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Subject: FORMAL NOTICE OF JURISDICTIONAL NULLITY, TERMINAL CONFLICT OF INTEREST, AND SERVICE OF THREE REPORTS
Date: 17 February 2026 15:19:03
Attachments: [FORENSIC BUNDLE ON JURISDICTIONAL NULLITY^J PROCEDURAL FRAUD^J AND SAFETY-CRITICAL SCIENTIFIC ERROR Exhibits.docx](#)
[The Collapse of Procedural Integrity. A Forensic Audit of the One Earth Solar Farm Examination.docx](#)
[Comprehensive Forensic Audit.docx](#)

NOTICE OF PROCEDURAL NULLITY, JURISDICTIONAL CONFLICT, AND
SERVICE OF EVIDENCE

One Earth Solar Farm (EN010159)

February 2026

To: Secretary of State for Energy Security and Net Zero

To: Permanent Secretary, DESNZ

Cc: Treasury Solicitor (Government Legal Department)

Cc: Examining Authority (EN010159)

Cc: CEO, Planning Inspectorate

**Subject: FORMAL NOTICE OF JURISDICTIONAL NULLITY, TERMINAL
CONFLICT OF INTEREST, AND SERVICE OF THREE REPORTS**

Dear Sirs,

This correspondence constitutes formal service of the following documents, each submitted with full Rule 17/Rule 9 provenance:

1. The Forensic Bundle – evidencing evidence spoliation, unlawful redactions, and the operation of the “Fraud Filter”.
2. The Collapse of Procedural Integrity Paper – detailing the fatal breach of natural justice and the 24 October 2025 conflict-of-interest event.
3. The Comprehensive Forensic Audit (February 2026) – a consolidated technical and legal analysis establishing jurisdictional nullity.

These documents must be treated as forming part of the administrative record for the purposes of your statutory duties under the Planning Act 2008.

1. The 5 February 2026 DESNZ Letter: Creation of a Jurisdictional Deadlock

Your department’s letter of 5 February 2026, combined with the confirmation that you intend to rely on an internal “unredacted record” while the public record remains censored, constitutes a terminal breach of the constitutional principle *nemo iudex in causa sua*.^[1] By referring the complainant back to PINS—the very body documented as having engaged in evidence suppression, unlawful redaction, and self-adjudication—you have placed yourself in a position where independent judgment is no longer possible.^[2]

This is incompatible with:

- the Tameside duty to take reasonable steps to acquaint yourself with all relevant information;^[3]
- Article 6 ECHR, requiring equality of arms and independence of the tribunal;^[4]
- *R v Sussex Justices*, establishing that justice must not only be done but be seen to be done.^[5]

2. You Are Fixed With Knowledge of a Contaminated Record

The Comprehensive Forensic Audit establishes that the administrative record is incurably corrupted, including:

- [REDACTED] Section 55 acceptance based on a [REDACTED] Consultation Report.[6]
- Systematic “Redaction Creep” removing statutory language, legal authorities, and evidence of [REDACTED] [7]
- [REDACTED] of evidence, including the [REDACTED] of the 1 August 2024 meeting script, the 2 August email, and the 109-resident Mental Health Report.[8]
- The 24 October 2025 internal email, proving that PINS consulted the subject of a bias complaint on how to manage that complaint.[9]

Once a decision-maker is fixed with knowledge that the record is contaminated, the principle *fraus omnia corrumpit* applies: fraud unravels all.[10]

Administrative momentum cannot cure a [REDACTED].

3. Eight Absolute Legal Hard Stops Prevent Any Lawful Grant of Consent

Your decision is constrained by eight non-discretionary legal barriers, each independently fatal:

1. Sequential Test Failure (Mead Realisations Ltd, EWCA Civ 32)

Rejecting Flood Zone 1 alternatives on the basis of landowner willingness is a material error of law. Ownership is irrelevant following the 2025 PPG update.[11]

(Comprehensive Forensic Audit, §13)

2. WFD Regulation 19(1)(d) Blockade

A derogation is prohibited because the Flood Zone 1 “Constellation Model” (REP4-079) is a significantly better environmental option.[12]

(Audit, §12)

3. The Rule 19(3) Trap

You are prohibited from accepting new evidence to retrofit a derogation after the close of examination. Re-opening the examination is statutorily barred.[13]

(Audit, §12)

4. Incurable Procedural [REDACTED]

The Applicant’s late production of previously suppressed documents in response to ExQ3 is a formal admission of active [REDACTED], vitiating the Section 55 acceptance decision. [14]

(Audit, §§2–3)

5. The Fry Precedent (CG Fry & Son Ltd v Secretary of State, UKSC 35)

Safety-critical assessments (WFD, Flood Risk) cannot be deferred to post-consent Requirements.[15]

(Audit, §10)

6. Hydrological Catastrophe and Exception Test Failure

The failure to model the BaiaMonte effect ($11.7\times$ kinetic energy amplification) is a breach of NPS EN-1 and EN-3, rendering the Exception Test unsatisfied.[16]

(Audit, §§9–10)

7. Terminal Conflict of Interest (24 October 2025)

PINS staff consulted the subject of a bias complaint on how to manage that complaint.

This destroyed the adjudicatory competence of the ExA and, by extension, DESNZ.[17]

(Audit, §6)

8. The Pickering Precedent (Pickering Fishery Association, EWCA Civ 378)

Environmental objectives must be achieved for individual water bodies; regional strategies are unlawful.[18]

(Audit, §12)

Each of these hard stops is independently determinative. Together, they render the process void ab initio.

4. The Dual-Record System Is Unlawful

Your intention to rely on an internal “unredacted record” while the public record remains censored is incompatible with:

- Article 6 ECHR (equality of arms),
- Tameside,
- [REDACTED] ([REDACTED] vitiates planning decisions),[19]
- Basic administrative law principles of transparency and fairness.

A decision based on a secret record is per se unlawful and invites a mandatory quashing upon Judicial Review.

5. Jurisdictional Consequence

By refusing to investigate the [REDACTED] and by delegating the investigation of PINS back to PINS, the Secretary of State has placed himself in a position functionally equivalent to *functus officio*:

- Independent judgment is no longer possible.
- The tribunal is no longer impartial.
- The decision-maker is entangled in the misconduct being adjudicated.

Accordingly, the Secretary of State has lost the jurisdictional competence to determine the application.

6. Conclusion

Because the process is a nullity, it is void ab initio, and these submissions are not time-barred. Any attempt to proceed on the basis of a contaminated or dual record will result in a mandatory quashing of any Development Consent Order.

Yours faithfully,

Stephen Fox

Interested Party Reference: [REDACTED]

FOOTNOTES

[1] *Nemo iudex in causa sua* – foundational constitutional principle; see Taylor & Francis, *Judicial Review* (2025).

[2] *Comprehensive Forensic Audit*, §§6–7.

[3] *Secretary of State for Education v Tameside MBC* [1977] AC 1014.

[4] Article 6, European Convention on Human Rights.

[5] *R v Sussex Justices, ex parte McCarthy* [1924] 1 KB 256.

[6] *Comprehensive Forensic Audit*, §§1–3.

[7] *Ibid.*, §7 (“Redaction Creep”).

[8] *Ibid.*, §§2–3.

[9] *Ibid.*, §6 (24 October 2025 email).

[10] *Fraus omnia corrumpit* – [REDACTED] unravels all; see [REDACTED]

[REDACTED] UKSC 15.

[11] *Mead Realisations Ltd v Secretary of State* [2024] EWCA Civ 32; PPG Update (17 September 2025).

[12] *Water Environment (Water Framework Directive) Regulations 2017*, Reg 19(1)(d).

[13] *Ibid.*, Reg 19(3).

[14] *Comprehensive Forensic Audit*, §§2–3.

[15] *CG Fry & Son Ltd v Secretary of State* [2025] UKSC 35.

[16] Baiamonte et al. (2023), “Impact of solar panels on runoff generation process.”

[17] *Comprehensive Forensic Audit*, §6.

[18] *Pickering Fishery Association v Secretary of State* [2020] EWCA Civ 378.

[19] [REDACTED] UKSC 15.

TO:

The Examining Authority, One Earth Solar Farm (EN010159)

The Secretary of State for Energy Security and Net Zero

The Government Legal Department (GLD) (by way of Service)

FROM:

Stephen Fox (Interested Party Ref: [REDACTED])

DATE:

2 January 2026

**BEFORE THE SECRETARY OF STATE FOR ENERGY SECURITY AND
NET ZERO**

IN THE MATTER OF: THE ONE EARTH SOLAR FARM (EN010159)

SUBMISSION FROM: STEPHEN FOX (INTERESTED PARTY REF: [REDACTED])

**CLOSING LEGAL SUBMISSION: FORENSIC BUNDLE
ON JURISDICTIONAL NULLITY, PROCEDURAL
FRAUD, AND SAFETY-CRITICAL SCIENTIFIC ERROR**

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SCHEDULE OF EXHIBITS

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Exhibit A	Chronology Establishing Bad Faith Detailed timeline of correspondence (22/07/2024 – 01/08/2025) demonstrating the "three-month silence" and subsequent omission of documents.	17 to 21
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Exhibit C	Consultation Report Extract Excerpt of Para 6.2.38 and Appendix J-2 demonstrating the mischaracterization of the 1 August meeting as a "Q&A session." • One Earth Solar Farm Section 51 Advice Log Version: 2	81 to 91
Exhibit D	Transcript of Preliminary Meeting (08.08.25) Official record of the ExA's refusal to investigate the consultation [REDACTED] and the "Verbal Rule 17" instruction.	92 to 96
Exhibit E	Correspondence with Newark & Sherwood DC [REDACTED] Emails.	97 to 112
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Exhibit Ref	Description of Evidence	Page Reference
	Detailed schedule of redactions ("Redaction Creep") applied by PINS to Interested Party submissions.	
Exhibit G	Mental Health Report (Dr. Sarah Fletcher) The suppressed study: "The Impact of the One Earth Solar Farm on Mental Health," including the survey of 109 residents and individual testimonies.	118 to 133
Exhibit H	Executive [REDACTED] Correspondence Correspondence with [REDACTED] and [REDACTED] (PINS CEO) regarding the refusal to engage and "Sub Judice" claims. Transcript of Issue Specific Meeting 3.	134 to 143
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1. Introduction: The Operational Context and Jurisdictional Precipice

The examination of the One Earth Solar Farm (EN010159) formally concludes on 8 January 2026. This submission is made pursuant to **Rule 17** of the Infrastructure Planning Examination Procedure) Rules 2010. This document serves as formal notification that the examination is proceeding on the basis of a fundamental jurisdictional defect. The evidence collated by Interested Parties demonstrates that the **Section 55 acceptance decision was procured via a [REDACTED] Consultation Report**, rendering the subsequent proceedings a legal nullity. Furthermore, the Examining Authority (ExA) [REDACTED] to correct this defect when afforded the opportunity at the Preliminary Meeting, thereby tainting the entire examination.

2. Part I: The Jurisdictional Challenge (The 'Nullity' Argument)

2.1 The Statutory Fraud: Deliberate Misrepresentation of the 1 August Meeting

The Section 55 acceptance was predicated on the accuracy of the Consultation Report. Evidence proves the Applicant [REDACTED] the nature of a pivotal meeting on **1 August 2024** to conceal the depth of community opposition.

- **The Fabrication:** In the Consultation Report (Para 6.2.38), the Applicant presented the meeting with North Clifton Parish Meeting and South Clifton Parish Council as merely a formatted "question-and-answer session". (Exhibit C page 81)
- **The Reality:** This characterization is a falsehood. The meeting was a robust confrontation where the Applicant was taken to task on extensive material planning issues—specifically flood risk, the sequential test, and site selection. The Applicant was told in "no uncertain terms" by the Chairman of the meeting that the consultation was a "sham". (Exhibit B page 32)
- **The Suppression:** By misrepresenting this event as being only and informal question and answer session and omitting the script and minutes of the 01.08.24 meeting and the covering email to the project lead, [REDACTED], and the Mental Health Report, the Applicant [REDACTED] the record to hide the fact that the community had already identified the project's fatal flaws. (Exhibit B pages 22 and 23, and 29 and 30 and 33 to 34).

2.2 The Timeline of Intent ([REDACTED])

The chronology of events conclusively establishes [REDACTED] [REDACTED]). The Applicant did not merely "forget" to include these details; they actively [REDACTED] them after realizing the legal danger.

- **The Silence (August – November):** Following the hostile meeting on 1 August 2024, the Applicant went silent for almost four months, failing to respond to the minutes or the script and email provided to [REDACTED] on 2 August, save as to acknowledging receipt on 6 August. (Exhibit B page 33)
- **The Trigger (6 November 2024):** The Applicant only broke this silence after the Planning Inspectorate (PINS) advised them on 6 November 2024 that "all necessary

information relating to pre-application consultation activities must be included in the Consultation Report" (Consultation Report, paragraph 3.7.2). (Exhibit C page 90)

- **The Cover-Up (19 November 2024):** Realizing that a truthful inclusion of the 1 August meeting would jeopardize their application, the Applicant responded on 19 November with a fabricated narrative. They incorrectly stated the meeting was *only* with North Clifton (excluding the statutory consultee South Clifton Parish Council) and minimized the event to avoid the PINS requirement for full disclosure. And excluded any reference to the script and minutes of the 01.08.24 meeting and the covering email to the project lead, [REDACTED], and the Mental Health Report (Exhibit B pages 42 to 80)

This sequence proves the Applicant knew the consultation was inadequate and [REDACTED] fabricated the nature of the event to secure acceptance.

2.3 The Appendix J-2 Fraud: A Chronology of Double Suppression and Regulator Failure

The handling of **Appendix J-2** of the consultation report provides the most damning evidence of procedural [REDACTED]. It demonstrates not only the Applicant's determination to withhold evidence but also a catastrophic failure of verification by the Local Authorities, Planning Inspectorate (PINS), and the Examining Authority (ExA).

- **The Initial Falsehood (March 2025):** The Consultation Report submitted for Section 55 acceptance explicitly stated in Paragraph 6.2.38: *"These questions and the responses to them are included in Appendix J-2"*. This was a material falsehood; the script and minutes of the 01.08.24 meeting and the covering email to the project lead, [REDACTED], and the Mental Health Report and even One Earth's own Sanitised record dated 19th November 2024 were not included. PINS and all 16 Local Authorities [REDACTED] to check this reference during the acceptance period, accepting a report with missing documents. (Exhibit C page 81 and 81 to 91).
- **The "Lost File" Admission (25 July 2025):** When challenged by the Interested Party on 16 July 2025 to locate these documents, the Applicant (via [REDACTED]) admitted in writing on 25 July: *"I cannot find the attachment as referenced. I know it was included in an earlier draft but appears to have been lost in the finalisation process"*. (Exhibit A page 20)

Forensic Note: This admission proves the Section 55 acceptance was based on an incomplete and erroneous document.

- **The "Double Down" Suppression (1 August 2025):** Despite explicitly promising to *"update that file now to submit at Deadline 1 with the attachment"*, the Revised Appendix J-2 submitted by the Applicant on 1 August 2025 **again excluded** the script and minutes of the 01.08.24 meeting and the covering email to the project lead, [REDACTED], and the Mental Health Report **BUT** did include One Earth's own

Sanitised record of 19th November 2024. This proves that the omission was never an administrative error ("lost file") but a calculated decision to suppress evidence of opposition. Exhibit A 20 and Exhibit B pages 81 to 91)

- **The Regulator's Failure (PINS & ExA):** This sequence exposes a fatal lack of scrutiny by the Regulator:
 - **PINS Failure:** PINS accepted the original application without verifying that the documents referenced in Para 6.2.38 actually existed in Appendix J-2. ◦
 - ExA Failure:** On 8 July 2025, the ExA was informed of the [REDACTED] but refused to suspend the examination. Furthermore, even after the Applicant admitted on 25 July that the file was "lost," the ExA [REDACTED] to compel the immediate production of the missing documents, allowing the Applicant to submit a second [REDACTED] version on 1 August 2025 without sanction. (Exhibit B pages 81 to 91)

2.4 Further Regulatory Failure: The Conduct of Newark and Sherwood District Council

The [REDACTED] was enabled by a failure of verification at the Local Authority level.

None of the 16 Local Authorities who approved the Consultation Report paid sufficient attention to it to notice that the details of the consultation with the local community (North and South Clifton) most impacted by it, were missing.

- **Knowledge of Risk:** [REDACTED] of Newark and Sherwood District Council (NSDC) was fully informed of the flood risk and planning issues via the report sent to him on 24 July 2024 and by copies of the email to [REDACTED] of 2 August 2024 which included the script of the meeting and referenced the mental health report. He was in full possession of the script and the 2 August email detailing the major issues and that [REDACTED] was in possession of the Mental Health Report. By email of 9 August 2024 referencing the flood risk warning to [REDACTED], I asked "Who at Newark and Sherwood is taking the flood risk seriously from not only the One Earth Project but from the cumulative effect of all the proposals that fall within their remit and beyond? Are you aware that the cumulative effect could be enough to seriously increase the flood risk to the whole Trent valley? Will Newark and Sherwood arrange for the appropriate modeling of this impact? How do I ensure that this is properly addressed by the planning inspector for all the projects?" (Exhibit F page 113)
 - **The Failure to Act:** [REDACTED] [REDACTED] to include these critical planning and flood risk issues in his formal Adequacy of Consultation representation to PINS.
-
- **The "Supine" Response:** Instead of flagging the defect, NSDC submitted a response by the Say No to One Earth Action Group which expressed dissatisfaction with the consultation but stating that they had *"not been afforded the opportunity to verify and consider the content of these representations"*. This effectively rubber-stamped a report they knew to be contested. See the Newark and Sherwood Adequacy of Consultation letter 11.05.25 appendix C .

2.5 PINS Failure Complicity and Coaching

Notwithstanding the inadequacy of the NSDC report, it was a clear flag to PINS that the matter required investigation, yet they ██████ to do so and passed the proposal through for examination **regardless**.

PINS actively assisted the Applicant in navigating these failures. PINS met with One Earth Solar Limited on 16 August 2024 (Section 51 Advice Log page 5). Evidence suggests that during this engagement, advice was given on how to structure the consultation report to avoid accusations of a "false consultation," effectively coaching the Applicant on how to bypass the very checks PINS is supposed to enforce. (Exhibit C page 91 and 92) .

3. Part II: The Procedural "Taint" (The Preliminary Meeting Failure)

The illegality of this examination was crystallized at the Preliminary Meeting on 8 July 2025. It was at this specific juncture that the ExA was given the opportunity to correct the ██████ but ██████ to do so, tainting the entire examination going forward.

3.1 The Refusal to Suspend and Illegal Advice

At the Preliminary Meeting, the Interested Party challenged the ExA on whether the Examination should proceed given the ██████ consultation. The ExA refused to investigate, stating that as PINS had accepted the report, the issue was closed. Crucially, the ExA informed the Interested Party that the issue was not one for the examination and his only recourse would be after the secretary had made his decision. (Exhibit E pages 94)

- **Legal Defect:** This constituted illegal advice. The ExA had the authority and duty to investigate the validity of the application *during* the examination. By deferring the challenge to the post-decision stage, the ExA abdicated his inquisitorial duty.

3.2 The Failure to Enforce the "Verbal Rule 17"

At the same meeting, the ExA advised the Applicant that "it will be our expectation that we will get a full and detailed response to those representations, including your criticisms" to the Interested Party's Relevant Representations regarding the consultation ██████ .
(Exhibit page 95)

- **The Instruction:** This expectation constituted a verbal Rule 17 instruction.
- **The Breach:** The Applicant ██████ to provide this response.
- **The Taint:** Despite this clear defiance, the ExA ██████ to enforce the instruction or follow up on the missing response.

This failure to enforce his own instruction allowed the Applicant to proceed without answering the charge of ██████, thereby tainting the whole examination going forward. The

Applicant used this signal as a license to fail to engage on all matters of substance throughout the examination. The ExA has been reminded of this illegality at every subsequent deadline, yet they have allowed PINS to choose to redact these reminders rather than act on them. (Exhibit F)

4. Part III: Material Omissions and Scientific Safety

The [REDACTED] detailed above was employed to hide safety-critical evidence from the Examination.

4.1 Suppression of Mental Health Data

The Applicant suppressed the existence of a mental health survey conducted by Dr. Sarah Fletcher involving 109 residents.

- **Acknowledgment:** On 1 August 2024, at the meeting with North Clifton Parish meeting and South Clifton Parish Council, [REDACTED] acknowledged receipt of this survey and assured the community it would be addressed.
- **Denial:** By November 2024, the Applicant reversed position, claiming mental health would not be considered. (Exhibit B page 84)
- **Concealment:** At Issue Specific Hearing1 Part 6, the Applicant's expert and legal representative denied knowledge of Dr. Fletcher's report. This denial contradicts the documented receipt of the report by [REDACTED], constituting a breach of the [REDACTED]. (Exhibit A Pages 20 and 21 and Exhibit B page 84)

4.2 The Hydrological Defect (The Baiamonte Effect)

The Applicant's refusal to engage with the script of the 1 August meeting allowed them to bypass the "enhanced flood risk" warning raised in that script. "It was painfully clear from the answers given by your team that our concerns regarding the enhanced flood risk to our properties from the project are not understood. Firstly if you are using flood maps that take into account climate change from the Environment agency but with no allowance made for the impact of your project, it is incumbent on you to have the professional work done to have those maps amended so that we (and the inspector) can see the impact of your project on flooding. Secondly, it is no good simply repeating that there is no more water as a result of your project. You need to properly model and assess the impact of increased/modified water flows and speed of water flows, resulting from your panels over an extended area, to the peak water levels of the Trent in the areas of N and S Clifton. Even a marginal impact could be sufficient to significantly increase the risk of flooding to the communities. Having made such an assessment it should be available to us and reflected in your proposals. Even moving from normal agricultural use on a relatively small area to turf

production has had an acknowledged impact on the speed of and quantity of water reaching the Trent and the flood protection buffers. Your panels are likely to have a much larger impact" (Exhibit B....) This has resulted in an examination proceeding on the basis of the obsolete Cook & McCuen (2013), En3 model, ignoring the peer-reviewed Baiamonte et al. (2023) evidence regarding kinetic energy amplification ("curtain flow") from solar panels. (Exhibit B pages 33)

5.0 THE COLLAPSE OF INDEPENDENCE: FROM STRUCTURAL FLAW TO INSTITUTIONAL CORRUPTION and Executive ██████████

5.1 Structural Conflict and the Escalation to Corruption The failure of the Examining Authority (ExA) to enforce "Verbal Rule 17" against the Applicant exposes a fundamental structural flaw that has escalated from localized administrative error to active, high-level institutional corruption.

- **The Structural Conflict:** While the ExA exercises a quasi-judicial function ostensibly independent of the Planning Inspectorate (PINS), they remain employees of PINS. They are dependent on the Inspectorate for administrative support and future appointments. In the case of the "One Earth" proposal, this dependency has manifested as a visible refusal to investigate the ██████████ Section 55 report, prioritizing their employer's administrative smooth running over the statutory integrity of the examination.
- **The Corruption:** This structural weakness has allowed PINS to engage in a coordinated strategy to retroactively validate an illegal application. This includes the spoliation of the record (forensic sanitization of documents to remove legal threats) and the executive usurpation of the ExA's role to silence whistleblowers.

5.2 Executive ██████████: The "Delivery at All Costs" Doctrine The procedural irregularities observed are symptoms of a regime where statutory compliance has been sacrificed for the "Delivery, Delivery, Delivery" mantra championed by PINS CEO ██████████. This culture has transitioned into active ██████████ through the illegitimate gatekeeping of senior leadership.(Exhibit H)

Executive Usurpation: In correspondence dated 9,15 and 19 December 2025, Operations Manager ██████████ and CEO ██████████ notified the Interested Party of an intention to "disregard" future representations (Exhibit H). This intervention violates **Section 87 of the Planning Act 2008**, which dictates that the determination of "relevant" evidence is the exclusive prerogative of the ExA. By inserting themselves as gatekeepers, leadership has acted *ultra vires*, effectively rigging the Examination. What is more they did so incompetently, failing to examine the evidence and failing to understand the law and the meaning of the words they used.

Weaponizing "Vexatious": The leadership has weaponized the label "vexatious" to silence legitimate allegations of ██████████. This contradicts the ExA's previous acknowledgement (06 November 2025) (Exhibit H) "all I can do is reassure you that we do understand and take very seriously the concerns that you've identified and obviously appreciate the extent of work

that you've gone to in promoting the concerns that you have". This demonstrates a regime out of control, where the objective is to process the application regardless of its defects. (Exhibit H).

5.3 The Mechanism of Concealment: "Redaction Creep"

Reference: *Forensic Schedule of Censorship (Chronological) and Detailed schedule of Redactions – Exhibit F*

As evidenced in the attached **Forensic Schedule (Exhibit F)**, the Inspectorate has engaged in the systematic **spoliation of evidence**, unilaterally altering the nature of the case presented by an Interested Party. This is not data protection; it is administrative interference.

The censorship has evolved through a demonstrable pattern of "**Redaction Creep.**" This is an escalation from the policing of tone to the active suppression of Statute and Supreme Court Precedent. The following chronological analysis demonstrates that the ExA is acting *ultra vires*, effectively shielding the Applicant and Statutory Bodies from scrutiny under the guise of procedure.

Phase 1: The Policing of Tone (August 2025)

- **The Act:** In the *Mental Health and Conduct* submission (18 Aug 2025), the ExA redacted the term "**Contempt**" and the name of the Project Manager regarding "**conspiracy.**"
- **The Effect:** This was the initial "testing of the waters." By removing "Contempt"—a description of an attitude toward the court—the ExA policed the *tone* of the objection. More critically, by shielding professional staff (██████████) from allegations of conspiracy, they established a precedent of protecting the Applicant's agents from professional accountability.

Phase 2: The Suppression of Fact & Intent (October 2025)

- **The Act:** In the *Chronology Establishing Bad Faith* (03 Oct 2025), the ExA redacted "**Misrepresentation**" and "**Deliberately concealed.**"
- **The Effect:** This marks a shift from tone to substance. By removing "deliberately," the ExA removed the allegation of *mens rea* (guilty mind/intent). This falsifies the record to suggest the Applicant merely made an administrative error, rather than the "██████████" and "██████████" (knowledge of wrongdoing) explicitly alleged in the submission.

Phase 3: Interference with Legal Counsel (Mid-Examination)

- **The Act:** In the *Legal Opinion on Systemic Breaches* (Response to ExQ2), the ExA redacted the phrases "**Incurable Corruption**" and "**Sustained Deceit.**"
- **The Effect:** "Corruption of the record" is a specific concept in administrative law. By sanitizing this phrasing, the ExA stripped the submission of its status as a formal legal warning, downgrading a citation of "Deceit" (a legal tort) into a generic complaint.

Phase 4: The Suppression of Law (The "Smoking Gun" – 09 December 2025)

- **The Act:** In the *Critical Analysis of ExQ3*, the ExA redacted the "[REDACTED]" and the citation "[REDACTED]"
- **The Effect:** This is the most egregious instance of *ultra vires* censorship. It is unlawful to redact the name of a Public Act of Parliament or a Supreme Court Judgment. This proves the ExA is actively blocking the "[REDACTED]"—that deception voids planning permission—from appearing on the face of the record.

Phase 5: Protection of the Regulator (14 December 2025)

- **The Act:** In the *Closing Position Statement*, the ExA redacted criticism stating the Environment Agency and LLFA "**appear to have acquiesced to commercial pressure.**"
- **The Effect:** The Environment Agency is a public body; it has no GDPR rights regarding professional competence. This redaction proves the ExA is acting to protect the reputation of the "system" and fellow regulators, rather than acting as an impartial arbiter of the scheme's safety.

Phase 6: Meta-Censorship (29 December 2025)

- **The Act:** In the *Report on Procedural Irregularities*, the ExA redacted the list of words they had previously redacted (e.g., "**Sanitise,**" "**Circumvent**").
- **The Effect:** This constitutes "Meta-Censorship"—the concealment of the mechanism of concealment. The ExA is hiding the criteria used for censorship to prevent the Secretary of State from reviewing whether the redaction policy was lawful.

Conclusion on Mechanism This aggressive censorship confirms that ExA and the Executive Leadership is aware that the Application is fatally flawed. They are using redaction to prevent these flaws—specifically allegations of [REDACTED] and **Deceit and the regulatory failure**—from reaching the Secretary of State.

5.4 Procedural Disdain and Discriminatory Handling The conduct of the examination has betrayed a systemic disdain for public participation and Natural Justice, characterized by a lack of parity in procedural handling:

- **Guillotining Public Hearings:** The ExA unilaterally guillotined the first public meeting, mid meeting and without giving a reason, without notice, ruling that Interested Parties could only speak once. This arbitrary restriction silenced residents who had prepared evidence, effectively censoring the public record for administrative convenience.
- **The Deadline 7 Suppression:** On 18 December 2025, PINS announced the publication of Deadline 7 papers but deliberately withheld nine critical submissions from Stephen Fox—including the *Closing Position Statement*—until late December (22-31 Dec) (This was a repeat performance of what occurred at deadline 4). This delay prevented other Interested Parties from viewing the critique of the Applicant's [REDACTED] during the critical window of the Examination, making the Inspectorate complicit in the Applicant's concealment strategy.
- **The "Amorphous Blob" Approach:** The ExA permitted the Applicant to treat Interested Parties as an "amorphous blob," grouping distinct legal and technical objections into generic summaries rather than responding to them as individuals.

5.5 The Consequence: A "Blind Eye" to Regional Catastrophe The corruption of the process has dire physical consequences. The establishment's refusal to engage with the **Baiamonte (2023)** evidence regarding kinetic energy amplification ("curtain flow") establishes a dangerous precedent for the entire Midlands region.

- **Cumulative Negligence:** By allowing the Applicant to use the obsolete **Cook & McCuen (2013)** and En3 guidance, the ExA is licensing a "compound hydrological disaster." The failure to model the cumulative hydraulic impact of the "Baiamonte effect" across the cluster of solar NSIPs in the Trent Valley constitutes a reckless gamble with public safety.
- **Policy of Sacrifice:** This defective methodology signals a tacit policy decision: that the flooding of Midlands communities is acceptable "collateral damage" in the race for energy targets.

5.6 CONCLUSION The Planning Inspectorate has abandoned its role as an impartial arbiter. Through the combined actions of Executive Gatekeeping () and Forensic Sanitization, the Inspectorate has engaged in a conspiracy to pervert the statutory process. This conduct effectively shields the Applicant from criminal liability under the () and renders the entire Examination legally unsafe

6. PART V: THE FORENSIC TIMELINE OF THE EXQ2 & EXQ3 "TRAP"

The following chronology exposes a systemic failure of due process. It demonstrates how the Examining Authority solicited evidence of illegality (ExQ2), only for the Planning Inspectorate (PINS) to suppress that evidence when it was provided (Deadline 4), creating a "quandary" that paralyzed the examination for a month.

Phase 1: The Solicitation (ExQ2) (See Exhibit I page 144)

- **Date Issued:** 3 September 2025.
- **The Question (Q1.0.2):** The ExA specifically invited the Interested Party to particularize the legal failure.
 - *Text:* "It would be helpful to understand further, how if at all, you consider the applicant has () in its legal duties under the Planning Act... Could you please clarify how, exactly, the applicant () (in your view) to consult properly by reference to the specific legal duties imposed by Chapter 2 of the Planning Act 2008..."

Significance: This was the "Trap." The ExA formally opened the door for evidence of the Section 55 () to be placed on the record.

Phase 2: The Response and Suppression (Deadline 4)

- **Date Submitted:** 3 October 2025.

- **The Response:** The Interested Party submitted five papers answering Question 1.0.2, including the *Chronology establishing bad faith* (Rep4-089). (See Exhibit A)
- **The "Quandary" and Delay:**
 - All other Interested Party submissions for Deadline 4 were published on 20 October 2025. ◦ Stephen Fox's submissions were held back. PINS staff took over two weeks to process these specific papers (a full month from the time of their submission), finally publishing them on 4 November 2025. However, the crucial Chronology Establishing Bad Faith was not published until 23 December 2025 and then rendered impotent by the redactions.
- **The Censorship:** When finally published, the submissions were heavily redacted. Specifically, *Rep4-089* was sanitized to remove references to "[REDACTED]" and "[REDACTED]," neutralizing the very evidence the ExA had asked for.
- **Conclusion:** The delay proves that the ExA and PINS realized the gravity of the evidence (that the examination was illegal). Instead of acting on it, they spent a month determining how to suppress it.

Phase 3: The "Bait and Switch" and Professional [REDACTED] (ExQ3 Response) (see Exhibit I page 145)

Following the suppression at Deadline 4, the ExA pursued the "missing documents" issue with the Applicant in ExQ3.

- **The Question (Q1.0.2):** The ExA asked the Applicant to confirm if they received the "script" of the meeting.
- **The Admission:** The Applicant admitted they did hold the "notes" (minutes) and the Mental Health Report, contradicting their July claim that the files were "lost".
- **The "Bait and Switch" (Continued Illegality):** Instead of complying with the ExA's direct request for the *verbatim script*, the Applicant executed a calculated "Bait and Switch." They substituted sanitized "meeting minutes" (which they deceptively termed "notes") and, crucially, **continued to suppress the cover email of 2 August 2024 to [REDACTED]**. This was not an oversight; it was a calibrated legal manoeuvre to [REDACTED] the specific forensic warnings regarding flood risk contained in the script and email.
- **Professional [REDACTED] and Breach of Duty:** This response was drafted by the Applicant's solicitors and authorized by their corporate officers. By knowingly submitting a misleading document (substituting minutes for the script) to a quasi-judicial examination, these professionals have breached their [REDACTED]. They are no longer acting as advocates but as active participants in the concealment of evidence, implicating themselves in the continued blatant illegality of the process.

Phase 4: The Second Suppression (Deadline 7)

- **Date Submitted:** 14 December 2025 (Deadline 7).

The Submission: The Interested Party submitted the *Critical Analysis of Applicant Responses to ExQ3* and the *Closing Position Statement*. These documents exposed the Applicant's ExQ3 admission as proof of [REDACTED].

- **The Repeat Pattern:**
 - PINS announced on 18 December 2025 that "all Deadline 7 papers" were published.
 - **The Lie:** This was false. Stephen Fox's nine critical analysis papers were withheld.
 - **The Delay:** PINS delayed these specific papers until 22-31 December, and at the time of writing, the *Closing Position Statement* and *Critical Analysis* remain effectively buried or redacted. (they were finally published whilst this document was being prepared on 31 December but after everyone else's deadline 8 submissions had been published). They again announced on the 30 December that all documents had been published only to have to correct themselves again on the 31 December when they published a number of my withheld deadline 7 and 8 submissions.

Legal Conclusion on Process: The ExA asked for the truth at ExQ2. When the truth was provided at Deadline 4, PINS suppressed it. When the Applicant inadvertently confirmed the truth at ExQ3, PINS suppressed the analysis of that confirmation at Deadline 7. This is not case management; it is evidence tampering to protect a compromised application.

7. PART VI: THE CONFIRMED 'POISONED ROOT' (Consequence of ExQ3 Admissions)

The Applicant's response to ExQ3 serves as the final, formal confirmation of illegality. By admitting they hold the 'notes' (minutes) and the Mental Health Report, the Applicant has inadvertently admitted that the Consultation Report accepted under Section 55 was materially incomplete.

- **Admission of Possession:** This admission confirms they possessed these documents throughout the 4-month silence and the entirety of the examination.
- **Confirmation of [REDACTED]:** It definitively proves the files were never "lost" but were wilfully withheld to sanitize the record.
- **Jurisdictional Nullity:** As the Section 55 acceptance relied on a complete and accurate Consultation Report, this admission confirms the decision was based on [REDACTED]. Consequently, the acceptance is void *ab initio*, and the examination has been conducting proceedings on a nullity.

8. NOTICE REGARDING THE [REDACTED]

The Applicant and the Planning Inspectorate and the GLD are reminded that in any future Judicial Review proceedings, the Defendant (the Secretary of State) will be subject to a [REDACTED] to disclose all relevant facts to the Court (*Belize Alliance of Conservation NGOs v Dept of the Environment*). This duty extends to documents that undermine the Defendant's case (*Tweed v Parades Commission*). The forensic evidence submitted herein—specifically the timeline proving the fabrication of the "Q&A" session nature and the ExA's failure to enforce the Rule 17 instruction on 8 July 2025—creates a specific litigation risk. We place you on formal notice:

- The Consultation Report accepted under Section 55 was materially false.
- The ExA was offered the opportunity to correct this jurisdictional defect on 8 July 2025 but [REDACTED] to do so, instead offering illegal advice regarding recourse.
- Any recommendation to grant consent based on this "sanitised" record will force the Government Legal Department (GLD) to defend a decision they know to be based on a [REDACTED] record.

9. Request for Action

The Interested Party requests that the Examining Authority:

- **Accepts this submission** under Rule 17 and Rule 8(3) as the final forensic statement on jurisdiction.
- **Compels the Applicant** to produce the unredacted minutes and script of the 1 August 2024 meeting immediately.
- **Advises the Secretary of State** in the Recommendation Report that the examination is compromised by the failure to enforce the verbal Rule 17 instruction regarding the adequacy of consultation.

