



One Earth Solar Farm

Closing Position Statement

EN-010159

West Lindsey District Council

December 2025

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1. Introduction

- 1.1. This document forms the Closing Position Statement (CPS) of West Lindsey District Council (WLDC) to the examination of the One Earth Solar Farm (OESF) Nationally Significant Infrastructure Project (NSIP) application (the 'Scheme').
- 1.2. This written representation is based on the Council's current understanding of the information comprised in the application for the Scheme at examination Deadline 7 (16 December 2025).
- 1.3. Given there are further deadlines in the examination timetable, WLDC reserves the right to comment further at these later deadlines.

Purpose and scope of the Closing Position Statement

- 1.4. This CPS set out WLDC's case in terms of the merits of the Scheme in the context of information presented at application and during the examination period up to Deadline 7 (i.e. with the benefit of review of material submitted up to and including Deadline 6).
- 1.5. It does not restate the statutory decision-making requirements, the local context or the relevant planning policy framework upon which the application is to be assessed to determine whether development consent should be granted under the Planning Act 2008 (PA2008) which are set out in WLDC's Written Representations [REP1-099] (WR). This CPS should be read alongside the WR.

Relationship with the Local Impact Report

- 1.6. WLDC submitted a Local Impact Report (LIR) under the provision of section 60 of the PA2008 [REP1-098].
- 1.7. The purpose of the LIR is to set out WLDC's view on the local impacts of the project. Following an assessment of the application documents, the LIR identifies these key impacts and provides reasoning as to why they have been identified. The LIR does not calibrate any weighting to the impacts identified, and nor does it carry out an assessment against policy with a 'planning balance' exercise to reach a conclusion on the overall acceptability of the OESF application.
- 1.8. This CPS is therefore to be read alongside the LIR as a document that goes beyond solely identifying impacts and serves as an assessment of the merits of the application against policy, in the light of material submitted into examination up to Deadline 6.

2. Key issues

2.1. The key issues identified by WLDC that were identified at the start of examination in the Written Representations and the Local Impact Report are considered in the sections below in the light of the examination up to and including Deadline 6. WLDC's view on each issue is also set out.

2.2. The impacts are considered in terms of:

- **Cumulative impacts** with other NSIP solar farm projects;
- **Individual project impacts** (in solus)

Cumulative impacts

2.3. WLDC has key concerns and objections to the OESF in relation to its cumulative impact with other NSIP solar electricity generating stations that have either been consented or are awaiting decision.

2.4. There are four other NSIP solar schemes to which the OESF will add further significant impacts to the West Lindsey District:

Gate Burton Energy Park (531MW) (Order Limits: 824ha approx.) – Consented 12/07/2024

Cottam Solar Project (600MW) (Order Limits: 1450ha approx.) – Consented 05/09/2024

West Burton Solar Project (480MW) (Order Limits: 886ha approx.) – Consented 24/01/2025

Tillbridge Solar Project (500MW) – (Order Limits: 1670ha approx.) - Consented 14/10/25

2.5. The two earliest consented projects, Gate Burton and Cottam, have not yet discharged the requirements of their respective Orders or commenced construction (contrary to the timetable set out in the respective application documents) and WLDC understand are currently expected to start construction late 2026.

2.6. WLDC's closing position is that the cumulative construction period has not been fully considered, particularly the likely traffic impacts in respect of the delayed timetables for other projects. WLDC's view is that, whilst an assessment of highway capacity has been undertaken, an assessment of the cumulative effects of passing and interacting with multiple sites where similar work on a similar timeframe is being undertaken has not been considered. This is especially true where there are likely to be delays associated with temporary accesses, haul roads or temporary traffic lights.

2.7. This amount of solar development within a close geographical area is unprecedented and gives rise to substantial adverse impacts that have not been experienced on a cumulative basis in England.

2.8. From the commencement of the examination of the first NSIP solar application, WLDC have raised significant concerns regarding the cumulative impacts of all of the projects and the approach to decision making. Whilst NSIP applications are examined and determined on an individual basis with cumulative impacts extending only to recognition that such assessments have been carried out in an ES, WLDCs consistent view has been that the applications should have been determined on the basis of their acceptability as a group of projects. The impacts of all of the NSIPS against the baseline of a rural agricultural environment will be significant and harmful, including the construction phase.

- 2.9. The overarching policy context for the consideration of cumulative impacts are set out in the relevant NPSs. NPS EN-1 requires the Secretary of State, when considering any proposed development and weighing its adverse impacts against its benefits, to take into account “*its potential adverse impacts...including any long-term and cumulative adverse impacts*” (NPS EN-1 para. 4.1.5).
- 2.10. Applicants are required to set out how residual impacts will be compensated for as far as possible, setting out how any mitigation or compensation will be monitored and agreed to ensure success and that action is taken (including adaptive management). Cumulative impacts of multiple developments with residual impacts must also be considered (NPS EN-1 para, 4.2.12).
- 2.11. WLDC’s concerns around the potential cumulative construction period is derived from the lifespan of the DCOs that have been granted or sought, and the estimated construction periods cited in the respective project ESs.
- 2.12. The DCO lifespan being sought for projects is 5 years and the estimated construction period is 24 months, aside from the Gate Burton Energy Park which cites a period of 24-36 months.
- 2.13. Based upon these parameters for the 5 NSIPs either consented, or in examination a simple ‘staggering’ of development periods within the 5 year validity period for each consent could lead to construction activity occurring up to 2033. There is no control over the commencement of construction aside from that it must do so within 5 years of the Orders coming into force. Given the delay in starting Gate Burton and Cottam, it is much more likely that some of these projects will be constructed concurrently rather than consecutively, exacerbating the identified effects in the West Lindsey area.
- 2.14. The table below helps demonstrate this potential scenario.

