station units. We have serious concerns about the combined risks of noise, flooding and contamination within a protected drinking water area. The applicant proposes six units up to six metres high, yet this height appears barely discussed in terms of mitigation.

00:38:53:25 - 00:39:27:07

Managing noise at that scale will be extremely difficult in a landscape that is flat, open and often windy, where sound carries easily. Visually, the problem is even greater the applicant's landscape and visual mitigation. Planting of mainly new native hedgerows is only expected to reach about 3 to 4m in height, and that could take 10 to 15 years to establish. So the six metre high peaks units in the flood zone areas on the east of the site will likely remain exposed for years, if not permanently harming the visual amenity of the whole area.

00:39:27:18 - 00:40:09:24

The applicant has said peaks units will likely be located alongside alongside access tracks, but those tracks sit close to residential properties on the eastern side of the scheme. That raises another question what happens once these are installed and the mitigation fails? Can the noise and visual impacts ever truly be reduced for residents, people using public rights of way or for drivers of the public roads? According to the design layout, there will be 92 peaks units, 16 in flood zone two and 76 in flood zone three, all within a drinking water catchment, both the solar panels and the PKS units contain toxic materials such as lead, mercury, cadmium, and PVC wiring.

00:40:09:26 - 00:40:41:04

In flood conditions, these substances could leach into the soil or flow into the river and contaminate an important water supply. There is also the fire risk pieces. Units are known to overheat and ignite, particularly in hot conditions or within inadequate maintenance. Once burning, they can release hazardous chemicals and continue drawing power from the wider system, effectively feeding the fire in a flood zone. That creates a dangerous scenario of toxic firewater spreading across the floodplain and contaminating the water supply.

00:40:41:07 - 00:41:20:17

We have not found any clear assessment of this within the applicant's documentation pieces. Units are mentioned briefly in the Outline Battery Safety Management Plan, but only in connection with the best compounds and not the numerous pieces units within the solar array areas. If the applicant can point to the document where this risk is properly addressed, that would help us understand how they intend to manage it. The site itself lies on the Mercia Mudstone group, a geology known to chemically attack concrete. Over decades, this could degrade the two metre deep plinths supporting the PCs units, releasing contaminants directly into the ground again within a protected water drinking water zone.

00:41:20:19 - 00:41:54:03

And finally, the combination of these plinths and the proposed perimeter fencing may alter natural flood water flows, potentially worsening local flooding and dispersing contaminants even more widely. In relation to the PXE units, we do not believe the applicant's mitigation claims match the physical reality of this site. The risk to water quality, flood safety, noise pollution, local amenity and visual impact remains substantial. Much stronger evidence based safeguards are needed before the project can be considered acceptable, and should not be left until the detailed design stage.

00:41:54:19 - 00:42:27:20

And finally, we wanted to speak about the Water Framework Directive in PD Zero. One. Zero. Question. 12 .0.6. The Examining Authority highlighted the statement from paragraph five point 16.4 of MPs n1, and I quote the Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good status or good potential, unless the requirements set out in regulation 19 are met whilst the applicant is provided.

00:42:27:22 - 00:43:03:10

Document rep 40186.21.2. Appendix 7.4. Stage one Water Framework Directive screening Assessment and states there will be no deterioration of a water body or failure to achieve good status or good potential. We would respectfully disagree. It is not possible to mitigate all the risks to meet this statement. The planning inspectors own NPS guidance explicitly requires sufficient certainty that no deterioration will occur and not a risk managed approach or deferred mitigation.

00:43:03:17 - 00:43:36:22

The One Earth Solar Project puts large amounts of electrical and battery equipment inside active flood zones and within a drinking water protected area that feeds into the River Trent. If those areas flood contaminated water and fire suppression, runoff from fires being treated from the best could reach the river and groundwater, which is exactly what the Water Framework Directive is designed to prevent. Regulation 19 only allows an exception if stopping that damage would be impossible or disproportionately costly.

00:43:36:24 - 00:44:06:15

And if the benefits clearly outweigh the harm here, that just isn't the case. The developer could easily avoid these risks, choosing an alternative, safer site because those legal tests aren't met. The Secretary of State is required by law to refuse consent under paragraph five point 16.4 of NPS one. The risk to our drinking water environment is too high and cannot be justified when there are alternative sites available that could provide the same, but without the risk. Thank you very much.

00:44:07:17 - 00:44:08:11

Thank you.