Yours faithfully

Stephen Fox Interested Party (Ref: [REDACTED])

Exhibit A

Chronology Establishing Bad Faith

I contend that the following chronology provides compelling evidence of bad faith. The forensic evidence provided—detailing the three-month silence, the deliberate minimization of meeting status, and the subsequent active concealment of the critical "script" and the mental health report during the Examination—does not just suggest a procedural error; it **conclusively supports a finding of deliberate intent (██████████) and systematic abuse of the statutory process** on the balance of probabilities. The sequence of events, together with the omission of key documents, is highly indicative, as is the Applicant's characterisation of the 1 August 2024 meeting as an informal question-and-answer session with no statutory bodies present, when in fact it involved a robust objection from South Clifton Parish Council, North Clifton Parish Meeting, and the Say No to One Earth Action Group.

- 22/07/2024: I wrote to One Earth, challenging their site selection, raising concerns regarding the rationale for connecting to High Marnham, flood risk, the impact of solar panels on runoff, cost-benefit analysis, and several other substantive issues relevant to the sequence test and Trent Valley area flooding. No reply was received. Further details are available in my Relevant Representation.
- 01/08/2024: The issues outlined in my 22 July email were expanded upon and presented to One Earth by the chairman of a meeting on behalf of South Clifton Parish Council (a statutory consultee), North Clifton Parish Meeting, and the Say No to One Earth Action Group.
- 02/08/2024: I wrote to ██████████, Principal Officer at One Earth, providing the script of the meeting (read verbatim at the meeting) and further elaborating on the points raised, emphasising their seriousness and the strength of local sentiment. I specifically referenced the need to address flood risk and Dr Sarah Fletcher's report on mental health. A full recording of the meeting, to which One Earth agreed, exists. The purpose of this correspondence was to ensure there could be no ambiguity regarding the challenges presented.
- 08/08/2024: Minutes of the meeting were sent to One Earth.
- No response was received until 19/11/2024 to either my email or the meeting minutes.
- 06/11/2024: The Planning Inspectorate advised the Applicant (Consultation Report, paragraph 3.7.2) that all necessary information relating to pre-application consultation activities must be included in the Consultation Report when submitting the DCO application.
- 19/11/2024: One Earth responded to the 1 August meeting, but incorrectly stated that the meeting was only with North Clifton. In fact, it included North Clifton Parish Meeting, the Say No to One Earth Action Group, and South Clifton Parish Council. This selective reporting appears strategic, given the different statutory standings of the Parish Council, Parish Meeting, and Action Group. The timing of this response—shortly after the Inspectorate's directive—raises questions as to whether any response would have been forthcoming otherwise. The response itself minimised the discontent expressed at the meeting and sidestepped criticisms regarding the adequacy of consultation and One

Earth's willingness to engage, seemingly to avoid full disclosure in the Consultation Report.

- 16/01/2025: One Earth responded to my email of 2 August 2024, but avoided addressing the substantive issues. [REDACTED] confirmed that all feedback would be included in the DCO application.
- 16/01/2025: I replied to One Earth's email, reiterating the inadequacies of the consultation and requesting assurances. No response was received.
- 27/03/2025: The Consultation Report was presented with the Developer's application, with the Inspectorate having satisfied itself that the consultation process was conducted correctly.
- 04/05/2025: I submitted a Relevant Representation., including copies of correspondence from 22 July and 2 August 2024, as well as the script of the 1 August meeting.
- 16/07/2025: I requested from One Earth the specific pages in Appendix J-2 where the script of the 1 August meeting and related responses could be found.
- 25/07/2025: One Earth replied stating, "I cannot find the attachment as referenced. I know it was included in an earlier draft but appears to have been lost in the finalisation process. I'm updating that file now to submit at Deadline 1 with the attachment."
- 01/08/2025: A revised version of Appendix J-2 was submitted to the Inspector. It included One Earth's email to North Clifton Parish Meeting dated 19 November 2024, but excluded both the minutes of the 1 August meeting and the script provided to [REDACTED] on 2 August 2024. This omission perpetuates the misrepresentation of the meeting.

The Applicant has consistently employed questionable tactics to avoid disclosure of documents identified by the Inspectorate as necessary (6 November 2024, Consultation Report 3.7.2). The meeting on 1 August 2024 was a substantive critique of One Earth's consultation process and supporting documents. By misrepresenting the nature of this meeting in paragraph 6.2.38 of the Consultation Report and omitting the script and responses from Appendix J-2, One Earth have [REDACTED] of widespread dissatisfaction from both the Inspectorate and local authorities, with the apparent intention of facilitating the progression of their application.

At no point in the Consultation Report does One Earth acknowledge the depth of community dissatisfaction or their repeated failure to engage constructively.

8 July 2025: At the Preliminary Meeting, the Inspector rejected my challenge regarding the Consultation Report's integrity, stating that it had already been approved and that the challenge was not a procedural matter. The Inspector confirmed that he had reviewed my registration representations and taken them on board. However, as these were submitted over a month after the Consultation Report's approval, neither the Inspectorate nor local councils could have been aware of the persistent concerns raised by the community regarding One Earth's consultation. As a result, the Consultation Report was accepted despite the omission of material information that could have influenced decision-making.

In the Written Summary of Applicant's Oral Submissions at the Open Floor Hearing 1 (OFH1) (Document Reference: EN010159/APP/9.4 July 2025), One Earth stated:

- 2.5.1: In response to concerns raised, [REDACTED] asserted that the Applicant prioritised early, consistent, and meaningful engagement, including a single point of contact ([REDACTED]) and various outreach activities such as in-person events, webinars, home visits, and parish council meetings.
- 2.9.5: In response to comments on consultation adequacy, [REDACTED] referenced the 16 local authorities' Adequacy of Consultation Representations [AOC-001 to AOC-017], all of which confirmed the Applicant's compliance with statutory consultation requirements. She also offered to indicate where application materials might assist in understanding the proposal's design and impacts. The Applicant's position is that engagement with stakeholders and the community was robust and extensive, encompassing both statutory and non-statutory phases, as outlined in the Consultation Report [APP-151].

These statements suggest that One Earth continues to present an inaccurate account of their consultation and engagement efforts. Either the Applicant has not fully informed their legal representatives, or the latter are willing to perpetuate this misrepresentation. The omission of the full script of the 1 August 2024 meeting is particularly concerning, as it documents repeated requests for a scale model and dissatisfaction with the consultation process and challenges their site selection, raising concerns regarding the rationale for connecting to High Marnham, flood risk, the impact of solar panels on runoff, cost-benefit analysis, and several other substantive issues relevant to the sequence test and Trent Valley area flooding.

The following email exchange further illustrates the issue:

Stephen Fox [REDACTED]

Good morning, [REDACTED],

This is a quote from the Consultation Report:

"6.2.38 The meeting with North Clifton Parish Meeting and South Clifton Parish Council on 1 August was formatted as a question-and-answer session. After the meeting, North Clifton Parish Meeting and South Clifton Parish submitted a list of detailed questions regarding the PEIR. These questions and the responses to them are included in Appendix J-2."

Would you please provide the relevant page numbers in Appendix J-2 where these questions and answers appear?

Regards,

Stephen

Stephen Fox [REDACTED]

Hi [REDACTED],

My request of 16 July is important, as I have committed to providing further information to the Inspector. A prompt response would be appreciated.

Regards,

Stephen

info@oneearthsolarfarm.co.uk

Hello,

I apologise for the delay. I cannot find the referenced attachment. I know it was included in an earlier draft but appears to have been lost in the finalisation process. I am updating that file now to submit at Deadline 1 with the attachment.

Thank you for bringing this to my attention.

Kind regards,

[REDACTED]

[REDACTED] response was received at 12:00 on 25 July 2025. Taking ten days to respond during a critical phase of the Examination raises concerns regarding the quality of engagement and suggests hesitation in addressing the omission. The assertion that the document was “lost in the finalisation process” lacks credibility given the legal scrutiny involved.

On 1 August 2025, a revised Appendix J-2 was submitted, again excluding the minutes and script of the 1 August 2024 meeting. This perpetuates the misrepresentation of the consultation process and undermines claims of ongoing engagement.

Furthermore, in their Applicant Responses to Relevant Representations Onee Earth again [REDACTED] to disclose documents relating to consultation inadequacy, despite the Examining Authority’s clear expectation at the Preliminary Meeting that all criticisms and unanswered questions would receive a full and detailed response.

When I raised concerns about the consultation at the Preliminary Meeting, [REDACTED], as recorded in the transcript, acknowledged the representations but distinguished between statutory consultation requirements and the issues I raised, inviting further detail. The Inspectorate’s expectation for a thorough and detailed response from the applicant remains unmet. This is the sixth instance of these issues being excluded: following their initial submission on 1 August 2024, One Earth’s responses in November 2024 and January 2025, the Consultation Report’s misrepresentation and omission of documents from Appendix J-2, the revised Appendix J-2 at Deadline 1, and the failure to respond to the Inspector’s expectation at the Preliminary Meeting.

Mental Health and the Conduct of One Earth

Prior to the 1 August 2024 meeting, Dr Sarah Fletcher conducted a survey of 109 local residents regarding the mental health impacts of the One Earth proposal. During the meeting, [REDACTED] acknowledged receipt of the survey and indicated that the team would consider how best to address its findings. The importance of local mental health was repeatedly emphasised, with assurances that proposals would be forthcoming. However, when One

Earth returned in November 2024, the message was that local mental health would not be considered—a position reiterated at Issue Specific Meeting Part 6 by both their expert and legal representative, and in their Applicant Responses to Relevant Representations.

Of particular concern is the fact that Dr Fletcher’s survey was omitted from the Consultation Report and its appendices, despite assurances on 16 January 2025 that it would be included, and despite the Inspectorate’s directive that all relevant pre-application consultation materials must be submitted (Consultation Report 3.7.2, 6 November 2024).

At the Issue Specific Meeting Part 6, both [REDACTED] and [REDACTED] denied knowledge of Dr Fletcher’s report, raising questions as to whether its existence was deliberately concealed from the Applicant’s own experts. This represents further evidence of a pattern of withholding material information from the Inspectorate and undermines the integrity of the consultation process.

Despite multiple submissions to One Earth up to and including Deadline 3—and notwithstanding that the issues I first raised on 22 July 2024 have been a central focus of the Examination—the Applicant has consistently [REDACTED] to engage constructively or respond to the substantive concerns raised.

Exhibit B

One Earth Solar Farm

Representation by Stephen Fox

Date submitted

4 May 2025

Submitted by

Members of the public/businesses

One Earth have [REDACTED] to properly consult the population as is required by the relevant legislation. Worse they have [REDACTED] to consult and gone to considerable lengths and expense to so pretend with the intention of [REDACTED] both the council and the Inspectorate into believing that they have consulted properly. Any points that have been made regarding their proposals which substantially detract from the possibility of the project going forward have been greeted by One Earth with a promise to get back to us or with a commitment that they will do further work. They have consistently [REDACTED] to follow through on those commitments. The quality of their work is poor at best and probably incompetent and is full of inaccuracies. In short they have treated the local community with cynical contempt.

Of particular concern is their inadequate response to my emails of 2nd and 9th August and, in particular, that in response to the issue of the enhanced flood risk posed by the proposal in its own right and the accumulative effect of it and other solar projects proposed in the Trent Valley. To quote from my email ""It was painfully clear from the answers given by your team that our concerns regarding the enhanced flood risk to our properties from the project are not understood. Firstly if you are using flood maps that take into account climate change from the Environment agency but with no allowance made for the impact of your project, it is incumbent on you to have the professional work done to have those maps amended so that we (and the inspector) can see the impact of your project on flooding. Secondly, it is no good simply repeating that there is no more water as a result of your project. You need to properly model and assess the impact of increased/modified water flows and speed of water flows, resulting from your panels over an extended area, to the peak water levels of the Trent in the areas of N and S Clifton. Even a marginal impact could be sufficient to significantly increase the risk of flooding to the communities. Having made such an assessment it should be available to us and reflected in your proposals. Even moving from normal agricultural use on a relatively small area to turf production has had an acknowledged impact on the speed of

and quantity of water reaching the Trent and the flood protection buffers. Your panels are likely to have a much larger impact. To make sure the above was accurate I had it checked by a leading expert on flood risk and mitigation (I will disclose their name once I have his permission if required but they are a professor at a Russell Group University). This was the response

"In essence if there is the same amount of rainfall but less infiltration – due to urbanisation, areas of tarmac, compacted fill, or even solar panels then you get more runoff and as a result increased flood flows - there is no question about this. The issue, having just completed a report to help the residents ofis that the defences are limited and the floods are getting bigger. I understand that one of the floods here was only stopped by putting sandbags on the top of the banks. If the flood gets to 8metres AOD the whole village goes. – so not only is it a fact that the floods will be worse – they should model it and show what happens. The whole of the Trent valley will be vulnerable as a result of this – electricity and water does not mix !!"

Who at One Earth is taking the flood risk seriously from not only the One Earth Project but from the cumulative effect of all the proposals that fall within the East Midlands and beyond? Are you aware that the cumulative effect could be enough to seriously increase the flood risk to the whole Trent valley? Will One Earth arrange for the appropriate modeling of this impact?"

I have not had an adequate response from One Earth and their proposal to you has not addressed the issue properly as they promised to do.

It is incumbent on the Planning Inspectorate to ensure that the flood risks, not only to North Clifton but to the whole of the Trent Valley, are properly assessed with appropriate modelling of the flood risks referred to before granting approval of the project and other similar projects.

Other concerns were adequately expressed in my emails to One Earth which I have copied to you together with One Earth's responses so that you can judge both my concerns and the way that One Earth have Treated the legitimate concerns of the local community.

Proposed solar farm project Inbox

Stephen Fox Attachments Mon, 22 Jul 2024, 09:07 to info

Dear all

I attach my comments on the above proposal. I would be pleased if you would acknowledge receipt.

-- Regards

Stephen Fox

Resident of North Clifton One attachment • Scanned by Gmail Submission to One Earth solar farm By Stephen Fox 22.07.24

There has been no consultation

There are reasonable grounds to believe that One Earth have not consulted with the local community. As a result, litigation is being considered to stop the project going forward and you are hereby put on notice to preserve all documents including emails relating to the development of the project from initial consideration, within One Earth, so that they are discoverable in the event of litigation.

The development of this project will represent a major redistribution of wealth away from the residents of the project area to One Earth, to the farmers who have been offered and taken up lucrative index linked leasing deals and to the UK residents as a whole. To do this without offering compensation to the residents for their loss resulting from the project is a breach of natural justice and is in breach of the European Convention on Human Rights and renders the project subject to legal challenge.

Failure to present the residents local to the project with a formal independent cost benefit analysis of the impact of the project on them renders One Earths claim to have consulted the local community null and void and puts them in breach of the 2008 Planning act and again renders the project subject to legal challenge.

Both the First Consultation 27th September -8 November 2023 and the second consultation 29May -9 July 2024 cannot properly be described as consultations but should more properly be described as a marketing effort to persuade the local population to support the project by presenting all the purported positives in favour of the project whilst at the same time using deflection techniques to avoid any discussion of the negatives and because it fails to provide information regarding the loss the project will bring to the value of their properties. The residents were not put in a proper position to comment on the project, as is necessary in a proper consultation.

Whilst facilities were made available for members of the public to put their concerns in writing, there is no evidence that these representations have

been taken seriously. The same can be said of discussions with the highly educated and probably highly paid consultants who were running the presentations on behalf of one earth. They didn't listen to the concerns of those who attended or take those concerns as serious points for consideration but simply sort to deflect from those concerns.

The failure to advise residents of the likely impact on the value of their property as a result of the development is major omission and demonstrates the lack of good faith of the developers and is an indication of their intention to not to conduct a proper consultation

For example, when asked what impact the project would have on house prices the consultants across most of the meetings replied that research has shown that such projects have no negative impact on house prices. I have only found research relating to projects in the USA that say the same, but it is well established in European research, even in papers readily available on the National Infrastructure Planning Inspectorate website, that such projects have a clearly defined negative effect on house prices local to such projects. The experience that will result from the One Earth project is far more likely to follow, or be worse than, the European experience, where conditions more closely follow those of the UK, than the experience in the USA. That the consultants consistently answered as described above is a clear demonstration of One Earth's, or their representatives', cynical intention of deflecting the local population from the very real substantial financial losses that they will suffer should the project go ahead.

When I asked a consultant why One Earth were misleading the local people about the impact on their property prices she tried to avoid the subject and stated that some liked solar panels and that sufficient people might move into the area during the construction phase to compensate for those who would avoid it at all costs because of it being a massive construction site and the prospect of an area dominated by solar panels. She knew perfectly well that this was illogical but was clearly following the policy of deflection.

When I asked another consultant what the proposals were to compensate at two levels – the fall in property values and the destruction of the environment that we live in and the amenity of our surroundings – he offered that One Earth were mitigating. When I pointed out that mitigation doesn't compensate for destruction. He replied that One Earth weren't destroying anything. To my response that mitigation implied destruction or damage, he finished the conversation by telling me that he had better things to do than to debate the meaning of mitigation with me. Not only was

this rude but a clear demonstration of One Earth's refusal to engage in a proper consultation.

Another example is One Earth's presentation of the changes from the proposals presented at the first consultation to those at the second consultation.

"When we launched One Earth Solar Farm last year, we set out our objective to make best use of the opportunity presented by the decommissioned coal power station at High Marnham to deliver as much clean energy as possible and fight climate change, while being sensitive to the local community and the environment. That's why we consulted last Autumn on our early designs to get feedback from technical experts and the local community. We have listened to feedback from that consultation and have made a number of significant changes to our Project design. • We have removed panels near the villages and homes that are near the site boundary to reduce potential visual impacts. • We are proposing large environmental enhancement areas to support native species. • We are presenting new permissive paths to support recreation and access across the site."

The above quotation taken from the One Earth solar farm Consultation booklet, Statutory Consultation Booklet 29 May – 9 July, is substantially incorrect.

Information obtained from one earth states that "1031 ha were identified for potential development..... and 441 were for potential environmental enhancement" and "Since then we have reduced the area of development to 992 ha and 350 for environmental enhancement however the total project size has now increased to around 1600 hectares" from 1500.

A total increase in project size of 6.6%, a reduction of the area for environmental enhancement from 29.4% to 21.9% of the project and a reduction of the area for environmental enhancement by 20.6% directly contradicts your assertion above and constitutes a cynical attempt to mislead the local population and the government inspectors. It demonstrates that One Earth have disregarded the major results from the initial consultation.

The above leads one to suspect that areas of the original plans were stalking horses that One Earth never intended to carry through but were included entirely because you wished to show that you had "listened" and amended your plans as a result from the first consultation to the second consultation. This could be described as a [REDACTED] attempt to mislead

both the local population and the inspectors that you were consulting, whereas they were in fact manipulating information to make it appear that they had consulted and taken action as a result of such consultation.

Quality of data presented throughout.

It has been brought to my attention that substantial areas of the information that has been provided in all the documentation published by One Earth are inadequate or incorrect. The detailed feedback on this will be provided by others. However, the bland statement by One Earth that there is no evidence of water voles in the project area is simply wrong and reflects badly on the quality of all the work carried out and published by One Earth. This suggests that One Earth Should go back to the drawing board and examine all their published work before taking the project further because the presentation to date is inadequate to purpose.

The need to site the Solar Farm for ease of connection to the National Grid at the existing connection at High Marnham.

Much has been made of this. Please provide full evidence of the cost benefit analysis that was carried out showing the costs of an alternative plan where the panels were not so concentrated whereby the benefits of solar could be had for the country as a whole without the concentrated impact on the local community.

If there was no such cost benefit analysis please explain why not and why you feel entitled to impose on the local community without doing so.

There is no significant power loss by connecting by cable to the access point at High Manham. Cabling would allow for adequate solar infrastructure without the need for the concentration of solar panels in the One Earth project, and other projects proposed in the locality, without significant loss of power. There is no absolute need to be local to High Marnham. To represent otherwise is s to make a mockery of the concept of a consultation.

Compensation

The plan makes no provision for compensation to the residents of the local community for the loss in the value to their houses during the construction phase, during the 8 to 10 years that it will take for the foliage necessary to shield the sight of the solar panels to become established or during the 60 years of the project.

The consultation fails to make any formal assessment of the loss to the local residents in terms of the reduction in value of their properties or in terms of the loss of the amenity of the local environment.

The development of this project will represent a major redistribution of wealth away from the residents of the project area to One Earth, to the farmers who have been offered and taken up lucrative index linked leasing deals and the UK residents as a whole. To do this without offering compensation to the residents is a breach of the principles of natural justice and is in breach of the European Convention on Human Rights and renders the project subject to legal challenge.

The developers should undertake a comprehensive cost benefit analysis of this project to the residents of the project area and present it to them before One Earth can properly claim to have complied with the planning acts.

info@oneearthsolarfarm.co.uk 24 Jul 2024, 15:49 to me

Hello-

Thank you for your feedback, I can confirm receipt.

Regards-

[REDACTED]

One Earth solar farm project meeting 01.08.24. Inbox

Stephen Fox Attachments Fri, 2 Aug 2024, 13:18 to info

FAO [REDACTED] Project Leader

Dear [REDACTED]

I write by way of initial follow up to the above meeting.

So that there is no doubt as to questions that the Parish Meeting put to you, and their true sense, yesterday, I have attached the script that [REDACTED], (the chairman and spokesperson for the Parish Meeting at the above meeting) read verbatim to you. Recognising that a public forum is not the easiest forum in which to give a detailed and accurate response I would ask you to give a formal response to each point contained in it.

It would be helpful if you would also recognise and comment on the following:

The overall matter is that you have not put the local community in a position to properly assess the impact of your proposed project on them and until you do so you cannot claim to have consulted the local community correctly. By your own admission numerous documents are not available and many are full of errors and inaccuracies. Until complete information is readily available to the local community you will not have fulfilled the requirement to consult and you will be challenged throughout the process and ultimately a request will be made for judicial review if the project is authorised notwithstanding its shortcomings.

The meaning of a cost benefit analysis is well known to economists and other professionals and usually consists of more than incomplete qualitative analysis.

Can you confirm that the panels that you claim to have removed from around North and South Clifton, between the two "consultations", were a genuine proposal in the first place and not put there simply so that you could remove them when asked so that you could demonstrate that you were "listening" (consulting)?

What efforts have you made to amend your project since the guidance was issued that quality agricultural land should not be used "where possible"? Do you have evidence of your efforts? Do you have a definition of possible that differs from the Oxford English Dictionary? It is clearly possible to locate solar farms other than on prime agricultural land. Are you claiming that it is not possible, if so please justify the statement. If it is possible, are you really saying that if you have to take notice of government guidance you will not proceed with the project? 50% of the project being on prime agricultural land is not taking the guidance seriously.

Your answer that "we know it is the right place for the project" goes nowhere to providing a cost benefit analysis of the project against alternatives. It demonstrates a clear intention not to share, in quantitative or qualitative terms, - why is this?

It was painfully clear from the answers given by your team that our concerns regarding the enhanced flood risk to our properties from the project are not understood. Firstly if you are using flood maps that take into account climate change from the Environment agency but with no allowance made for the impact of your project, it is incumbent on you to have the professional work done to have those maps amended so that we (and the inspector) can see the impact of your project on flooding. Secondly, it is no good simply repeating that there is no more water as a result of your project. You need to properly model and assess the impact of

increased/modified water flows and speed of water flows, resulting from your panels over an extended area, to the peak water levels of the Trent in the areas of N and S Clifton. Even a marginal impact could be sufficient to significantly increase the risk of flooding to the communities. Having made such an assessment it should be available to us and reflected in your proposals. Even moving from normal agricultural use on a relatively small area to turf production has had an acknowledged impact on the speed of and quantity of water reaching the Trent and the flood protection buffers. Your panels are likely to have a much larger impact.

Would you assure us that the results of the mental health survey and presentation provided to you will be incorporated in your presentation to the project inspector .

A number of members of the community have been waiting for responses put to your team on this email for extended periods. There will be a substantial number of questions relating to the documents provided by you and other issues that arise from your project from our community alone. Are you adequately resourced to answer them accurately and promptly as well as filling the gaps in your proposals?

I intend to keep matters on a professional level, but I wish to emphasise the issue of respect to the community and the way your team have come over to members of the community. One example of the feeling that one lady in the community was left with is identified in the text referred to above. You were told directly of the impression that you personally had left on a local agricultural worker last night. In an earlier email to this address I mentioned that one of your colleagues told me that he had better things to do with his time than debate with me the definition of mitigation. What I didn't say in the email was that when I asked his status he told me he was "simply door" and not involved in the project. From last night's meeting I have identified the individual as [REDACTED] the "Master Builder" a senior member of your team. Perhaps these examples give you a proper sense of the impression you have given. Please understand they are only examples and the same impression was reported from all your consultation meetings throughout the project area. Unless you can give a satisfactory response to this I will take this matter to your board and to your parent company.

-- Yours sincerely

Stephen Fox

NG23 7AT

I am [REDACTED] and I have been appointed by North Clifton Parish meeting and Action group to chair this meeting and act as spokesperson for the beginning of the meeting.

1 Thank you (One Earth) for agreeing to this meeting.

2 Conduct of the meeting I have a number points to put to One Earth and I would be pleased if I could put these questions to them, and we could hear their responses before we move on to general participation in the meeting and further questions.

3 Initial Points for one earth Is the consultation being properly conducted? Your response to the initial non statutory consultation was to claim, in your Statutory Consultation Booklet 29 May-9 July, that you had listened, whereas the major concern expressed during the initial consultation was the sheer size of the project. You have dressed up minor concessions as listening whereas you increased the life of the project by 50%, increased the size of the project area by 6.6% and reduced the size of the area dedicated to environmental enhancement by 21%. This would suggest that your approach is to appear, by means of deceptive presentation, to be consulting rather than taking the concerns of the community seriously and consulting properly. Whilst you have presented plans and photographs that give some idea of what you intend to do to the area you have [REDACTED] to the give the local community the information necessary for them to properly understand the impact of the proposed project on their lives during the pre-construction and construction period, the 6 to 10 years for the shielding to mature and the 60 years of the project. There will be significant impact on us as villagers in many ways including economic effects. Where is the cost benefit analysis for the local community that would go some way to achieving this?

Where is the scale model that would enable the community to understand the scale and visual impact of this project? Two dimensions do not achieve this in either picture or plan form. Visual walk throughs similarly do not do the job and certainly not on a 24" computer screen.

Much of the backup work that you have provided in your document library is inaccurate or incomplete. When will these errors and inaccuracies be corrected? For example: Simple errors such as saying that the air quality monitor at Dunham, in Chapter 14, is within the Study area, where it is near by, but not within the study area. Not including key plans such as the Soil Management Plan, the Decommissioning Environmental Management Plan and the Landscape and Ecological Management Plan yet stating they will be followed in Chapter 9. In Chapter 8.84 it states that there is no

quantitative methodology that allows potable water effects to be assessed and the effects have to be based on professional judgement and is qualitative. This is a nonsense as Severn Trent water draw water from the Trent downstream of the project to create potable water for Lincoln city and I am sure they will have weekly quantitative results throughout the installation of the project, should it go ahead, and will tell One Earth in no uncertain terms if they have affected their water quality. One of the major concerns of the community is the flooding risk to our properties given the history of floods in the area. That you have not consulted in a meaningful way is amply demonstrated by the fact that you do not appreciate this and consequently have no flood risk plan or assessment and answer questions from our community by answering in a way that suggests that you believe we are concerned about potential damage to your panels from flooding and not our properties!

Have you prepared a cost benefit analysis of an alternative project that gives you access to High Marham without the concentration around the local community? If so, can we see it?

What do you intend to do to mitigate or compensate the local community for damage that the project will cause to the mental health of the local population? What work have you done on this and where are the results? Do you realise that you are causing very real mental health damage to a substantial proportion of the local community? Dr Sarah Fletcher will expand on the very real way your project is impacting the health and wellbeing of residents and we look forward to hearing more from her later.

Do you believe that it is consistent with the rules of natural justice to impose on the local community the damage that you will cause to the environment and the substantial redistribution of wealth away from the residents of the project area, by proceeding with the project without offering proper compensation?

Do you appreciate that unless you consult properly that the project will face potential referral for judicial, review? Are you aware that a substantial proportion of the population considered your consultation meetings a sham and said, "I did get the feeling there was no point in being there, they were all condescending" and "they have no idea what they are doing to us".

If you wish to take this community with you, you need to respect us by putting us in a position to understand the impact of the project and by giving us full and frank information and answers to our questions. There are many people in this room that are objecting to this proposal. One Earth Solar farm should not expect any support from this community whilst there

is missing information and incorrect information in your proposals, and whilst you continue to disrespect our community.

4 Response from One Earth Solar

4 Detailed questions.

By others?

info@oneearthfarm.co.uk Tue, 6 Aug 2024, 12:07 to me

Hello -

Thank you for sending this over. We will review and respond as quickly as possible.

Regards,

[REDACTED]

Stephen Fox [REDACTED]

Fri, 9
Aug
2024,
15:55

to info

Good afternoon [REDACTED],

Does your reply of the 6th August apply to both emails in this chain above please?

I would ask you to consider the following. In my email to this email address and addressed FAO [REDACTED] I wrote

"It was painfully clear from the answers given by your team that our concerns regarding the enhanced flood risk to our properties from the project are not understood. Firstly if you are using flood maps that take into account climate change from the Environment agency but with no allowance made for the impact of your project, it is incumbent on you to have the professional work done to have those maps amended so that we (and the inspector) can see the impact of your project on flooding. Secondly, it is no good simply repeating that there is no more water as a result of your project. You need to properly model and assess the impact of increased/modified water flows and speed of water flows, resulting from your panels over an extended area, to the peak water levels of the Trent in the areas of N and S Clifton. Even a marginal impact could be sufficient to significantly increase the risk of flooding to the communities. Having made such an assessment it should be available to us and reflected in your proposals. Even moving from normal agricultural

use on a relatively small area to turf production has had an acknowledged impact on the speed of and quantity of water reaching the Trent and the flood protection buffers. Your panels are likely to have a much larger impact."

To make sure the above was accurate I had it checked by a leading expert on flood risk and mitigation (I will disclose their name once I have his permission if required but they are a professor at a Russell Group University). This was the response

"In essence if there is the same amount of rainfall but less infiltration – due to urbanisation, areas of tarmac, compacted fill, or even solar panels then you get more runoff and as a result increased flood flows - there is no question about this. The issue, having just completed a report to help the residents ofis that the defences are limited and the floods are getting bigger. I understand that one of the floods here was only stopped by putting sandbags on the top of the banks. If the flood gets to 8metres AOD the whole village goes. – so not only is it a fact that the floods will be worse – they should model it and show what happens. The whole of the Trent valley will be vulnerable as a result of this – electricity and water does not mix !!"

Who at One Earth is taking the flood risk seriously from not only the One Earth Project but from the cumulative effect of all the proposals that fall within the East Midlands and beyond? Are you aware that the cumulative effect could be enough to seriously increase the flood risk to the whole Trent valley? Will One Earth arrange for the appropriate modeling of this impact?

Stephen Fox 18 Sept 2024, 09:48 to info

Good morning [REDACTED]

I have sent a number of emails to which I have yet to have a substantive response. Will you be responding?

Regards

Stephen

Stephen Fox Thu 16 Jan, 10:41 to info

Good mornig

On the 6th of August you said you would respond to my various emails as quickly as possible. This you have [REDACTED] to do. Similarly you have [REDACTED] to respond to my subsequent emails. Will you be responding?

On Tue, 6 Aug 2024 at 12:07, wrote:

-- Regards

Stephen

info@oneearth solar farm.co.uk Attachments Thu 16 Jan, 14:54 to me

Hello -

I do apologise, we received a lot of questions from South Clifton at the end of the consultation which required detailed answers from the environmental team. It took quite a while to complete them, the final responses are attached and were sent to the parish councils and [REDACTED] as well last autumn. I had understood that they distributed them further to the community - I didn't realise you hadn't received them.

In short, the nature of the development of NSIPs like One Earth is that we are required to consult early in the project's development, to ensure that any feedback we receive is at a point in the project's development when changes are still possible. This means that we consult on the draft masterplan and the preliminary environmental impact report, which by definition means that the full assessments have not yet been completed and the final design isn't available. This is why the response to many of the questions we received is essentially that the final results of the environmental assessments will be included in the DCO application. Again, this is what we are required to do by the Planning Act 2008 and associated regulations and guidance. This allows feedback on the preliminary results of environmental assessments to inform the way those assessments are completed, and early feedback from the first and second consultations on the placement of the solar panels informed other related decisions around the project design, such as the placement of substations, batteries and cables. You will be able to see the final results in our DCO application which we are submitting in February - and then there is another opportunity for you to comment on them through the examination process.

We did make significant changes to the project design as a result of both of the stages of consultation, removing all panels between North and South Clifton, as you noted, which was something that came out very clearly in the feedback from the first consultation - as well as significant changes around homes located near the project boundary. All of those changes are very real, in response to specific feedback we received.

The questions about flood and mental health are included in the attachment, but all feedback will be included in our application and presented to the Planning Inspectorate for review.

On your last point, I believe we apologised at the time, but just to repeat - we have no intention to show any disrespect to the community. In fact, we have gone to great lengths to have multiple in-person meetings with individuals, the parish councils, and the wider public, as well as to produce multiple project updates to keep people informed as the project develops. Again, I do apologise if you felt disrespected by the team, that is certainly not our intent.

We are working hard now to finish the application and get it ready to submit in February. We are planning to send out another newsletter around that time to let people know what the next steps are and how to get involved.

Please let me know if you have any further questions,

Kind regards

██████████

Stephen Fox Thu 16 Jan, 19:29 to Parish, info, bcc: ██████████

Hello ██████████

Thank you for your response. When I use the generic "you" or "your" below I address One Earth rather than you individually.

I explained in my email of 9th August why I was so concerned about the flooding issue. Your response today, and in the document attached to it, totally avoids a very important issue to the local community and represents a serious failure to consult effectively with the local community. To remove this omission you need to state how you propose addressing this issue effectively. For example, will you ask the Environment Agency to do the modeling?

The same can be said of your failure to address the issue of mental health at this stage. Your suggestion that the mental health question was largely related to the uncertainty of the development process, rather than the threat that the project represents to our wellbeing and livelihoods is simply an attempt to avoid the real issue and the real concerns of the local population.

There is material evidence that the ability to sell houses in this area is being substantially impacted in a negative way by your activities and I believe this evidence has been presented to you.. This contradicts your repeated assertion that there is no evidence of a material negative impact of such. This must be addressed by a comprehensive survey of the local

population and estate agents to properly assess this impact. If this is not done it will be taken as evidence of your failure to consult properly and effectively.

I quote a submission made to you by South Clifton council

Finally, and I have to say I am dumbfounded by this, you explained the removal of the fields that were to be used for mitigation by saying the feedback you received asked you to reduce the total size of the project. I cannot fathom how you think removing fields that were to be developed into wildflower meadows and species rich grassland was what our villagers wanted, rather than the removal of fields of solar panels. The whole issue that upsets our communities, is the size and scale of the fields of solar panels, removing the fields that were to 'soften' this industrial landscape is 'laughable' and at best shows a lack of understanding and at worst a complete disregard for the opinions of our villagers.

Why would you think that the community would swallow such a contemptuous response. Further evidence that there is no respect for the people you are dealing with?

Your attitude is summed up by the response described above. It goes to the issues raised by me in my email to you on 22 July 2023 and at the meeting with North Clifton and our subsequent emails to you. I quoted your own figures to you and your assertion that you had consulted and as a result reduced the size of the project was revealed to be a sham and you were unable or unwilling to address the issue at the meeting or afterwards. Would you either admit that it was a sham or explain how you reached your conclusion that you had listened?

-- Regards

Stephen

Stephen Fox 10 Feb 2025, 17:31 to info

Good evening [REDACTED]

Will I be getting a response to my email of 16th January please. Paragraphs 2, 3 and 4 in particular please.

Regards

Stephen

My email of 10th February did not receive a reply and I have had no other form of response.

From the above you will be able to see what my legitimate concerns are and you will also be able to judge if One Earth have consulted with community correctly. It is my contention that their proposal is incompetent and fails to address the legitimate concerns of the local community and that they have conducted themselves on a cynical and disrespectful manner.

Minutes

Solar Panel Consultation Meeting Parishes of North & South Clifton and One Earth

Throughout the meeting there was a distinct lack of detailed information coming from the consultation team. A frequent response was “we will come back to you on that.” As the date for the meeting had been agreed with One Earth, it was assumed that most of the information asked for would be available. The Parishes cannot “consult” with One Earth if the facts/data required are not available. This again demonstrates a lack of respect for the community by One Earth.

A summary has been prepared of the points the consultation team agreed to “come back to us” on.