WEST LINDSEY DISTRICT COUNCIL
NSIP SOLAR FARMS
POTENTIAL PROGNOSIS OF CONSTRUCTION
**24 month construction period assumption*

Key:

DCO granted
Decision estimated
Construction period

			YEAR												
PROJECT	DCO into force	Est. Construction period (longest)	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	
Gate Burton Energy Park	Aug-24	36 months													
Cottam Solar Project	Sep-24	24 months													
West Burton Solar Project	Jan-25	24 months													
Tillbridge Solar Project	Oct-25	24 months													
One Earth Solar Farm	Dec-26	24 months													

- 2.15. WLDC have residual concerns about the effect of traffic disruption on local residents and businesses. In the view of WLDC the responses from the local highway authorities have focussed on highway capacity, rather than highway disruption.
- 2.16. WLDC consider this period to be a significant length of time for residents to endure, and highlight the impact as one that should be considered negatively in the planning balance.
- 2.17. The matters below discuss further specific impacts in more detail.

Lifespan of the project and its impacts

- 2.18. WLDC consider a 60 year timescale to be a significant period time, lasting over several generations and thus not “temporary”. It will result in its impact being no different to that of permanent development. The OESF would exist, potentially alongside other cumulative NSIP solar projects, up to and beyond the year 2090. As set out in WLDC’s response to ExAWQ1 Q3.0.1 [REP2-093] it should be noted that the coal fired power stations that populated the River Trent valley until very recently had lifespans of between 40 and 60 years and these were considered permanent facilities, and in no way temporary.
- 2.19. To reduce or downgrade impacts on the basis that 60 years is ‘temporary’ results in a false outcome. WLDC consider that impacts should have been assessed on the basis that they were effectively ‘permanent’. All assessments should have been carried out on the basis that the impacts would be permanent to reflect the time period over which they would be experienced.
- 2.20. WLDC remains of the view that the application should be determined on the basis that the impacts of the OESF on communities and the environment are permanent in planning terms.

Landscape and visual

- 2.21. WLDC raises objections to the Scheme due to its cumulative impact, alongside other NSIP solar projects, on landscape character and the visual effects people will experience in the district.
- 2.22. WLDC does not consider that the cumulative impact of passing a number of similar solar farms sequentially along the A1133 and A156 has been adequately considered by the applicant. As set out in the WLDC written summary or oral submissions to Issue Specific Hearing 1 [REP3-097], point 3(i), and again at Issue Specific Hearing 3 [REP5-081], point 7(i), WLDC consider that the cumulative sequential view along the A1133 and the A156 should be considered in the assessment.
- 2.23. People travelling on the road networks around Gainsborough and north and west of Lincoln are likely to encounter multiple solar NSIPs. Whilst the applicant has addressed such impacts for OESF [REP4-051, response D3R10], this wider cumulative impact has not been addressed by the applicant to date.

Landscape Character

- 2.24. WLDC’s closing view is that the introduction of a number of nationally significant major solar schemes in the district will significantly alter the character of West Lindsey. The WLDC area is solar The erosion of this landscape through the quantum of development being imposed is unprecedented and will cause material harm for over 60 years. The impacts will not be assimilated into the landscape.

Visual effects

- 2.25. The OESF will be experienced as part of cumulative series of NSIP scale solar farms within the district. It will represent the first project encountered when travelling into the district from the south, following which the spread of solar farm development extends beyond Gainsborough to the northern extent of the Cottam Solar Project (a distance of circa. 24km/15 miles)
- 2.26. The sequential experience of solar farm infrastructure by communities and visitor travelling through the landscape will be harmful, with travellers experiencing a feeling of solar farm “fatigue” and with increasingly limited visual relief spanning distance of over 13 miles. The OESF will add to the existing impacts extending the area of impact.

- 2.27. The cumulative impact caused by the addition of the OESF to the cumulative projects represents a clear tipping-point to which the landscape character is unable to reasonably accommodate further change as a consequence of solar farm development.
- 2.28. The OESF does not comply with relevant NPS' and nor the CLLP policy with regard to its impacts on landscape character and visual effects.

Construction traffic

- 2.29. WLDC note the responses through examination from the applicant and from the local highway authorities in relation to highway safety and highway capacity. However, as set out above, WLDC's closing position is that the cumulative construction period has not been fully considered, particularly the likely traffic impacts.
- 2.30. WLDC's closing view is that, whilst an assessment of highway capacity has been undertaken, an assessment of the cumulative effects of passing and interacting with multiple sites where similar work on a similar timeframe is being undertaken has not been considered. This is especially true where there are likely to be delays associated with temporary accesses, haul roads or temporary traffic lights.

Tourism

- 2.31. WLDC considers that there is potential for the proposal to have a negative impact upon the tourism economy within the West Lindsey District.
- 2.32. WLDC would note in closing that the assessment in the appendix to the 9.30.1 Inter-project Effects with other NSIP and Major Development Schemes [REP6-054] report does not consider the potential effects of the likely scenario where all 5 solar farm NSIPs are in construction at the same time (as per the table at Figure 3 of [REP6-054]).