00:44:16:00 - 00:44:28:24

I don't think I have any questions, Mrs. Walker. Um, when you put your submission in, can you make sure that the various references you've quoted are there so that we can refer back? Thank you.

00:44:28:26 - 00:44:30:20

Yes. Oh, well, thank you very much, sir.

00:44:30:28 - 00:44:32:02

Thank you very much.

00:44:33:18 - 00:44:36:02

I come next to, uh, Barry.

00:44:36:04 - 00:44:36:23

Steele.

00:44:40:18 - 00:45:12:08

Morning, sir. Good morning everybody. My name is Parrish Steele. I'm representing myself as a resident of South Clifton. Uh, I think what I've got to say will take probably about one minute. Okay. Um. And it's in respect of lessons from history in terms of this country being able to feed itself in times of conflict and war. And sadly, such conflict is no more likely than any time since the Second World War.

00:45:13:02 - 00:45:44:18

And that's kind of evidence. But the country is to some extent now rearming and preparing for such a conflict like the Second World War. The UK remains heavily dependent on imports to feed itself. With estimates of such dependency sitting at 84% of fruit and 50% of vegetables requiring to be imported. Now, in the second war, we have the largest merchant fleet in the world.

00:45:45:00 - 00:45:53:05

That merchant fleet now stands at 26th in the world, relatively tiny to what it was in the second war.

00:45:54:29 - 00:46:31:10

Uh, No. Clearly, in the event of such a conflict, uh, having solar power would be very much an asset, but surely not at the expense of being able to feed ourselves when other solutions do exist. Uh, for example, offshore, where, uh, hybrid sites with, with wind power allows it to share the same electrical infrastructure connection to the grid. Uh, so my submission is to use arable land for this purpose has the potential to have very severe consequences of national survival.

00:46:31:12 - 00:46:43:18

And that sounds dramatic, but I do not think it truly is. When we look at history. Uh, and therefore politically reckless and short sighted. And that's my submission. So thank you.

00:46:44:16 - 00:46:46:00

Thank you very much, Mr. Steele.

00:46:49:02 - 00:47:02:09

Now, as far as I'm aware, everyone who's, uh, registered to speak has now spoken. So can I just check that there are no other parties who have not yet spoken? Who would wish to do so?

00:47:04:00 - 00:47:06:21

Anyone wish to raise their hand and let me know?

00:47:09:13 - 00:47:19:24

Mr. white, um, you've raised your hand, but you've obviously already spoken in some detail. Is this a point of clarification that you're wishing to?

00:47:22:06 - 00:47:53:02

Thank you, sir, if there is time and I understand what your, the time constraints you're working with, I would like to also, uh, put the submission in for Jane and Sheila Humphrey, but, um, I think there's somebody else put their hands up as well. Um, yeah. As I said at the beginning, I would give you the one opportunity and we've done that. So I think if you have other things to say on behalf of, uh, Jane and Sheila Pumphrey, if you can do that in writing, we'd would appreciate that.

00:47:53:04 - 00:48:01:16

Thank you. Okay, Mr. Fox, you've raised your hand. You've spoken already as well. Is there a this a point of clarification?

00:48:01:18 - 00:48:21:26

It is. I'd just like to say that I don't like being put in a position where I've had to take the steps that I have, and it is entirely down to the conduct of the developer or proposal. And anything I have said is entirely consistent with the law and the Companies Act and not the company. The Planning Act

00:48:23:12 - 00:48:29:28

redaction. I have said nothing that deserves redaction and that's my position.

00:48:31:06 - 00:48:34:13

Okay. Well, thank you for that clarification.

00:48:37:09 - 00:48:38:21

All right. Thank you, Mr. Ford.

00:48:40:12 - 00:48:58:13

Okay. So I think if there are no other interested parties, then I will just now turn to the applicant and see if there is anything you wish to say in response, you're not obliged to. But obviously you do have that opportunity. Should you wish.

00:49:02:01 - 00:49:34:04

My name is Richard Griffiths from Pincer Masons LLP. Uh, lawyers to the applicant. Um, if, uh, as you give us the opportunity to quickly respond, I will just cover a few points, if I may. Uh, as you've invited us to do so. Um, first of all, I'd say thank you to everyone who has made their points known this morning. It is, uh, all the points made at all open floor hearings have been very helpful. Um, I'll start in order, uh, with regarding Mr. Fox, we have seen the submissions by Mr.