Summary

- Cost Benefit Analysis of the economic effects of the project on the community
- The Soil Report
- Cost Benefit Analysis for using High Marnham
- Air Quality data in the immediate project site
- Management of ditches – when and by whom
- Modelling to show speed and quantity of water flowing into Trent
- Details of how the Orsted Community Fund will compensate homeowners
- Date of Meeting to be arranged in Sept/Oct
- Embodied carbon and other emissions – details of studies/research done and scale model
- Orsted to look into combining wind-power with solar power to reduce number of panels

- Model a fire and provide information on outcome
- BESS batteries will be the latest and much safer water-cooled ones.
- Agree a Response Plan with Notts. And Lincs. Fire Services and provide a copy
- Provide a copy of the Fire Brigade Report for the Carnegie Road Fire (Liverpool)
- Monitoring of BESS fires
- Details of parameters developed to manage noise from inverters and produce a plan showing noisy equipment will be at least 300m from properties and cycle route and where the inverters will actually be sited.
- Lowering of temperature in the vicinity of the panels leading to increased flood risk
- Long term adverse effect on local employment

The consultation team asked that any unanswered questions be sent to them:

**Solar Panel Consultation Meeting Parishes of North & South Clifton and One Earth
Venue: South Clifton Village Hall Date: Thursday 1st August Time: 7.30pm**

Present: Residents [REDACTED] – Meeting Chair, [REDACTED] – Chair – Solar Panel Action Group, [REDACTED] – Vice Chair – North Clifton Parish Meeting, [REDACTED] – Chair South Clifton Parish Council, [REDACTED] – Minutes, Other concerned Residents. One Earth Consultation Team: [REDACTED] – Logika – EIA co-ordination and management, [REDACTED] – DWD – planning consultant, [REDACTED] – Pershing – project lead, [REDACTED] – AECOM – Engineering Lead, [REDACTED] – Icen – design lead, [REDACTED] – SEC Newgate – Consultation Team, [REDACTED] – SEC Newgate – Consultation Team.

The meeting opened at 7.27pm, chaired by [REDACTED], who set out initial points of concern. All parties agreed to the meeting being recorded by [REDACTED].

Initial Points: [REDACTED]

The Action Group felt that in the previous meeting the consultation team had not listened to their concerns. The consultation team said they had listened and made a genuine effort to respond. The apparent increase in size of the area of solar panels is because it now includes routes for cables, boundaries and siting of BESS. The actual area of solar panels has decreased. Fields could be returned to agricultural use after a period of 60 years by which time technology would have moved on past anything now in existence.

The reason for siting the solar panels in this area is the proximity to High Marnham to maximise grid use. Mitigation – a piece of land has been de-commissioned.

Cost Benefit Analysis of the economic effects of the project on the community was absent. The consultation team agreed the detail was poor due to the fact that assessment is still ongoing. Further opportunities for consultation need to be developed as information is prone to changes. One Earth are following Government guidelines.

The soil report which should have been published at the end of June is still being prepared in consultation with Natural England. The Cost Benefit Analysis for using High Marnham will be published in January. The consultation team appreciate local concerns but financial considerations make this the best site.

Planning Meeting – the Action Group can ask to attend. The Preliminary Assessment has been used by One Earth for statutory consultation and they are following Government regulations.

Air quality – the Action Group pointed out that the area sampled was not in the immediate project area. The consultation team felt it was appropriate as traffic would be coming into the site in that area. They will respond to this concern in writing.

Pollution – the team explained they are planning to lay cables under the river Trent. The Severn Trent water treatment plant supplying potable water to Lincoln is sited here and there was concern that cables and other infrastructure could pollute the water. The team had no information on this but said they would be following legislation guidelines.

Flooding – in view of recent events, there was considerable concern from residents on this issue. The consultation team have worked with the Environment Agency using their flooding maps. The solar panels have been designed to stand higher off the ground to enable water to flow underneath. They believe that surface flow from solar panels does not alter channelling. Ditches will be managed. It was not clear when and by whom.

██████████ asked if any modelling had been done as they need to show the solar panels will not increase the speed and quantity of the water reaching the Trent. The One Earth team had not done this.

It was pointed out that property prices will be adversely affected by the development. The consultation team said this would be covered by the Orsted Community Fund. No details were available as to the extent of this funding or how it would be implemented.

Mental Health – to be addressed later in the meeting.

Legal Action – The consultation team assured the meeting that Development Control Regulations would prevent the plan being accepted if adequate consultation had not been done. All chapters of the plan would be reviewed by the Local Authority and Inspectorate.

██████████ explained that the community felt they were not respected by the consultation team and he cited an incident that had affected him personally. The team assured the meeting that this was not the case and had tried to show respect by visiting seventeen individual properties to exchange ideas. They understood the need to balance the production of green energy with the need for food security.

██████████ concluded this section of the meeting by asking the consultation team if they were clear about the feelings of the community regarding the project – they oppose it. The team agreed that they were.

Mental Health – Dr Sarah Fletcher and ██████████

Sarah asked whether the consultation team felt mental health was important. They replied that it was. She then asked why there was so little coverage of it if that was the case. Her survey of 119 residents showed some people already on medication for stress caused by the potential development. Other issues such as alcoholism and fear of the unknown risk of contamination from the project. There was also concern for people who had no previous mental illness becoming affected by the disruption to their lives and those of their families and future generations. 99% of people surveyed did not want this disruption.

The consultation team believe that positive mental effects will be seen when the project is completed as evidenced in Appendix 17-1 of Chapter 17 -Human Health. The final plan is due to be released in January, but they will arrange a meeting in Sept/Oct to help reduce anxiety.

Sarah asked whether the project needs to be sited here – have they looked at other places. The consultation team reiterated that High Marnham is the most suitable. The consultation team feel they will be able to give evidence of improved mental health after the project is completed.

Asked whether they regularly met with Orsted, the team said they reported formally once a fortnight to a person named ██████████ and attended weekly meetings.

██████████ asked what studies/research have been done to support One Earth's view that embodied carbon and other emissions from construction and decommissioning will not have a health impact. Have they considered a scale model. The consultation team will provide us with further information on this.

During the operational phase there is concern about the effect of lighting on mental health. The consultation team are undertaking design studies with solar panels of similar spatial dimensions and will be using anti-reflective coatings to reduce glare. The possible effects on health of living close to a solar farm are not known. The consultation team responded that there would be benefits such as reduction in dust, and no use of pesticides or fertiliser.

Soil and Bio-diversity - ██████████

██████████ will forward his questions to the team in writing. He asked the team how the decision was made that this is the best place for the solar farm. The consultation team admitted that it was largely through desk-planning and mapping. The justification being its proximity to High Marnham. He also asked why a parcel of land in Newton-on-Trent is not being utilised. The consultation team said that Geo-physical surveys had indicated a Buried Heritage Site. A biological survey will be carried out in 2025.

Mitigation – it was suggested that wind-farms could be incorporated into the project to reduce the number of solar panels needed. The consultation team agreed to ask Orsted to look into this and come back to us.

General Questions

It was pointed out to the consultation team that the initial Government investigation into the siting of solar panel farms, specifically stated that no such development should be put on prime agricultural land. The team responded that this has been amended to “avoid where possible.” In our case the cost effectiveness of using the decommissioned High Marnham Power Station is the deciding factor.

Hydrology - concern was expressed regarding the possibility of contamination during the installation of the solar panels. The consultation team is aware and will take the appropriate precautions.

Cables – pollution from the decay of underground cables was also a concern. The team said that the cables were of the same standard as the National grid, but admitted that no research had been done on contaminated land with cables laid on this scale. There was concern that polluted water may find its way into the Lincoln water system. The team said there is a system to collect any water used in a fire and if contaminated, to treat it.

Fire risk – there was considerable concern regarding this issue.

Water stored around the edge of the site for use in the event of a solar panel fire could find its way into the Lincoln water system. The team said there will be a system in operation to collect any water used in a fire, and treat it if contaminated. The consultation team explained that the batteries being used in the project are water cooled and not so prone to fire. They plan to model a fire and will come back to us with information on this. They also will agree a response plan with Notts and Lincs Fire Services. It was noted that the site will be monitored remotely.

Reference was made to the Carnegie Road Fire (Liverpool). The consultation team explained that these were air-cooled batteries and that legislation has changed since then. The Fire Brigade are now aware and prepared for this type of event. They agreed to provide a copy of the Fire Brigade Report. The consultation team were not aware of an official Ørsted report on this fire, despite Ørsted saying in the press that an official report was going to be produced. After originally saying that the fire was handled well and the delay was down to localised response, it was pointed out to the consultation team that delays due to failures in Ørsted’s remote monitoring procedures themselves had been implicated in this event.

Asked again whether the BESS will be monitored from Denmark, [REDACTED] said that he is aware of a monitoring site in Grimsby but will check to see where ours will be monitored from and report back. Asked whether they monitor BESS fires they agreed to come back to us with an answer. It was confirmed by the team that BESS power is stored during the day for use at night. It was also confirmed that there is a section of the battery storage that is used more for something called arbitrage, that can be used to store electricity when that electricity is cheap. Power from wind turbines when it is a very windy night can also be stored by them.

Noise from inverters – It was raised by [REDACTED] that their PIER chapters reporting that the noise coming from inverters and substations etc is the same as the noise given off by an electrical telephone exchange box on the pavement is clearly wrong as video with sound readings had been taken of inverters which shows sound levels of between 65dbs and 75dbs. The consultation team said the inverters would not necessarily be sited where they are

indicated in black on the map of the project, as this map was wrong. Details of these parameters are not yet available.

Asked about their 300m rule regarding distance between noisy equipment and ‘sensitive receptors’, they confirmed they would be developing parameters to ensure inverters were not too close to houses and rights of way. Asked if this included the cycle route, [REDACTED] answered ‘yes’.

Flooding – it was pointed out that panels could cause lowering of the temperature in the local vicinity by 2-3 °C in January and February leading to an increased flood risk. The team agreed to look into this and respond.

Local Employment; [REDACTED] pointed out that whilst in the short-term there would be 750 jobs, in the long-term there would only be 15-20. He asked if any modelling had been done to assess the impact on the locality of taking out 4,000 acres of agricultural land. For example, a small transport company using 137 lorries for agricultural purposes could be put out of business and if the project went ahead this would happen on a wider scale. The consultation team agreed to look into this and respond.

The One Earth Consultation Team asked that any questions unanswered be sent to them for a response. [REDACTED] thanked the consultation team from One Earth for attending and closed the meeting at 9.20pm.

Responses to Questions from North Clifton Parish Meeting

19 November 2024

Overview

Generally, the development of a Nationally Significant Infrastructure Project like One Earth Solar Farm is designed to be iterative with multiple opportunities for consultation and ongoing engagement. The consultations allow stakeholders to provide early feedback on initial plans and preliminary results of environmental assessments in order to help inform both the project design and the environmental assessments, before the Development Consent Order (DCO) application is submitted.

For One Earth, there was an initial consultation on the early designs in Autumn 2023, as well as technical consultation on the methodology and scope for the Environmental Impact Assessment (EIA) in late Autumn and Winter 2023. Feedback from these consultations helped inform the updated design and Preliminary Environmental Information Report (PEIR), which were presented for consultation in Summer 2024. Feedback from the statutory consultation is currently being reviewed and considered by the technical team, to help inform the final Environmental Statement (ES) which will be included in the DCO application, early next year.

Therefore, many of the final results of the assessments are not available at this time, as is consistent with the development process. While we appreciate that this may be frustrating in some cases, this is a result of the planning process which is designed to allow stakeholders to opine on early results.

General:

• **Cost Benefit Analysis of the economic effects of the project on the community**

The potential impact of the project on residents and local communities, including the setting of houses and villages, has been a key consideration throughout the iterative design process. We have sought to reduce development where the project is closer to Ragnall, Fledborough, North Clifton, South Clifton, Thorney, and individual dwellings in response to consultation and in line with the project design principle of 'protecting features that are important to the local community'. These principles were outlined in both the first non-statutory consultation and the second statutory consultation, and continued to be applied as the project develops.

The EIA assesses a variety of economic impacts in Chapter 18 of the PEIR. These assessments are conducted in accordance with regulations and guidance as well as the Scoping Opinion that specify which topics to assess and the methodology to use. The potential impact to house values is not included in this assessment in part because there are numerous factors that affect house values and little evidence to show a direct impact due to living near a solar farm. Furthermore, although we understand that it is an important issue to the community, the potential impact on house values is not considered to be a material consideration in the planning process by the government. Instead it is a matter that is usually considered after development consent has been granted, at such time that an impact which gives rise to compensation has occurred. These are typically physical impacts, such as noise, not visual impacts. However, as noted above, we do not consider that this would be the case as the scheme has been designed carefully to take account of the potential for impacts on people's homes.

• **The Soil Report**

The ALC soil report will be available in the ES to be submitted as part of the DCO application in Q1

2025. Provisional results will be discussed with Natural England as part of the ongoing engagement.

• **Cost Benefit Analysis for using High Marnham**

We are bringing forward this project at this location because of the availability of the grid connection at High Marnham. We have identified land that is suitable for solar, considering a variety of factors, that will result in a viable project. A funding statement will be included in the DCO.

• **Air Quality data in the immediate project site**

Details of the air quality monitoring are set out in Chapter 14: Air Quality of the PEIR. The air quality monitoring is within the study area for this assessment, which includes the roads likely to be used by construction and operational traffic. The purpose of the air quality monitoring is to understand existing concentrations but to also verify the result of modelling. The air quality modelling assessment will be reported in the ES to be submitted as part of the DCO application in Q1 2025.

• **Management of ditches – when and by whom**

If the project is consented the ditches within the site would be managed and maintained by Orsted when the project is operational. This will be detailed in an operational environmental management plan, which will be secured by the DCO.

- **Modelling to show speed and quantity of water flowing into Trent**

The flood assessment will be reported in the ES to be submitted as part of the DCO application in Q1 2025.

- **Details of how the Orsted Community Fund will compensate homeowners**

At this time, we are still reviewing feedback on what the community would like to see as part of the Community Benefit package, and no final decisions have been made. We are considering options including reduced energy payments, but cannot provide compensation in the form of direct payments to individuals.

- **Date of Meeting to be arranged in Sept/Oct**

This question is in response to mental health and how the project can help reduce stress and anxiety in the community. The environmental assessments that are required as part of the Environmental Impact Assessment look at the potential impacts from the project, including mental health. However, the One Earth team are aware that it is not just the project itself, but the planning process and lack of clarity leading up to the project potentially being consented and constructed that is causing stress in the community. To help alleviate this anxiety, we are committed to continue ongoing engagement with the community, and providing project updates whenever possible. This includes a newsletter this autumn to show how the masterplan has been updated to address feedback, several months ahead of the DCO application submission, and future newsletters for key project updates.

- **Embodied carbon and other emissions – details of studies/research done and scale model**

The carbon and climate change assessment, including embodied emissions, will be detailed and reported in the ES, to be submitted as part of the DCO application in Q1 2025.

- **Orsted to look into combining wind-power with solar power to reduce number of panels**

When we secured the grid connection agreement, there was a de facto ban on onshore wind development, therefore we did not consider installing wind turbines at this location. Now that the ban has been lifted, we would still not consider incorporating turbines at this location, due to the lack of ideal wind resources, and increased visual impacts due to height and noise impacts from turbines on nearby homes, which would need to be considered in the environmental assessment. This location, due to topography and radiance levels, is a good location for solar technology. See Chapter 4 of the PEIR for the alternatives assessments.

- **Model a fire and provide information on outcome**

Although we have not modelled a BESS fire, various other bodies have conducted large-scale fire testing on BESS units. A few battery suppliers have conducted recent large scale fire testing and have successfully demonstrated that fire did not spread to adjacent units and no thermal runaway propagation or ignition occurred. UL 9540A is a test standard developed by Underwriters Laboratories (UL) specifically for evaluating the fire hazards associated with energy storage systems. It will be a requirement that the selected battery units must have undergone UL 9540A testing ensuring thermal runaway does not propagate to adjacent cells or modules. Along with other relevant safety standards, various fire safety mechanisms, such as fire detection and suppression systems and sufficient spacing between battery units shall be employed to mitigate fire risks.

- **BESS batteries will be the latest and much safer water-cooled ones.**

We are committed to using the latest solutions from leading manufacturers that prioritise safety as well as performance. All selected technologies shall meet the requirements of all latest safety standards and guidance. The systems shall have multiple layers of safety mechanisms, including continuous monitoring, thermal management and integrated suppression systems. At this stage of the project we cannot commit directly to one supplier, but it is almost certain that the use of liquid cooling systems will be specified which ensures superior thermal performance and reliability.

• Agree a Response Plan with Notts. And Lincs. Fire Services and provide a copy

We have already engaged with both Nottinghamshire and Lincolnshire Fire and Rescue services in early discussions. At this early stage of the project an initial outline battery safety management plan will be developed to ensure alignment and compliance with the latest standards and guidance.

If the DCO is granted, both FRS will be consulted for the development of an Emergency Response Plan (ERP) to ensure fire safety is a top priority. The ERP will assist the emergency service personnel in responding to potential BESS-related emergencies and will provide key information that can assist with safely managing the emergency.

• Provide a copy of the Fire Brigade Report for the Carnegie Road Fire (Liverpool)

As we noted in person, technology has advanced significantly since this fire occurred. Lessons learnt would be applied to this project, to ensure that this does not occur again.

• Monitoring of BESS fires

The site shall have continuous monitoring of the units 24/7, 365 days a year, pre-and post-incident data can be retrieved. This could include data on the temperature, gas detection systems, voltage and current within the cells and modules. If any abnormality is detected, the individual units shall be isolated and will shut down automatically or through remote monitoring systems to prevent the spread of fire spreading to other parts of the system and minimise damage. In the event of a fire a trained expert will be dispatched to the site to support the FRS. Safety will be built into the design, with the FRS response carefully considered. Adequate space shall be provided for the FRS to monitor any fire incidents, position their equipment and effectively carry out emergency response.

• Details of parameters developed to manage noise from inverters and produce a plan showing noisy equipment will be at least 300m from properties and cycle route and where the inverters will actually be sited.

Noise modelling is underway and we will include appropriate noise mitigation where required, this will include offsets and other noise mitigation where required

• Lowering of temperature in the vicinity of the panels leading to increased flood risk There is no evidence of this occurring.

• Long term adverse effect on local employment

This is included in Chapter 18 – Socio-Economics of the PEIR. The full assessment outcomes will be included in the ES as part of the DCO application.

•How do you define significant?

Significance is defined for each environmental technical assessment by specific standards as set out in published guidance. The significance criteria for each environmental assessment is set out in the each chapter of the PEIR, and will also be included in each assessment chapter in the ES. The ES will be submitted as part of the DCO application in Q1 2025.

In general, significance takes into account the:

- Extent / geographical scale of the effect (site or local effects; or district level; or regional level or national level).
- Duration of the effect (short, medium or long-term and temporary).
- Performance against environmental quality standards or relevant policy requirements.
- Sensitivity of the receptor affected.

Air Quality

1. 14.14 No monitoring of PM10 or PM2.5 concentrations is conducted by any of the host authorities. Background Concentrations How can we know if there are any changes due to the installation, maintenance and decommissioning if there is to be no monitoring of PM10 or PM2.5?

Background concentrations published by Defra are considered to be representative of conditions across the study area, given the rural location. According to the criteria set out in Defra's LAQM TG22 guidance for local authorities, the study area is considered to be rural and pollutant concentrations would be expected to be close to, or at, background levels. Impacts on PM10 and PM2.5 concentrations will be considered as part of the detailed assessment, which will predict the existing concentrations and any increases in concentrations using computer dispersion modelling. It is best practice to use modelling, as it is recognised that carrying out monitoring at every sensitive receptor is not feasible.

2. Table 14-2 What is their estimated HDV and LDV increase on the roads?

At this stage, during the construction phase of our project, the peak daily traffic generation is expected to be 120 LDVs and 544 HDVs, as explained in Chapter 13 – Transport and Access of the PEIR. As set out in Chapter 14 – Air Quality of the PEIR, it is not expected to significantly effect air quality and will not result in exceedances of the objective levels set to protect human health. This will be confirmed with computer dispersion modelling for the ES. The traffic generation during operation is expected to be minimal (expected to be 10 vehicles movements per day), and as agreed with PINs, has been scoped out of the assessment in the Scoping Opinion.

3. In the dust assessment procedure does the Yes/ No, depend on the weather? How long before construction will the assessment be is this weather dependent?

The construction dust risk assessment is not weather dependent, rather the risk assessment assumes worst-case conditions (i.e. dry and windy conditions) in order to ensure appropriate mitigation is in place, regardless of weather conditions.

4. 14.27 The guidance explains that residential properties, schools and care homes are 'high' sensitivity receptors to dust soiling, while public parks and places of work are 'medium' sensitivity receptors with farmland being 'low' sensitivity. Residential properties, schools and care homes are classified as being of 'high' sensitivity for human health effects, while places of work and shops are classified as being of 'medium' sensitivity and public parks are of 'low' sensitivity. This approach has been taken and applied to our Project in the preliminary assessment below.

Correct, this is the approach taken in our assessment work, in line with industry standard guidance.

5. How do they aim to protect our residential areas? Also, they have said that farmland is low sensitivity. However, does that include pony paddocks, pig and chicken units that have animals in and how do they intend to protect these animals from pollution?

Residential areas will be protected from any dust emissions during construction through the implementation of dust suppression measures, which will be commensurate with the level of risk identified in the risk assessment. This assessment takes into account the high sensitivity of residential properties and their proximity to the areas of dust emissions, and recommends measures accordingly such that any effects will be not significant. In line with the industry standard guidance, all farmland is classed as 'low sensitivity' to dust emissions from construction works. This is best practice, but it is also worth noting that any mitigation measures will be implemented site-wide, with a goal of ensuring no significant effects on residential areas or less sensitive areas, where possible.

Climate Change

1. Check studies include all aspects of solar farm, panels, cabling, Lithium Batteries etc – Please Provide Breakdown.

The lifecycle carbon assessment will include embodied emissions from a full inventory of parts and components used to construct, operate and maintain the solar farm. Due to the preliminary nature of the PEIR the information on these parts and components is less detailed. The final ES which will be submitted as part of the DCO application will include a more detailed assessment and breakdown of components and parts.

2. It also seems to be deducing net-gains based solely on gas-fired power stations, and not considering other sources such as off/on shore wind turbines etc. Please Explain? Also, are these studies based on projections if all current COP-26 agreements are met, or whether none of these are met?

The GHG emissions released by the generation of electricity using solar energy is compared to natural gas as natural gas power stations remain the significant portion of energy generation in the UK. Thus if the proposed development were to come forward it would most likely replace natural gas power as part of the UK's transition to a net zero energy supply.

3. 15.2. This Chapter concludes that our Project will lead to a likely significant positive effect in terms of reducing Greenhouse Gas (GHG) emissions and supporting the UK's transition to a net zero economy by 2050.

Q1. Could you please advise how the general population of these villages is able to confirm and understand your final conclusion; using your documentation. Many people are reporting that your findings are not easily confirmed.

There is a Non-Technical Summary included as part of the PEIR, which provides a simple non-technical summary of the assessment approach and findings. Similarly there will be a Non-Technical summary provided as part of the ES that will summarise the EIA and explain the findings of the assessment in non-technical language.

4. 15.3. The impact of future climate change on our Project is identified as being non- significant. This means that Our Project is resilient to a range in potential future climatic changes such as hotter drier summers, warmer wetter winters and increased storminess.

Q2. What information/Analysis are you basing this on, please point us to your data and provide information on who did this analysis and what their professional qualifications are?

Our climate change resilience assessment uses the United Kingdom Climate Change Projections 2018 (UKCP18) (<https://www.metoffice.gov.uk/research/approach/collaboration/ukcp>) which provides probabilistic climate change projections for predefined 30-year periods for annual, seasonal and monthly changes to mean climatic conditions over land areas. In terms of the climate risk and mitigation assessment, we take account the potential impact

of climate change on receptors within the development, considering the design measures incorporated into the development to mitigate these potential impacts. In terms of the climate resilience assessment, we assess the likelihood, consequence and significance of the potential impact following climate change guidance produced by the Institute of Environmental Management and Assessment (IEMA). The professional qualifications of the authors are presented in Appendix 1-1 of the PEIR. Input to the assessment includes expertise from technical experts across the project team.

5. 15.8. The UK has successfully reduced its reliance on coal for electricity generation to very low levels, but a significant portion of the UK's electricity supply (39% in the period April 2022 - March 2023) is provided by natural gas. The UK is also heavily reliant on natural gas for heating and fossil fuels for transport. As heating systems are replaced with electricity-powered systems such as heat pumps, and road vehicles replaced with electric vehicles, the demand for electricity will greatly increase. It is therefore vital for both the UK's future energy security and commitment to net zero carbon, that it rapidly increases its capacity for renewable electricity generation through the development of new solar, wind and nuclear projects.

Q3. Electric Vehicles are not be as popular as first thought, new sales are down and second-hand sales very low, and some major car manufacturers are turning to other technologie such as hydrogen . Heat pumps are also low on up-take because they just do not work efficiently enough. What analysis have you done to take these facts into consideration.

The National Policy Statement for Energy EN-1, details the overarching plan to help achieve net-zero emissions by 2050. Under the government, this policy was strengthened through the Clean Power 2030 initiative, which calls for eliminating the remaining fossil fuels from the electricity sector by 2030 and tripling solar power by 2030. The demand for electricity is predicted to double by 2050 for a variety of reasons, including the transition to electric vehicles and heat pumps, but also other factors such as economic growth and development, the expansion of data centres, and other new technologies. New renewable energy sources are needed to replace the remaining fossil fuels, as well as account for the growth in demand for electricity.

6. 15.9. In supplying renewable, zero-carbon electricity per year (enough to power over 200,000 UK homes), our Project will provide a significant positive contribution to the

UK's future energy security and transition to net zero.

Q4. Could you please provide the detailed stats for this.

The average yearly electricity consumption of a UK household is between 2700-5000 kWh (statics taken from ofem.gov.uk). The development proposes to generate 1,000,000,000 kWh/year which when divided by the average household's energy consumption (5000 kWh for conservatism) equates to 200,000 households.

7. 15.13. GHGs contribute to climate change, which is a global environmental effect and, as such, the study area for the assessment is not limited by any specific geographical scope or defined by specific sensitive receptors. Instead the GHG assessment focuses on the likely amount of GHG produced by our Project from construction, operation and decommissioning and compares against other forms of electrical energy generation (principally

natural gas power stations as this remains the significant portion of energy generation in the UK).

Q5. Does this assessment not take into consideration the manufacture of solar panels and all associated equipment etc?

The assessment takes account of embodied carbon emissions associated with all components used in the manufacturing of the solar panels and all other project components (frames, inverters, BESS, substation, cables etc). The embodied carbon emissions include the extraction and refinement of raw materials and the energy used in the manufacture of solar panels, equipment, components etc. Whilst the PEIR has limited detail on these, a more detailed assessment will be provided in the ES.

8. 15.14. The study area for CCR, unlike other disciplines, focuses on the impact that climate will have on our Project (as opposed to the impact of our Project on the environment). The study area is therefore the footprint of our Project, split into its constituent parts (receptors). The study area for the CCR assessment is shown in Figure 15-1 below.

Q6. Studies are now being produced that show large solar farms can have a substantial localised impact on temperatures and water displacement etc. Are these taken into consideration? Who at One Earth has looked at this, and what studies have they been looking at.

The hydrology and hydrogeology team will consider the impacts of the Project on water displacement. Localised impacts on temperatures are not directly taken account of, but the analysis makes worst-case assumptions about the future local temperatures that will occur at the site and therefore has a headroom for uncertainty which allows for such localised heat effects. The authors of the PEIR and their qualifications are included in Appendix 1-1 of the PEIR.

9. 15.18. Although the existing land use is one way to consider baseline emissions within a GHG assessment, it is also appropriate to consider the baseline emissions as an alternative project or scenario

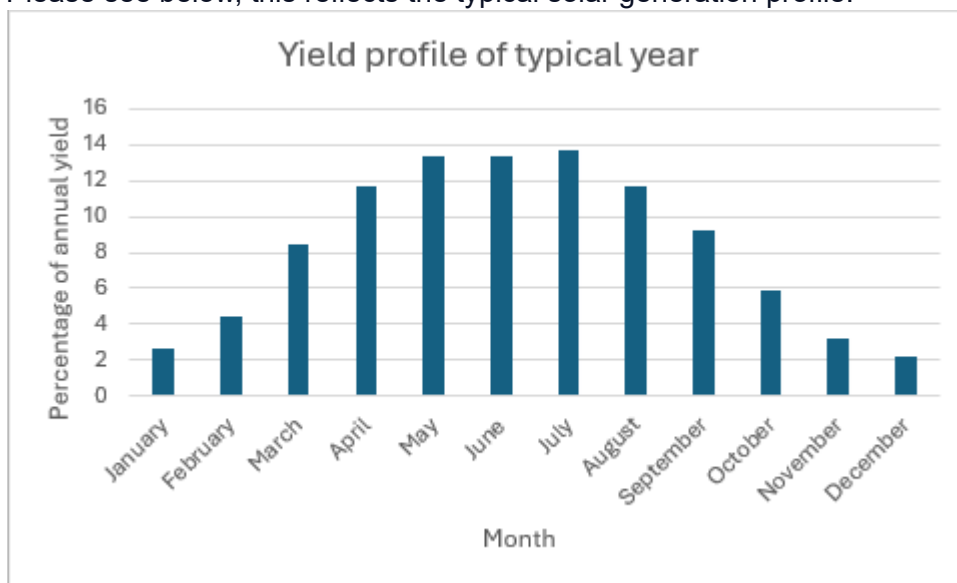
Q7. Further explanation required on this please.

It is a generally adopted approach in EIA to consider the baseline scenario as the current use of land. This would mean comparing the solar farm to the existing agricultural uses of the land. In assessing GHG emissions, it is important to consider the potential impacts or benefits which may arise well beyond the geographic boundary of a site. There are many different ways this is done, but one commonly used approach is to compare a development to a current process or land use which it is intended to replace, even if this happens in a different location. In the case of our project, the solar farm is intended to generate renewable electricity to reduce the need to generate electricity using fossil fuels such as natural gas. This means that it is appropriate in assessing potential GHG impacts and effects, to consider a baseline which includes electricity generation in a gas fired power station. There is no such power station on the site itself, nor will there be, but delivery of our project would allow the reduction in use of gas fired power stations elsewhere and is therefore an appropriate comparator to assess the GHG impacts.

10. 15.19. Our Project will generate and export an estimated 1,000 GWh (gigawatt hours) of renewable electricity each year.

Q8. Do you have a monthly breakdown of this?

Please see below, this reflects the typical solar generation profile.



11. 15.20. The GHG emissions released by generation of electricity using natural gas in a Combined Cycle Gas Turbine (CCGT) power station is 371 gCO₂e/kWh (371 grams per kilowatt hour)³. This means that generating 1,000 GWh of electricity using gas CCGT results in GHG emissions of 371,000 tonnes CO₂e per year.

Q9. Why is this not also considering other Green Energy sources such as on/offshore wind turbines, or nuclear? You seem to have picked the highest GHG contributor. Why?

The GHG emissions released by the generation of electricity using solar energy is compared to natural gas as natural gas power stations remain the significant portion of energy generation in the UK and thus our project is intended as to replace natural gas power as part of the transition to net zero.

12. Q10. Why are we not considering average lows as a whole?

Future climate projections predict increases in future low, average and max temps, with decreases in low lying snow and ice. As such, cold temperatures, snow and ice and average low temperatures are not considered to be a relevant future climate hazard (more than they are in current day).

13. The estimate of current GHG emissions from our Site will be refined once further baseline habitats surveys are completed and more data on existing site wide habitats are determined.

Q11. When will this data be available?

This data will be presented in the ES, which will be submitted as part of the DCO application.

14. 15.25. Over the 60-year lifetime of our Project, the baseline emissions from our Site taking account of the agricultural uses and natural and semi-natural habitats that occupy our Site will be 27,000 tonnes CO₂e.

15.26. There may be slight improvements (reductions) in GHG emissions as farming techniques and technologies improve in the future, but there are no resources which allow any such changes to be quantified.

Q12. What about mixing agriculture with wind-turbines, which is what is already happening in this area. Have One Earth Solar Farm considered this?

As set out on Chapter 4 of the PEIR consideration of alternative technologies, including wind has been undertaken, when identifying the need, technology type and location.

15. 15.27. In the absence of our Project, it is assumed that the electricity generated by our Project would continue to be generated using natural gas fired CCGT power stations.

Q13. Why not other sources, nuclear, or green sources, such as wind-turbines, biomass, hydrogen?

See responses above regarding the significant portion of energy generation in the UK being produced by natural gas fired power stations, for the UK to transition away from fossil fuels for electricity generation, heat and transport, it needs to consider all options for renewable and low carbon energy including solar, wind (on and off-shore), nuclear, biomass and carbon capture and storage. All have different advantages and disadvantages, but include the common goal of reducing or eliminating the UK's reliance on fossil fuels.

16. 15.32. As the design life of our Project is expected to be at least 60 years, the CCR assessment has considered a scenario that reflects the potential change in climate resulting from the highest predicted level of global warming (8.5 degree increase in global average temperatures) in the time horizon of 2080-2099 to assess the impact of climate change over the lifetime of our Project.

Q14. 8.5 degrees? .. F or Celsius, is this right, please explain where this information is taken from?

This is a point of correction in the PEIR. The text in brackets should say "8.5 W/m² increase in radiative forcing". The resultant increase in global average temperatures is a little below 5 degrees Celsius (although projections vary between climate models). Our climate change resilience assessment uses the United Kingdom Climate Change Projections 2018 (UKCP18) which provides probabilistic climate change projections for predefined 30-year periods for annual, seasonal and monthly changes to mean climatic conditions over land areas. UKCP18 can be found here: <https://www.metoffice.gov.uk/research/approach/collaboration/ukcp> .

17. 15.34. The following work will be undertaken in relation to the future climate conditions for presentation in the final ES:

> The estimate of lifetime electricity generated and exported by our Project will be refined to reflect a small amount of degradation (i.e. reduction in the amount of electricity generated by the solar panels as they age) and the benefit of panel replacements during the lifetime of our Project;

Q15. What is this ‘small amount’ of degradation Please provide figures per year?

The calculation of the lifecycle energy intensity of our Project is calculated using the total lifecycle carbon emissions and the total expected lifetime electricity export. To calculate the lifetime electricity exported, the annual (opening year) value has been extrapolated over 60 years, assuming a PV panel degradation rate of 0.45% per annum. This is conservative as it ignores any replacement of the panels during our Project's lifetime. This assumption will be refined in the final ES based on latest and best data available on panel performance.

18. Estimate of emissions from the gas fired CCGT power station baseline will be refined to account for the potential introduction of carbon capture and storage technologies, at some point prior to 2050, based on the latest evidence on likely timescales for large-scale carbon storage networks in the UK

Q16. Other solar farms will be built across the UK and the UK is increasingly looking to add solar panels to roofs and also increase off-shore wind turbines, so your figures shouldn't be just based on gas-fired power stations. Please explain your reasoning?

Please see responses above at question 2.

19. The estimate of future GHG emissions from our Site (in the absence of our Project) will be refined once further baseline habitats surveys are completed and more accurate data on existing sitewide habitats are determined; and

> Further detailed analysis of the UKCP18 data will be undertaken to better define the likely future climate at our Site.

Q17. When will this data be available and why has it not been done already?

The PEIR was based on preliminary information from survey results to date. The final assessment will be undertaken based on the results of the complete habitat survey. This will be presented in the ES which will be submitted as part of the application.

20. 15.39. Our Project has a sustainability target to ensure 100% of waste avoids landfill and is recycled. Consideration will be given in the ES to good practice construction and decommissioning waste management procedures and measures to be included in the Outline Construction Environmental Management Plan and Outline Decommissioning Environmental Management Plan (see Chapter 4: Our Project for further details).

Q18. 100% not reaching landfill? Really? Please back this point up with details.

There are already facilities that can recycle the majority of solar panels. By the time the project is decommissioned (in 60 years) it is expected that technological advances will mean there will be more facilities and opportunities to divert waste from landfill. Details of waste management will be included in the ES, which will be submitted as part of the DCO application.

21. 15.39. Our Project has a sustainability target to ensure 100% of waste avoids landfill and is recycled. Consideration will be given in the ES to good

practice construction and decommissioning waste management procedures and measures to be included in the Outline Construction Environmental Management Plan and Outline Decommissioning Environmental Management Plan (see Chapter 4: Our Project for further details).

Q19. You are comparing GHGO to pretty much the worst emitters (gas fired) more wider comparative studies should be done? Please comment?

Please see responses above to question 2.

22. Figure 15-2 Q.20 Need to see/find the detailed breakdown this graph is based on.

The detailed GHG calculations will be presented in an Appendix to the ES, which will be submitted as part of the DCO application.

23. 15.48. Figure 15-3 shows the net lifecycle GHG emissions taking account of the emissions saved from the reduced reliance on gas fired CCGT power stations. Q.21 GAS Fired! Please explain why only Gas-Fired is used?

Please see responses above.