Agricultural land

- 2.33. The significant impacts caused by the cumulative loss of agricultural land available for the production of food.
- 2.34. Paragraph 5.11.12 of the NPS (EN-1) outlines that applicants should "seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations".
- 2.35. Under Paragraph 5.11.34 of the NPS (EN-1), the decision maker should ensure that "applicants do not site their scheme on the best and most versatile agricultural land without justification. The SoS should also 'take into account the economic and other benefits of that land'".
- 2.36. The NPPF also states that BMV is land in grades 1, 2 and 3a of the Agricultural Land Classification and recognises the economic and other benefits of such land (para. 187). Footnote 65 states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
- 2.37. Policy S67: Best and Most Versatile Agricultural Land of the CLLP 2023 states that significant development resulting in the loss of the best and most versatile agricultural land will only be supported if:
- The need is clearly established;

- The benefits outweigh the need to protect such land, when taking into account the economic and other benefits of the best and most versatile agricultural land;
- The impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions; and
- Once the development has ceased its useful life then the land should be returned to its former use.

- 2.38. WLDC wishes to emphasise the importance of preserving agricultural land, particularly Best and Most Versatile (BMV) land, in line with national and local planning policies. The council expects that any development on such land must demonstrate clear economic value to the district and ensure restoration to its original agricultural use. This is crucial given the land's contribution to the local economy, environment, and cultural identity.
- 2.39. The proposed OESF (solar farm) project involves the loss of agricultural land classified as Grades 2 and 3a—categories considered BMV. Although the grazing of livestock alongside solar panels is technically considered food production, WLDC argues that this alone is insufficient to meet policy requirements unless it is clearly demonstrated that the land will remain genuinely accessible for agricultural tenants throughout the project's 60-year lifespan.
- 2.40. Unlike other solar Nationally Significant Infrastructure Projects (NSIPs), which have largely avoided BMV land, the OESF proposal places significant infrastructure—including solar panels, a substation, and a battery energy storage system (BESS)—directly on high-quality agricultural land. This approach, according to WLDC, fails to prioritize the protection of valuable farmland and disregards planning policy preferences.
- 2.41. The cumulative effect of removing substantial areas of productive land from food production is seen as a significant and unacceptable negative impact. WLDC concludes that the scheme does not adequately mitigate or justify the loss of BMV land and therefore does not align with established planning principles.
- 2.42. We would note that the Government Written Ministerial Statement (WMS) dated 15 May 2024 entitled 'Solar and Protecting our Food Security and Best and Most Versatile Land' on the use of the Best and Most Versatile Agricultural land (BMV) emphasises consideration for solar development of the cumulative impacts on BMV agricultural land where several proposals come forward in the same locality, with the WMS specifically referencing these issues in Lincolnshire "we are increasingly seeing geographical clustering of proposed solar developments in some rural areas, such as in Lincolnshire".

One Earth Solar Project – individual project impacts

Need case

- 2.43. WLDC acknowledges the urgent need to deploy infrastructure for the generation of electricity from renewable sources as set out in NPSs EN-1 and EN-3.
- 2.44. The principle of deploying renewable energy generation infrastructure is also supported by policy S14 of the Central Lincolnshire Local Plan 2023.
- 2.45. WLDC recognises the OESF as a 'Critical National Priority' (CNP) under NPS EN-1, which typically means the need for such projects outweighs residual effects, but only once the mitigation hierarchy - avoid, reduce, mitigate, compensate – has been applied to then project, as set out in paragraph 4.1.5 of NPS EN-1.

- 2.46. With regards to flood risk in particular WLDC does not consider that the applicant has demonstrated fully compliance with the mitigation hierarchy, particularly with regards to avoid and reduce, and thus the scheme proposals cannot be considered CNP.
- 2.47. However, WLDC argues that the cumulative impacts of this project, combined with four other NSIP solar projects in West Lindsey, are 'exceptional'. These impacts will last at least 60 years and significantly alter the district's landscape character, creating a solar farm landscape throughout the district that will be experienced by residents and visitors. WLDC emphasises that this situation is unprecedented, with no other DCO decision having to consider such extensive cumulative impacts during construction, operation, maintenance, and decommissioning. The eradication of the existing landscape character over such a large area is deemed 'exceptional' by WLDC, and we believe this must be taken into account when assessing the project's acceptability against policy, particularly due to its unique and significant cumulative impacts on the landscape.

Project design

- 2.48. WLDC has reviewed the design approach of the OESF solar project, as outlined in the submitted documents, including the 'Design Approach Document' and 'Outline Design Parameters' and engaged with the applicant on this matter through meetings, as set out in the Statement of Common Ground. While national policy (NPS EN-1) and local policy (S14) both emphasize the importance of good design in renewable energy developments—particularly in mitigating adverse impacts on landscape and visual amenity—WLDC finds the OESF design lacking in this regard.
- 2.49. The council acknowledges that solar farms often require specific site characteristics, but stresses that developers must still minimize visual and environmental impacts. However, the OESF project places solar panels, a substation, and a battery energy storage system (BESS) up to 13.5m high, according to the height parameter plans [APP-016], in highly visible locations, including a large open field east of the A1133. These installations are clearly visible from within West Lindsey and the neighbouring Newark and Sherwood District, raising concerns about their visual prominence and the lack of integration with the surrounding landscape.
- 2.50. WLDC argues that the design fails to demonstrate how national and local design policies were meaningfully applied. The placement of large infrastructure on open, high-quality agricultural land—areas that policy suggests should be avoided—reflects a flawed design strategy. The council believes that better design choices could have reduced the visual and environmental impact, such as placing bulkier infrastructure in less exposed areas or using natural features for screening.
- 2.51. The site layout plans have not been updated by the applicant since the original application. Therefore, based on current plans to be certified [APP-016], there do not appear to have been any amendments to the layout so as to not place solar panels directly up to field boundaries. WLDC's view is that this will create a harsh visual edge and reduce the landscape's natural character.
- 2.52. The applicant has provided WLDC with a viewpoint photograph showing the view from the layby on the A1133 (what3words monkeys.stunner.newlywed) but has not submitted it into examination. WLDC has therefore submitted this viewpoint into examination as an appendix to this document (Appendix A). The viewpoint photograph shows to the east a distinctive ridge associated with the Lincoln Cliff (also known as the Lincoln Edge) and, in the foreground the woodland belt treeline, formed by Road Wood, Rough Wood, Thorney Brown and Wigsley Wood, with Old Wood and Old Hag Wood beyond, against which the substation will be viewed.