00:49:34:06 - 00:50:11:21

Fox that the examining authority have published on the project website, and we will respond in writing to those at deadline five. But just to be clear, the applicant not only has responded to all questions raised on consultation by the examining authority, but we have also complied with our statutory duties under the Planning Act 2008. Both pre submission, post submission and during this

examination regarding Mrs. Fox's submission on hydrology and flood risk. Of course, we will be discussing flood risk and the fray at issue specific hearing three later this morning, and will respond to examining authority questions during that hearing.

00:50:11:23 - 00:50:48:12

But I would note that at deadline for the the Environment Agency confirmed that a five millimetres tolerance for this site is acceptable and that is not deemed to have an unacceptable increase. Regarding Mr. White, first of all, he would have got he referred to um, uh, pollution risk from, uh, Barry Cables and the bass, for example. Again, we've responded to the examining authority questions on these points and refer residents to our responses on these regarding the statement of common ground with Lincolnshire County Council and Nottinghamshire County Council.

00:50:48:14 - 00:51:19:26

There is an unfortunate typographical error that has been corrected, and in the statement of common ground that we have agreed with the two authorities that will be submitted at deadline five. Regarding the Lincolnshire Reservoir, this reservoir is outside the zone of influence for all topics under the EIA regulations, and as such does not fall within the long list of cumulative projects and the long and the list of projects was agreed, discussed and agreed with the host authorities. Regarding Mrs.

00:51:19:28 - 00:51:52:26

Walker, the Battery Fire Safety Management Plan is subject to requirement seven of schedule two of the Draft Development Consent Order, which means that plan in its final form, must be submitted to the local authority for approval, in consultation with the fire services and the EA. Regarding noise for the PCs units that are also subject to requirements and indeed all the topics that was raised by Mrs. Walker. Flood noise landscape. All the mitigation that we presented in the application are subject to the Development Consent Order requirements.

00:51:53:07 - 00:52:24:24

The WFD assessment that the applicant has carried out that has been agreed with the Environment Agency. And I would just say that no evidence has been presented here this morning to present any contrary evidence. Contrary position it's only been assertion whereas we have agreed at WFD with the Environment Agency. And finally, Mr. Steele on food security. Again, no evidence has been presented that the temporary loss of BMV would have any material impact on food security.

00:52:24:26 - 00:52:49:23

And that was a conclusion drawn not only by the examining authority in the recent Delbridge Development Consent Order report, but also the Secretary of State in his decision on granting that development consent order. Uh, that's a rattle through of the points razor that we've heard this morning. We will, of course, respond uh, Further in writing, where we consider it necessary to do so. Thank you.

00:52:50:18 - 00:53:00:00

Thank you very much. Uh, Mr. Fox, your hand is raised. Is that, um, a historic raised hand, or is there a final point that you wish to raise?

00:53:00:07 - 00:53:32:29

I just wanted to make the point on the 5.5mm tolerance. Um, it is actually 5.7, and there's a there's a calculation error in both the, the Environment Agency's use of the tolerance and that of the applicant. They've got to be added together. You cannot use them and say the boat, it's below um, five millimeters. Second point to that, I don't think that the, um, allowing of the tolerance in the first place is legitimate.

00:53:33:01 - 00:53:35:20

Uh, within within the all the regulations and the planning Act.

00:53:36:03 - 00:53:44:18

Okay. Well, I think I think that's how are you going to be able to attend the issue specific hearing that we will be commencing later that's.

00:53:44:24 - 00:53:45:14

That's all.

00:53:46:19 - 00:53:56:17

Okay. Well, hopefully we can get to those points during the issue specific hearing where I think they're more appropriately discussed. Well, I'm just responding.

00:53:56:19 - 00:53:57:04

Thank you.

00:53:57:06 - 00:54:09:19

Yeah. Okay. Thank you. Um, Mr. Griffith, is there anything you would wish to say, or are we going to be content to deal with that issue? Um, at the issue specific hearing later.

00:54:13:01 - 00:54:16:25

Flooding section of the issue. Specific hearing later this morning.

00:54:17:19 - 00:54:38:12

Okay. Thank you very much. Um, on that basis, then, I think we've heard from everyone, and I would wish to just thank everyone for their attendance and their contributions this morning. And, um, we'll close the hearing now it is 1025, and no doubt we'll see many of you later on. Thank you very much.