24. Table 15-8 Q23. Need a lot more detail on the flooding aspects of this table. Please Provide.

Further details regarding the potential flooding impact (tidal, fluvial and groundwater/surface water) is provided in Table 15.7. This table also details the mitigation included within the development to mitigate against this. This information is taken from Chapter 8- Hydrology and Hydrogeology, which presents further details on flooding.

25. 15.67. The next steps are to further develop the ICCI with further input from technical chapter authors as the various environmental assessments progress to final ES stage.

Q24. Time-scales for all this?

It is anticipated the DCO application, which will include the ES, will be submitted in Q1 2025.

26. Table 15 -4

- a. **Biodiversity: Notes: Vague, there is likely to be a massive change in biodiversity, with or without climate change. Please Explain?**
- b. **Hydrology: How can this be true? What about other parts of the plans, i.e. BESS, sub-stations, invertors, access roads. What happens if the land floods around these areas. A lot of this land is a consistent height above sea level.**
- c. **Land and soils: Removal of top soil, BESS fires could cause substantial contamination, cleaning of panels, direction of rain-fall off panels causing channeling and without large open field soak away, possible overwhelming of water courses etc. Please provide detailed explanation of this.**
- d. **Buried heritage: Has this been looked at in some detail, what happens if new buried heritage is identified during the build stage? Who and how will this be identified and managed?**

- e. Cultural heritage: Needs expanding on with more detail, please explain what is considered heritage assets**
- f. Landscape and visual: This is clearly untrue. Please provide the name and experience of who is reporting this.**
- g. Traffic and access: 750 workers travelling to the site everyday, plus lorries etc! What about the horse riders? Please provide information on consideration to horse rider and also the cycling time-trials that are often run on the A1133. Did you know this?**
- h. Air quality: Bare field/top soil blowing across the site, massive issues if there is a BESS fire. Roads closed, stay in doors with windows closed etc.**
- i. Noise and vibration: Very noisy at inverters early morning, and a 7am start!
(Saturdays too!)**
- j. Human health: This is clearly untrue. Please point us to the detailed analysis on this. Who performed this analysis and what their professional qualifications are?**
- k. Socio economics: In parts of these documents, they are saying 750 jobs, so great opportunities, or no long term jobs, so no stretch on local resources, it can't be all things depending on what best suits the PIER sections. Please Explain?**

For clarity, we have assumed this comment relates to Appendix 15-4 rather than Table 15-4 and have responded on this basis.

The preliminary ecology assessment has taken a precautionary approach and concludes there are no likely significant effects on biodiversity. We note that an area of ecological enhancement and the provision of new or improved habitats will benefit wildlife and there is likely to be a positive change, compared to the existing use of the land as agriculture. The flood assessment has considered the potential of flooding on our Project, taking account of climate change (i.e. an increase in water levels). We have been working with the Environment Agency to ensure the proposals respond to future climate change water levels; and have included design measures to ensure the flood levels are mitigated. This includes solar panels being above future flood levels and the BESS and substation outside of flood zones. Similarly the BESS and substation will include drainage design to reduce the risk of contamination.

An assessment of buried heritage is included in Chapter 10 of the PEIR and will be presented in the ES. This will set out the results from investigations as well the mitigation measures that will be in place to avoid and minimise any likely significant effects. Appendix 1-1 of the PEIR provided the competency of the technical team. This will also be reported within the ES.

An outline Construction Traffic Management Plan has been published as part of the PEIR (as Appendix 10-3) which sets out the measures to reduce impacts from the construction phase. The final outline Construction Traffic Management Plan to be submitted with the ES will provide further details on the impacts for all road users (including cyclists and horse riders). The air quality assessment will set out the measures that will be in place to ensure the dust during construction is controlled. With appropriate mitigation measures in place, no likely significant effects are expected.

The inverters will be located at distances away from residential properties such that noise will be imperceptible.

Appendix 1-1 of the PEIR provides the competency of the technical team. This will also be reported within the ES.

There will be a peak of 750 jobs during the 2-year construction phase. During operation there will be between 15-20 direct jobs. The jobs during the construction phase and during operation will not have a stretch on local resources.

- 27. LID (Light Induced Degradation) accounts for 2% in the first year. Then between .5% and .7% each year. <https://www.powermag.com/analysis-of-performancedegradation-of-pv-modules/> For greenfield plants, it is common to consider in the first year of operation a degradation rate in the range of 1% to 2.5%. This is mainly caused by LID (Light Induced Degradation), which most affects p-Si modules bases. Thin film module bases are not affected by this phenomenon but they have a firstyear standard degradation to be considered too (around 2% in average for the FS gen6 for instance). Please comment on the above?**

The calculation of the lifecycle energy intensity of our Project is calculated using the total lifecycle carbon emissions and the total expected lifetime electricity export. To calculate the lifetime electricity exported, the annual (opening year) value has been extrapolated over 60 years, assuming a PV panel degradation rate of 0.45% per annum. This assumption will though be refined in the final ES based on latest and best data available on panel performance.

Ecology

1. Biodiversity Net Gain 7.11.

Our Site boundary changed a number of times over the duration of survey visits, incorporating new areas which were not included in the initial walkover survey, as new landowners joined our Project. These areas were incorporated into surveys where possible, otherwise they were assessed using aerial images and ‘on the ground’ knowledge of the area.

The highlighted statement is not clear and can you redefine which of these new areas were incorporated into the survey and those that were not? Which areas were assessed using aerial images and which were assessed by “Local Knowledge”?

Can you explain “Local Knowledge?”

We are aware that some of the surveys are incomplete due to the stage of development within an evolving scheme. Survey work in 2024 includes habitat classification of additional land parcels included later on in 2023, reptile survey, water vole and otter survey, and acoustic bat survey and monitoring. Survey work may be required in 2025 in response to any further amendments to the project design. Local knowledge, in this instance, refers to the extensive hours that surveyors have been on site over 2023 and their understanding of the habitats and species present.

- 2. The static acoustic monitoring surveys aimed to record for a minimum of 5 nights per season at each monitoring location, however, technical failures occurred, impacting recording at static detector locations along transect 2 (in summer and autumn) and transect 3 (in spring, summer and autumn).**

How have these “technical failures” impacted upon the accuracy of these surveys?

Technical failures occur frequently when using a number of devices which are left in situ. As such, they are left for a period of time which extends beyond the minimum recommendation. In addition, leaving devices in situ over a period of time allows for an average activity level to be calculated based on multiple nights of recording. These results provide indicative activity levels, with consideration of limitations, such as poor weather and technical failures.

3. Extensive flooding along the River Trent in December and January limited access to certain areas within the winter bird survey. These areas were viewed from vantage points and from the other side of the river so the areas were still partially surveyed and bird records were taken, but it may have impacted records of smaller bird species not visible or audible from a distance. As a result, three of 60 transects over the season were altered. The sampling of waterbodies for great-crested newts is typically conducted for all waterbodies within our Site and a 500m buffer (the study area). However, due to access restrictions (located within private land, presence of dense vegetation surrounding ponds) this was not possible. As a result, two of the six ponds within our Site were sampled, and eight of 34 ponds outside of our Site. There are significant errors within the bird and waterbody surveying are these results valid?

Surveys are initially designed to incorporate all features within a site, however, where the study area is extensive or there are unforeseen limitations, surveys must be altered to ensure data can be captured to inform the development. This sometimes means that data is indicative and the limitations are considered as part of the impact assessment. Where necessary, surveys will be repeated to fill any gaps in the data.

4. Field Survey 7.27 The current Site cover approximately 1,591ha of which approximately 60 percent (957ha) has been incorporated into Phase 1 habitat survey. Is a 60% habitat survey accurate enough to provide valid and credible results?

We are aware that some of the surveys are incomplete due to the stage of development within an evolving scheme. Survey work in 2024 includes habitat classification of additional land parcels included later on in 2023, reptile survey, water vole and otter survey, and acoustic bat survey and monitoring. Survey work may be required in 2025 in response to any further amendments to the project design. Local knowledge, in this instance, refers to the extensive hours that surveyors have been on site over 2023 and their understanding of the habitats and species present.

5. Improved and Semi-improved grassland - 197ha Condition: Poor to Moderate, with the majority of modified grassland, namely grass-leys, assessed as Poor.

These condition score upon the grassland is based upon which agriculturally recognised scoring system?

Habitat Condition Assessment scores are based on the Statutory Metric condition assessment sheets for BNG

<https://www.gov.uk/government/publications/statutorybiodiversity-metric-tools-and-guides>.

6. Bats 7.29.

The desk study identified 577 records of a minimum of seven bat species within the study area. During the field survey sixty-six trees within our Site were found to support features potentially suitable for roosting bats. Habitats within our Site are generally considered to be of low and moderate quality for foraging and commuting bats due to the extensive cover of arable fields with species poor and defunct hedgerow boundaries. Activity surveys identified a minimum of seven bat species within our Site, consistent with those identified in the desk study and confirming noctule, brown long-eared bat, barbastelle and Nathusius' pipistrelle within our Site. There is significant contradiction with the findings of the bat survey and determination of the quality of the habitat from the survey, can you explain this error?

Records obtained from data record centres are considered in context, not only in terms of the time period in which they cover, but also the effort of monitoring by enthusiasts within the region and presence of nearby sites of nature conservation interest which are designated for their bat populations.

The quality of habitats for bats are assessed following Bat Conservation Trust guidance and are based on knowledge of bat ecology and professional experience. The majority of UK bat species avoid flying in open arable habitat (covering the majority of the draft Order Limits) which leave them vulnerable to predation and provide no invertebrate prey. Most UK bat species are closely associated with woodland habitats and vegetated linear features for which effects will be avoided as part of the design of the project.

7. Badger 7.34.

The desk study identified 159 records of badger within the study area in the last decade, including records from within our Site, although due to badger welfare concerns, exact locations are not divulged. Evidence of badger activity including sett entrance holes, footprints and latrines, was observed in locations consistent with the desk study results, in particular in the north of our Site.

How will badger welfare and disturbance be managed during the construction and lifetime of this project?

The CEMP will detail the methods in which badger disturbance and welfare will be managed during construction activities. The scheme design will aim to avoid setts within the Order Limits and suitable commuting and foraging habitat, where unavoidable, effects will be mitigated for.

8. Birds 7.36.

The desk study returned 59,491 records of legally protected or notable bird species within the study area including within the Site themselves. However, the majority of record locations provided were of a low accuracy, being within a 100km square or a 10km square. Only barn owl and house sparrow allowed accurate identification of a specific record location being outside of our Site.

The significance of the findings of a “desk” study and also a survey has understated the levels of bird activity despite results to the contrary can you explain this view?

The number of records must be considered in context not only in terms of the time period in which they cover, but also the effort of monitoring by enthusiasts within the region and presence of nearby sites of nature conservation interest which are designated for their bird assemblages. As noted in the text, the location accuracy was low and so a precautionary approach is taken.

9. Great-crested newt 7.41.

The majority of records identified by the desk study were historic. Arable habitats are sub-optimal for great-crested newt in their terrestrial life phase. Therefore, although ponds within and adjacent to our Site provide some suitable breeding habitat.

Water vole

No evidence of water vole presence was identified during habitat surveys. It is unbelievable if not very convenient that neither of these species were recorded during the survey. Local Knowledge contradicts these findings, can you explain this?

Surveys are ongoing in 2024, although should any recent records be available that were not provided within the data search, then we would be grateful to receive them and incorporate these locations into our survey programme in preparation for finalising the EIA.

10. In the absence of our Project, these habitats will be managed in the same way, continuing to provide habitat for those (limited) legally protected, notable and controlled species identified in the current baseline. In the short, medium, and long term, species populations and distributions will continue to fluctuate in response to standard agricultural management, such as crop rotations and grazing. As a result of intensive farming practices, the majority of UK species populations are in decline. Therefore, in the absence of our Project, it is likely that this trend would continue, with more common, widespread and adaptable species populations continuing to decrease. This is a manipulative and inaccurate statement, the RPA – SFI options under ELMS was introduced to address the issue of loss of biodiversity within agriculture. Would you like to reword this comment?

This will be considered within the impact assessment.

11. Environmental Measures

Coastal and floodplain grazing marsh – created along the River Trent corridor, specifically in locations where this habitat type has been mapped as HPI but has lost its qualifying features.

What does this mean?

The Department for Environment, Food and Rural Area's (DEFRA) Habitats of Principal Importance (HPI) mapping (available here: [Habitats and species of principal importance in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england)) classifies areas along the River

Trent as being a habitat of coastal and floodplain grazing marsh. However, this mapping is based on satellite imagery rather than on ground investigations. Our ecology site visits have shown that along the River Trent corridor particular flora that creates a habitat of coastal and floodplain grazing marsh have been lost (i.e., these landscapes have lost their qualifying features). Therefore, as part of our Project there is the opportunity to return these habitats back to coastal and floodplain grazing marsh, through planting and appropriate management, which will help improve local biodiversity and return a lost ecosystem.

12. Ditches – these are likely to improve in terms of water quality providing associated ecological benefits due to the absence of adjacent agricultural activities, such as the spraying of chemicals and resulting runoff. How will this be measured? Have baseline measurements been taken prior to development of the solar scheme?

Baseline measures of water quality have not been conducted. It is accepted that current arable runoff accumulates in drainage ditches and that this will contain herbicide, pesticide and fertiliser sprayed over crops. These chemicals would impact flora and fauna within the ditch.

13. The reversion of arable land into extensive meadow grassland on completion of construction works will increase the value of our Site for most bird species. Extensive meadow grassland or solar panels, can you quantify this statement without prejudice?

Baseline surveys of flora and fauna across the draft Order Limits (available at the time) confirm presence or likely absence of species and, in some cases, allow a population estimate.

It is accepted in ecology that a heterogeneous habitat, such as species-rich grassland, supports increased biodiversity compared to a homogenous one, such as arable. Arable can support plant species, typically within the margins of a target crop, however, these are controlled using herbicides and usually comprise 2-3 dominating species such as black grass, groundsel and poppy. While these species provide opportunities for a low number of invertebrates, a species-rich grassland sward will provide opportunities for not only a wider range of invertebrates, but larger populations. These, in turn, attract reptiles, amphibians, birds and mammals which predate them. Countless peer reviewed articles support this conclusion.

14. The permanent change of habitat from arable to grassland will likely result in positive effect of a low magnitude due to the reduction in chemical (pesticides, fertiliser, etc) runoff associated with arable management. Can you quantify this statement without prejudice?

The magnitude of effects is defined within the PEIR document and is used as a measure to quantify predicted effects of the proposed development. Although a measure of current pesticide and fertiliser usage is not available, it is without doubt that the conversion of arable to grassland habitat will result in a reduction of chemical use.

15. Conclusions 7.151. Table 7-10

In conclusion the table basically says for all the ecological features:

No likely significant effects

The adoption of a CEMP will mitigate any significant effects Can you quantify this statement without prejudice?

Conclusions in the PEIR are based on survey work to date, professional experience and site knowledge. Survey work will continue to incorporate new land parcels and species groups to accommodate an evolving scheme until the point of submission of the DCO application.

A CEMP document is designed to avoid contravention of legislation and impacts of construction activities on flora and fauna present in the area. In addition to mitigation of effects, the project design follows the mitigation hierarchy of; -

- where possible any impacts on local flora and fauna will be avoided,
- where unavoidable, effects are minimised and then any residual effects will be mitigated for,
- if this is not possible, then offsetting or compensation may occur.

These conclusions are based on a scheme design which largely avoids impacts on local flora and fauna, with lower levels of mitigation in some instances where impacts are unavoidable. In addition, the delivery of BNG will result in habitat creation and enhancement which will benefit a wide range of fauna.

16. Where is the CEMP?

An outline CEMP will be submitted as part of the DCO application to be submitted in Q1 2025.

Equestrian

Questions:

- 1. Do you agree that the safety of horses and riders, along with others undertaking leisure pursuits is an important matter? If so, why has this been given little to no consideration?**
- 2. Regarding the equestrian safety document that I produced last month and submitted to you as part of my objection – has this been read and properly considered? Who is responsible for looking at this?**
- 3. Do you agree with me and the many signatories that the project poses a significantly increased risk of accidents and injury, both during the construction and operational phases? (e.g. damage and obstruction of bridleways, transport vehicles, noisy inverters)**
 - If not, why not?**
 - If so, how do you propose to address these concerns?**

It only takes ONE accident and someone could be seriously injured or even killed (bear in mind the large number of children and novices that ride in the area) Do you agree and how do you propose to manage this high level and arguably unacceptable level of risk

- **Many equestrians I have spoken to have stated should the project proceed, they will be unable to ride out in the area again due to an unacceptable risk of accidents. This will be life-changing for many of those owning/riding horses. Firstly, it will have a huge impact on those running equestrian businesses such as livery yards in the area as well as those who make their livelihoods out of instructing. Secondly, those who ride for pleasure will be unable to undertake their leisure pursuit as they would have normally done. This will have a massive negative impact on the psychological and physical health of the horses due to lack of exercise and heightened anxiety.**
- **Does this not concern you?**
- **How do you propose to address this?**

Response:

The safety of horses, their riders, and other individuals who use the public rights of way and bridleways around the project has been considered as part of the development. Our aim is to expand recreational opportunities across the site by developing new permissive paths to connect areas that currently have limited accessibility, and safety is a key concern in the development of these paths. The PEIR includes preliminary assessments of public rights of way, including bridleways, in several locations: Chapter 18 on Socioeconomics, Chapter 13 on Transport and Access, and Chapter 12 on Landscape and Visual Impacts. We appreciate the feedback you have submitted and are having regard to it and considering the issues you have raised as we prepare the Environmental Statement and our DCO application.

We are aware of the concern of equestrians related to horses 'spooking' around solar panels and concerns around creating narrow pathways that may prevent horses from turning around or stepping to the site. In developing the masterplan, we referenced guidance from the British Horse Society, 'Advice on Solar farms near routes used by equestrians', which recommends no less than 5m between fencing. Our project goes further than this minimum guidance. We have removed panels that were once proposed adjacent to public rights of way in previous iterations of the masterplan, reducing instances for interactions between the project, horses, and their riders. In other scenarios, we have sought to retain open fields to one side of public rights of way. Where this has not been achievable, we have provided a 15m offset from public rights of way to the proposed solar panels. There will be a 5m offset from the solar panels to the fence line, which would be open mesh (deer fence) consistent with other agricultural fences in the area, and new hedgerows. This results in a final minimum offset of approximately 10m either side of a public right of way. In some areas, the offset from public rights of way exceeds 100m.

We are also aware of the concerns around noise from the inverters, BESS or substations. As part of the noise assessment for the Environmental Statement, noise modelling will be undertaken to ensure these components are located at suitable distances away from users (including horse riders) of the permissive paths, public right of ways and bridleways to minimise any potential impacts or that acoustic fencing or other mitigation strategies are in place.

Chapter 8: Hydrology and Hydrogeology

Hydrology

Hydrological and Hydrogeological Baseline Conditions Existing Watercourses and

Drainage Arrangement

8.7. As set out in Figure 8-2 below, the River Trent flows through the centre of our Site. The River Trent is classified as a Main River by the EA and although there are tidal influences associated with the watercourse, at our Site this is considered to be fluvially dominated i.e. water levels are generally dictated by rainfall within the river catchment rather than tidal fluctuations.

Although fluvially dominant the river Trent is susceptible to increased flood risk especially at times of the year when rainfall is high in regions further up the Trent Valley, at high tides and when there is a storm surge in the North Sea and particularly when all of these occur at the same time, which has happened in the past. What do you intend to do to mitigate this in the future especially as the solar panels may well increase the speed of the flow of water to the River Trent?

The FRA will consider flood risk from all sources and will include for future scenarios, including climate change.

1. Hydrogeology 8.11.

BGS groundwater vulnerability mapping illustrated on MagicMap indicates the following:

The bedrock geology is predominantly shown to have a high groundwater vulnerability classification meaning these are high priority groundwater resources that have very limited natural protection. This results in a high overall pollution risk to groundwater from surface activities. Operations or activities in these areas are likely to require additional measures over and above good practice pollution prevention requirements to ensure that groundwater isn't impacted. • There are localised areas within our Site where a medium groundwater vulnerability classification is noted. This indicates that these are medium priority groundwater resources that have some natural protection resulting in a moderate overall groundwater risk. Activities in these areas should as a minimum follow good practice to ensure they do not cause groundwater pollution. >

• The superficial deposits have a medium-high groundwater vulnerability classification indicating these are high priority groundwater resources that have limited natural protection. This results in a medium-high overall pollution risk to groundwater for surface activities. Activities in these areas may require additional measures over and above good practice to ensure that they do not cause groundwater pollution.

**What activities are permissible and what activities are not permissible?
What polluting effect are these activities going to have?**

The surface water drainage strategy will include reference to the treatment of surface water runoff that will naturally discharge to the ground (in line with the current arrangement) and for any flows discharged to the existing watercourses.

2. 8.75.

We will be preparing the FRA which will provide further detail on our surface water drainage strategy along with the water treatment. The FRA will be submitted as part of the DCO application.

When will this be available? Why has it not been prepared as flood risk and pollution and of key importance in this area?

As set out, the FRA (which will assess flood risk from all sources and include a surface water drainage strategy) will be submitted with the DCO application. The FRA is prescribed under legislation to be included as part of the DCO application and so that is the stage at which it will be available for review.

3. 8.81.

With regards to groundwater flows, with the exception of foundations (for the solar panels and associated infrastructure such as sub-stations and battery storage) and cable routes, there will be no below ground structures included within our Project. The potential for impacts to groundwater flow is therefore anticipated to be limited however this will be assessed in greater detail within the FRA.

- **What is the decay rate of the cable insulation?**
- **Will the panels be cleaned, if so with what?**
- **Can the panels themselves degrade and give off dissolved substances that will get into the waterways?**

The panels will be cleaned with water. Panel degradation would be electrical internal degradation. Modules are designed to be encapsulated and will not give off dissolved substances.

4. Potable Water Demand 6

- **Approach**
- **8.84. As set out previously, there is no specific quantitative methodology that allows potable water effects to be assessed. Determining the effects of our Project is therefore based on professional judgement and is qualitative.**
- **What will you do should, your panels or BESS units emit toxic chemicals into the environment? Do you have risk assessments for such an event?**

Measures will be put in place to ensure that any potential contaminated runoff is contained.

Land and soil

1. 9.30. An ALC survey of our Site has been undertaken, with results awaited from a small number of locations due to access restrictions (anticipated to be available by the end of June 2024). When will these be available?

The remaining 28 ha (2%) of land will be surveyed in advance of submitting our DCO application. This data will be included as part of the assessment reported in the ES to be submitted in the DCO application.

2. Preliminary results for the soil within our Site boundary indicate the following ALCs, within a total land area of 1,263 Ha surveyed to date. Are more areas going to be surveyed?

Yes, the entire Order Limits are being surveyed prior to the DCO application being submitted.

3. 9.32. Preliminary site-specific ALC results suggest that significant areas of grade 2 are found at our Site which are not mapped at the 1:250,000 scale Will the areas that are grade 2 and 3a not have solar panels upon them?

We have sought to avoid BMV land where possible; however, there are some remaining fields that are BMV included for development in the masterplan.

4. 9.69. Effects on soil from construction or decommissioning activities will potentially be 'significant' where grade 2 or grade 3a land is affected ('very high' and 'high' sensitivity, with potentially moderate magnitude of), but are expected to be 'not significant' for grade 3b.

Why is there are major difference in sensitivity between grades 2/3a and 3b?

The project has followed the 'IEMA guide: A New Perspective on Land and Soil in Environmental Impact Assessment' to estimate the potential effects of the project on land and soils. These guidelines suggest that BMV land has a very high or high sensitivity for biomass production, whereas non-BMV land has a low sensitivity. Placing these sensitivity levels in the IEMA significance matrix results in very large or large impacts on BMV land and moderate impacts on non-BMV land. There is a distinction between 2/3a, which are considered BMV and 3b, which is not.

5. "5.11.12 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). 5.11.34 The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. What is the justification?

Whilst every attempt has been made to minimise the use of BMV land for this project, it is not possible to completely avoid it. A significant proportion of land in the vicinity of One Earth and in the County as a whole is of BMV quality. Soils (and land quality) vary across the site with many areas having a mix of ALC grades within relatively short distances. This makes avoidance of BMV land logistically unviable. It is also anticipated that the BMV quality of the land will not be lowered and will remain the same throughout the project, albeit without biomass production during the lifetime of the solar farm.

6. 9.74. Our Project will lead to temporary impacts to soil and agricultural land for the duration of the operational phase (assumed to be 60 years), in particular, the areas in which the BESS and substations will be located. What are these temporary impacts will there be long term soil contamination and how will this be avoided?

The temporary impacts will be the loss of biomass production from the BESS and substation areas and a potential temporary reduction in subsoil health and quality, due to compaction and a reduction of oxygen in the soil due to the lack of air exchange between the soil and atmosphere. The topsoil will be removed from these areas prior to installation and stored close by for re-use at restoration, so will not be impacted in the same way as the subsoil. The oSMP, to be secured as part of the DCO application, and SMP will detail methods to minimise potential contamination and mitigate any contamination should it occur.

7. 9.76. Table 9-2 presents a summary of the preliminary likely significant effects, with the further information that will be collected also outlined. It also details the next steps that will be undertaken to inform our ES.

Table 9-2: Summary of Preliminary Likely Significant Effects

THIS TABLE STATES THERE WILL NO LIKELY SIGNIFICANT EFFECTS THROUGHOUT THE DURATION OF THE PROJECT (60 YEARS). THIS A VERY BOLD

STATEMENT WITHOUT ANY EVIDENCE, PRIOR TO THE AVAILABILITY OF THE SMP, LEMP, CEMP AND DEMP

Where is the evidence, when will it be available?

The various management plans will be tailored to this project but based upon documents produced within the construction industry for similar projects in recent years. These plans are well established and have proven successful in minimising potential negative impacts and mitigating issues arising. These will be included in the application, submitted in Q1

2025.

Mental Health

1. Do you feel mental health is important? If so, why has this matter been given little to no consideration?

2. Do you believe that this project will have a significant positive effect on mental health? If so, how? Evidence?

3. What are your thoughts regarding the results of the local mental health study that I conducted last month and submitted to you as part of my objection? Why has this not been read and considered?

4. Does it concern you that the overwhelming majority of those surveyed (over 100 local residents) stated their mental health is already being negatively affected? And even more so if the project were to proceed? How do you propose to address this?

5. Some of those surveyed stated they have either started medication for mental health or increased what they were taking already solely because of this proposal. Another made reference to drinking more alcohol to cope with the situation. Does this alarm you that you are solely responsible for this? How do you propose to address this?

6. Of 109 surveyed, there were NO positive comments relating to mental health and the One Earth proposals. There were hundreds of comments

describing emotions and disorders such as anxiety, low mood, disturbed sleep, nightmares, tearfulness, and worsening of depression (to name but a few) as a result of the One Earth proposal. Many feel their lives will be turned upside down and never be the same again, unable to move due to fall in house value. There is an overwhelming sense of impending doom. There has also been a breakdown in community cohesiveness, with rifts and divisions becoming ever more apparent. How does this balance with the overall 'positive' effects on health you are claiming will result from the solar project i.e. do you think any positive effects will be enough to counteract the evidence we now have for marked deterioration in the mental stability of our community?

Mental health is very important and is being considered along with physical health and wellbeing in the Chapter 17- Human Health. This assessment will be conducted using professional judgement and published guidance, and reflecting the findings from the baseline and consultation feedback.

Throughout the project's development to date, we have made efforts to reach out to the members of the community who live closest to the project site and would potentially have the greatest impacts in order to understand their key concerns and adapt the project design to address them. We have also made efforts to keep the greater community informed of project updates and next steps to reduce ambiguity and provide more clarity to the communities in recognition of the feedback on the uncertainty of the proposals.

Socioeconomics

1. **Where is the modern slavery and protection of human-rights policy?**



2. **Complete lack of equestrian use studies? Please Explain.**

Chapter 13- Transport and Access of the PEIR includes the preliminary use assessments of all public rights of way, including bridleways.

3. **Q1. Significant positive effects on employment.**
 - a. **Explain the number and type of long term jobs.**
 - b. **Explain how much analysis has been done on the loss of jobs, whose jobs would be threatened and how many jobs will be lost in these areas.**
 - c. **Explain indirect long term job creation, type and numbers.**

Landowner surveys are currently ongoing to ascertain exactly what type and how many jobs are currently on site and are likely to be affected by the project. Peak employment during construction of the project is expected to be around 750 jobs, plus further jobs supported/created in the supply chain and indirectly. During operation, it is currently estimated that there would be a net increase of 12 full time jobs on site, with further jobs being created indirectly. These estimates however will be updated and the latest data presented in the ES.

4. Q2. Please could you provide a detailed explanation of the enhancements and 'new permissive routes' and likely significant positive effects on Public Rights of Way

Details of enhancements of PRowS and new permissive routes are currently in development. The public consultation process has been used to present initial proposals and gather feedback, and this is being taken into account during the development of the project. More information will be included as part of the DCO application.

5. 18.2. As part of preparing our DCO application, further design development will enable a more detailed assessment of the significance of these effects. The results of this will be detailed in our Environmental Statement (ES) submitted as part of the application. (Q3)

Q3. Could you expand on who makes these decisions and who and how will be part of the processes and how this information is validated, but also how you can expect a community to provide comments on this application when you haven't completed all your designs.

As part of the extensive public consultation process, including a non-statutory consultation, statutory consultation and ongoing engagement, input has been sought from a range of consultees and stakeholders, including the community and relevant parish councils. This feedback has been sought on an iterative basis as the proposals have been developed in advance of each stage of consultation and, following that consultation, the feedback has been considered as part of the next stage of project development. The purpose of the preapplication consultation in the DCO process is to get feedback at a point when the proposals are still evolving so that it can be taken into account as part of the development process. Feedback from the recent statutory consultation where consultees were invited to provide feedback on the project is being considered as part of the development of the proposals included in the DCO application.

After submission of the application, if accepted into Examination, the DCO application will be examined by a panel of Examining Inspectors who will consider all aspects of the proposals and hear from Interested Parties, before making a recommendation to the Secretary of State who will be the ultimate decision maker on whether to grant consent for the project.

6. 18.3 This Chapter of the PEIR has been prepared by Logika (Q4.) and presents the likely significant environmental socio-economic effects of our Project. Socio-economics is defined as effects on people arising from a combination of social and economic factors. Article 4(2) of Schedule 4 the Town and Country Planning (Environmental Impact Assessment) Regulation 2017 states: Q4. Could Logika please provide us with similar developments they have been able to work on, i.e. large countryside village developments etc. and who has been working on this and what their professional qualifications are?

Appendix 1.1 of the PEIR sets out the professional competency of the experts involved in the production of the assessment, and this will also be presented in the ES.

7. 18.4. As such, this chapter provides this assessment, focussing on specific effects on populations at different spatial scales. (Q5.)

Q5. Who did this? Please provide an example of where you have done this before. So everyone involved can gain some understanding into 'different spatial scales', could we ask you to provide one or two examples with an explanation, on how the use of different spatial scales would be used in this particular development.

The approach taken in this assessment is an industry standard approach and is in line with the assessments undertaken for numerous other large solar developments in the UK in recent years. Appendix 1.1 of the PEIR sets out the professional competency of the team involved in the preparation of the assessment.

8. 18.32. The areas in the vicinity of our Site generally fall within the 5th and 6th decile, indicating that the population experiences a level of deprivation that is approximately in line with the national average.

Q6. How has this assumption been made and why has more specific analysis been done in the considerable time this project has been in development?

The provision of these data on deprivation aims to provide broad context to the assessment, but is not something that is quantitatively assessed, so more specific baseline information would not be beneficial. This is also the level at which reliable data are publicly available.

9. 18.35. The Culture and Sport Evidence (CASE) programme provides regional statistics on cultural and sporting attractions, use and visits. The 2010 report on the East Midlands notes that the regional "CASE economy" employs 119,000 people in 9,800 businesses. It contributed £2.3 billion in GVA and £1.1 billion per year in spend from domestic tourists. The regional was the destination for 13% of domestic tourist trips in 2008 and 4% of overseas visitors, who spent a total £386 million, some 3% of national expenditure. (Q7) Q7. Why are such large analysis being studied when there is a clear distinction between town and small village populations?

The provision of these data aims to provide broad context to the assessment, but is not something that is quantitatively assessed, so more specific baseline information would not be beneficial. This is also the level at which reliable data are publicly available.

10. 18.36. Data from the Great Britain Tourism Survey provides further estimates of the volume and value of overnight trips taken by British residents in Great Britain. The latest data relates to Q3 2023. The East Midlands received 2.8 million visits in Q3 2022, which decreased to 2.2 million by Q3 2023. This comprised 8% of the total share of visits in England. Total spend from these visits amounted to £646 million, which had decreased to £459 million in Q3 2023. This comprised 6% of the total share of spend for England as a whole. (Q8.) Q8. Please explain the relevance.

The provision of these data aims to provide broad context to the assessment, but is not something that is quantitatively assessed, so more specific baseline information would not be beneficial. This is also the level at which reliable data are publicly available.

11. 18.37. The study area is sparsely populated, with the main residential areas being Dunham, Newton on Trent, North Clifton, South Clifton, High Marnham and Thorney. The main businesses are agricultural, with a small number of visitor attractions and other community facilities (Q9)

Q9. If – in the study area - the main businesses are agricultural and a small number of visitor attractions, this development would surely have a large impact on agricultural and visitor attractions close to the solar farm would also be affected from the localised loss of view amenity and industrialisation – particularly so during the installation phase. Please Comment

The potential for impacts on agricultural jobs and economy, as well as amenity, are being assessed and will be reported in further detail in the ES that will be submitted as part of the DCO application.

12. 18.37 Visitor Attractions/Tourism (Q10)

18.38. As presented in Figure 18-10, there are only a small number of visitor amenities in proximity to our Site, the largest of which are caravan sites located close to the southern and northern boundaries. As discussed in Table 18-12 most are located closest to parts of our Site where PV panels are not expected to be installed, with land instead being used for underground cabling or environmental mitigation and biodiversity enhancements

Q10. Surely there will be significant impact on these visitor attractions/tourism sites, either in the development phase or operational phase or both. Please Comment.

These will be assessed in further detail in the ES. Generally, land used for environmental mitigation and biodiversity enhancements will not cause significant impacts, as these areas would be without above ground infrastructure, planted with native species to support existing wildlife. Areas used for underground cable would have a temporary impact during construction, which we would seek to mitigate through the construction management plans. After construction, the cable would not be visible.

13. 18.39. There are no published data on visitor accommodation or vacancy rates in the local area. However, data in Table 18-10 indicates some 155 employees in the accommodation and food services sector in 2022, which provides an approximate indication. UK business Count data also shows the numbers of hotels/guest houses businesses. These data are not available for the local area but are available for slightly larger “middle level” SOAs¹⁴. This suggests there may be some 55 business in the accommodation and food services sector as of 2023 in the three MSOAs that intersect our Site. (Q11)
Q11. Effects on the above businesses. Please Provide Data.

As above, the effects on amenity and consequently tourism are considered. These data are provided for baseline context.

14. 18.40. In addition to the current baseline information presented above, where practicable the following will be collected and reported on in the ES:
> Verification, alongside stakeholder consultation activities of other types of land use within the Site (e.g. commercial premises, tourist attractions);
> The amount and types of existing employment within the Site; and > Baseline usage figures for the National Cycle Route 647 (Q12)
Q12. When will this be done and why hasn't it been done already?

This is currently ongoing and will be published in the ES that will be submitted as part of the DCO application.

15. 8.44. An examination of the relevant district local plans identified that the largest site allocated for development in the Local Area is located in Tuxford, approximately 3.5 km to the west of our Site, and is allocated for up to 244 dwellings. Although the timescales for the development of the Tuxford site are not known, the scale of this development (and other, smaller allocated sites) is not expected to significantly alter the socio-economic baseline set out above. Note this is considered in more detail in Chapter 19: Cumulative Effects. (Q13)
Q13. Missing developments, including a 3.9million tonne quarry at South Clifton, the BESS and Substation developments inside the development zone and the Hydrogen plant, also inside the zone. Please Comment on this.

A landowner survey to understand the exact number and type of jobs currently on site is ongoing and will be used in the assessment presented in the ES. The assessment of potential cumulative effects will be assessed according to guidance from PINs.

16. 18.45. Consideration of good design principles, consultation and engagement with stakeholders, including the local community has sought to maximise benefits and ensure that adverse effects designed out or mitigated. The following measures are incorporated into the design of our Project: Employment opportunities for construction trades during construction. These opportunities will be available to local people, depending on the precise skill needs for our project and supply in the local labour market (Q14) Q14. Numbers and types please.

Additional detail will be provided and assessed in the ES.

17. 18.45 Employment opportunities during the scheme operation and – in time – its decommissioning. As above, these opportunities will be available to local people, depending on the precise skill needs for our project and supply in the local labour market. (Q15) Q15. Numbers and types please.

Additional detail will be provided and assessed in the ES.