- 2.53. The existing Anglian Water facility, approximately 10m in height, breaks the skyline in its location close to the A1133. The highest of the Hall Farm remote agricultural sheds, located on Southmoor Lane at the far east of the Work 3 area and excluded from the DCO boundary is approximately 7m high. This building is approximately 50% of the height of the ridgeline and tree line. The BESS/ substation height parameter, shown on the height parameter plans (sheets 12 and 13) [APP-016], is a maximum of 13.5m.
- 2.54. When the viewpoint photograph is reviewed alongside the section drawing provided in Appendix B of '9.37 Written summary of Applicants submissions at Issue Specific Hearing 3 (ISH3)' [REP5-071] it is apparent that location the substation as far to the east as possible will provide the best mitigation of the 13.5m maximum height shown on the height parameter plans (sheets 12 and 13) [APP-016], as buildings and structures of this height will be more likely to sit underneath the ridgeline and woodland belt treeline shown on the visual in Appendix B to this CPS.
- 2.55. WLDC would draw the Examining Authority's attention to a discrepancy between information presented in REP5-071 and the Works Plans [REP5-005]. The plan in Appendix B of REP5-071 titled "Eastern substation siting constraints plan" has a black outline which indicates "Substation and BESS areas". However, it should be noted that on the Works Plans, the area indicated for Work 3 (which relates to the substation) only includes the northern half of the area shown outlined in black on the plan in Appendix B (the northeastern most of the four fields forming land parcel 10-008 on sheets 12 and 13 of the land plans [REP5-004]). On that basis the substation has less flexibility that would appear to be indicated by the plan in Appendix B.
- 2.56. WLDC's closing position, given the above and, in particular, the background of the ridgeline shown on the viewpoint photograph, is that the substation should be restricted under the DCO to the location set out on the plan contained in the WLDC submission on Issue Specific Hearing 2 (ISH2): environmental matters Action point 5 [REP4-061], that is to say, as far to the east and into the valley as is possible, subject to flood zone areas.
- 2.57. WLDC would note that the applicant's amendments to the scheme throughout have been difficult to track and identify where these have been included, with no set of plans showing the updated proposals. For example, WLDC understand that offsets to field edges have been included in the scheme during examination, but these do not appear to have been included on any plan, except the Illustrative Masterplan [APP-018]. However, the Illustrative Masterplan is not a certified document.
- 2.58. Likewise, the only place the extent and length of the proposed glint and glare along the A1133 is shown on a plan is the Supplementary Glint and Glare Assessment [REP4-054] which indicated a reduction in glint and glare mitigation fencing from 1511m to 240m, with the reduction mostly along the A1133. The applicant, in response to WLDC deadline 5 submission stated in [REP6-056] that the matter was subject to Requirement 5 and was secured in paragraph 1.3.4 of the Outline Landscape and Ecology Management Plan [REP5-038]. However, there is still no plan showing the extent of the glint and glare barrier proposed, in any the plans to be certified or as an appendix to any of the management plans or the Design Approach Document.

Landscape and visual

- 2.59. West Lindsey District Council (WLDC) has expressed significant concerns regarding the landscape and visual impacts of the proposed OESF solar farm. The council believes the development will result in substantial and adverse effects on the district's landscape character and visual amenity, affecting both local communities and visitors.

- 2.60. In assessing these impacts, WLDC has referred to national policy statements NPS EN-1 and EN-2, as well as the adopted Local Plan. NPS EN-1 acknowledges that most nationally significant infrastructure projects will have some adverse landscape effects but stresses the importance of careful design to minimise harm. It requires developers to consider siting, operational constraints, and mitigation measures. Similarly, Local Plan Policy S14 mandates that renewable energy proposals must demonstrate that their direct, indirect, individual, and cumulative impacts are acceptable, particularly in terms of scale, siting, and design.
- 2.61. WLDC argues that the OESF project fails to meet these standards. The substation and battery energy storage system (BESS) are proposed in highly visible, open locations within West Lindsey, while solar panels are sited close to field boundaries and public highways. This layout results in infrastructure that is visually intrusive and inconsistent with the rural character of the area.
- 2.62. The view from, and setting of, the Royal Observer Corp post atop of the Roman Vexillation Fort Scheduled Monument is an outstanding issue between the applicant and Historic England and WLDC would endorse the response of Historic England.
- 2.63. WLDC remain of the view that the introduction of solar panels, the substation, and BESS into large, open agricultural fields will erode the area's openness and rural identity. The dark, solid appearance of the panels will be particularly noticeable from the A1133 and nearby public rights of way, creating a stark contrast with the existing landscape.
- 2.64. To address these concerns, WLDC maintains its request for several mitigation measures:
- Increasing the setback of solar panels from the A1133 boundary.
 - Relocating the substation and BESS further east, onto lower ground and closer to existing woodland, to reduce visibility (as set out in our comments on the Project Design above).
 - Enhancing the western site boundary with additional tree and hedgerow planting using native species such as maple, hawthorn, ash, and oak. This planting should be implemented through the Landscape Environmental Management Plan (LEMP) and ensure continuous screening, particularly near gaps like the layby south of the site entrance.
- 2.65. WLDC note that the Supplementary Glint and Glare Assessment [REP4-054] indicated a reduction in glint and glare mitigation fencing from 1511m to 240m, with the reduction mostly along the A1133. However, this still leaves a 240m, 4m high fence, albeit set back 10m from the road. This will be prominent, incongruous and discordant and WLDC question whether this is appropriate in such a location. However, WLDC will await the result of the further glint and glare assessment requested by the Examining Authority at the Issue Specific Hearing. WLDC acknowledge the applicants statement [REP6-056] that the final alignment and design of the glint and glare fencing will be subject to Requirement 5 'Detailed Design' and therefore will be part of discussion with West Lindsey District Council. However we note the applicant's comments that this discussion will follow preparation of an updated Glint and Glare Assessment, based on the detailed layout, as confirmed in paragraph 1.3.4 of the Outline Landscape and Ecology Management Plan [REP5-038], and the implication that the extent of glint and glare fence is not fixed.
- 2.66. We also note that, while the details produced for Requirement 5 must accord with (a) the outline design parameters and height parameter plan and (b) any details approved under requirements 7 (battery safety management), 8 (landscape and ecology management

plan), 10 (fencing and other means of enclosure), 11 (drainage), 12 (archaeology), 16 (operational noise), 18 (public rights of way management plan) and 22 (flood risk mitigation), extent of glint and glare fence is not currently secured, as a baseline, in any related certified documents.

- 2.67. WLDC welcome the commitment made in the Outline Landscape and Ecology Management Plan [REP5-038] at paragraph 4.1.14 that the hedgerow on the north side of the access track leading from Gate G and running east west north of the Anglian Water reservoir will be retained.

Agricultural land

- 2.68. WLDC strongly objects to the proposed loss of agricultural land—particularly Best and Most Versatile (BMV) land (classified as Grades 2 and 3a)—as part of the OESF solar farm development. The council argues that the scheme would result in the long-term removal of approximately 660.9 hectares of high-quality farmland from food production, which it considers a significant and adverse impact.
- 2.69. National Policy Statement (NPS) EN-3 advises that solar projects should avoid BMV land where possible, favouring lower-grade land. Similarly, Local Plan policies S14 and S67 reinforce the need to protect BMV land, only permitting its use when strict criteria are met. These include demonstrating a clear need for the development, proving that no suitable lower-grade land is available, and ensuring that the benefits of the proposal outweigh the loss of productive land. Additionally, any development should minimise disruption to ongoing agricultural operations and commit to restoring the land after the project ends.
- 2.70. WLDC contends that the OESF application fails to meet these requirements. The applicant has not sufficiently justified why BMV land must be used, particularly for infrastructure like the battery energy storage system (BESS), when lower-grade land is available nearby. The justification offered—primarily the national need for renewable energy and the project's 60-year “temporary” lifespan—is seen by WLDC as inadequate. The council argues that a 60-year period is effectively permanent in terms of agricultural impact, removing land from food production for multiple generations.
- 2.71. Furthermore, WLDC believes the project could have been designed more sensitively to avoid BMV land without compromising its contribution to national renewable energy targets. The council maintains that the current approach disregards both national and local planning policy and represents a missed opportunity to balance energy development with long-term food security and agricultural sustainability.
- 2.72. WLDC has requested the applicant provide a breakdown of BMV in each of the AP sites considered in its Sequential Test documents [REP2-080] and [REP3-069]. However, this has not been provided into examination. Table 1 below is based on information supplied by the applicant in the most recent draft version of the Statement of Common Ground with WLDC which is intended to be submitted into examination as a final signed version at a later deadline. The applicant has provided percentages which WLDC has converted into hectares, based on the reported overall site area of each of the sites reviewed by the applicant.

Table 1: Comparison of alternative sites reviewed by the applicant, by hectarage in each flood zone

	Ha	Grade 4%	Grade 3%	Grade 2%	Non-ag%	Grade 4	Grade 3	Grade 2	Non-ag
AP1	985		98.18%	1.82%			967.1	17.9	
AP2	985		100.00%				985.0		
AP3	985	8.65%	91.35%			85.2	899.8		
AP4	985	16.36%	83.64%			161.1	823.9		
AP5	985		80.82%	19.18%			796.1	188.9	
AP6	490		100.00%				490.0		
AP7	490		100.00%				490.0		
AP8	490	5.00%	95.00%			24.5	465.5		
AP9	490		100.00%				490.0		
AP10	490		95.28%		4.71%		466.9		23.1
AP11	490		100.00%				490.0		
AP12	490	15.38%	84.62%			75.4	414.6		
AP13	490		100.00%				490.0		
AP14	250		27.40%	72.60%			68.5	181.5	
AP15	250		100.00%				250.0		
AP16	250		100.00%				250.0		
AP17	250	6.96%	65.32%	27.72%		17.4	163.3	69.3	
AP18	250		100.00%				250.0		
AP19	250		97.20%		2.80%		243.0		7.0
OESF	1409		80.30%	19.70%			1131.4	277.6	

- 2.73. WLDC note that 19.7% of the One Earth Solar Farm, or 277.6ha is located within Grade 2 agricultural land. WLDC's view is that this area of OESF within the Grade 2 agricultural land could be eliminated and replaced with the area of another AP within that is in lower grade land.
- 2.74. For example, the assessment for AP1 in [REP2-080] is that "The Site is situated entirely within Grade 3 and Grade 4 land". The assessment in [REP2-080] also states "When compared against the current site location for the One Earth Solar Farm, which is Grade 3, AP3 [*sic* – WLDC assume this should be a reference to AP1] is of a similar grade from a review of publicly available information." However, the applicant's figures indicate that less than 2% of AP1 is in Grade 2 agricultural land whereas nearly 20% of the OESF site is within Grade 2 land.
- 2.75. It should be noted that, in the WLDC area, the OESF Order limits either encompass BMV or Flood Zone 2 and Flood Zone 3 land. There is very little, if any, land which isn't in either of these categories.