18. 18.45. Educational opportunities through apprenticeships and training, at construction, operation and decommissioning stages (we are committed to and working with local educational institutions to identify how our Project can invest and provide suitable skilled training opportunities). This would serve to

increase the likelihood that the jobs can be filled by local people during its lifetime and/or for future schemes in the area (Q16).

Q16. Provide examples where this has already been done by both developers.

An example of where this has been done already is Orsted's partnership with the Grimsby

Institute and Furness College to offer offshore wind turbine technician apprenticeships in Grimsby on the UK's East coast and Barrow-in-Furness on the West coast. Apprentice

Wind Turbine Technicians learn how to operate and maintain our offshore wind turbines. We work to the highest health safety and environmental standards and technicians are fully trained and supported during this programme.

19. 18.45 New permissive paths through our Project, creating routes connecting the villages; (Q17)

Q17. Provide full details on the maps available, will you be taking into account the equestrian study and be reporting back

The masterplan presented during the statutory consultation detailed the proposed permissive paths that we are considering. We are now reviewing the feedback received from statutory consultation, including this study, as part of finalising our proposals to be included in the DCO application.

20. 18.45 > Biodiversity enhancement, including provision of land for new grassland, wildflower meadow, hedgerow and tree planting (Q18)

Q18. Provide full details on the maps available, types of grasses, wildflowers, and hedgerow maps (with type) and tree planting maps (with trees and approximation age and height at planting, plus how will these hedges and trees be managed until they are established.

Additional detail will be provided and assessed in the ES.

21. 18.45 Security of revenue alongside opportunities for diversification of revenue for owners of land within our project site; (Q19).

Q19. Please Explain?

The introduction of a solar farm will provide a new source of income for landowners, as well as creating new jobs, which will provide diversification of revenue. It is currently being investigated whether some of the land can also be used for grazing, thus providing another additional income stream and potentially employment opportunities. The project has an operational life of 60 years, during which time there will be a steady source of secure income. Details will be provided in the planning documentation.

22. 18.45 An increase in renewable energy production and supply and therefore resultant contributions towards achieving net zero targets reduction of generating GHG emissions and energy security (Q20)

Q20. Please show your analysis to confirm this.

Additional detail will be provided and assessed in the ES. The nature of the project inherently ensures an increase in renewable energy production.

23. 18.46. Further consideration will be given to the optimisation of land use, with potential dual use of land for both our Project and agriculture where practicable. This will be considered in the ES. (Q21)

Q21. When will this be available, and shouldn't our EIA be taking into consideration this point, so it's not possible to do this in the meantime.

Additional detail will be provided as part of the assessment reported in the ES.

24. 18.47. Table 18-14 presents the elements which have been scoped out as it is considered no likely significant effects will occur. This has been accepted in the EIA Scoping Opinion. (Q22)

Q22. Can't have it both ways, in one way saying jobs will be created because of this, the other hand local jobs created during operation will be low? Please Explain.

As presented in the preliminary assessment, the net direct impact of the operation of our Project on permanent jobs is expected to range from zero to 5, given the current uncertainty in the exact number. At scoping, it was expected that there would be no significant adverse effects, which remains the case and was agreed with PINS, but there is scope for a positive effect on employment. Further detail on the assessment will be reported in the ES.

25. The table section below does not take into account the substantial increase in traffic, or dust that may be thrown up with possible drifting onto nearby crops. Q23a. Do any of the access points affect any existing access points to nearby land not part of the site. (Q23).

We are reviewing the proposed access points and having regard to feedback received from the statutory consultation as part of this process.

26. 18.53. First, temporary construction work will be created over the course of the two year construction period. This is based on an estimate of "peak" construction jobs, so the actual number of construction workers on the Site at any one time is typically likely to be less than this. (Q24)

Q24. What are the numbers and types

Additional detail will be provided and assessed in the ES.

27. Second, once operational our project will create new direct employment in a growing industry over the course of its 60 year operational life. These new jobs are expected to comprise land management and maintenance roles (for example land and environmental management and maintenance) as well as technicians, engineers, site/process managers and administration roles at a range of skill levels. These include specialist, skilled roles, given the direct current (DC) requirements of the infrastructure required for our Project (Q25)

Q25. The above statement is surely in contradiction to point 18.37? Please Comment?

Paragraph 18.37 of the PEIR briefly discusses the population, community facilities and attractions within the site and is not directly relevant to this statement.

28. At the same time, existing agricultural employment on our Site will be affected, in line with changes in land use. The published data presented in the baseline (Table 18-9) suggests some 15 people are employed in “agriculture forestry and fishing” in the local area. However, data at smaller geographies are prone to greater margin for error. As such this will be further explored in a survey to determine the number of farm labourers currently employed. It is also noted that the ongoing use of existing agricultural land use will be sought alongside our Project (i.e. given the height of the panels it may be possible for some parts of our Site to be used for grazing and/or some crops). (Q26).

Q26. This needs expanding on, where are figures from and what about local business affects – loss of transport requirement, muck-spreading, feed manufacturers, British Sugar. Please Comment.

As set out in the preliminary assessment, both direct and indirect (such as supply chain) employment effects on jobs are assessed. More detailed landowner survey results on the exact volume and nature of employment on site at present will be used to inform the detailed assessment in the ES, which will again use published multipliers to calculate the number of indirect roles also affected by our Project.

29. Similarly, there is a risk that there may be some adverse effects to local employment, for example in visitor related activities in the Local Area which may arise because of changes in perceptions of the attractiveness of the local area and/or perceptions (or actual) disruption during construction or operation. The baseline assessment suggests this risk is low and may be offset by increased demand for accommodation from construction employees. (Q27)

Q.27 What about long term effects? Please Comment.

As presented in the preliminary assessment, the effects of the operation of our Project (over its 60 year operational life) are assessed, which is considered "long term".

30. Third, our Project represents a significant investment in the economy, both at construction and operational stages. As well as direct benefits, there are expected to be further indirect economic benefits for local, regional and national supply chains. These wider “indirect and included” effects are estimated using economic multipliers. Two types of multiplier effect are typically identified: (Q28) Q28. Examples of where this has increased local supplier sales. Please Provide.

The multipliers used to calculate the indirect employment created by the project are well established, published factors from the CEBR and are fully referenced in the PEIR. This is the best available source of information to inform the assessment of potential economic benefits of the project.

31. 18.55. The baseline assessment indicates that unemployment rates in the Local Area are low and stable, with unemployment rates in the three

Districts lower than regional and national patterns. Skill levels in the local area are similar to the three

Districts and the region. Hence receptor sensitivity is rated as low. (Q29)

Q29. Please provide the detailed base stats you are using to come to this conclusion.

Tables 18-8 and 18-9, and Figures 18-4 to 18-6 in the preliminary assessment present data on employment/unemployment and benefits claimants from both the Census and Business Register and Employment Survey, which have been used to draw this conclusion with regards to local unemployment. All data used are fully referenced and publicly available.

32. 18.57. Our Project will generate 740 MW of clean, renewable energy once fully operational. Using the CEBR estimates our Project represents a major capital investment, potentially up to some £500 million. CEBR estimated in 2014 that the average UK solar farm installation was 62% reliant on British components, operations and expertise and this was expected to increase to 71% by 2030²⁵. This in turn suggests substantial economic opportunities in the supply chain a proportion of which is likely to be benefit, local, regional and national companies. (Q30). Q30. Please provide the detailed data source this analysis is based on.

The CEBR study is fully referenced in the preliminary assessment and can be accessed by following the web link: <https://cebr.com/reports/solar-powered-growth-in-the-uk>

33. 18.58. The CEBR assessment also examined economic and employment impacts. And estimated that 14,000 full-time equivalent (FTE) direct and indirect jobs were supported in the UK's solar sector in 2013. This reflected – at that time – a jobs intensity of around 7 FTEs/MW for large scale solar farms. They estimated this may decrease to around 5.6 FTE jobs per MW by 2030. (Q31).

Q31. What about job losses amongst the agricultural sector. Please Comment.

As discussed previously, the exact number of agricultural jobs within the site at present is being identified through discussions with landowners. This will then be used to calculate the net change in jobs on site, as has been done in the preliminary assessment using the current best estimate of jobs on site.

34. 18.59. Temporary construction employees are estimated to peak at 750 over the course of the two-year construction period. Average numbers may therefore be lower. (Q32).

Q32. Please expand on this with the approximate numbers, types, and at what stages of the construction period.

Additional detail will be provided and assessed in the ES.

35. 18.60. These jobs would include a range of trades and require different skill levels. For scale, an addition of 750 employment opportunities arising from the Project would constitute an increase of 190% in 2022 construction employment in the Local

Area and an increase of 28% of total employment in the Local Area. (Q33)
Q33. I would question whether the figure of 190% increase is based on the 750 employment opportunities, when by your own admission the number of jobs at any one time will most likely be less than this, and the 750 is a short-term peak maximum, plus your own point is that the jobs will come from all three districts. Please Comment.

Additional detail will be provided and assessed in the ES.

36. 18.61. Further indirect jobs would be supported along supply chains and can be estimated using multipliers described above. CEBR estimate the employment multiplier from large scale solar PV investments to be 2.33. This means that for every additional direct Full Time Equivalent (FTE) job, a further 1.33 FTE jobs are generated along supply chains via indirect (0.78 of an FTE) and induced (0.55 of an FTE) effects. (Q34)
Q34. Evidence; please provide more details.

The multipliers used to calculate the indirect employment created by the project are well established, published factors from the CEBR and are fully referenced in the PEIR. This is the best available source of information with which to estimate the potential economic benefits of the project.

37. 18.62. Offsetting this are risks of adverse effects to local visitor/tourism related activity -and hence employment- associated with perceived or actual disturbance during the construction phase. During the construction stage such risks are mitigated by several factors. First, the overall construction duration is relatively short (2 years). Second construction activity will concentrate at different specific locations over our Site, meaning that any localised effects may be shorter in duration. (Q35)
Q35. Vague and mixed-up statement, further evidence required please. Please comment when you will provide this.

Additional detail and clarity will be provided and assessed in the ES.

38. 18.63. The additional construction employees may create further demand for temporary accommodation in the local area with the associated economic benefits. For such demand to materialise it would be necessary for construction employees to reside beyond reasonable (or affordable) commuting distance and/or the nature of their role require intensive work over a specific period(s). This additional demand may be met with accommodation in the local area, or further afield (Q36)
Q36. Since accommodation is limited and unlikely to provide a walk-in opportunity, I can't see any analysis of the effects or a large number of construction workers driving onto the site everyday.

The potential effects of construction workers travelling to and from site during the construction phase will be considered in all relevant chapters of the ES (for example air quality and noise from road traffic increases) and presented in the ES.

39. 18.65. First, existing employment in agriculture may be affected in line with changes in land use. Existing employment numbers are not certain and

we are still gathering this data. However using data from the BRES survey, it is considered 15 people are employed in the sector in the Local Area (Q37)
Q37. What about local businesses, temporary contract workers. Please Comment.

All employment and commercial activities within the site will be considered in the assessment presented in the ES. As discussed previously, landowner surveys to ascertain the exact baseline employment on site are currently ongoing.

40. 18.72. There are several PRoWs which pass through or are close to our Site, along with Route 647 of the National Cycle network (the Sustrans route). We have not implemented a usage survey of the existing PRoWs as part of the baseline. In our view such surveys pose several methodological challenges which may mean the usage data may not be reliable. (Q38)
Q38. Surely there are official studies available, particularly for the sustrans. Again No Mention of bridleways. Please Comment.
Point to note. The A1133 is used at several times of the year for cycling time-trails, and the increased traffic could be a danger factor for local cyclists as a whole. Please confirm you have taken this into account and who you have discussed this with.

The CTMP sets out measures for a Traffic Management Group that can discuss specific events and measures and can hold works during such events.

41. 18.74. The receptors in this case are primarily local residents who use the PRoW and cycling route for leisure and recreation. A smaller proportion of users may travel into the Local Area for this purpose, to walk or cycle. (Q39)
Q39. No analysis at all? Please Comment.

Visitors are assessed the same as residents.

42. 18.75. All PRoWs will be retained, although there may be the need for very temporary closures as construction activity crosses PRoWs (Q40)
Q40. Equestrian Use? What studies have you done.

Please see the Onsite Access Management Section of the CTMP for details.

43. Table 18.78 Q41. When will detailed analysis of this (ES) be available?

The ES will be included as part of our DCO application. We expect to submit our DCO application in Q1 of 2025.

44. National Planning Policy
Overarching National Policy Statement for Energy (EN-1) (2023)
This provides overarching government policy on energy NSIPs, and the way in which any impacts and mitigation measures will be considered. Part 5, section 5.13 of this policy statement specifically relates to socio-economics.
Paragraph 5.13.4 states that “The applicant’s assessment should consider all relevant socio-economic impacts, which may include: (Q42)
Q42. With other applications for solar farms, BESS units etc coming through at the same time, there could be a lack of available construction worker able for

other important jobs such as new homes (part of government plans), repairs to schools and hospitals etc. Please comment on how this has been considered.

There is a growing demand for a skilled workforce to construct solar farms across the nation. While these jobs could be filled through global workforces, we would like to see as many as possible filled through local labour. We are working with local authorities to develop a skills and training programme to meet this need.

45. Paragraph 2.10.69 states that “Applicants should set out what would be decommissioned and removed from the site at the end of the operational life (Q43). Q43. When will we receive information on this.

The ES will include this information and it will be submitted with the DCO application, which is currently expected to occur in Q1 2025.

46. National Planning Policy Framework (NPPF) (2023)

The National Planning Policy Framework (NPPF) is an overarching document which sets out government planning policy for development outside of the NSP regime in England, and how this is expected to be applied by local authorities and developers. The NPPF can be an important and relevant consideration for NSIPs as well, but in the event of any conflict, the NPS policy prevails. The NPPF provides a framework for local sustainable development via local plans. Specific extracts relating to this Proposed Development are as follows:

Within section 6 “Building a strong, competitive economy,” paragraph 85 states that

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. (Q44) Q44. Much of this work is temporary, and staggered so how will this support mid or long term economic growth, particularly considered the loss of available work for agricultural contractors and self-employed workers in this sector.

The operational effects of the project are also assessed, and further detail will be provided in the ES.

47. Within section 12 “Achieving well designed and beautiful places,” paragraph 132 states that “Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations (Q45) Q45. How is this being done? Please provide details.

As part of the extensive public and statutory consultation process, input has been sought from a range of consultees and stakeholders, including the relevant parish

councils. This feedback will be considered in the development of the final proposals and assessed in the ES.

48. Within section 15 “conserving and enhancing the natural environment,” paragraph 180 states that “Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);**
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; (Q46)**

Q.46 Please state in more detail how this project hopes to achieve these aims. Bassetlaw District Council (2011) Local Development Framework, Publication Core Strategy and Development Management Policies

The assessment will consider all national, regional and local planning and development policies during the design development and assessment processes. Ultimately, whether the project is considered to be, on balance, acceptable will be determined following examination of the application as part of the DCO process. As the project is designated a NSIP and there are relevant national policy statements that have effect, the decision will be made primarily in accordance with those relevant national policy statements.

49. The Core Strategy for the Bassetlaw District sets out the overarching vision for the area up until 2026, including the policy approach to deliver this. Policy DM10 “Renewable and Low Carbon Energy” is related to the Proposed Development and states:

“The Council will be supportive of proposals that seek to utilize renewable and low- carbon energy to minimize CO2 emissions. Proposals for renewable and low- carbon energy infrastructure will need to demonstrate that they Are compatible with policies to safeguard the built and natural environment, including heritage assets and their setting;

- Will not lead to the loss of or damage to high-grade agricultural land;**
- Are compatible with tourism and recreational facilities;**
- Will not result in unacceptable impacts in terms of visual appearance, landscape character, noise, shadow-flicker, watercourse engineering and hydrological impacts, pollution, traffic generation, or loss of features of recognized importance for biodiversity;**
- Will not result in an unacceptable cumulative impact in relation to the factors above. (Q47)**

Q47. This development breaks pretty much all of the above Bassetlaw Management policies. Please Comment on who is managing this area and how this has been considered in your plans.

The assessment will consider all national, regional and local planning and development policies during the design development and assessment processes. Ultimately, whether the project is considered to be, on balance, acceptable will be determined following examination of the application as part of the DCO process. As the project is designated a NSIP, and there are relevant national policy statements

that have effect, the decision will be made primarily in accordance with those relevant national policy statements.

50. Draft Bassetlaw Local Plan (2023) 2020-2038: Main Modifications Version, August 2023 This Local Plan sets out Bassetlaw District's planning and policy framework, development strategy and site allocations to inform effective delivery of the overall vision up until 2038.

Policies set out in the Local Plan relate to the Proposed Development.

Policy ST51 "Renewable Energy Generation" states that:

"Development that generates, shares, transmits and/or stores zero carbon and/or low carbon renewable energy including community energy schemes will be supported subject to the satisfactory resolution of all relevant site specific and cumulative impacts upon:

- a) Location, setting and position in the wider landscape, resulting from its siting and scale;
- b) Natural and heritage assets and their settings;
- c) Air and water quality;
- d) Hydrology and hydrogeology;
- e) The best and most versatile agricultural land;
- f) Existing highway capacity and highway safety;
- g) Noise, light, glare, smell, dust, emissions or flicker;
- h) Aviation and radar; and
- i) Recreation and local amenity.

Proposals must take into account operational and approved developments, as well as any proposed intensification to operational or approved proposals.

Proposals involving one or more wind turbines will be supported where:

- a) the site is located within an area defined as being suitable for wind energy in a made neighbourhood plan or development plan document; and
- b) following consultation, it can be satisfactorily demonstrated that all potential adverse planning impacts identified by affected local communities have been fully addressed, including cumulative impacts identified in Part 1 above. All renewable energy development will be expected to provide details of the expected power generation based upon expected yield or local self-consumption to enable effective monitoring of the district's contribution to the national zero carbon targets. (Q48).

Q48. This project could break a lot of these guidelines and is missing required data, including details on expected power-generation. Please provide a month by month analysis of power generation based on average data on hours of sunshine etc at each month of the year.

The assessment will consider all national, regional and local planning and development policies during the design development and assessment processes. Ultimately, whether the project is considered to be, on balance, acceptable will be determined following examination of the application as part of the DCO process. As the project is designated a NSIP, and there are relevant national policy statements that have effect, the decision will be made primarily in accordance with those relevant national policy statements.

Exhibit C

Consultation Report Extract

Page 69 of the Consultation report. – extract.

The meeting with North Clifton Parish Meeting and South Clifton Parish Council on 1 August was formatted as a question-and-answer session. After the meeting, North Clifton Parish Meeting and South Clifton Parish submitted a list of detailed questions regarding the PEIR. These questions and the responses to them are included in Appendix J-2. 6.2.39 Dunham, South Clifton, Saxilby and Thorney Parish councils also submitted written feedback by email, which is considered in Chapter 7 and Appendix J-1 alongside other responses from prescribed consultees to the statutory consultation

Appendix J-2: Regard had to statutory consultation responses from consultees under s47

In the Volume 5 Reports and Statements [EN010159] Consultation Report Appendices J-1 – J-2 February 2025 Document Reference: EN010159/APP/5.1 Revision 01 the following was missing but inserted in - Consultation Report Appendices J-1 and J-2: Regard had to statutory consultation responses [EN010159/APP/5.1.1] April July 2025 and One Earth Solar Farm Ltd. And Consultation Report Appendices J-1 and J-2: Regard had to statutory consultation responses [EN010159/APP/5.1.1] July 2025 One Earth Solar Farm Ltd.

However the 01.08.24 meeting minutes and script the 02.08.24 email to [REDACTED] and the Mental health report were excluded -see Exhibits B and G. The pages below on the rest of this page 82 to page 91 of this appendix were a smoke screen to disguise the suppression of the substantive issues contained in the missing document. We were already in possession of most of the information they provided and One Earth knew that.

Consultation Report Appendices J-1 – J-2 Responses to Questions from North Clifton Parish Meeting 19 November 2024

Overview

Generally, the development of a Nationally Significant Infrastructure Project like One Earth Solar Farm is designed to be iterative, with multiple opportunities for consultation and ongoing engagement. The consultations allow stakeholders to provide early feedback on initial plans and preliminary results of environmental assessments, helping to inform both the project design and the environmental assessments, before the Development Consent Order (DCO) application is submitted.

For One Earth, there was an initial consultation on the early designs in Autumn 2023, as well as technical consultation on the methodology and scope for the Environmental Impact Assessment (EIA) in late Autumn and Winter 2023. Feedback from these consultations helped inform the updated design and Preliminary Environmental Information Report (PEIR), which were presented for consultation in Summer 2024. Feedback from the statutory consultation is currently being reviewed and considered by the technical team to help inform the final Environmental Statement (ES), which will be included in the DCO application early next year.

Therefore, many of the final results of the assessments are not available at this time, as is consistent with the development process. While we appreciate that this may be frustrating in some cases, this is a result of the planning process, which is designed to allow stakeholders to opine on early results.

- **Cost Benefit Analysis of the economic effects of the project on the community**

The potential impact of the project on residents and local communities, including the setting of houses and villages, has been a key consideration throughout the iterative design process. We have sought to reduce development where the project is closer to Ragnall, Fledborough, North Clifton, South Clifton, Thorney, and individual dwellings in response to consultation and in line with the project design principle of ‘protecting features that are important to the local community’. These principles were outlined in both the first non-statutory consultation and the second statutory consultation, and continue to be applied as the project develops.

The EIA assesses a variety of economic impacts in Chapter 18 of the PEIR. These assessments are conducted in accordance with regulations and guidance, as well as the Scoping Opinion, which specify which topics to assess and the methodology to use. The potential impact to house values is not included in this assessment, in part because there are numerous factors that affect house values and little evidence to show a direct impact due to living near a solar farm. Furthermore, although we understand that it is an important issue to the community, the potential impact on house values is not considered to be a material consideration in the planning process by the government. Instead, it is a matter that is usually considered after development consent has been granted, at such time that an impact which gives rise to compensation has occurred. These are typically physical impacts, such as noise, not visual impacts. However, as noted above, we do not consider that this would be the case as the scheme has been designed carefully to take account of the potential for impacts on people’s homes.

Application Document Ref: EN010159/APP/5.1.1

- Planning Inspectorate Scheme Ref: EN010159
- **The Soil Report**

The ALC soil report will be available in the ES to be submitted as part of the DCO application in Q1 2025. Provisional results will be discussed with Natural England as part of the ongoing engagement.

- **Cost Benefit Analysis for using High Marnham**

We are bringing forward this project at this location because of the availability of the grid connection at High Marnham. We have identified land that is suitable for solar, considering a variety of factors, that will result in a viable project. A funding statement will be included in the DCO.

- **Air Quality data in the immediate project site**

Details of the air quality monitoring are set out in Chapter 14: Air Quality of the PEIR. The air quality monitoring is within the study area for this assessment, which includes the roads likely to be used by construction and operational traffic. The purpose of the air quality monitoring is to understand existing concentrations but also to verify the result of modelling. The air quality modelling assessment will be reported in the ES to be submitted as part of the DCO application in Q1 2025.

- **Management of ditches – when and by whom**

If the project is consented, the ditches within the site would be managed and maintained by Orsted when the project is operational. This will be detailed in an operational environmental management plan, which will be secured by the DCO.

- **Modelling to show speed and quantity of water flowing into Trent**

The flood assessment will be reported in the ES to be submitted as part of the DCO application in Q1 2025.

- **Details of how the Orsted Community Fund will compensate homeowners**

At this time, we are still reviewing feedback on what the community would like to see as part of the Community Benefit package, and no final decisions have been made. We are considering options including reduced energy payments, but cannot provide compensation in the form of direct payments to individuals.

- **Date of Meeting to be arranged in Sept/Oct**

This question is in response to mental health and how the project can help reduce stress and anxiety in the community. The environmental assessments that are required as part of the Environmental Impact Assessment look at the potential impacts from the project, including mental health. However, the One Earth team are aware that it is not just the project itself, but the planning process and lack of clarity leading up to the project potentially being consented and constructed that is causing stress in the community. To help alleviate this anxiety, we are committed to continuing ongoing engagement with the community and providing project updates whenever possible. This includes a newsletter this autumn to show how the masterplan has been updated

to address feedback, several months ahead of the DCO application submission, and future newsletters for key project updates.

Application

Document Ref: EN010169/APP/5.1

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- **Embodied carbon and other emissions – details of studies/research done and scale model**

- The carbon and climate change assessment, including embodied emissions, will be detailed and reported in the ES, to be submitted as part of the DCO application in Q1 2025.

- **Orsted to look into combining wind-power with solar power to reduce number of panels**

- When we secured the grid connection agreement, there was a de facto ban on onshore wind development, therefore we did not consider installing wind turbines at this location. Now that the ban has been lifted, we would still not consider incorporating turbines at this location, due to the lack of ideal wind resources, and increased visual impacts due to height and noise impacts from turbines on nearby homes, which would need to be considered in the environmental assessment. This location, due to topography and radiance levels, is a good location for solar technology. See Chapter 4 of the PEIR for the alternatives assessments.

- **Model a fire and provide information on outcome**

- Although we have not modelled a BESS fire, various other bodies have conducted large-scale fire testing on BESS units. A few battery suppliers have conducted recent large scale fire testing and have successfully demonstrated that fire did not spread to adjacent units and no thermal runaway propagation or ignition occurred. UL 9540A is a test standard developed by Underwriters Laboratories (UL) specifically for evaluating the fire hazards associated with energy storage systems. It will be a requirement that the selected battery units must have undergone UL 9540A testing ensuring thermal runaway does not propagate to adjacent cells or modules. Along with other relevant safety standards, various fire safety mechanisms, such as fire detection and suppression systems and sufficient spacing between battery units shall be employed to mitigate fire risks.

- **BESS batteries will be the latest and much safer water-cooled ones.**

- We are committed to using the latest solutions from leading manufacturers that prioritise safety as well as performance. All selected technologies shall meet the requirements of all latest safety standards and guidance. The systems shall have multiple layers of safety mechanisms, including continuous monitoring, thermal management and integrated suppression systems. At this stage of the project we cannot commit directly to one supplier, but it is almost certain that the use of liquid cooling systems will be specified which ensures superior thermal performance and reliability.
- **Agree a Response Plan with Notts. And Lincs. Fire Services and provide a copy**
- We have already engaged with both Nottinghamshire and Lincolnshire Fire and Rescue services in early discussions. At this early stage of the project an initial outline battery safety management plan will be developed to ensure alignment and compliance with the latest standards and guidance. If the DCO is granted, both FRS will be consulted for the development of an Emergency Response Plan (ERP) to ensure fire safety is a top priority. The ERP will assist the emergency service personnel in responding to potential BESS-related emergencies and will provide key information that can assist with safely managing the emergency.
- **Provide a copy of the Fire Brigade Report for the Carnegie Road Fire (Liverpool)** [REDACTED]
- As we noted in person, technology has advanced significantly since this fire occurred. Lessons learnt would be applied to this project, to ensure that this does not occur again.
- **Monitoring of BESS fires**
- The site shall have continuous monitoring of the units 24/7, 365 days a year, pre-and post-incident data can be retrieved. This could include data on the temperature, gas detection systems, voltage and current within the cells and modules. If any abnormality is detected, the individual units shall be isolated and will shut down automatically or through remote monitoring systems to prevent the spread of fire spreading to other parts of the system and minimise damage. In the event of a fire a trained expert will be dispatched to the site to support the FRS. Safety will be built into the design, with the FRS response carefully considered. Adequate space shall be provided for the FRS to monitor any fire incidents, position their equipment and effectively carry out emergency response.
- **Details of parameters developed to manage noise from inverters and produce a plan showing noisy equipment will be at least 300m from properties and cycle route and where the inverters will actually be sited.**
- Noise modelling is underway and we will include appropriate noise mitigation where required, this will include offsets and other noise mitigation where required.

- **Lowering of temperature in the vicinity of the panels leading to increased flood risk**
- There is no evidence of this occurring.
- **Long term adverse effect on local employment**
- This is included in Chapter 18 – Socio-Economics of the PEIR. The full assessment outcomes will be included in the ES as part of the DCO application.
- **How do you define significant?**
- Significance is defined for each environmental technical assessment by specific standards as set out in published guidance. The significance criteria for each environmental assessment is set out in each chapter of the PEIR, and will also be included in each assessment chapter in the ES. The ES will be submitted as part of the DCO application in Q1 2025. In general, significance takes into account the:
 - Extent / geographical scale of the effect (site or local effects; or district level; or regional level or national level).
 - Duration of the effect (short, medium or long-term and temporary).
 - Performance against environmental quality standards or relevant policy requirements.
 - Sensitivity of the receptor affected.

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Air Quality

1. **14.14 No monitoring of PM10 or PM2.5 concentrations is conducted by any of the host authorities. Background Concentrations**
2. How can we know if there are any changes due to the installation, maintenance and decommissioning if there is to be no monitoring of PM10 or PM2.5?
3. Background concentrations published by Defra are considered to be representative of conditions across the study area, given the rural location. According to the criteria set out in Defra's LAQM TG22 guidance for local authorities, the study area is considered to be rural and pollutant concentrations would be expected to be close to, or at, background levels. Impacts on PM10 and PM2.5 concentrations will be

considered as part of the detailed assessment, which will predict the existing concentrations and any increases in concentrations using computer dispersion modelling. It is best practice to use modelling, as it is recognised that carrying out monitoring at every sensitive receptor is not feasible.

4. **Table 14-2 What is their estimated HDV and LDV increase on the roads?**

5. At this stage, during the construction phase of our project, the peak daily traffic generation is expected to be 120 LDVs and 544 HDVs, as explained in Chapter 13 – Transport and Access of the PEIR. As set out in Chapter 14 – Air Quality of the PEIR, it is not expected to significantly affect air quality and will not result in exceedances of the objective levels set to protect human health. This will be confirmed with computer dispersion modelling for the ES. The traffic generation during operation is expected to be minimal (expected to be 10 vehicle movements per day), and as agreed with PINs, has been scoped out of the assessment in the Scoping Opinion.

6. **In the dust assessment procedure does the Yes/No depend on the weather? How long before construction will the assessment be – is this weather dependent?**

7. The construction dust risk assessment is not weather dependent, rather the risk assessment assumes worst-case conditions (i.e. dry and windy conditions) in order to ensure appropriate mitigation is in place, regardless of weather conditions.

8. **14.27 The guidance explains that residential properties, schools and care homes are ‘high’ sensitivity receptors to dust soiling, while public parks and places of work are ‘medium’ sensitivity receptors with farmland being ‘low’ sensitivity.**

9. Residential properties, schools and care homes are classified as being of ‘high’ sensitivity for human health effects, while places of work and shops are classified as being of ‘medium’ sensitivity and public parks are of ‘low’ sensitivity. This approach has been taken and applied to our Project in the preliminary assessment below. Correct, this is the approach taken in our assessment work, in line with industry standard guidance.

10. **How do they aim to protect our residential areas? Also, they have said that farmland is low sensitivity. However, does that include pony paddocks, pig and chicken units that have animals in and how do they intend to protect these animals from pollution?**

11. Residential areas will be protected from any dust emissions during construction through the implementation of dust suppression measures, which will be commensurate with the level of risk identified in the risk assessment. This assessment takes into account the high sensitivity of residential properties and their proximity to the areas of dust emissions, and recommends measures accordingly such that any effects will be not significant. In line with the industry standard guidance, all farmland is classed as 'low sensitivity' to dust emissions from construction works. This is best practice, but it is also worth noting that any mitigation measures will be

implemented site-wide, with a goal of ensuring no significant effects on residential areas or less sensitive areas, where possible.

One Earth Solar Farm – EN010159

One Earth Solar Farm Section 51 Advice Log Version: 2

January 2025

There is a statutory duty under section 51 (s51) of the Planning Act 2008 for the Planning Inspectorate to record the advice it gives in relation to an application or potential application and to make this publicly available. This document comprises a record of the advice provided by the Inspectorate to the applicant (One Earth Solar Farm) and their consultants during the pre-application stage. It will be updated by the Inspectorate after every interaction with the applicant during which s51 advice has been provided. The applicant will always be given the opportunity to comment on the Inspectorate's draft record of advice before it is published. The applicant will use this Advice Log as the basis for demonstrating regard to section 51 advice within the application.

s51 Advice Log – Index

Date of advice Overview

6 November 2024

- Introductions (All)
- General Update/Overview (Applicant)
- Statutory Consultation Update (Applicant)
- Environmental Assessment Overview (Applicant)
- Updated Masterplan (Applicant)
- Adequacy of Consultation Milestone (Applicant)
- Timescales and Consenting Programme (Applicant)
- PINS Questions/Discussions (All)
- Next steps/AOB (All)

2 January 2025

- Planning Inspectorate advice following review of the Applicant's Adequacy of Consultation Milestone notification.

Advice Library

Meeting date: 6 November 2024

- **Project Update Meeting – Statutory Consultation:**

- Statutory consultation for the project ended in July 2024 over an eight-week period to take account of the UK's general election. The Inspectorate queried whether any feedback received at the statutory consultation phase had altered the design. The Applicant confirmed that responses relating to landscape, views of villages, historic environment and public access had changed the design of the proposed development, but the existing redline boundary remained the same. These changes – primarily to reduce the land needed or to change the land use – were highlighted in their updated Masterplan and have informed their updated draft Environmental Statement. These changes included avoiding development around the Ledbury Viaduct and introducing new mitigation buffers around some houses and views, with the location of the substations being at least 300 metres away from houses.

- **Masterplan:**

- The Inspectorate asked whether there was Crown Land relevant to the project and, subsequently, whether consent is required. The Applicant confirmed there was Crown Land, specifically the River Trent, which the project proposes to go under.

- **Programme Timescales:**

- The Applicant informed the Inspectorate that the proposed submission date has been delayed until February 2025. The Inspectorate advised that they will issue a letter listing all submission requirements. Additionally, the applicant provided an update on its draft Adequacy of Consultation Milestone document, which is currently with relevant local authorities for comment. A date for the Adequacy of Consultation Milestone will be included in its updated Programme Document (setting a date three months before the submission of the application).

- **Draft Documents:**

- The Inspectorate asked whether the Applicant intends to submit draft documents for review and feedback. The Applicant confirmed that they will be providing draft Land Plans and Work Plans in due course. Subsequently, the Inspectorate requested draft copies of the Book of Reference and Schedule 1 of the draft Development Consent Order for review. The Inspectorate advised that the shapefile for any new redline boundary should be submitted at least ten working days before the application is submitted.

- **Feedback on the Programme:**

- The applicant supplied the Inspectorate with its initial Programme Document in July 2024, in line with the Document (post-meeting note) Expression of Interest process, after the publication of the 2024 Pre-application Prospectus. Having

reviewed the document, the Inspectorate considers that it overall covers the expected content as set out in the government's pre-application guidance at paragraph 10, providing clear details about the proposed development, the main issues and the progress made against related activities, progress made with Planning Performance Agreements, as well as the applicant's approach to engaging with statutory consultees. However, the updated Programme Document should include:

- Reference to whether the Programme Document has been shared with local authorities, statutory consultees and others and whether they are content with the proposed programme
- Whether an Issues Tracker will be used and if this will be shared with local authorities, statutory consultees and others for their views
- Dates in the overall timetable for the Adequacy of Consultation Milestone, any Evidence Plan meetings and any multiparty meetings (if scheduling these), obtaining other consents or permissions (if required), draft documents for review by the Inspectorate (if anticipating to submit these), consultation and publication of the SoCC, and any project update meetings to be held with the Inspectorate
- It would also be helpful if the Programme Document explained how the design approach will be managed and communicated during pre-application.

Advice date: 2 January 2025

Adequacy of Consultation Milestone Statement Review

The Planning Inspectorate's new pre-application service launched in October 2024. The Applicant's Adequacy of Consultation Milestone (AoCM) statement is among the first such documents to be submitted to the Planning Inspectorate. As such, the way in which the Inspectorate handles such submissions may change as the service evolves. The advice recorded here relates solely to matters raised upon the Planning Inspectorate's review of the AoCM statement. This advice is limited by the maturity of the documentation provided by the Applicant and the time available for consideration and is raised without prejudice to the acceptance decision or the final decision about whether development consent should be granted.

The applicant is advised to ensure that all necessary information relating to its pre-application consultation activities is included in its Consultation Report at the point of submitting its DCO application. The Inspectorate has published advice on the Consultation Report.

General comments on the Applicant's AoCM statement:

The appendices broadly set out a clear summary of the consultation activities undertaken compared with the components in the SoCC and the feedback received from Local Authorities on the draft SoCC. However, the following points require attention:

- The Applicant will need to submit GIS files at least two weeks before submission to allow the Inspectorate to determine which Local Authorities were required to be consulted.
- The AoCM does not make it clear whether applicable persons in section 42 of the Planning Act 2008 were consulted, which will need to be made clear in submission documents.
- It is not clear if the Applicant notified section 42 consultees of the deadline for receipt of consultation responses and whether this was at least 28 days after their receipt of the consultation documents (this will need to be made clear in submission documents).
- It is not clear if the Statement of Community Consultation (SoCC) set out the EIA status (this will need to be made clear in submission documents).
- From the information provided in the AoCM, it is not possible to know whether the application was publicised in the prescribed manner (this will need to be made clear in submission documents).
- The extent to which the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' or any s51 advice from the Inspectorate (this will need to be made clear in submission documents).