Flood risk and the water environment

- 2.76. WLDC remain concerned that the proposal within the administrative area falls into Flood Zone 3 in two major locations. The first location is the area between the River Trent and the Hall Water Reservoir. Although detailed information of what is proposed at this location have not been provided, it appears that this area will be used for the horizontal directional drilling to provide for the export cables to cross under the River Trent.
- 2.77. The second location where the project falls within Flood Zone 3 is east of the A1133. This area is east of Southmoor Lane and extends either side of the Sewer Drain watercourse.
- 2.78. The proposed development is classed by the Government in Annex 3 of the NPPF as 'Essential Infrastructure' and development within Flood Zone 3 requires both the sequential test and, if the sequential test is met, then the exception test is required.
- 2.79. EN-1 makes clear at paragraph 5.8.7 that new energy infrastructure with flood risk areas should be exceptional: "Where new energy infrastructure is, **exceptionally**, necessary in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), policy aims to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall. It should also be designed and constructed to remain operational in times of flood."
- 2.80. WLDC note that the sequential test and exception test sit within the overall context of the mitigation hierarchy - avoid, reduce, mitigate, compensate – has been applied to then project, as set out in paragraph 4.1.5 of NPS EN-1, and that an applicant needs to satisfy these tests before claiming a 'Critical National Priority' (CNP) status.
- 2.81. In seeking to justify the choice of site the applicant has provided, post application for the DCO, two sequential test documents [REP2-080 and REP3-069]. Between them these consider 17 additional sites. Although WLDC asked for a breakdown of the extent of each of these sites by hectare in each flood zone this was not provided. In response to Examining Authority Third Written Questions, question Q12.0.9 [REP6-057], only a table showing the percentage of each site in each flood zone was provided.
- 2.82. However, based on the overall site areas provided by the applicant, WLDC have broken this down by hectare as set out in Table 2 below.

Table 2: Comparison of alternative sites reviewed by the applicant, by hectarage in each flood zone

	Ha	FZ3 %	FZ2 & 3 %	FZ1 %	FZ3	FZ2 & 3	FZ1
AP1	985	29.20%	35%	65%	287.6	344.8	640.3
AP2	985	20.20%	42.30%	57.70%	199.0	416.7	568.3
AP3	985	30.20%	70.10%	29.90%	297.5	690.5	294.5
AP4	985	18.50%	40.50%	59.50%	182.2	398.9	586.1
AP5	985	7.40%	9.40%	90.60%	72.9	92.6	892.4
AP6	490	0.30%	0.70%	99.30%	1.5	3.4	486.6
AP7	490	14.30%	20.80%	79.20%	70.1	101.9	388.1
AP8	490	89.20%	93.80%	6.20%	437.1	459.6	30.4
AP9	490	16.30%	37.70%	62.30%	79.9	184.7	305.3
AP10	490	18.00%	71%	29%	88.2	347.9	142.1
AP11	490	42.90%	51.90%	48.10%	210.2	254.3	235.7
AP12	490	11.10%	33.30%	66.70%	54.4	163.2	326.8
AP13	490	98.80%	100%		484.1	490.0	
AP14	250	1.70%	2.60%	97.40%	4.3	6.5	243.5
AP15	250			100%			250.0
AP16	250	39.40%	53.10%	46.90%	98.5	132.8	117.3
AP17	250			100%			250.0
OESF	1409	44%	54%	46%	620.0	760.9	648.1

- 2.83. WLDC note that 54% of the One Earth Solar Farm, or 760.9ha is located within Flood Zones 2 and 3. WLDC's view is that this area of OESF within the Flood Zones 2 and 3 could be eliminated and replaced with the area of another AP within Flood Zone 1.
- 2.84. For example, the conclusion for AP1 in [REP2-080] is that "AP1 is partially within Flood Zones 2 and 3, with additional areas at high risk of surface water flooding. As such, AP1 is not considered to result in the development being better steered towards areas of lowest flood risk as per the requirements of the sequential test". However, the applicant's figures indicate that 65% of AP1 is not in Flood Zones 2 or 3.
- 2.85. The applicant has already conceded that a significant proportion of the panels located in WLDC will be in Flood Zone 3. The applicant has also agreed with the Environment Agency that in these locations, the lowest level of panels will be raised above flooding freeboard, this reducing the panel availability in these areas and, potentially, leading to discordant structures in the landscape, with the lowest part of the panels being considerably higher than ones on other sites.
- 2.86. WLDC consider that the addition of paragraph 27a (Reference ID 7-027a-20220825) in the Planning Practice Guidance on Flood Risk and Coastal Change underlines the need for a further review of alternative sites both within the search area, and beyond, and a review of whether the project can be achieved by being split across a number of alternative sites at lower risk of flooding.

- 2.87. WLDC consider that the updated guidance suggestion that “*It may also, in some cases, be relevant to consider whether large scale development could be split across a number of alternative sites at lower risk of flooding*” means that the applicant should consider further a site layout that does not concentrate the proposals in one single area, but breaks the proposed development down into smaller elements to enable more suitable sites to be considered.
- 2.88. WLDC consider that the applicant has not demonstrated that there are not other areas outwith Flood Zone 2 or Flood Zone 3 that the part of the current proposal which are within Flood Zone 3 could be relocated to and operated safely and efficiently to meet the same scheme goals, when combined with the retained part of the DCO scheme which is in Flood Zone 1.
- 2.89. Local Plan Policy S21 requires a demonstration by applicants that development will be safe during its lifetime. National Policy Statement EN1 requires at paragraph 5.8.11 that it should be demonstrated that “the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall”.
- 2.90. The proposals therefore fail the first two tests of the mitigation hierarchy - avoid, reduce, mitigate, compensate - as set out in paragraph 4.1.5 of NPS EN-1. The applicant has therefore not met the threshold for Critical National Priority (CNP) infrastructure as set out in NPS EN-1. As set out in paragraph 4.2.28, it is only where “residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied” that the Secretary of State can “take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs” (paragraph 4.2.29).
- 2.91. It is also the case that, given the compulsory purchase powers available with a DCO, WLDC do not consider that the sequential test needs to be restricted by sites which are “reasonable available”. WLDC note that an owner of a substantial landholding on the west side of the River Trent, J G Pears, has objected to the use of the compulsory purchase powers within the DCO. WLDC would therefore argue that this land, at least, is not “reasonable available”.
- 2.92. WLDC closing view therefore is that the applicant has not fully satisfied the mitigation hierarchy and therefore cannot progress to Secretary of State decision as CNP development.
- 2.93. As set out above, in the WLDC area, the OESF Order limits either encompass BMV or Flood Zone 2 and Flood Zone 3 land. There is very little, if any, land which isn’t in either of these categories.

Cultural heritage

- 2.94. WLDC note and support the Historic England stance on to be the contribution of setting to, and therefore the magnitude of effect on, The Royal Observer Corps Roman Fort Scheduled Monument (List Entry Number 1003608) that is located to the west of the OESF Order Limits.
- 2.95. We note that Historic England has identified less than substantial harm and therefore the statutory test under the Infrastructure Planning (Decisions) Regulations 2010, regulation 3(3) applies.

BESS & fire safety

- 2.96. WLDC acknowledges that district planning authorities have been included as a consultee body in the approval of the draft DCO requirement number 7 'Battery safety management plan'.

WLDC Values

- 2.97. WLDCs 'Vision', established through its Corporate Plan 2023-2027, is "*West Lindsey is a great place to be where people, businesses and communities can thrive and reach their full potential*". The WLDC 'vision' is to be achieved through the implementation of 'Core Values', which includes 'To have integrity in everything we do'.
- 2.98. On this matter WLDC is content with the response of the applicant [REP2-082, point WR63].

Community benefits

- 2.99. WLDC note that the Solar Road Map published by the government in June 2025 indicates that the government is proposing to make it mandatory for developers of low carbon infrastructure (including solar) to provide community benefit funds. A consultation was held in May and June 2025 relating to this. WLDC also note that Solar Energy UK will publish a Community Benefits Protocol.
- 2.100. Despite this, WLDC is concerned that there remains scant information on the developer website or within their documents which allude to any direct community benefits. In this context WLDC wishes to ensure that a community benefit fund is established for the OESF, and that the fund is distributed proportionally between the relevant communities, with particular regard to the cumulative effects of the OESF and other solar NSIP projects in the WLDC area.

Grid Connection

- 2.101. WLDC note that the connection to the national grid at High Marnham does not form part of the NSIP. WLDC also note an application has been made to Bassetlaw District Council (25/01302/FUL, submitted 20 November 2025) which is assumed to be the relevant connection project.
- 2.102. However, WLDC remain concerned that there is the possibility that the OESF will be granted a DCO whilst the grid connection is yet to be consented. To that end WLDC remains of the view that, should planning permission not have been granted before the Secretary of State makes a decision on the DCO, that a 'Grampian style' Requirement should be added to the OESF DCO such that the OESF DCO cannot be implemented until the planning permission for the grid connection has been granted.
- 2.103. WLDC would note that, based on a presentation given by the National Energy System Operator (NESO) on 8th December 2025 following its review of the energy delivery pipeline ([Queue Outcomes Webinar](https://www.neso.energy/document/374036/download)¹), that NESO has confirmed that there is an oversupply of capacity from solar schemes in the east midlands (zones T4 and T5 on slide 11) over the period up to 2035 (permitted capacity as set out in the Clean Power Action Plan), and that the last prioritised projects were those where connection agreements were signed in January 2023 (T4) and September 2021 (T5). As set out on slide 16 of the NESO presentation, 35.9GW of solar project capacity was not prioritised for delivery. This begs the question whether OESF is required at all. It also begs the question whether, if a DCO

¹ <https://www.neso.energy/document/374036/download>

were to be made in 2026, the powers would expire before further consideration of projects to be connected after 2035.

- 2.104. We note that the Examining Authority has asked, in the Rule 17 letter dated 12 December 2025, for further information on these matters for be submitted at Deadline 7. WLDC reserves the right to comment further at Deadline 8.

Operational land and permitted development

- 2.105. With regards to the application of permitted development rights, under the Town and Country Planning (General Permitted Development) (England) Order 2015, subsequent to a DCO being made, WLDC closing position is that the additional Requirement suggested by the ExA [PD-013, last row "Additional Requirement No. 22] should be attached to the made DCO.
- 2.106. However, as set out in our response to the proposed changes to the draft DCO [REP4-060], WLDC are concerned that by restricting the text of the additional Requirement to prohibit additional "buildings" there remains a possibility of other potentially significant development within the red line boundary, such as substation plant or machinery, or additional solar panels or BESS. WLDC note that in the interpretation section of the draft DCO, Article 2 does define "building" but does not define "plant and machinery". WLDC request the Examining Authority to extend the restriction on permitted development rights to plant and machinery, as well as buildings.