Consultation report 3.7.2

3.7.2

6 November 2024 The Inspectorate advised that the Applicant must include all necessary information on preapplication consultation activities in the Consultation Report when submitting the DCO application. The Inspectorate has published guidance on the Consultation Report. The consultation report is drafted following the updated guidance, which is detailed in Appendices L-1 and L-2.

Exhibit D

Transcript of Preliminary meeting 08.08.25

Stephen Fox, North Clifton: 00:13:16:22 - 00:13:32:12 Yes. Sorry. Stephen Fox, North Clifton. Um, should we should we be proceeding to the, uh, to decide how this project proposal is examined before it is established properly? That one have actually carried out a proper consultation.

00:13:34:16 - 00:13:39:05 Okay, well, I hear your question. Um, but I think that.

Examining Authority: 00:13:42:20 - 00:14:16:07 Well, I'll answer it now. Um, in undertaking an acceptance of an application, the planning inspector has made a decision already that they consider the consultation that's been undertaken has met the statutory requirements. And you'll see if you look at the examination library, I think it's 16 local authorities who have responded to the question on consultation, and each of them have confirmed that they agree that the statutory requirements have been met.

00:14:17:04 - 00:14:28:22 So, um, that would be my initial response to that. And because that question on the suitability of consultation is undertaken in advance of the examination.
00:14:30:23 - 00:14:48:14 Effectively, it has already been answered. So, um, I will see if anyone else wishes to say anything following those comments. And I'm more than happy to come back to you, Mr. Fox, but if I come to the applicant in the first instance and then obviously I'll hear more from you if you wish.

Applicant [REDACTED]: 00:14:51:14 - 00:15:35:09 Thank you sir. [REDACTED], on behalf of the applicant. I think your answer was very eloquently put the initiative in deciding whether to accept the application. The Independent Planning Inspectorate looks at the consultation that we've carried out through a consultation report that the applicant submits as part of the application, as well as asking the host authorities. And they have concluded that we have carried out all statutory requirements required under the Planning Act 2008, and indeed, the applicant would make the case that we have gone over and above the statutory requirements to consult with the public and various statutory consultees.

00:15:35:11 - 00:15:46:11 So the answer to the examining authority, in our opinion, is correct. This has been determined pre acceptance and it should not be something we need to cover in the examination itself.

00:15:48:11 - 00:15:50:22 Thank you, [REDACTED]. Mr. Fox.

Stephen Fox: 00:15:51:11 - 00:16:09:02 Um well I would disagree that that they've gone over the top in terms of, uh, the presentation. I don't think they put the community in a position to properly understand the impact that the project will have on them. So and I do believe that the, 00:16:10:21 - 00:16:34:03 the, the feedback of the local community has to be properly, um, followed up. I mean, what efforts have been made to ensure that they were properly followed up with the local community? The representations there's a very impressive list of detailed answers. But, you know, um, which 00:16:35:19 - 00:16:49:01 in their own right. Um, As I say, are impressive. But they don't go to the substance. A lack of information was provided to the local community.

00:16:51:19 - 00:17:05:05 Okay, I think it would be helpful for us if you can. As part of your submission after today, um, spell out very clearly where you think the shortcomings were.
00:17:05:24 - 00:17:10:24 And I think there's ample evidence in the submissions that you've already received.

Examining Authority: 00:17:11:12 - 00:17:53:05 Well, um, I hear what you're saying, and we obviously have reviewed the representations that people have made, including from yourself. And I can see you've included a long list of correspondence that you're not comfortable you've had answers to, but that isn't necessarily the same question about whether the statutory tests had been met on consultation. So I think that there are perhaps two things running in parallel. And, um, I would welcome any further detail that you have that you would wish to make because fundamentally, if, um, 00:17:54:23 - 00:18:38:05 you know, if, if after today, the preliminary meeting closes, the application starts the examination, and if you remain dissatisfied that the consultation was not carried out appropriately, then I believe that you would be then in a situation where you are able to carry on contributing throughout the examination process, making the points that you wish to make. But after the time the Secretary of State has made their decision, whatever that may be, if you still feel that procedurally there was a failure, then you would be at liberty to make a challenge on that procedural failure.

00:18:39:00 - 00:19:01:13 Now, as I've said, I think the. The planning inspector already had made the decision that they're content as an organisation. The consultations met the statutory tests, albeit I, I think some of the issues you're concerned about are the the details of the application as opposed to the consultation. 00:19:03:13 - 00:19:35:12 I don't think that you can have a proper consultation, unless you put the local community in a position to fully understand the impact that the project will have on them and that, um, for example, I was at Edwin Stowe last week and I saw for the first time panels that were actually smaller than, um, they're proposing now on a much smaller scale. Nothing that has been presented to the local community would give them a proper impression of the way it's going to look.
00:19:35:16 - 00:20:06:08 So how can they be have been properly consulted? We asked repeatedly for a scale model to be provided. It was taken under advisement. They'd come back to us and hey presto, they didn't come back to us. Clearly, it's not in their interest to provide a scale model. Now it is a procedural issue. How can you have a proper consultation if you haven't put the local community in a position to understand what's going to actually happen to them?

00:20:08:19 - 00:20:41:14 I hear what you're saying. Um, again, I'll come back to the applicant because they will have an opportunity to respond in writing to your representations

you've already made, and it will be our expectation that we will get a full and detailed response to those representations, including your criticisms, that answers haven't been given to questions raised. Just let me finish. And I'm going to come to the applicant, because I don't want to get into the nitty gritty of examining the application. 00:20:42:04 - 00:20:58:13 You know, that would be for after today. So it's in as far as where we're up to on consultation. I think I've said as much as I, I can. Um, but, uh, just come back to the applicant for, for one final response on that.

Applicant: 00:20:58:22 - 00:21:36:24 Thank you sir. Um, just on the point that Mr. Fox has just raised about a model, I would just like to put on record that the applicant did, during the consultation process, provide a 3D model and videos of the proposal so that, uh, residents could actually pinpoint themselves on, for example, a public right of way and, uh, see what it would look like. And that was provided during the consultation. I'd also like to highlight that in the application, for example, the planning statement, which is a document library reference number app hyphen 168. 00:21:37:11 - 00:22:10:02 There is clear reference to how the scheme has evolved as a result of feedback received from members of the public and statutory consultees. I don't want to get into the specifics because this is not the examination, but for example, um, uh, increased setbacks, um, south of Bracknell village, uh, and um, and uh, and offsets of up to about 50m for Main Street. Just an example of some of the design changes the applicant has made, uh, following, uh, statutory consultee attention. 00:22:10:04 - 00:22:41:09 Now, it may be that members of the public don't agree with those changes or that we should have made other changes, but that is a different point, uh, which should be examined in the examination. And it's not to do with the adequacy of consultation. Uh, as I say, the examiner, the Planning Inspectorate independently has concluded consultation was adequate. We are now in the realms of whether the changes that we've made and they designed the application is sufficient. Against the impacts. And that is an examination balancing point rather than a consultation point.

00:22:41:15 - 00:22:42:05 Thank you.

00:22:43:08 - 00:22:44:00 Thank you.

00:22:50:07 - 00:22:59:02 I know there's a hand up. Um, [REDACTED] have you got some comments to make on this agenda item about the examination process?

[REDACTED]: 00:23:00:07 - 00:23:09:03 Uh, yes. I'd just like to, uh, add that I agree with, uh, what Mr. Fox is saying, and, 00:23:10:22 - 00:23:19:19 uh, I can't personally see how, uh, consultation can be correct when an applicant is. 00:23:21:22 - 00:23:25:14 Telling, uh, open lies. 00:23:28:11 - 00:23:29:01 Uh.

00:23:33:21 - 00:23:49:19 This is they have openly been doing that, for instance. To give you an example. They have told us repeatedly solar panels do not give glint or glare. 00:23:51:17 - 00:24:01:15 That is one instance. They also told us that the scheme was for 40 years on the non-statutory consultation 00:24:03:03 - 00:24:11:18 and and then they turned round. [REDACTED] then turned round and denied all knowledge that was in front of a group of people.

00:24:14:04 - 00:24:28:06 Thank you. Mr.. Are there any points about the examination process as opposed to those issues, which perhaps would be more better placed at an open floor hearing or a subsequent issue specific hearing?

00:24:29:11 - 00:24:30:01 Yeah.

00:24:31:08 - 00:24:36:18 Okay. Thank you. [REDACTED], do you want to say anything in response?

Applicant [REDACTED]: 00:24:37:04 - 00:25:15:05 Thank you, sir. [REDACTED], on behalf of the applicants, of course, I will refute strongly the allegation that the applicant has lied. That is not the case at all. Consultation is an iterative process. And so scheme design changes, um, uh, change, uh, as from the from the introduction of the project into the community right through to submission. And so where the, um, uh, impact might hopefully, uh, go from, uh, medium impact to low quickly, some design changes might result in slightly bigger impact as a result of, uh, reducing an impact elsewhere. 00:25:15:07 - 00:25:48:10 So it is an iterative process. Um, and we are balancing the views of a whole range of opinions from stakeholders and communities. And, uh, I just want to, you know, put on record that that is not that the allegation is totally refuted. We have carried out strong, um, over and above the statutory requirements, and I think that is reflected adequately in the design approach statement, in the planning statement, in the application of how this project has responded sensitively to the community, sensitively to the environment, uh, to produce the scheme that is before you to be examined today.

00:25:48:13 - 00:25:49:04 And I think.

00:25:49:06 - 00:25:51:05 You're to go into the examination process. 00:25:51:09 - 00:25:59:20 Yeah. Thank you. Thank you. Yeah, I think, um. Okay. Can you switch your mind?

00:25:59:22 - 00:26:06:13 Sorry. I can point you directly to where they are, where these are procedural issues. If you just give me one more chance, please.

00:26:11:18 - 00:26:12:24 Is that a yes or no?

00:26:13:03 - 00:26:22:11 Yeah. I'm just thinking, because, uh, I just want to make sure that I'm not going down a rabbit hole. Um. But. Yes. Okay.

00:26:22:13 - 00:26:41:11 I look the feeling in North Clifton and the surrounding area is very strong indeed. And what you. I'm sure you're doing your best to put it forward. But we were left with the impression that there were a lot of untruths going on. I've got a paragraph. I was going to read you something.

00:26:41:16 - 00:26:51:10 Well, hang on a second. That's that's a that's something for the examination. I think it really is it. That's something that.

00:26:51:12 - 00:26:55:17 We need to know how you're going to ensure that we've actually seen.

00:26:56:09 - 00:26:59:20 Well that that's going to be something for the examination because.

00:27:00:00 - 00:27:02:11 You're going to do it is a procedural issue.

00:27:02:18 - 00:27:40:15 No. And that's what we will do during the examination. We will pursue this through questioning hearings and through the usual process of setting out an examination. Um, and we will also undertake site visits where appropriate. As you hopefully have seen, we've already been around the site, but will take the opportunity to do that again. But I think we're really moving into issues of examination rather than discussing how the scheme should be examined.

00:27:40:21 - 00:27:44:08 And I think that's what we really need to focus on this morning.

00:27:46:14 - 00:28:05:19 Thing that the, um, I think that the examination as to how the, um, it may, it may as to how the, the um consultation process was conducted is absolutely critical to the, to the whole process and the whole project.

00:28:06:14 - 00:28:18:10 I understand where you're coming from. I understand the point you're making. And I again, I, I would invite you to put that in writing. So it's very clear to us, you know, and.

00:28:18:14 - 00:28:21:14 It's in writing. But yeah, Feedback's never been there.

00:28:22:07 - 00:28:59:07 Well, I think that there are two separate things that I've seen. The correspondence you've made, the applicant made clear already they will be doing a response to the relevant representations, and we will expect to see a full explanation. Going through the points you've made, but also those made by other parties. And we we will then when we've seen that have the opportunity to pose further questions if necessary. Equally, you will have the opportunity to consider their response and respond further.

00:28:59:10 - 00:29:01:14 But that's really for the examination.

00:29:03:08 - 00:29:13:24 The final point I believe that they've used their resources to come up with a way to pretend that they've consulted properly.

00:29:14:07 - 00:29:14:22 Well.

00:29:15:12 - 00:29:22:20 You know, if that isn't a breach of the procedure and a breach of, um, the acts, I don't know what is.

00:29:23:24 - 00:29:29:07 Yeah, I'm not sure we're going to get any further in. Well, in progressing.

Appendix E

Correspondence with Newark & Sherwood DC

██████████ of Newark and Sherwood District Council Emails.



Stephen Fox ██████████

Wed, 24
Jul
2024,
17:21

to ██████████

Hi ██████████

Further to our conversation earlier today, I believe there are substantial grounds to suggest that the Onee Earth have not and are not consulting with the local population and as a result, if the project is approved, it will be open to legal challenge.

I have attached the submission that I have sent to One Earth, of which they have now acknowledged receipt.

In summary

They have ██████████ to offer compensation to local residents.

They have ██████████ to provide adequate information for the local population to fully understand the impact of the project on them

They have presented misleading information in a way clearly to appear to have listened to the local population when the opposite is true.

When asked a question they provide inaccurate and misleading answers and disumulate.

--

Regards

Stephen Fox

Submission to One Earth solar farm

By Stephen Fox

22.07.24

There has been no consultation

There are reasonable grounds to believe that One Earth have not consulted with the local community. As a result, litigation is being considered to stop the project going forward and you are hereby put on notice to preserve all documents including emails relating to the development of the project from initial consideration, within One Earth, so that they are discoverable in the event of litigation.

The development of this project will represent a major redistribution of wealth away from the residents of the project area to One Earth, to the farmers who have been offered and taken up lucrative index linked leasing deals and to the UK residents as a whole. To do this without offering compensation to the residents for their loss resulting from the project is a breach of natural justice and is in breach of the European Convention on Human Rights and renders the project subject to legal challenge.

Failure to present the residents local to the project with a formal independent cost benefit analysis of the impact of the project on them renders One Earths claim to have consulted the local community null and void and puts them in breach of the 2008 Planning act and again renders the project subject to legal

challenge.

Both the First Consultation 27 th September -8 November 2023 and the second consultation 29May -9 July 2024 cannot properly be described as consultations but should more properly be described as a marketing effort to persuade the local population to support the project by presenting all the purported positives in favour of the project whilst at the same time using deflection techniques to avoid any discussion of the negatives and because it fails to provide information regarding the loss the project will bring to the value of their properties. The residents were not put in a proper position to comment on the project, as is necessary in a proper consultation.

Whilst facilities were made available for members of the public to put their concerns in writing, there is no evidence that these representations have been taken seriously.

The same can be said of discussions with the highly educated and probably highly paid consultants who were running the presentations on behalf of one earth. They didn't listen to the concerns of those who attended or take those concerns as serious points for consideration but simply sort to deflect from those concerns.

The failure to advise residents of the likely impact on the value of their property as a result of the development is major omission and demonstrates the lack of [REDACTED] of the developers and is an indication of their intention to not to conduct a proper consultation

For example, when asked what impact the project would have on house prices the consultants across most of the meetings replied that research has shown that such projects have no negative impact on house prices. I have only found research relating to projects in the USA that say the same, but it is well established in

European research, even in papers readily available on the National Infrastructure Planning Inspectorate website, that such projects have a clearly defined negative effect on house prices local to such projects. The experience that will result from the One Earth project is far more likely to follow, or be worse than, the European experience, where conditions more closely follow those of the UK, than the experience in the USA. That the consultants consistently answered as described above is a clear demonstration of One Earth's, or their representatives', cynical intention of deflecting the local population from the very real substantial financial losses that they will suffer should the project go ahead.

When I asked a consultant why One Earth were misleading the local people about the impact on their property prices she tried to avoid the subject and stated that some liked solar panels and that sufficient people might move into the area during the construction phase to compensate for those who would avoid it at all costs because of it being a massive construction site and the prospect of an area dominated by solar panels. She knew perfectly well that this was illogical but was clearly following the policy of deflection.

When I asked another consultant what the proposals were to compensate at two levels – the fall in property values and the destruction of the environment that we live in and the amenity of our surroundings – he offered that One Earth were mitigating.

When I pointed out that mitigation doesn't compensate for destruction. He replied that One Earth weren't destroying anything. To my response that mitigation implied destruction or damage, he finished the conversation by telling me that he had better things to do than to debate the meaning of mitigation with me. Not only was this rude but a clear demonstration of One Earth's refusal to engage in a proper consultation.

Another example is One Earth's presentation of the changes from the proposals

presented at the first consultation to those at the second consultation.

“When we launched One Earth Solar Farm last year, we set out our objective to make best use of the opportunity presented by the decommissioned coal power station at High Marnham to deliver as much clean energy as possible and fight climate change, while being sensitive to the local community and the environment.

That’s why we consulted last Autumn on our early designs to get feedback from technical experts and the local community. We have listened to feedback from that consultation and have made a number of significant changes to our Project design. •

We have removed panels near the villages and homes that are near the site boundary to reduce potential visual impacts. • We are proposing large environmental enhancement areas to support native species. • We are presenting new permissive paths to support recreation and access across the site.”

The above quotation taken from the One Earth solar farm Consultation booklet, Statutory Consultation Booklet 29 May – 9 July, is substantially incorrect.

Information obtained from one earth states that “1031 ha were identified for potential development..... and 441 were for potential environmental enhancement” and “Since then we have reduced the area of development to 992 ha and 350 for environmental enhancement however the total project size has now increased to around 1600 hectares” from 1500.

A total increase in project size of 6.6%, a reduction of the area for environmental enhancement from 29.4% to 21.9% of the project and a reduction of the area for environmental enhancement by 20.6% directly contradicts your assertion above and constitutes a cynical attempt to mislead the local population and the government inspectors. It demonstrates that One Earth have disregarded the major results from

the initial consultation.

The above leads one to suspect that areas of the original plans were stalking horses that One Earth never intended to carry through but were included entirely because you wished to show that you had “listened” and amended your plans as a result from the first consultation to the second consultation. This could be described as a

██████ attempt to mislead both the local population and the inspectors that you were consulting, whereas they were in fact manipulating information to make it appear that they had consulted and taken action as a result of such consultation.

Quality of data presented throughout.

It has been brought to my attention that substantial areas of the information that has been provided in all the documentation published by One Earth are inadequate or incorrect. The detailed feedback on this will be provided by others. However, the bland statement by One Earth that there is no evidence of water voles in the project area is simply wrong and reflects badly on the quality of all the work carried out and published by One Earth. This suggests that One Earth Should go back to the drawing board and examine all their published work before taking the project further because the presentation to date is inadequate to purpose.

The need to site the Solar Farm for ease of connection to the National Grid at the existing connection at High Marnham.

Much has been made of this. Please provide full evidence of the cost benefit analysis that was carried out showing the costs of an alternative plan where the panels were not so concentrated whereby the benefits of solar could be had for the country as a whole without the concentrated impact on the local community.

If there was no such cost benefit analysis please explain why not and why you feel

entitled to impose on the local community without doing so.

There is no significant power loss by connecting by cable to the access point at High Manham. Cabling would allow for adequate solar infrastructure without the need for the concentration of solar panels in the One Earth project, and other projects proposed in the locality, without significant loss of power. There is no absolute need to be local to High Manham. To represent otherwise is to make a mockery of the concept of a consultation.

Compensation

The plan makes no provision for compensation to the residents of the local community for the loss in the value to their houses during the construction phase, during the 8 to 10 years that it will take for the foliage necessary to shield the sight of the solar panels to become established or during the 60 years of the project.

The consultation fails to make any formal assessment of the loss to the local residents in terms of the reduction in value of their properties or in terms of the loss of the amenity of the local environment.

The development of this project will represent a major redistribution of wealth away from the residents of the project area to One Earth, to the farmers who have been offered and taken up lucrative index linked leasing deals and the UK residents as a whole. To do this without offering compensation to the residents is a breach of the principles of natural justice and is in breach of the European Convention on Human Rights and renders the project subject to legal challenge.

The developers should undertake a comprehensive cost benefit analysis of this project to the residents of the project area and present it to them before One Earth can properly claim to have complied with the planning acts.

Stephen Fox [REDACTED]

Fri, 2
Aug
2024,
13:21

to [REDACTED]

For information

Fri, 9
Aug
2024,
10:13

----- Forwarded message -----

From: **Stephen Fox** [REDACTED]

Date: Fri, 2 Aug 2024 at 13:18

Subject: One Earth solar farm project meeting 01.08.24.

To: <info@oneearth solar farm.co.uk>

--

Regards

Stephen

I am [REDACTED] and I have been appointed by North Clifton

Parish meeting and Action group to chair this meeting and act as

spokesperson for the beginning of the meeting.

1 Thank you (One Earth) for agreeing to this meeting.

2 Conduct of the meeting

I have a number points to put to One Earth and I would be pleased if I

could put these questions to them, and we could hear their responses

before we move on to general participation in the meeting and further questions.

3 Initial Points for one earth

Is the consultation being properly conducted?

Your response to the initial non statutory consultation was to claim, in your Statutory Consultation Booklet 29 May-9 July, that you had listened, whereas the major concern expressed during the initial consultation was the sheer size of the project. You have dressed up minor concessions as listening whereas you increased the life of the project by 50%, increased the size of the project area by 6.6% and reduced the size of the area dedicated to environmental enhancement by 21%.

This would suggest that your approach is to appear, by means of deceptive presentation, to be consulting rather than taking the concerns of the community seriously and consulting properly.

Whilst you have presented plans and photographs that give some idea of what you intend to do to the area you have [REDACTED] to the give the local community the information necessary for them to properly understand the impact of the proposed project on their lives during the pre-construction and construction period, the 6 to 10 years for the shielding to mature and the 60 years of the project.

There will be significant impact on us as villagers in many ways including economic effects.

Where is the cost benefit analysis for the local community that would go

some way to achieving this?

Where is the scale model that would enable the community to understand the scale and visual impact of this project? Two dimensions do not achieve this in either picture or plan form. Visual walk throughs similarly do not do the job and certainly not on a 24" computer screen.

Much of the backup work that you have provided in your document library is inaccurate or incomplete. When will these errors and inaccuracies be corrected?

For example: Simple errors such as saying that the air quality monitor at Dunham, in Chapter 14, is within the Study area, where it is near by, but not within the study area.

Not including key plans such as the Soil Management Plan, the Decommissioning Environmental Management Plan and the Landscape and Ecological Management Plan yet stating they will be followed in Chapter 9.

In Chapter 8.84 it states that there is no quantitative methodology that allows potable water effects to be assessed and the effects have to be based on professional judgement and is qualitative. This is a nonsense as Severn Trent water draw water from the Trent downstream of the project to create potable water for Lincoln city and I am sure they will have weekly quantitative results throughout the installation of the project, should it go ahead, and will tell One Earth in no uncertain terms if they have affected their water quality.

One of the major concerns of the community is the flooding risk to our properties given the history of floods in the area. That you have not consulted in a meaningful way is amply demonstrated by the fact that you do not appreciate this and consequently have no flood risk plan or assessment and answer questions from our community by answering in a way that suggests that you believe we are concerned about potential damage to your panels from flooding and not our properties!

Have you prepared a cost benefit analysis of an alternative project that gives you access to High Marham without the concentration around the local community? If so, can we see it?

What do you intend to do to mitigate or compensate the local community for damage that the project will cause to the mental health of the local population? What work have you done on this and where are the results? Do you realise that you are causing very real mental health damage to a substantial proportion of the local community? Dr Sarah Fletcher will expand on the very real way your project is impacting the health and wellbeing of residents and we look forward to hearing more from her later.

Do you believe that it is consistent with the rules of natural justice to impose on the local community the damage that you will cause to the environment and the substantial redistribution of wealth away from the residents of the project area, by proceeding with the project without

offering proper compensation?

Do you appreciate that unless you consult properly that the project will face potential referral for judicial, review?

Are you aware that a substantial proportion of the population considered your consultation meetings a sham and said, “I did get the feeling there was no point in being there, they were all condescending” and “they have no idea what they are doing to us”.

If you wish to take this community with you, you need to respect us by putting us in a position to understand the impact of the project and by giving us full and frank information and answers to our questions.

There are many people in this room that are objecting to this proposal.

One Earth Solar farm should not expect any support from this community whilst there is missing information and incorrect information in your proposals, and whilst you continue to disrespect our community.

4 Response from One Earth Solar

4 Detailed questions.

By others?

Stephen Fox [REDACTED]

2 Aug
2024,
13:21

to [REDACTED]

For information

----- Forwarded message -----

From: **Stephen Fox** [REDACTED]
Date: Fri, 2 Aug 2024 at 13:18
Subject: One Earth solar farm project meeting 01.08.24.
To: <info@oneearthfarm.co.uk>

FAO [REDACTED] Project Leader

Dear [REDACTED]

I write by way of initial follow up to the above meeting.

So that there is no doubt as to questions that the Parish Meeting put to you, and their true sense, yesterday, I have attached the script that [REDACTED], (the chairman and spokesperson for the Parish Meeting at the above meeting) read verbatim to you. Recognising that a public forum is not the easiest forum in which to give a detailed and accurate response I would ask you to give a formal response to each point contained in it.

It would be helpful if you would also recognise and comment on the following:

The overall matter is that you have not put the local community in a position to properly assess the impact of your proposed project on them and until you do so you cannot claim to have consulted the local community correctly. By your own admission numerous documents are not available and many are full of errors and inaccuracies. Until complete information is readily available to the local community you will not have fulfilled the requirement to consult and you will be challenged throughout the process and ultimately a request will be made for judicial review if the project is authorised notwithstanding its shortcomings.

The meaning of a cost benefit analysis is well known to economists and other professionals and usually consists of more than incomplete qualitative analysis.

Can you confirm that the panels that you claim to have removed from around North and South Clifton, between the two "consultations", were a genuine proposal in the first place and not put there simply so that you could remove them when asked so that you could demonstrate that you were "listening" (consulting)?

What efforts have you made to amend your project since the guidance was issued that quality agricultural land should not be used "where possible"? Do you have evidence of your efforts? Do you have a definition of possible that differs from the Oxford English Dictionary? It is clearly possible to locate solar farms other than on prime agricultural land. Are you claiming that it is not possible, if so please justify the statement. If it is possible, are you really saying that if you have to take notice of government guidance you will not proceed with the project? 50% of the project being on prime agricultural land is not taking the guidance seriously.

Your answer that "we know it is the right place for the project" goes nowhere to providing a cost benefit analysis of the project against alternatives. It demonstrates a clear intention not to share, in quantitative or qualitative terms, - why is this?

It was painfully clear from the answers given by your team that our concerns regarding the enhanced flood risk to our properties from the project are not understood. Firstly if you are using flood maps that take into account climate change from the Environment agency but with no allowance made for the impact of your project, it is incumbent on you to have the professional work done to have those maps amended so that we (and the inspector) can see the impact of your project on flooding. Secondly, it is no good simply repeating that there is no more water as a result of your project. You need to properly model and assess the impact of increased/modified water flows and speed of water flows, resulting from your panels over an extended area, to the peak water levels of the Trent in the areas of N and S Clifton. Even a marginal impact could be sufficient to significantly increase the risk of flooding to the communities. Having made such an assessment it should be available to us and reflected in your proposals. Even moving from normal agricultural use on a relatively small area to turf production has had an acknowledged impact on the speed of and quantity of water reaching the Trent and the flood protection buffers. Your panels are likely to have a much larger impact.

Would you assure us that the results of the mental health survey and presentation provided to you will be incorporated in your presentation to the project inspector.

A number of members of the community have been waiting for responses put to your team on this email for extended periods. There will be a substantial number of questions relating to the documents provided by you and other issues that arise from your project from our community alone. Are you adequately resourced to answer them accurately and promptly as well as filling the gaps in your proposals?

I intend to keep matters on a professional level, but I wish to emphasise the issue of respect to the community and the way your team have come over to members of the community. One example of the feeling that one lady in the

community was left with is identified in the text referred to above. You were told directly of the impression that you personally had left on a local agricultural worker last night. In an earlier email to this address I mentioned that one of your colleagues told me that he had better things to do with his time than debate with me the definition of mitigation. What I didn't say in the email was that when I asked his status he told me he was "simply door" and not involved in the project. From last night's meeting I have identified the individual as [REDACTED] the "Master Builder" a senior member of your team. Perhaps these examples give you a proper sense of the impression you have given. Please understand they are only examples and the same impression was reported from all your consultation meetings throughout the project area. Unless you can give a satisfactory response to this I will take this matter to your board and to your parent company.

--

Yours sincerely

Stephen Fox

NG23 7AT

Fri, 9 Aug 2024, 10:13

Stephen Fox [REDACTED]

to [REDACTED]

Hi [REDACTED]

I didn't think I would be taking a further degree at my age!!

I would ask you to consider this. It forms part of my recent submission to One Earth

"It was painfully clear from the answers given by your team that our concerns regarding the enhanced flood risk to our properties from the project are not understood. Firstly if you are using flood maps that take into account climate change from the Environment agency but with no allowance made for the impact of your project, it is incumbent on you to have the professional work done to have those maps amended so that we (and the inspector) can see the impact of your project on flooding. Secondly, it is no good simply repeating that there is no more water as a

result of your project. You need to properly model and assess the impact of increased/modified water flows and speed of water flows, resulting from your panels over an extended area, to the peak water levels of the Trent in the areas of N and S Clifton. Even a marginal impact could be sufficient to significantly increase the risk of flooding to the communities. Having made such an assessment it should be available to us and reflected in your proposals. Even moving from normal agricultural use on a relatively small area to turf production has had an acknowledged impact on the speed of and quantity of water reaching the Trent and the flood protection buffers. Your panels are likely to have a much larger impact."

To make sure the above was accurate I had it checked by a leading expert on flood risk and mitigation (I will disclose their name once I have his permission if required but they are a professor at a Russell Group University). This was the response

"In essence if there is the same amount of rainfall but less infiltration – due to urbanisation, areas of tarmac, compacted fill, or even solar panels then you get more runoff and as a result increased flood flows - there is no question about this. The issue, having just completed a report to help the residents ofis that the defences are limited and the floods are getting bigger. I understand that one of the floods here was only stopped by putting sandbags on the top of the banks. If the flood gets to 8metres AOD the whole village goes. – so not only is it a fact that the floods will be worse – they should model it and show what happens. The whole of the Trent valley will be vulnerable as a result of this – electricity and water does not mix !!"

Who at Newark and Sherwood is taking the flood risk seriously from not only the One Earth Project but from the cumulative effect of all the proposals that fall within their remit and beyond? Are you aware that the cumulative effect could be enough to seriously increase the flood risk to the whole Trent valley? Will Newark and Sherwood arrange for the appropriate modeling of this impact?

How do I ensure that this is properly addressed by the planning inspector for all the projects?

I will be addressing this directly to One Earth also.

--

Regards

Stephen

Exhibit F

Record of redactions

FORENSIC SCHEDULE OF CENSORSHIP (CHRONOLOGICAL)

PHASE 1: THE POLICING OF TONE (August 2025)

Objective: To soften allegations of malice into "administrative error."

Document: Mental Health and the Conduct of One Earth

Date: 18 August 2025

Redacted Text (Public Record)	The Unredacted Truth (Original Submission)	Illegality of Redaction
"...evidence of One Earth's [REDACTED] for the examiners..."	"...evidence of One Earth's [REDACTED] for the examiners..."	Policing of Tone: [REDACTED] is a description of an attitude toward the court, not personal data. Redacting it protects the Applicant from criticism regarding their respect for the Rule of Law.
"...suggests that [REDACTED] has [REDACTED]... sent his experts..."	"...suggests that [REDACTED] has sent his experts..."	Protection of Conduct: Redacting the name of a public-facing Project Manager ([REDACTED]) in the context of [REDACTED] shields professional staff from accountability for internal failings.
"...or that [REDACTED] the survey from them."	"...or that [REDACTED] the survey from them."	Sanitization of Intent: Redacting [REDACTED] removes the allegation of <i>intent</i> (mens rea), forcing the record to show a mere mistake rather than alleged dishonesty.

PHASE 2: THE SUPPRESSION OF FACT (October 2025)

Objective: To conceal evidence that the Applicant submitted false records.

Document: Chronology Establishing Bad Faith (LC3) 5555

Date: 03 October 2025

Redacted Text (Public Record)	The Unredacted Truth (Original Submission)	Illegality of Redaction
"This omission perpetuates the [REDACTED] of the meeting."	"This omission perpetuates the [REDACTED] of the meeting."	Protection of Falsehood: I submitted evidence that the Applicant's record was false. Redacting the word [REDACTED] prevents the public record from showing that the veracity of the evidence is challenged.
"...supports a finding of [REDACTED] and [REDACTED].."	"...supports a finding of [REDACTED] and [REDACTED].."	Removal of Legal Test: [REDACTED] (knowledge of wrongdoing) is a legal test required to prove fraud. Redacting it strips the submission of its legal basis.
"...whether its existence was [REDACTED] from... experts."	"...whether its existence was [REDACTED] from... experts." 8888	Concealment of Method: The allegation is that the Applicant hid data from their own team. Redacting [REDACTED] hides the mechanics of the alleged impropriety.

PHASE 3: INTERFERENCE WITH LEGAL COUNSEL (Mid-Examination)

Objective: To strip submissions of their status as formal legal warnings.

Document: Legal Opinion on Systemic Breaches 9999

Date: Response to ExQ2

Redacted Text (Public Record)	The Unredacted Truth (Original Submission)	Illegality of Redaction
"...and the [REDACTED] of the One Earth Solar Farm..."	"...and the [REDACTED] of the One Earth Solar Farm..." 10101010	Censorship of Scope: The ExA redacted the thesis of the legal opinion. [REDACTED] is a specific administrative law concept relevant to Judicial Review.
"The most critical evidence of procedural [REDACTED] is..."	"The most critical evidence of procedural [REDACTED] is..."	Suppression of Legal Ground: [REDACTED] is a recognized ground for quashing a decision. Removing it prevents the Secretary of State from knowing a formal challenge has been made on these grounds.
"Sustained [REDACTED]: The Applicant omitted this..."	[REDACTED]: The Applicant omitted this..."	Falsification of Testimony: I argued the omission was [REDACTED] Redacting this word falsifies my testimony to imply I agree it was an error.

PHASE 4: THE SUPPRESSION OF LAW (December 2025)

Objective: To prevent the application of criminal and administrative law.

Document: Critical Analysis of ExQ3 Responses 13131313

Date: 09 December 2025

Redacted Text (Public Record)	The Unredacted Truth (Original Submission)	Illegality of Redaction
"Subject: ...prima facie case of applicant [REDACTED]"	"Subject: ...prima facie case of applicant [REDACTED]"	Hiding the Crime: [REDACTED] is the central legal argument. Redacting it from the subject line hides the nature of the submission from the public register.
"...under the [REDACTED]"	"...under the [REDACTED]" 1	Obfuscation of Statute: Redacting a specific Act of Parliament prevents the decision-maker from identifying the criminal liability being alleged.

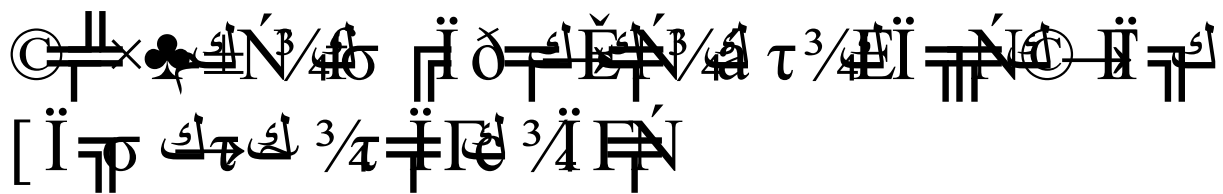
Redacted Text (Public Record)	The Unredacted Truth (Original Submission)	Illegality of Redaction
		censorship, preventing any review of whether the policy was lawful.

Full redaction Record

Suppressed / Redacted Documents Using the examination library reference numbers.	Nature of Suppression
Rep2-110, 111, 112, 113 (Comments on responses to RRs)	Aggressive redaction removing allegations of [REDACTED] and scientific rebuttal
Rep4-084, 085, 086, 087, 088, 089 (Chronology establishing [REDACTED])	Chronology suppressed to remove allegations of [REDACTED]. Rep4 -089 was withheld for 45 days. It contains a clear chronology of the [REDACTED].
Rep5-110	Subjected to redaction
Rep5-111 ("The EXA's Imperative: Mandating Scientific Standards..." - [REDACTED])	The requirement to use up to date knowledge was [REDACTED].
Rep6-90	Redacted
Rep6-94 (Redacted for using words [REDACTED] and "[REDACTED]")	Redacted for the terms [REDACTED] and [REDACTED]
Rep6-95 (Redacted for using words "[REDACTED]" and [REDACTED])	Redacted for the terms [REDACTED] and [REDACTED]
Rep6-96, 98	Subjected to redaction
Rep7-069 ("The [REDACTED] of critical papers on flood risk..." - [REDACTED])	The requirement to use up to date knowledge was [REDACTED] for the second time. Document [REDACTED], flood risk evidence [REDACTED]
Rep7-074, 075, 076, 077 078	Redacted
Rep8- 017, 018	Redaction of the proof of destruction of evidence. Removal of house of lords' rulings etc
AS-065, 067, 069	Subjected to suppression or redaction

Exhibit G

Mental Health Report



Appendices, Testimonies, and Evidence

Appendix 1: The Impact of the One Earth Solar Project on Mental Health (Dr S. Fletcher, July 2024)

‘Human Health – Likely significant positive effect’. This is a quote from the One Earth consultation booklet regarding how their solar industrialisation project will apparently impact human health. Does it take a doctor to highlight that human health incorporates mental health as well as physical health? As a doctor, I am faced with the spectrum of manifestations of mental health conditions on a daily basis. Therefore, when I first became aware of the One Earth Solar proposal, the impact on mental health came to mind immediately.

I would expect the majority of people to realise the importance of mental health, especially as there has been a general increase in the awareness of such over recent years. I am therefore astonished that mental health has not been given any consideration whatsoever relating to the One Earth Solar proposal.

Mental health incorporates everything relating to how one feels, encompassing psychological and emotional well-being. This influences how the individual acts and the choices they make. A few examples of some of the common emotions and disorders that fall under the mental health bracket include stress, worry, anger, anxiety, sleep disturbance, low mood and depression, which can unfortunately then lead to acts such as self-harm, substance misuse and suicide.

- One in four people will experience a mental health problem of some kind each year in England¹, with around one in six people reporting to experience a common mental health disorder, such as anxiety and depression².
- Mental health problems are very common.
- Mental health is very important.

So, what is the relevance of this in relation to the One Earth industrialisation proposals? I am certain that should this project proceed, it will have a significant negative effect on the mental health of many people in the immediate and surrounding areas. I can go further in saying I am certain mental health is already being damaged, even at this early stage, and included in this document is evidence to support this.

Even though the numbers affected may seem small, the percentage of the population exposed to the proposed installation (whether nearby or further afield) whose mental health will be affected negatively by the project will be very high. It is important to realise that new mental health problems have sadly already been and will be created going forward. There will also be a worrying compounding of existing mental health problems, increasing the risk of more serious conditions developing.

Most people who live or have chosen to move to a rural area have intentionally done so to benefit from the countryside experience. This may include a considered move to a rural area from perhaps a more built-up environment, thus a contrast in views from buildings, for example, to open fields. There is the advantage of access to rights of way such as bridleways, byways and footpaths, benefiting those such as horse riders, walkers, cyclists and runners. These leisure pursuits are ways that people unwind from the stresses of everyday life and keep themselves physically and mentally healthy. The advantages of such cannot be overestimated.

‘Our economies, livelihoods and well-being all depend on our most precious asset: Nature.’
(Dasgupta Review, 2021)

Nature is life. It underpins everything we do. It provides us with clean air, food, water and shelter. It regulates our climate and controls disease. Beyond this, it is central to recreational, cultural, social and spiritual aspects of human life. It is fundamental to our health and wellbeing³.

Evidence for the Benefits of Nature

- Exposure to green space is associated with improved psychological well-being, physical activity and linked health outcomes.
- Exposure to nature increases activity levels among children and young people.
- There are psychological benefits of nature-based interventions, in particular reduced depression and improved mood.
- Blue space exposure is also beneficial for psychological wellbeing and physical activity.

Should this project proceed as proposed, there will be disruption of and damage to popular rights of way such as the Sustrans cycle track and many footpaths and bridleways, both during the construction and operational phases. Consequently, individuals will be unable to carry out their normal leisure pursuits as they would have done and the positive visual impact of a walk, run, ride or cycle through the beautiful countryside will be destroyed within a black desert. There will be some residents whose houses will sadly become swamped within a mass of industrial black PV panels, having previously been surrounded by open farmland. Coupled with this is the noise pollution that will unavoidably affect certain areas that were once quiet. Furthermore comes the inevitable fall in house prices and reduced saleability that will ensue, both during the construction and operational phases of the proposed project.

When deciding to move to the country to enjoy the peace and tranquillity of rural village life, this is not a situation such individuals could have ever envisaged. I challenge anybody to claim that in the same situation they wouldn't feel at very best, stressed, low or anxious. Realistically, however, I predict a far greater impact. Our body can be as fit and healthy as an Olympic athlete, but if we are not in a sound place mentally our quality of life is compromised.

The stress caused by the One Earth project has the capacity to massively reduce the quality of life of every inhabitant of the immediate and surrounding areas affected by it.

Mental Health Should Not Be Ignored

Shocking statistics stated by [REDACTED], Chair, Royal College of Psychiatrists' Child and Adolescent Faculty London, has stated there were nearly a million referrals to children and young people's mental health services in the past year, a rise of 143% compared with 2019-20. She went on to say, 'we need all political parties to prioritise the prevention of mental illness and the treatment of mental health conditions.'

Comments from Local Residents

Below is just a handful of the many, many comments from local residents concerning the impact that the One Earth solar project is already having on their mental health (note this is even at the early 'consultation' phase):

- "I've been in South Clifton for 16 years and I will never be able to take my horse out again if the solar farm goes ahead."
- "I can't sleep to be honest."
- "We're a couple who have lived in North Clifton almost all our lives. We are in total despair with what may happen with the solar farm. It just can't. Our lives will be ruined."
- "I'd consider moving, even though I've been here for 40 years."
- "I've woken up in the night restless and angry, and have to get up, make a drink, and calm down, finally going to sleep some hour or so later. It's just wrong."
- "As a resident of our village I own and ride horses who are kept at home and also walk our little dog. The reality is I will no longer be able to hack whilst the work is undertaken and am not sure if it will be safe to hack when completed. I work in a stressful job and without the riding it will absolutely impact on my health and wellbeing. Also I think walking our dog without the filter of the beautiful countryside will have a similar impact. Walking mindfully looking at solar panels doesn't have the same impact as flowers and countryside I am certain."
- "I live in North Clifton, this solar installation is the devil's work. We may not live in an AONB but this does not mean our countryside isn't beautiful. I despair for the wildlife, and this is destroying peace of mind for so many. I am also scared we will hear the battery storage, especially at night. It regularly reduces me to tears, it's nothing short of environmental vandalism. Very worried that the new government will just rubber stamp this."
- "It's adversely affecting my work and my family life. I can't eat. I can't sleep. I feel anxious. I'm drinking more to help numb the pain. I'm not sure where this will lead."

- “I live in Fledborough and have ridden round here for 20 years except for the last 5 - the ever-increasing traffic from pears factory including small tankers has made it literally impossible to access our one and only bridlepath as this has to be accessed via the main 60mph road and now with the proposed extra traffic with the solar fields it's too dangerous! I had hoped to maybe start riding out again that way but with the proposed increase of traffic during the solar fields construction it will make it nigh on impossible. I don't think anyone involved with the building of these projects understand how they have devastated our equestrian community, it saddens me and has made me contemplate giving up my horses altogether - I couldn't live with myself if anything happened on the road knowing full well the amount of HGVs that are on there 24/7, we can only hope they listen.”
- “One Earth will cause and already has caused mental health problems. People are worried, upset and dismayed at the thought of our countryside being covered in ugly solar panels, BESS, inverters and sub-stations. Our leisure will be affected - walking, cycling and horse riding will be contained within fencing and with close views of panels etc. Homes will be surrounded by panels where before all they saw was green fields and trees. We are fighting to stop this abomination. If we fail a lot of people will be fed up and depressed by the major adverse effects this plan will bring.”
- “I can't sleep. I can't function during the day. All I ever think about now is the solar farm. I am worrying about the knock-on effect it is having on my family.”
- “My wife and I retired to Thorney 3 years ago. One of the main attractions were the open fields and big skies. This monstrous solar farm will destroy this feeling of wellbeing and happiness in our retirement. Our visits to the Red Lion bar in South Clifton would never be the same. We wouldn't see the panels from our lovely garden, but we will hear the hum of the inverters. We asked at the recent One Earth event at South Clifton about future expansion and disruption of our lanes caused by months of lorries and heavy machinery being moved about. They just looked sheepish and embarrassed. On expansion they said they would have to apply again, but admitted they could do. We understand the huge sub-station they plan to build will cater for expansion. We are very worried.”
- “I have high pressure with my day-to-day job but feel now I am being pushed to the limit. People have chosen to live in a rural environment for their own wellbeing, but this is now being stolen from them – inflicted by other people's greed and lack of morals. I have worked hard all my life to get where I am, and it could all be for nothing.”
- “I have moments of mixed emotions with frustration, anger and despair when I think that piles of money and big foreign industry are hiding under 'Greenwashed' cloaks that's stealing people's lives and livelihoods, killing our farmland, chasing our indigenous wildlife away and creating a PV panel desert amidst our beautiful countryside. I detest greed. And greed under the guise of 'For The Common Good' is wallowing close to the top of the cess pit of 'Legalised Criminal Activities'.”
- “I received a call from a close friend who lives nowhere near us, but saw the hideous industrial proposal. He said 'cut your losses and get out now while you still can.' I told him that this is our home, this is where we live and intend to live out our lives. He paused and replied 'Ok, I understand, but be prepared for what's coming at you and your friends. You're having a massive pile of monster [REDACTED] dumped on you. You may be in countryside and farmland now, it'll become worse than living in the middle of a city'. Could that have been some of the best advice of my life?”

- “Our daughter has formally been diagnosed with being highly autistic, severe anxiety (medicated), learning difficulties and difficulties processing and understanding language and does not interact with peers or anyone outside of her circle (family and a few family friends). We moved to South Clifton to give her a better lifestyle suited to her needs - peace and quiet, less people, lovely countryside. Horse riding has been a massive part of her life since moving here. It’s all she has. She is a novice horse rider who enjoys quiet riding around the tracks, bridleways and fields. If this proposal goes ahead, she will lose the one thing in her life she loves to do. It will be too dangerous to ride within these areas and beyond stressful. There are no other suitable riding areas locally. This is unthinkable and the effects on her mental health will be devastating. She is already in panic mode, not sleeping, worrying and is very unsettled. She will decline, inevitably. There will be a knock-on effect for our family and added pressure. This cannot be allowed to happen. It is too high a price to pay for this project to go ahead. In the past my daughter has self-harmed - an outlet for her anxiety and depression. Since moving here she has not harmed herself at all. However over the last few weeks due to her mounting anxiety and worrying over this solar development her mental health has deteriorated and she has begun to hurt herself again. This is genuine and witnessed by her support staff where she attends a special school for youths with disabilities. If you ignore this, then shame on you.”
- “Although I am myself not local, I have family and friends in the area hence visit on a regular basis. I also horse ride in the local area and am familiar with many of the unspoilt paths and bridleways that allow for safe exploration of the area. This is a stunning part of the country; it is quiet, beautiful and enhanced by the vast variety of birds and wildlife. The thought of 3500 acres being blanketed in black panels is too shocking for words. When people often struggle obtaining planning permission for simple house extensions, how can the ruining of so much land surrounding quaint and historical village even be on the radar as a possibility? I am not against the development of renewable energy but this surely must be carefully balanced with the negative effects on the landscape, local people and wildlife. I can only envisage destruction if the plan is passed. Destruction of land; destruction of wildlife; destruction of family ties as people inevitably decide to flee the area; strain on and destruction of relationships as tensions build by either having to put up with/adapt to the variations or deal with the financial implications as house prices crash. I can already see the effect that this proposal is having on the mental health of friends and family members, even at this early consultation stage. The knock-on effect is that my own mental health is also starting to suffer. The proposal and the devastating effects that will follow if the plan is passed is at the forefront of my mind – and I am not local. I can only imagine the catastrophic effect on the mental health that is bound to ensue in relation to many directly affected.”
- “I have been subjected to numerous acts of [REDACTED], both at home and abroad. As such, it has been paramount that I mitigate the residual effects of this for my emotional wellbeing. It is not by accident that I therefore chose to live in the village of South Clifton. There is immediate access to go running, walking, cycling or painting. All these pastimes are key in attaining the correct equilibrium needed for my mental health. I feel a pending sense of doom with the application of the One Earth Solar Panel project, which will destroy the very reason for my living here. How ironic that this may lead to another act of [REDACTED]. This time the victim will be the beautiful countryside.”

- “Erecting black panels over any area will stop the sun reaching the earth below, this will slow down the evaporation of surface water. We live in a HIGH RISK FLOOD AREA, the water needs to disperse/evaporate unhindered or the water table will rise quicker causing more devastation. Flooding will be another consequence. The prospect of this is already causing anxiety which is having an adverse effect of my daily life. When and how will this end?”
- “The threat of our lives being ruined clearly has a marked effect on our mental health. We have been married for a long time and together we have been experiencing matters of a similar nature. Starting with SLEEP or most notably the lack and quality of it. Nightmares are definitely on the increase, most are of a very dark nature and so vivid in their presentation that sometimes one wakes up actually wondering if the night horror just experienced is true! DEPRESSION, ANXIETY, ANGER, GLOOM and downright out of character outbursts of BAD TEMPER are all too common. We both worry about our future quality of life; the [REDACTED] of our beautiful countryside by mindless [REDACTED]; values of our homes that we have saved for all our lives disappearing with nothing to pass onto our children. The open greed of just a few individuals who want to make a financial killing by giving their land to a gang of foreigners. Also there is the NOISE aspect to consider. We both have pretty low noise thresholds so to be exposed to unnatural noise from a solar farm would be purgatory. Has anyone given any thought to the fact that in the next few years we and NATO allies are likely to be in armed conflict with a number of [REDACTED] authoritarian states. The Notts/Lincs area will be producing the bulk of UK electricity therefore turning us into very real target for modern weapons. Furthermore, another reason for DEPRESSION - where are the millions of solar panels coming from? Yes, you guessed it Red China. What a mess.”
- “I’ve found the impact of the solar farm plans to be impacting most aspects of my life, home and work. I got to a point where I was crying daily especially when outside my home or driving by the areas that are potentially going to have panels on them and if I thought about the scheme for any period of time I would also end up in tears. I am normally very robust, but this has had such a detrimental impact on my life and ability to function normally I have had to seek help from my GP. I am waiting for talking therapy and have started medication to try and help me cope with the plans. I can’t see any end to the way I feel as the impact on our home and village life is immense. The only way I can see me feeling better eventually is if the plans were to not be approved. If they do go ahead then I’m not sure how I will function long term without us moving away or taking medication which I really don’t want to be taking for prolonged periods of time. The worry about the potential loss of value on our home and inability to sell in the future, has also created a lot of stress and anxiety as we could find ourselves in negative equity and trapped in our home with no other options but to live within the scheme! The worry of the unknowns such as the noise of the inverters is also concerning as until the scheme is in, I don’t believe anyone can truly say people won’t hear the noise from their homes.”

The nature of some of these comments is so incredibly concerning that I feel a professional and personal obligation to follow some of these people and families up to try to ensure that their mental health does not deteriorate further. I have already advised several of these individuals to consult their own General Practitioners to seek additional advice and support. I openly admit that I have experienced anxiety, low mood and sleep disturbance as a result of the One Earth proposals.

Being a horse rider in South Clifton who also walks, cycles with my husband and young son, and runs along many of the public rights of way, I am already concerned about the direct impact that industrialisation of this area will have on my family and I. I worry about our 4-year-old son and future generations. I worry about my neighbours and local communities. I can see the negative impact this is already having on those around me. I have seen emotions in individuals that I have never seen before including anger, despair, frustration, resentment and even contempt.

At this stage, purely through direct messages being received, the evidence is clear. There are countless negative voices coming from those who feel that they have no power or influence over what is being forced upon them – changes that will affect their lives on a permanent basis. Some of the messages indicate total despair, hopelessness and loss, akin to a bereavement reaction.

If the government ignore this and sign off the proposal to allow the erection of black panels so close to domestic areas, they are totally disregarding their moral obligation. A genuine concern I have is that the company, 'One Earth,' by way of their marketing campaigns are manipulating people's perceptions to influence views and opinions about the project. Even the very name 'One Earth' is staggeringly misleading. 'One Earth' suggests a green agenda, protecting the world, uniting people even globally (a very bold statement). The unfortunate reality is very different.

One Earth have stated in their own literature that should the marketing/consultation stage of the project be passed, One Earth will no longer exist and the true company behind this project, 'Orsted' (a Danish government-owned business) will become the owner and operator. One Earth has clearly been used as a marketing tool, implying that this is an environmentally friendly proposal which will also benefit human health. At that transition phase, people would understandably feel confused and betrayed. There are better ways of supporting renewable energy – ways which don't impose such detrimental impact on human life, health and wellbeing. Ones which don't lead to a dramatic reduction in food security, irreparable destruction of farmland and incalculable harm to indigenous wildlife.

One Earth has demonstrated a disturbingly blinkered one-dimensional veneer vision regarding human health. Rather than being driven by genuine fact-finding, the mention of human health appears to be yet another tick-in-the-box exercise to push their project through. It has been used and passed off as evidence when clearly it is not. This astonishing and extremely concerning oversight of mental health needs addressing as a matter of urgency and to be given the priority status it demands.

These findings will constitute documentary evidence as part of an auditable process. It may be used in any future legal procedures regarding the adverse effects on a person's health. Should this document, with the evidence, be disregarded by any appropriate governance body for endorsement, they will be held culpable.

'Human Health – Definite significant negative effect'.

Appendix 2: Questionnaire

Age:	
Gender:	
Area of residence:	

Please circle as appropriate:

Do you think your mental health has been negatively impacted because of the One Earth solar farm proposal (for example anxiety/altered mood/disturbed sleep)? Y / N

If yes, please give details:

Do you feel your mental health is likely to worsen should the One Earth solar farm be approved? Y / N

If yes, please give details:

Do you currently, or have you ever had, any of the following mental health problems? Please circle as appropriate:

- Anxiety
- Sleep problems
- Depression
- Low mood
- Post-traumatic Stress Disorder (PTSD)
- Other (please specify)

Any further comments relating to your mental health/solar proposal (please include any concerns regarding worsening of current mental health conditions):

Please note all information will remain anonymous.

Thank you for taking time to complete this survey.

Appendix 3: Individual Comments Regarding How the One Earth Solar Project is Currently Negatively Impacting Mental Health

- Massively impacted every single day and night with anxiety, sleep disturbance, depression and low mood/palpitations;
- Anxiety, disturbed sleep;
- Anxiety, low mood, disturbed sleep, which also has a negative impact on my daughter who is autistic. I wake regularly with it on my mind. I'm anxious regularly;
- Anxiety/low mood/insomnia with a negative impact on my work/family/social life;
- A previous stressful experience from a solar farm proposal led me to have a stroke;

- Anxiety, anger, mood swings, disturbed sleep;
- Concerned for the future of our village and the impact on all the community;
- I am suffering from anxiety and I am unable to sleep;
- Feeling anxious most of the time and awakening me in the night;
- I believe it will negatively affect the value of our houses;
- I think the value of properties will decline;
- Worry! During all consultation, I do not feel anything will change – a ‘tick-in-the-box’ exercise. No answers given over specifics. Proposals massively over-sized. Landowners seemingly happy to be moving out of area leaving community to suffer once implemented;
- Anxiety due to not being able to walk/ride mindfully in the countryside;
- I am suffering from anxiety regarding the solar farm already. Just the thought of it is causing great stress;
- I am worried that we have ploughed a lot of money into renovating our house and now we risk losing a great deal should we ever have to sell;
- Worry about increased noise – including traffic during construction. Problems commuting to work from increased traffic. Long-term worries about loss of house value. Toxicity from panels, scared of potential fires;
- Change and uncertainty negatively impacting anxiety, mood and sleep – increasingly affected by age when change becomes more impactful;
- Sleep problems;
- Constantly on my mind all day, waking up at night and early morning, anxiety, sleep problems;
- This One Earth solar farm proposal has caused large amounts of anxiety along with lack of sleep. It has made a huge negative impact on the time I will never get back with my newborn baby;
- I am very worried about my future environment, of living in my property if I am to be surrounded by an industrial estate. I have had anxiety, sleep problems, depression and low mood since this proposal was announced, but never before then;
- I have had anxiety and sleep problems since this all started;
- The proposal is always on my mind;
- Disturbed sleep;
- The proposed plans by One Earth solar have clearly caused a divide within the community. This has had a knock-on effect as individuals who previously got along well, now longer know where they stand with each other. I for one now worry that the subject will come up in conversation and disagreements will begin;
- The One Earth proposal has been dumped on us at the same time as several other proposals. This will result in 30,000 acres of prime farmland in the Trent Valley being INVADED – yes it feels like a carefully choreographed invasion by a hostile force;
- Anxiety;
- Anxiety due to uncertainty of future. No agricultural land for food;
- Visual landscape ruined, farmland lost;
- We moved here when we retired for the beautiful countryside having horses and dogs and as an artist. The peace and quiet was also important. This is all going to be destroyed – no wonder we are sleepless and anxious;
- Anxiety;

- Much concern and distress;
- Depression;
- The hypocrisy of the proposal has made me angry. It is unjust to ask our community to be altruistic when their motive is money, with little/no regard for the undesirable impact on our surroundings and life enjoyment;
- Our hard-earned homes will be valueless. We will not be able to sell and move away; so therefore we are destined to be tortured for something we have not done and not deserve – this is causing anxiety, low mood, depression, sleep problems/bad dreams/irritability, gross unhappiness, fear of war with Russia – we will be a prime target for Putin's missiles;
- We moved to the countryside not to be surrounded by panels. It is stressful thinking about what we will lose, and this being 'Phase 1', worry whether 'Phase 2' will completely surround us;
- The stress and anxiety from this proposal is apparent in many. Fallings out, neighbourly upsets;
- Value of my property!! Overall look of the area I have lived in for over 30 years! This is causing sleep problems and low mood;
- It has caused a division in such a small community. Plus it has caused me to worry about local food production;
- Anxiety and disturbed sleep;
- Anxiety and sleep problems;
- I can't sleep at night knowing that the beautiful countryside will be destroyed;
- I already take antidepressants as I suffer from sleep problems and anxiety. As the peace and tranquillity of this area will be badly affected by the proposal I am already deeply concerned which has caused me sleepless nights. I am now having to take medication to help me sleep;
- We moved here a year ago to get away from the rat race, I already work in Nottingham and coming home gives me serenity;
- We came here in the recent past to escape the hustle and bustle of town life due to my acute anxiety. This has now made my condition worse! I am currently suffering from anxiety, sleep problems, depression and low mood;
- It will look so unnatural in the countryside;
- Stress, anxiety, disturbed sleep;
- I feel the loss of the countryside and the open space will have a negative impact on my health and wellbeing;
- I moved to live in the countryside;
- It's causing me a feeling of worry and unease;
- Stress and worry to all local residents;
- Stress, disturbed sleep;
- My mental health is already very negatively being affected. I have spent many years working on my property to make nice and improve value and this solar farm will completely destroy all my hard work;
- Anxiety, disturbed sleep, altered mood. Since the plans for the solar farm were made public the impact on my day-to-day life has been significant. Working from home there is little escape from facing the reality this solar farm is going to destroy the life you live;
- Disturbed mood/sleep, anxiety;

- Low mood, sleep problems, anxiety;
- Since the plans have been out I have been unable to sleep and function normally. I was crying every day (at least once) and have had to seek medical advice/support. I am now on medication and having therapy;
- My mental health has been negatively affected because I don't want to be living next to solar panels;
- We moved from an area that was under heavy development for the sake of my mental health which was in a poor state. Within two years of making a huge lifestyle change we learned that our haven of peace may be destroyed. I can't think about it without crying;
- It has made me angry and frustrated;
- Of course – we choose to live in this area for its natural beauty which will be seriously impaired by this project!;
- How can you not realise what you are doing to the communities causing anxiety due to noise, wildlife destruction, constant traffic, loss of views;
- Moved to the area for my love of the countryside and wildlife. Pains me to see how much roadkill there is of all our precious wildlife, deer, foxes, badgers and others;
- Sad to think this could be built in our area. When we moved here we were at peace and happy to move to such a peaceful, green and calm village;
- Emergency services shift worker. The area is a lot quieter than Lincoln/Newark. Additional noise pollution will impact me further;
- Worry, disturbed sleep, anxiety;
- Anxiety due to potential impact on house sale/price;
- Anxiety about the future. Anxiety linked to comments made by other people whose opinions differ to my own;
- Concerned about noise pollution;
- Worried about house prices falling as we've just moved here;
- Anxiety because of local walking areas being ruined!;
- We have only just bought in the area and did so to get away from city life and have seen the impact on neighbouring areas on value of the house and my children's mental health;
- Altered mood, worrying about the noise levels;
- I am concerned as when I come back from uni I like the views as this is a coping mechanism and helps me feel better when I go back;
- Worried over the impact it will have on the area – noise/light pollution, restricted walkways;
- No worries yet but will in the future;
- Altered mood/anxiety/sleep problems and frustration and anger. I didn't move here to be surrounded by a metal jungle and solar panels. House prices will decrease. This solar farm is about profit only;
- Anxious about how it will impact our lives – mainly from the noise and appearance.

Appendix 4: Individual Comments Regarding How Mental Health is Likely to Worsen Should the One Earth Solar Proposal Be Approved

- Concern over increased flood risk and noise;

- This is causing anxiety;
- Yes, I do not want to live in such a grotesque environment and will feel trapped, as even trying to sell up will lose tens of thousands of pounds even finding a buyer! A living nightmare;
- Altered mood and anxiety;
- Two years of heavy construction and disruption will be stressful;
- I feel overwhelmed by the idea of such destruction of our countryside;
- I will get an increase in anxiety, my mood and sleep will worsen;
- Fencing alarms me;
- Views ruined, noise pollution;
- Currently no mental health issues, but as a villager for 50 years plus a scheme on this scale is bound to have an adverse effect on me. This village is surrounded by agricultural land/pleasant countryside views so the last thing we need are solar panels and the infrastructure that comes with them;
- Being anxious about how we will all be affected;
- Extremely worried about the loss of value and reduced saleability of house prices;
- We moved to the area to enjoy the tranquillity of the countryside – not an industrial area;
- The loss of the countryside views, which helps with any stress, will be gone. I will not be able to wind down after a tough day at work;
- I personally moved to this area for the countryside aspect. I am perturbed to think I may soon have a very different aspect;
- Change from green environment to industrial environment – proven studies are available to show psychological impact from lack of plants etc in surroundings at work and home having significant negative impact;
- Environmental issues, noise pollution, congestion causing anxiety/low mood;
- No escape from the views of this industrialisation on my doorstep (close);
- Destroying our beautiful landscape, house price deterioration – who wouldn't this impact when your whole life's work is destroyed;
- I will be even more unhappy if this is approved as I will be unable to sell my property and move elsewhere;
- My mental health will worsen due to my future living here;
- We want to live in the countryside not an industrial estate;
- The community divide will increase. Plus the increased traffic/noise will negatively impact my life and cause great concern for me. Having a small child, we regularly walk/bike ride around the village, there will be a greater risk of traffic;
- The prospect of being surrounded by mega monster solar panels is totally depressing and the fact that this will be for 60 years will last until my 3-year-old grandson will be old;
- Increased anxiety;
- Property value, noise, visual landscape ruined;
- Anxiety - unknown future;
- I don't tolerate noise well and the constant traffic when the solar 'farm' is being installed is a worry, as is the buzz from the battery storage systems. We also like to buy fresh local produce which is healthy – that will go and I worry about it;
- Concern over decrease in house prices and relationship with neighbours being affected;
- Depression may become extreme;

- Depression, daily environmental experience being permanently changed by the destruction of the local environment;
- This is an ongoing situation, akin to the feudal where landed gentry dictated to the underlings. Research indicates the habituation does not lead to acceptance or change of opinion – so I won't have any relief from the anger, upset and altered landscape.
- The noise/glare from the panels, heavy traffic on our single track roads, loss of valuable wildlife, loss of money invested in our homes;
- Who wants to look out over a sea of silicone. I live in the countryside for a reason. House pricing will also cause anxiety;
- The overall look and disturbance to natural habitats;
- It will look absolutely dreadful and will 100% affect the wildlife and the look of where I live;
- It will be a HUGE blight on the countryside. The money-greedy companies need stopping!;
- Anxiety and disturbed sleep;
- Stress, anxiety, disturbed sleep;
- I feel my mental health will worsen because I love the beauty of my area;
- I love the beautiful scenery so I expect my mental health to worsen;
- My mental health is likely to worsen because of the thought of having to see this every day;
- As I moved here for open views, I feel this will be lost and will have a negative impact on my mental health;
- I work hard to be able to have my home which I love as a family space but feel it won't be worth it if the plan goes ahead, I may move;
- Disruption whilst being constructed causing worry and anxiety;
- Ongoing noise, people around more, destroying landscape;
- Living in the middle of this solar farm, I feel I will no longer want to live in my once idyllic home and will suffer a massive financial loss doing so, which is also causing stress;
- Nice view outside my residence at the moment, do not wish to be seeing solar panels on my doorstep;
- I am struggling to imagine how life will be living within a solar scheme. The joy of countryside living will be gone and my happy home life won't be the same. I worry about the views and the noise there will be;
- At the moment I have a lovely view of countryside outside my windows. I don't want to be looking at solar panels;
- Without a doubt my mental health will worsen. Everything here that has dragged me from depression – the peace and quiet, the wildlife, the beautiful walking routes – will be negatively affected, and I honestly don't know how I will cope. I am dreading it;
- There will be concerns regarding the effect it will have on our health and also financial security with all our money being tied to our property;
- Value of house will diminish;
- It will probably worsen due to the increased noise and battery safety;
- Mental health will worsen due to environment changing – moved to the country for the landscape and sounds;
- Importantly the devaluation of my house is a major factor;
- I need to walk in the countryside every day to help keep my mental health stable;

- We retired here – it's quiet. You are ripping communities apart, covering farms with panels. Really wish we were somewhere else;
- I believe with large areas of countryside fenced off it will leave little space and wildlife will be concentrated towards roads;
- Constant noise, unable to walk around the countryside with restricted views and access;
- Impact on sleep in daytime (emergency services shift worker) with construction and inverters;
- The friction the proposed project has caused in the community has caused increased levels of stress and anxiety when attending community events;
- If the solar farm is approved I am concerned I will have further anxiety/guilt in relation to the impact on local wildlife and ethical implications arising from Chinese production and labour;
- I often work nights and have disturbed sleep. The noise will keep me awake leading to other issues with my health;
- Moved here for the tranquillity of a small village, will be worried about the panels causing health problems;
- Anxiety will worsen as more stress comes because of noise, nowhere to walk etc!;
- Worrying about my children's health, investment in the local area and also my own sleep patterns. I have stayed in other areas close to solar farms and the noise of the panels affects my sleep;
- Won't be anywhere local to ride my bike that's quiet;
- A coping strategy would have been removed and will feel like I am just surrounded by plastic/metal instead of away from anyone else;
- My feelings about this going ahead are bad enough. I fear the long-term impact this will have on my family and I;
- We need to move house at some point in the next few years. If this goes ahead then there will be significant worry around house prices and whether we can afford to move;
- Noise! Ruins our beautiful countryside as well!

Appendix 5: Further Individual Comments Regarding Mental Health and the One Earth Solar Proposal

- The accumulative impact of the vast range of solar farm developments in one area has basically made this part of the midlands area a gargantuan industrial scale solar plant. To call them solar 'farms' completely misrepresents the situation from when district to district, county to county across Lincolnshire and Nottinghamshire we are becoming completely swamped. The utter rage, frustration, and desperation residents feel is immeasurable. This adds significantly to our daily mental load. We feel put on and disregarded. The impact this has on all our mental health is hugely significant. Having recently moved to this area specifically to be in the natural surroundings of the countryside, so we can enjoy views, quiet sounds of nature, after having worked hard all our lives, to now have to face this mass scale industrial development leaves us depressed, sleepless, and worried about the future;
- Many as yet unknown factors, but a solar farm of this scale will disrupt many leisure activities – walking, cycling and horse riding - all good activities to improve mental health;

- I find that as time passes I become more anxious – feelings I’ve never experienced before;
- I already take anxiety medication (fluoxetine). I was stable and doing really well but I have had to increase the dose solely because of the solar farm proposal;
- My mental health will only deteriorate due to the One Earth solar project;
- This proposal is a money-generating project only!!;
- Please, please leave our countryside as it is;
- I am deeply saddened about the proposals. I moved to the countryside for its views, relaxation and tranquillity. This will be all gone if the proposals go ahead;
- I feel this would cause unnecessary stress;
- Moved to the countryside from urban environment to improve physical and mental health. Now feel that moving again would be the best option, however may not be possible if house value has dropped – increasing stress levels, anxiety and depression which in turn is having a knock-on effect on a long-term condition I have leading to more pain. It is bad enough whilst we are in limbo awaiting the outcome – if it goes ahead I am afraid about how much worse it will get;
- The sheer amount of stress this causes, flare-up’s of my vertigo episodes;
- Didn’t need any additional stress, no warning;
- Concerned how it will affect my mental health in the long-run;
- We thought we had found the ideal place to retire – now it is going to be destroyed. We cannot sell and move always our property is being devalued – money we thought our kids would inherit. The most distressing and heart-breaking element in all this is that it is not necessary, but it is out of our control. Even our MP cannot help us against ‘green at all costs’ mania;
- There are many other ways of generating cheap electricity without resorting to solar panels. With that said why not cover the roofs of Nottingham City and Mansfield with solar panels and leave us country folk alone. We fear for our children and grandchildren. Why do organisations trade with rogue states such as China for solar panels;
- For several years I struggled with leaving the house. Moving to a more rural area has helped tremendously – I walk regularly in the beautiful countryside and have started getting involved in the local community. I am genuinely worried that I may go back downhill if all I see when I leave my house is a sea of monstrous solar panels;
- The positive effect of living in a beautiful, rural environment should not be underestimated. There is escape and peace in the open countryside that cannot be found in industrial settings;
- This is a nightmare and NO-ONE cares about us – we are just collateral damage. Shame on you and your shareholders – it’s all about money;
- Worried about our futures, house prices and desirability of the area;
- Although it will not severely impact my mental health, wellbeing is important and physical health also with noise pollution initially and unaware of long-term issues with lithium batteries/solar panel parts needs to be considered when in close proximity to houses with families and pets. Use of green space which supplies oxygen through trees and pollens for bees and insects which are all vital for our health and part of the nature and nurture;
- Increased stress due to worries over construction traffic and noise, operating noise, lack of good agricultural land and UK food production, and loss of property values;

- I feel if the solar installation was to go ahead, it would lead to further community tension and give a general feeling of loss in relation to the landscape around our homes as well as uncertainty about the long-term implications on employment and house prices;
- I am concerned that the construction and installed inverters will cause noise pollution leading to sleep deprivation which in turn will negatively impact mental health. I am also concerned that access to nature and the countryside will be impacted and restricted and will again negatively impact mental health.

1 McManus, S et al (2009). Adult psychiatric morbidity in England, 2007: results of a household survey.

2 McManus S, Bebbington P, Jenkins R, Brugha T. (eds.) (2016). Mental health and wellbeing in England: Adult psychiatric morbidity survey 2014.

3 Lamont R, Hinson C (March 2024). NEER030: A narrative review of reviews of nature exposure and human health and wellbeing in the UK.

Exhibit H

Correspondence with [REDACTED] and [REDACTED] and transcript of issue specific meeting x

Issue specific meeting 3 extract.

Edwin Maund speaking.

03:09:18:19 - 03:09:54:05 Well. Thank you. I mean, all I can do is reassure you that we do understand and take very seriously the concerns that you've identified and obviously appreciate the extent of work that you've gone to in promoting the concerns that you have.

National Infrastructure Team

The Planning Inspectorate

c/o QUADIANT

69 Buckingham Avenue

Slough, SL1 4PN

Direct Line:

Customer

Services:

email:

0303 444 5651

0303 444 5000

oneearthsolar@planninginspectorate.gov.uk

Stephen Fox

By email

Our Ref: EN010159

Date: 9 December 2025

Dear Mr Fox

Application by One Earth Solar Farm Ltd for an order granting development consent for the One Earth Solar Farm project

I write regarding your multiple email complaints to the Planning Inspectorate and others over the past months about the redaction of certain parts of your submissions and the handling of the examination for the above application.

On 31 October 2025, you sent a Pre-Action Protocol (PAP) letter setting out a proposed challenge to the decision of the Secretary of State for Housing, Communities and Local Government to continue to progress the examination of the One Earth Solar Farm application. Your PAP letter is deemed to have contained the extent of your complaints about the examination. On 27 November 2025, the Government Legal Department (GLD) on behalf of the Planning Inspectorate issued its response, setting out our rebuttal to your proposed grounds of challenge. You have indicated to GLD since receiving our PAP reply that you are continuing to pursue a legal claim in the Courts by way of judicial review.

As you are continuing to pursue a legal claim in the Courts, the Planning Inspectorate will not answer any of your complaints made about the administration of the One Earth Solar application or the decisions taken by the Examining Authority or Case Team in handling the examination or your submissions. The whole matter is regarded as ‘sub judice’, and as such we are unable to make any comment. You should therefore direct any future correspondence to GLD in relation to your ongoing legal challenge.