3. Requirements

- 3.1. The dDCO [APP-007] defines WLDC as a 'relevant planning authority' for the purpose of approving the following DCO 'Requirements':
- i. Requirement 3 – phasing of the authorised development and date of final decommissioning);
 - ii. Requirement 4 – requirement for written approval
 - iii. Requirement 5 – detailed design approval
 - iv. Requirement 6 – community liaison group
 - v. Requirement 8 – landscape and ecology management plan
 - vi. Requirement 9 – biodiversity net gain
 - vii. Requirement 10 – fencing and other means of enclosure
 - viii. Requirement 13 – construction environmental management plan
 - ix. Requirement 14 – operational environmental management plan
 - x. Requirement 16 – operational noise
 - xi. Requirement 17 – skills, supply chain and employment
 - xii. Requirement 20 – decommissioning and restoration
 - xiii. Requirement 21 – ground conditions
- 3.2. The 'Requirements' that are not specified for approval by WLDC are (to be approved by Lincolnshire County Council and Nottinghamshire County Council):
- i. Requirement 4 – requirement for written approval
 - ii. Requirement 7 – battery safety management plan
 - iii. Requirement 11 – surface water drainage
 - iv. Requirement 12 – archaeology
 - v. Requirement 15 – construction traffic management plan
 - vi. Requirement 18 – public rights of way management plan
 - vii. Requirement 19 – soil management plan
 - viii. Requirement 22 – flood risk mitigation
- 3.3. Requirement 20 of the dDCO [APP-007] currently lacks a mechanism to require decommissioning if the project ceases to generate energy prior. Given that, in this scenario, the harms would remain without the benefits of the project WLDC remains of the view that a mechanism should be added to ensure decommissioning will occur, should generation cease prior to 60 years following final commissioning.
- 3.4. We would draw the Examining Authority's attention to the DCO Requirement numbered 64 in Part 2 of Schedule 1 (page 64) of the Oaklands Farm Solar Park Order 2025 which was made by the Secretary of State on 19th June 2025. In particular sub paragraph (4) of the DCO Requirement which states:
- (4) The undertaker must provide notice to the local planning authority once any part of the authorised development stops generating electricity for more than 6 months. If, by expiry of the period of 12 continuous months beginning with the date of the notice, and unless otherwise agreed in writing by the undertaker and the relevant local planning authority, that part of the authorised development does not re-generate electricity, then within 3 months the undertaker must submit to the local planning authority for that part (or both local planning authorities where that part falls within the administrative areas of both South Derbyshire District Council and Derbyshire County Council) for approval a decommissioning environmental management plan and a decommissioning traffic management plan for that part.*

- 3.5. WLDC consider that a similar DCO Requirement would be appropriate for the One Earth Solar Farm.
- 3.6. Notwithstanding comments below on Schedule 15 of the dDCO, WLDC also notes that, under sub paragraph (3) of Requirement 20, the latest OESF dDCO [REP6-004] that the applicant commits to submitting a decommissioning environmental management plan to the local planning authority “no later than twelve weeks prior to the intended date of decommissioning”. However, 12 weeks is the determination period set out in Schedule 15, paragraph 2 for the local planning authorities to determine applications for discharge of DCO Requirements. WLDC considers submitting the application to discharge the requirement for a decommissioning environmental management plan just 12 weeks before start of decommissioning is not appropriate, particularly as the dDCO does not require any pre-application consultation and Schedule 15, paragraph (2) is drafted such that an application is deemed to have been approved after the expiry of the appropriate time period.
- 3.7. WLDC would suggest that submission no later than three months before decommissioning is due to start would give an appropriate period for any issues arising to be raised and considered, and the application determined in advance of decommissioning commencing.

Schedule 15 - Article 2: Procedure for discharge of requirements

- 3.8. WLDC is in the position of potentially being responsible for the approval of DCO requirements relating to five solar NSIP projects, which all may feasibly be seeking such approvals on similar timescales.
- 3.9. The likely volume, technical complexity and requirement to consult external bodies will place considerable time pressures on WLDC to assess important details that will affect the communities and environment of the district for over half a century.
- 3.10. This matter was considered by the Secretary of State previously in the Cottam decision in which he stated (paragraph 4.110):

“The Secretary of State has carefully considered the suggested discharge periods and concluded that a compromise of 13 weeks would be most appropriate **to account for the number of applications coming forward in Lincolnshire**, whilst seeking to avoid delays to the progress of the Proposed Development.”

Furthermore, to the recognition that there will be multiple solar NSIP developments submitting requirement discharges within a similar time period to the same authorities, the OESF project adds the additional complexity of taking place across multiple district and county authorities, where it would be in all parties' interests to allow the authorities to collaborate. To that end, it is considered that more time is required, and 13 weeks should be considered as a minimum.

- 3.11. In light of these pressures, WLDC still wishes to see the following amendments to Schedule 15 of the dDCO [REP6-004]:
- That WLDC must give notice to the undertaker (applicant) if its decision on the application within a period of **13 weeks** beginning with the later of-
 - a) The day immediately following that on which the application is received by the authority;

- b) The day immediately following that on which further information has been supplied by the undertaker under paragraph 3 (of Schedule 15); or
- c) Such longer period that is agreed in writing by the undertaker and the relevant planning authority

3.12. The increase in this time period to 13 weeks is considered proportionate to enable WLDC to carry-out its duties in the public interest.

Appendix A. Verified view from A1133 (What3Words: monkeys.stunner.newlywed)

**If you would like a copy of this document in large print, audio, Braille or in another language:
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