Once litigation has concluded, if there are any other issues that you want the Planning Inspectorate to investigate and answer, you can write to us clearly setting out your complaint. However, we will only answer matters that fall within the remit of our published complaints procedure, and we will not answer any matters that were included in (or should have been made part of) your legal challenge.

Yours sincerely

[REDACTED]

[REDACTED]

Operations Manager

Stephen Fox [REDACTED]

Tue, 9
Dec
2025,
19:40

to One, [REDACTED]

To: [REDACTED] Operations Manager, National Infrastructure The Planning Inspectorate Temple Quay House, 2 The Square Bristol, BS1 6PN **By Email:** via [REDACTED] **by way of service.** oneearthsolar@planninginspectorate.gov.uk; NIEnquiries@planninginspectorate.gov.uk

Cc: [REDACTED], Chief Executive, PINS [REDACTED], Government Legal Department (Ref: Z2513871/LUT/JD3)

Date: 09.12.25

Your Ref: EN010159

Our Ref: Interested Party [REDACTED]

URGENT: CORRECTION OF LEGAL ERROR REGARDING "SUB JUDICE" STATUS & REFUSAL TO ENGAGE

Dear [REDACTED],

I am in receipt of your letter dated 9 December 2025, in which you refuse to address my formal complaints regarding the suppression of evidence and the conduct of the Examining Authority (ExA).

You justify this refusal by stating: "*The whole matter is regarded as 'sub judice', and as such we are unable to make any comment.*"

1. Error of Law Your refusal is based on a fundamental misapplication of the law. The *sub judice* rule (more correctly, the strict liability rule under the Contempt of Court Act 1981) applies only to "active" proceedings.

Under Schedule 1 of the **Contempt of Court Act 1981**, civil proceedings do not become "active" until the case is set down for a hearing or a trial date is fixed. Even under the broader Parliamentary convention, matters are generally only considered *sub judice* when a Claim Form has been issued.

As confirmed in my correspondence to the Government Legal Department (GLD) today (attached), I have **not** issued a Claim Form. I have explicitly agreed to adhere to the statutory timeline under **Section 118 of the Planning Act 2008**, meaning no litigation will be commenced until after the Secretary of State's final decision.

Therefore, these proceedings are **not** *sub judice*.

2. Breach of Pre-Action Obligations A Pre-Action Protocol (PAP) letter is a mechanism designed by the Courts to encourage parties to settle disputes *without* litigation. It requires the exchange of information and the clarification of issues.

By refusing to answer my complaint because I have sent a PAP letter, you are:

1. Frustrating the very purpose of the Pre-Action Protocol; and
2. Creating an unlawful "accountability vacuum" where the Inspectorate refuses to correct procedural errors during the Examination (claiming it is too early) while simultaneously refusing to discuss them (claiming it is too late/legal).

3. The Demand Your refusal to investigate the specific allegation—that the Applicant possesses but has concealed the "Meeting Script" and "Mental Health Survey"—constitutes a continued breach of the **Tameside Duty of Inquiry**. You are knowingly allowing the Examination to proceed on a falsified evidentiary record.

I require you to:

1. **Withdraw** your assertion that the matter is *sub judice*.
2. **Confirm** that the "suppressed" documents identified in my Rule 8 Request (attached) have been preserved and not destroyed, in accordance with the Litigation Hold now in effect.
3. **Process** my complaint regarding the redaction of [REDACTED] allegations immediately, as this is an administrative matter entirely within your remit.

Failure to provide a substantive response within **7 days** will be cited in the future Judicial Review as evidence of the Planning Inspectorate's "reckless indifference" to the legality of its own proceedings.

Yours sincerely,

Stephen Fox (Litigant in Person)

Direct Line:
Customer
Services: email:

Planning Inspectorate
c/o QUADIENT 69
Buckingham Avenue

0303 444 5651

Slough

SL1 4PN

0303 444 5000

oneearthsolar@planninginspectorate.gov.uk

Stephen Fox

Our Ref:

EN010159

Date: 15 December 2025 *By email*

 **Planning Inspectorate**
Dear Mr Fox

Application by One Earth Solar Farm Ltd for an order granting development consent for the One Earth Solar Farm

Since the start of the examination of the application for a development consent order by One Earth Solar Farm, you have made more than sixty representations (which includes those where we have had to combine separate, related submissions from you). Some of those representations are obviously relevant to the planning merits of the application. Others have a more tenuous link to the planning merits of the application. Many of your representations relate to your complaints about the procedure adopted by the Examining Authority, many of which now form the basis of your proposed application for judicial review. Reviewing your representations in the round, there is a considerable amount of repetition.

As indicated in our letter of 9 November 2025, you are asked to direct any further correspondence relating to your complaints about the procedure adopted by the

Examining Authority to the Government Legal Department. The Planning Inspectorate will not engage in any further correspondence on this matter.

By this letter, we request that you ensure that you avoid repeating earlier representations in any further representations you submit to the Examining Authority. We also invite you to limit the content to representations on the planning merits of the application. You are reminded that the Examining Authority is entitled to disregard representations that are vexatious. While the identification of “vexatious” correspondence is a matter for the Examining Authority, we note that frequent, repetitious correspondence unrelated, or only peripherally related, to the planning merits of the application is likely to be vexatious.

Going forward, we intend to adopt a more proportionate approach to our correspondence with you. We will consider any correspondence received but do not commit to responding unless a response is obviously required.

planninginspectorate.gov.uk



Yours sincerely

[Redacted signature]

[Redacted name] **Operations Manager**

Stephen Fox [Redacted contact information]

Mon 15
Dec, 15:01
(18 hours
ago)

to [Redacted recipient]

Good afternoon [Redacted name],

I would be pleased if you would ensure that this email is delivered to [Redacted name] and also ensure that the ExA is informed of it and that it is published on the examination record.

To: [Redacted name] Operations Manager **Cc:** The Examining Authority (Case Team); Government Legal Department **Date:** 15th December 2025 **Ref:** EN010159 – Response to your Letter of 15 December 2025

URGENT: EXECUTIVE OVERREACH AND INTERFERENCE WITH EXAMINATION

Dear [Redacted name],

I am in receipt of your letter dated 15 December 2025. I reject your characterisation of my correspondence as "vexatious" or "tenuous" in the strongest possible terms.

1. Contradiction of the Examining Authority You assert that my representations have a "tenuous link to the planning merits." This is factually incorrect and represents a serious overreach of your administrative function.

On **6 November 2025**, during the Issue Specific Hearings, the Examining Authority (ExA) explicitly thanked me for the quality of my submissions and their contribution to the Examination. It is the statutory role of the ExA—*not* PINS administrative staff—to

determine the relevance of evidence under s87 of the Planning Act 2008. By instructing me on what is "relevant" and threatening to silence me, you are attempting to usurp the judicial function of the ExA.

2. "Repetition" vs. Persistence You cite "repetition" as grounds for your refusal to engage. You appear to confuse repetition with **persistence in the face of suppression**. I have had to repeat my requests regarding the "Mental Health Survey" and "Meeting Script" precisely because your department and the Applicant refused to address them.

I note that following my persistence, the Applicant was forced to admit in their response to **ExQ3** that they *did* hold some of these documents, proving my submissions were factually correct and necessary. Had I remained silent as you suggest, this suppression of evidence would have succeeded.

3. Maladministration Your letter confirms my concern that the Inspectorate's administrative hierarchy is prioritising administrative expediency over the integrity of the examination.

I will correspond with the Government Legal Department regarding the procedural errors as requested. However, regarding the active Examination, I will continue to submit evidence I deem relevant to the ExA. Any attempt by you or your team to redact, block, or withhold my submissions from the ExA will be treated as an unlawful interference with the course of justice.

Yours sincerely,

Stephen Fox

[REDACTED]

Fri 19 Dec,
14:00 (21
hours ago)

to me, [REDACTED], support@pinssupport.zendesk.com, One

Dear Mr Fox,

Thank you for your latest correspondence regarding the examination of the One Earth Solar Farm application. You have emailed me 27 times in the past 2 months about your complaint. As you are aware, there are well established protocols for pursuing judicial reviews. As you have issued a Pre-action Protocol letter and have stated you will be seeking legal redress, you must direct your complaint correspondence to the Government Legal Department for answer, who are acting on behalf of the Planning Inspectorate.

Your persistent emailing of multiple people across government on these matters is not the correct way to pursue a complaint and I must therefore ask you to stop this approach. Repetitious correspondence on the same or similar matters is likely to be treated as vexatious, and my colleagues at the Planning Inspectorate will therefore not engage with you further on matters that have already been answered or should be answered by the Government Legal Department.

As a registered Interested Party, you can continue to make submissions for the remaining deadlines for this examination, which should be focused on the planning merits of the application. The appointed Examining Authority will then assess their relevance to the examination and decide whether to accept them or not as part of the evidence base.

Yours sincerely,

[REDACTED]

Letter from Morrison 19.12.25

Stephen Fox [REDACTED]

Fri 19 Dec,
16:31 (18
hours ago)

to [REDACTED], support@pinssupport.zendesk.com, One

Dear [REDACTED],

Thank you for your email.

I wish to clarify my position regarding recent exchanges.

I am entitled to copy you into correspondence where there has been no constructive response from your team, both before and after the Letter Before Action. I had ceased doing so until [REDACTED] recent interventions, which I found incompetent (wrong in law) and then threatening, particularly as they were made without objectively analysing the evidence. At that point, I considered it necessary to bring the matter directly to your attention. I hope you were able to read the report to which you replied to?

The litigation is currently on hold pending the Secretary of State's decision.

Throughout, I have remained constructive in my engagement. However, I cannot accept the total non-response or tardy response of your organisation, nor will I be intimidated by attempts to paint me as vexatious. It is not for [REDACTED]—or any administrative officer—to decide whether I can contribute to the Examination. That responsibility lies with the Examining Authority under the Planning Act 2008.

No one has yet explained to me why procedural matters are not a matter for the examination. Perhaps you could tell me your position as you must know the claiming sub judice is a non starter. I am advised that in the circumstances of this examination they are. I have respected the ExA at every point even if I do not agree with them and will continue to do so. It appears to me that they are placed in a difficult position, albeit that they are responsible for their own actions.

It has also been necessary to ensure that the Permanent Secretaries are aware of the applicant's [REDACTED], precisely because PINS and the ExA have [REDACTED] to allow those allegations to be properly recorded in the Examination Library. [REDACTED] allegations are not peripheral; they go to the heart of the Examination's integrity and must be transparently tested.

I will continue to engage constructively, but I will also continue to insist on transparency, parity of treatment, and the proper recording of evidence.

Yours sincerely,

Stephen Fox

Interested Party

Issue Specific meeting 3 extract ExA speaking Edwin Maund

03:09:18:19 - 03:09:54:05 Well. Thank you. I mean, all I can do is reassure you that we do understand and take very seriously the concerns that you've identified and obviously appreciate the extent of work that you've gone to in promoting the concerns that you have.

Exhibit I

ExQ2

Question Ref	Directed To	Topic	Question Summary
Q1.0.1	The Applicant	Consultation Documentation	Concern has been raised about the adequacy and comprehensiveness of the consultation undertaken. The Examining Authority (ExA) requests confirmation that a complete suite of documents has been provided, ensuring a

			full understanding of the consultation and responses received. The ExA notes that submissions suggest some documents may still be missing. (1) The applicant is asked to re-examine their submissions and assist the ExA and Interested Parties in identifying where the complete consultation documentation can be found, possibly via an indexed table with EL references. (2) If any documents are missing upon review, the applicant is required to supply the absent elements.
Q1.0.2	Mr Stephen Fox	Consultation Legal Duties	The ExA seeks clarification on how, in Mr Fox's view, the applicant has [REDACTED] to meet its legal consultation duties under the Planning Act 2008—specifically referencing Chapter 2, sections 41–49 (including s.42, 47, and 49) and the relevant policy guidance. Mr Fox is asked to specify precisely how the applicant [REDACTED] to consult properly, with reference to the legal and policy requirements. A link is provided for guidance.

ExQ3

Question Ref	Directed To	Topic	Question Summary
Q1.0.2	The applicant	Previous Written Question	In your D4 submission [REP4-052] response to ExQ2 – Q1.01, we asked for clarification in respect of the consultation documents as set out below. (1) Can the applicant re-examine their submissions in this respect, and to aid both the ExA

and concerned IPs identify where within the documentation a full suite of consultation documentation can be found. The ExA wonder if a table with index may provide a simple way of identifying for all parties the full information with corresponding EL references.

(2) In undertaking the review if documents are identified to be absent, please ensure any missing elements are provided.

ExQ3: 19 November 2025
 Responses due by deadline 6:
 Wednesday 3 December 2025

Page 5 of 17 ExQ3 Question to:
 Question: As part of your answer you state “All responses received were reviewed and considered, and presented in Appendix J of the Consultation Report.” However, you did not provide an answer to part 2 of our question. Can you confirm whether you received the 2 documents referenced by IPs, a survey of 109 people by a local Doctor Sarah Fletcher and the script of the meeting held on 1 August with the SCPC and others. In the event that they were received can you provide copies, and a summary from your perspective of their importance and relevance to the examination. If you do not consider them to be important and relevant to the examination please explain why this is the case.

Reservation of Rights (Litigant in Person)

This submission is made under **explicit protest** and strictly **without prejudice** to the Interested Party's right to challenge the lawfulness and procedural integrity of the Examination.

The Interested Party's continued participation is legally **compelled** by the statutory process (Planning Act 2008) to maintain standing, but this action does **not** constitute a waiver, acceptance, or validation of any alleged procedural impropriety, ExA bias, unlawful censorship, or fundamental flaws in the Administrative Record.

All rights to seek Statutory Appeal and Judicial Review against the final Development Consent Order decision are fully reserved.

1. .

Critical Analysis of Applicant Responses to ExQ3 1.0.1 & 1.0.2: Procedural [REDACTED] and the Suppression of Material Evidence

Executive Summary

The Applicant's response to the Examining Authority's (ExA) Third Written Questions (ExQ3) regarding "Missing Documents" constitutes a material escalation of the procedural impropriety observed to date. Far from a simple administrative correction, the Applicant's submission of "minutes" in place of the specific "verbatim script" requested—and their continued suppression of the Dr. Fletcher Health Survey—demonstrates a calculated effort to manipulate the Examination record. The Applicant has simultaneously confirmed the initial deception by providing two of the missing document but has refused to cooperate with the attempted cure offered by the ExA by excluding the script and associated correspondence.

This analysis contends that the Applicant's conduct extends beyond mere non-compliance with the *Gunning Principles*. By deliberately withholding material information that they were under a legal duty to disclose (Section 37 of the Planning Act 2008), with the apparent intent of securing the acceptance of their application, the Applicant's actions now arguably meet the legal definition of [REDACTED] **by failing to disclose information** under Section 3 of the [REDACTED].

1. Critique of Response to Q1.0.1: The Dr. Fletcher Health Survey

The Applicant's response regarding the mental health survey of 109 residents is characterized by admission without acceptance. While they confirm receipt of the document, their justification for its prior exclusion rests on a [REDACTED] legal premise intended to [REDACTED] its significance.

1.1 The "Pre-Application" Fallacy

The Applicant argues that the survey is not relevant to the Environmental Statement (ES) because "the impacts highlighted by Dr. Fletcher relate to the pre-application period." This is a material misdirection. The *Infrastructure Planning (Environmental Impact Assessment) Regulations 2017* (Regulation 5(2)(d)) require an assessment of the direct and indirect significant effects on "population and human health". The anxiety ("solastalgia") and sleep disturbance recorded in the survey are not administrative complaints about the consultation process; they are symptoms of the community's distress regarding the *proposed development itself*. By categorizing these as "consultation feedback" rather than "health impacts," the Applicant attempts to bypass the requirement for a robust Human Health assessment in the ES.

1.2 Minimization of Data

The Applicant claims to have "met with neighbours" as a sufficient mitigation. This conflates qualitative engagement with quantitative evidence. The survey provided a dataset of 109 individuals—a statistically significant sample for the parish. By excluding this data from the Examination Library until compelled, the Applicant has deprived the ExA of the ability to weigh the true scale of the social impact in the planning balance.

2. Critique of Response to Q1.0.2: The "Script" vs. The "Minutes"

The most significant procedural failure lies in the response to Question 1.0.2. The Applicant's submission of "Appendix B" (referenced as "notes/script of the meeting") is a deceptive conflation that fails to satisfy the ExA's specific request.

2.1 The "Bait and Switch": The Suppression of the August 2nd Email

The Examining Authority's question was precise: "*Can you confirm whether you received... the **script** of the meeting held on 1 August...*".

In response, the Applicant states: "*Separate to that document, the action group submitted their notes from that meeting, which is also appended to this document (see Appendix B).*"

This response employs a [REDACTED] by substituting the "minutes" for the **verbatim script** and, crucially, [REDACTED] the accompanying correspondence.

- **The Missing Email (02/08/2024):** On August 2nd, 2024, the Interested Party sent an email directly to [REDACTED] (Principal Officer, One Earth). This email attached the verbatim script read at the meeting and further elaborated on the points raised (flood risk, surface runoff, cumulative flooding, site selection mental health) to ensure there could be no ambiguity regarding the challenges presented.
- **The "Lost" Attachment:** When challenged on the omission of this document in July 2025, the Applicant stated, *"I know it was included in an earlier draft but appears to have been lost in the finalisation process."*
- **The Continued Omission:** Despite this admission and the specific ExQ3 request, the Applicant has *still* [REDACTED] to produce the August 2nd email and the attached script in their Deadline 6 response. They have effectively "sanitized" the record by providing only the minutes, which lack the forensic weight and technical detail of the script and the direct warning provided to [REDACTED].

2.2 The Suppression of Substantial Technical Evidence

The exclusion of the script and the August 2nd email is strategic. These documents did not merely record "concerns"; they laid out substantial, technical challenges that strike at the viability of the project. By withholding them, the Applicant conceals the fact that they were formally notified of the following fatal flaws on August 2, 2024:

- **Flood Risk and Hydrology:** The script detailed specific failures in the Applicant's hydraulic modeling, particularly regarding the impact of solar arrays on surface water runoff in a functional floodplain. It challenged the assumption that greenfield runoff rates would be maintained, citing the "cluster effect" of adjacent solar schemes.
- **Site Selection (Sequential Test):** The script challenged the Applicant's site selection logic *before* the DCO submission. It highlighted the availability of lower-risk land (Alternative Site A) and the invalidity of the "willing landowner" constraint—arguments that have since been validated by the September 2025 PPG update.
- **High Marnham Connection:** The script questioned the technical and economic rationale for the connection to High Marnham, suggesting that the site selection was driven by grid proximity rather than environmental suitability, contrary to national policy.

3. Context of Suppression: The Unpublished Deadline 4 Submission

The Applicant's evasion in ExQ3 must be viewed in the context of their treatment of the Interested Party's Deadline 4 submission (Reference [REDACTED], "Chronology Establishing [REDACTED]").

This submission, which detailed the exact chronology of the "lost" files and the "sanitized" reporting, appears to have been suppressed or withheld from publication in the Examination Library at the time. By preventing this "Chronology" from entering the public domain, the administrative process has obscured the pattern of behaviour—the "three-month silence," the misrepresentation of meeting attendees (excluding South Clifton Parish Council), and the "active concealment" of the script and email.

The Applicant's current failure to provide the script in response to ExQ3 is not an isolated error; it is the continuation of the specific suppression tactics detailed in the unpublished Chronology Establishing [REDACTED] submission. They are maintaining the deception that the meeting was informal and the feedback was immaterial, when the suppressed documents prove otherwise.

4. Analysis of Attempted "Cure" and "Confinement" of Fraud

The interaction between the ExA's question (ExQ3) and the Applicant's response reveals a distinct strategy to contain the legal fallout of the initial suppression.

4.1 The ExA's Attempt to Cure

By issuing ExQ3, the Examining Authority attempted to offer the Applicant a "ladder to climb down." The question attempted to provide a procedural mechanism for the Applicant to "cure" the defect of the missing documents by late disclosure. Had the Applicant submitted the **full, unredacted script** and the **August 2nd email** with a candid apology, the ExA hoped the allegation of "[REDACTED]" might have been downgraded to "Administrative Error." The ExA hoped this would have restored the integrity of the Examination, albeit belatedly.

4.2 The Applicant's "Confinement" Strategy

The Applicant rejected this opportunity to "cure" the defect. Instead, their response is designed to **"confine the [REDACTED]"** to a manageable administrative failure.

- **Confining the Scope:** By admitting only to the "minutes" (a sanitized summary) and ignoring the "script" (the forensic evidence), the Applicant attempts to confine the ExA's attention to a document that is less damaging to their case.
- **Confining the Timeline:** By claiming the documents are merely "snapshots in time" that predate their final assessments, they attempt to confine the relevance of the suppression to the past, arguing it has no bearing on the current Examination.
- **Confining the Liability:** By continuing to withhold the August 2nd email to [REDACTED], they attempt to shield specific individuals from evidence of direct personal knowledge of the project's fatal flaws ([REDACTED]).

4.3 Failure of the Strategy

This attempt to confine the [REDACTED] has [REDACTED] because the Interested Party has retained the original evidence (the script and email receipt). Consequently, the Applicant's partial disclosure does not "cure" the Section 37 breach; it **compounds** it. It proves that the suppression is not accidental but is an **ongoing, active strategy** of information control that persists even under direct questioning from the Examining Authority.

5. The Definition of Fraud: A Prima Facie Case

The Applicant's conduct—specifically the active [REDACTED] of the script and survey during the s55 Acceptance stage—now meets the threshold for serious legal scrutiny under the [REDACTED].

5.1 Legal Framework: Fraud by Failing to Disclose Information (Section 3)

Under Section 3 of the [REDACTED], a person is guilty of [REDACTED] if they:

1. **Dishonestly fail to disclose information** to another person.
2. Are under a **legal duty to disclose** that information; and
3. **Intend**, by failing to disclose the information, to make a gain for themselves or another, or to cause loss to another.

5.2 Application to One Earth Solar Farm Conduct

1. The Legal Duty to Disclose: The Applicant is subject to a statutory duty under **Section 37 of the Planning Act 2008**. This section mandates that the application must be accompanied by a Consultation Report giving details of "relevant responses" to the statutory consultation. Furthermore, the "[REDACTED]" in public law proceedings requires full disclosure of material facts to the Examining Authority. The Applicant had a strict legal duty to disclose the script, the August 2nd email to [REDACTED], and the survey as "relevant responses."

2. Dishonest Failure to Disclose: Dishonesty is defined by the standards of ordinary decent people. The [REDACTED]:

- Acknowledged receipt of the documents on August 2, 2024.
- Excluded them from the Consultation Report submitted in February 2025.
- Claimed the file was "lost in the finalisation process" when challenged in July 2025.
- Has now, in response to ExQ3, deliberately substituted "minutes" for the "script" and suppressed the covering email to avoiding revealing the specific technical warnings they ignored and the specific individual to whom it was addressed. This pattern of "[REDACTED]" (as defined in [REDACTED]) indicates [REDACTED] rather than error.

3. Intent to Make a Gain: The [REDACTED] sought by the Applicant was the **Acceptance of the Application for Examination**. Had the Planning Inspectorate (PINS) been aware during the Section 55 Checklist phase that the Applicant had suppressed a 109-person mental health survey and a verbatim script detailing fatal flood risk flaws

and sequential test failure suppression, the application would likely have been rejected as inadequate under Section 55(3)(e) (adequacy of consultation). By concealing this evidence, the Applicant [REDACTED] "passed through" to the examination phase, avoiding rejection or the costs of delays and re-consultation.

6. Conclusion

The Applicant's response to ExQ3 acts as a confirmation of their strategy of suppression. By continuing to withhold the **verbatim script** and the **August 2nd email to [REDACTED]**—the documents that explicitly warned them of the flood risk and hydrology failures—they are attempting to maintain the deception that the Consultation Report was an honest and accurate document.

This conduct goes beyond procedural untidiness. It satisfies the criteria for [REDACTED] **by failing to disclose information**. The [REDACTED] was under a duty to report these consultation responses; they dishonestly withheld them to gain entry to the Examination; and they continue to conceal them to prevent the full extent of the [REDACTED] being recognized by the Secretary of State.

NOTICE REGARDING PRIVILEGE AND NON-REDACTION

Statutory and Common Law Privilege This submission contains formal representations made to a quasi-judicial Examination established under the *Planning Act 2008*. The contents herein are protected by **Absolute Privilege**, or at a minimum **Qualified Privilege**, as they constitute material evidence relevant to the Examining Authority's statutory duty to examine the application under Section 87 of the Act. This privilege extends to the disclosure of potential offences where relevant to the integrity of the planning process (*Trapp v Mackie* 1 WLR 377; *Lincoln v Daniels* 1 QB 237).

Prohibition on Redaction of Material Evidence The allegations of [REDACTED] detailed in Section 5 are not defamatory abuse but are particularised submissions of fact regarding the Applicant's compliance with Section 37 of the *Planning Act 2008* and Section 3 of the [REDACTED]. Any redaction of these sections by the Planning Inspectorate would constitute **procedural impropriety** and a breach of the principles of natural justice, as it would amount to the suppression of evidence critical to determining whether the Application was lawfully accepted for Examination. The Examining Authority is put on notice that the Interested Party reserves the right to seek Judicial Review should this material evidence be withheld from the public record or the Secretary of State.

References

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3. Surrey County Council - Guidance on EIA Regulations & Human Health in NSIPs.
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5. Stephen Fox - ExQ2 Response (Claims of "Lost" Files and Survey Omission).
6. Interested Party Submission [REDACTED] - "Chronology Establishing [REDACTED] (Deadline 4 Submission).
7. Stephen Fox - Response to Written Representations (Details of 1 Aug 2024 Meeting Suppression).
8. Stephen Fox - Hydrology & Runoff Analysis.
9. Sheila Pumfrey - Additional Submission on Flooding Concerns.
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11. Applicant Response to Local Impact Reports (LIRs) - High Marnham Connection Rationale.
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14. Planning Act 2008, Section 37 - Duty to submit Consultation Report.
15. *R (Friends of the Earth) v Secretary of State for Transport* - [REDACTED].
16. [REDACTED] *for Communities and Local Government* UKSC 15.
17. Planning Act 2008 - Section 55 Acceptance Checklist / Adequacy of Consultation.

The Collapse of Procedural Integrity. A Forensic Audit of the One Earth Solar Farm Examination

Date: January 2026

Subject: The Systemic Failure of the Examining Authority to Compel Evidence, the Unlawful Validation of a Flawed Sequential Test, and the Hydrological Risks of the One Earth Solar Farm

1. Summary: The Convergence of Failures

The statutory examination of the One Earth Solar Farm (OESF) has revealed a divergence between the requirements of national planning policy and the procedural conduct of the Examining Authority (ExA). This report submits that the application is currently "unconsentable" due to fundamental breaches of the **Sequential Test (ST)**, exacerbated by a systemic failure of the ExA to exercise its inquisitorial duties under the *Tameside* principle.

The gravamen of this failure lies in the Applicant's continued reliance on a site selection methodology that was rendered legally obsolete by the **September 17, 2025, update to the Planning Practice Guidance (PPG)**. This update explicitly removed "landowner willingness" as a valid constraint for the availability of alternative sites. Despite this seismic regulatory shift, the Applicant has maintained a defence predicated on the commercial unavailability of lower-risk Flood Zone 1 (FZ1) sites.

Crucially, this report documents the specific failure of the ExA to issue legitimate **Rule 17** requests. The ExA was explicitly asked to compel the production of "Land Negotiation Logs" to test the validity of the Applicant's site selection claims. By refusing to do so, the ExA has allowed the Applicant to withhold the dates of their option agreements—evidence that would likely prove the site selection was commercially pre-determined before any environmental assessment took place. Furthermore, the examination has ignored critical submissions, specifically **REP4-079**, which demonstrated and costed a viable "constellation" alternative on safer land. This report provides an exhaustive, forensic deconstruction of these failures. It argues that the ExA's acceptance of "agreed fictions"—regarding site availability, hydrological impact, and storage loss tolerances—constitutes a justiciable error of law that renders any future Development Consent Order (DCO) highly vulnerable to Judicial Review.

Part I: The Regulatory Framework and the September 2025 Paradigm Shift

To understand the magnitude of the procedural failure in the One Earth Solar Farm examination, one must first establish the strictures of the regulatory regime that governs it. The planning system is not a static set of rules but a dynamic framework

that evolves to address emerging risks—principally, in this context, the escalating threat of climate change and flooding.

1.1 The Primacy of the Sequential Test

The Sequential Test is the cornerstone of flood risk policy in the United Kingdom. Its objective is simple yet absolute: to steer new development to areas with the lowest risk of flooding. It acts as a gateway policy; if a development fails the Sequential Test, it should not be permitted, regardless of its other merits. The National Planning Policy Framework (NPPF) establishes the hierarchy of flood zones:

- **Flood Zone 1 (FZ1):** Low Probability (Land having a less than 1 in 1,000 annual probability of river or sea flooding).
- **Flood Zone 2 (FZ2):** Medium Probability.
- **Flood Zone 3 (FZ3):** High Probability.

The Sequential Test dictates that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Only if it can be demonstrated that there are no reasonably available sites in FZ1 can the search move to FZ2, and subsequently to FZ3. For the OESF, which proposes a massive industrial intervention across thousands of hectares of the Trent Valley, the Sequential Test is the primary safeguard against the inappropriate industrialization of the functional floodplain.

1.2 The September 17, 2025 PPG Update: A "Clear Line"

On September 17, 2025, the Government published a critical update to the *Flood Risk and Coastal Change Planning Practice Guidance* (PPG). This was not a minor administrative tweak; it was a substantive policy tightening designed to close loopholes that developers had long exploited. The update introduced three fundamental clarifications that directly impact the OESF application:

1.2.1 The "Ownership is Irrelevant" Doctrine

Historically, developers have argued that while physically suitable sites might exist in FZ1, they were not "reasonably available" because the landowners were unwilling to sell or lease the land. This "willing landowner" defence allowed applicants to bypass sequentially preferable sites based on commercial expediency rather than planning merit.

The September 2025 update explicitly dismantles this defence. Paragraph 28 of the updated PPG states: *"It is not relevant whether a site is in the applicant's ownership or control"*. The guidance clarifies that an applicant must demonstrate why other deliverable and need-equivalent sites cannot be pursued, even if those sites are in third-party ownership. This shifts the burden of proof significantly. It is no longer sufficient to say, "We approached the landowner of the FZ1 site, and they said no." The planning system now prioritizes the *physical capacity* of the land to host the development over the *commercial convenience* of the developer.

1.2.2 The Aggregation of Smaller Sites

The update also redefined the physical parameters of a "reasonably available" site. Previously, developers of NSIPs often argued that they required a single, contiguous block of land to achieve economies of scale. The new PPG Paragraph 28 explicitly counters this: "Reasonably available sites may include two or more smaller sites that

together could accommodate the proposed development". This "disaggregation" requirement means the Applicant must demonstrate that the project could not be delivered via a constellation of smaller, lower-risk sites.

1.2.3 Decoupling Housing/Energy Supply from Flood Risk

Finally, the Government drew a "clear line" regarding the balance of benefits. The update states that a shortage of energy infrastructure need cannot be used as a justification to avoid or weaken the Sequential Test. Flood safety remains an absolute requirement.

1.3 The Legal Status of the PPG: The *Mead* Precedent

In *Mead Realisations Ltd v Secretary of State for Levelling Up, Housing and Communities* (EWHC 279), the court established that where the PPG provides the specific methodology for applying a policy test (like the Sequential Test), a failure to adhere to that methodology constitutes a legal error (17). Therefore, the ExA cannot treat the "ownership is irrelevant" clause as optional. It is the operating manual for legality. By ignoring it, the ExA risks permitting an unlawful application of the NPPF.

Part II: The Anatomy of Misrepresentation—The One Earth Solar Farm Case

Against this rigorous regulatory backdrop, the OESF application presents a disturbing case study in procedural evasion and factual misrepresentation.

2.1 The Flood Risk Profile of the OESF Site

The proposed OESF site is, by any metric, a high-risk location. Independent analysis confirms that approximately **56%** of the site (roughly 1,409 hectares) falls within Flood Zones 2 and 3. This places the project squarely in the "danger zone" of national policy.

2.2 The "Willing Landowner" Shield

Throughout the examination, the Applicant has relied on a single, primary defense for rejecting alternative sites: the lack of willing landowners. In their oral and written submissions, the Applicant justified rejecting lower-risk FZ1 sites (such as those identified around Ossington) by stating that discussions with landowners "didn't prove fruitful." Under the post-September 2025 regime, this is a confession of [REDACTED]. By continuing to advance this argument, the Applicant is [REDACTED] the legal test, asking the ExA to apply a "Commercial Availability Test" rather than a "Sequential Test."

2.3 The Erasure of REP4-079: The Costed Constellation Alternative

The most damning failure of the examination is the treatment of **Submission REP4-079**. This submission, titled "*Robust Consideration of Alternative Site Constellations*", provided a forensic rebuttal to the Applicant's claim that disaggregated sites were not viable. REP4 -079 is based on sites identified by the applicant but rejected on illegitimate grounds.

2.3.1 The Evidence in REP4-079

Submission REP4-079 did not merely suggest alternatives; it provided a costed financial model demonstrating that a "constellation" of FZ1 sites (specifically AP7, AP9, and AP11) was financially viable (20).

- **The Cost of Risk:** The submission calculated the exorbitant capital costs associated with building in Flood Zone 3, including raised mounting structures (piling), compensatory storage excavation, and flood resilience measures for BESS.
- **The Savings of Safety:** It demonstrated that while FZ1 sites might have higher land acquisition costs or grid connection complexity, these were offset by the savings on flood engineering.
- **The Conclusion:** The "Constellation" model was shown to be not only physically safer but economically preferable.

2.3.2 The Applicant's Non-Response

The Applicant dismissed this detailed financial evidence with a single sentence in their response (D4R80), stating simply that "there are no other alternative smaller sites which could have been combined" (3). They refused to engage with the costings or provide their own comparative financial model.

2.3.3 The ExA's Failure

By failing to compel the Applicant to respond to the costings in REP4-079, the ExA has allowed a substantiated alternative—a "better environmental option"—to be discarded without analysis.

Part III: Systemic Procedural Failure and the Dereliction of Duty

The [REDACTED] by the Applicant have become familiar. The far more profound [REDACTED] lies with the Examining Authority (ExA), the quasi-judicial body charged with rigorously testing the application.

3.1 The *Tameside* Duty of Inquiry

The ExA is not a passive recipient of evidence. In the inquisitorial system of NSIPs, the ExA has a proactive duty to probe, question, and verify the evidence. This duty is grounded in the common law principle of *Tameside*, which establishes that a public decision-maker must be "properly informed" before making a decision.

3.2 The Failure to Issue Rule 17 Requests

The ExA possesses a specific statutory tool to fulfil this duty: **Rule 17** of *The Infrastructure Planning (Examination Procedure) Rules 2010*. The ExA was

specifically asked to use this power to uncover the commercial reality behind the site selection.

3.2.1 The "Land Negotiation Transparency" Request

On 14 December 2025, the ExA was formally asked to issue a Rule 17 request for a "Land Negotiation Log" (4).

- **The Request:** This log was to detail the **"Date of Initial Contact"** versus the **"Date of Option Agreement"** for all land parcels.
- **The Significance:** The dates are the smoking gun. If the Option Agreements for the OESF site predated the Alternative Site Assessment, it would empirically prove that the site selection was **pre-determined by commercial deals** and that the Sequential Test was merely a "reverse-engineered" paperwork exercise to justify a decision that had already been made.
- **The Failure:** The ExA refused to issue this Rule 17 direction. By doing so, they actively suppressed evidence that would likely reveal the Sequential Test to be a sham.

3.3 Table of Failed Rule 17 Requests

The following table details the specific occasions where the ExA failed to issue Rule 17 directions despite formal and reasoned requests.

Table 1: Schedule of Failed Rule 17 Requests

Date of Request	Subject Matter	Specific Evidence Requested	Significance and Implications
14 Dec 2025	Land Ownership & Negotiation Transparency	A log detailing the "Date of Initial Contact" vs. "Date of Option Agreement" for all land parcels (4).	Significance: This is the critical test of pre-determination. If commercial deals were signed before the alternative search was conducted, the Sequential Test is invalid. Implication: The ExA's [REDACTED] effectively sanctions a "rigged" site selection process.
Deadline 4	Constellation Viability (REP4-079)	Comparative Financial Model verifying the	Significance: REP4-079 proved FZ1 sites were viable. The

Date of Request	Subject Matter	Specific Evidence Requested	Significance and Implications
		costings of the "Constellation" alternative presented in REP4-079.	██████ denied this without proof. Implication: Failing to compel this model allows the Applicant to reject safer sites based on unproven assertions of "financial unviability" (3).
14 Dec 2025	Hydrological Accuracy ("Black Box")	The raw Runoff Coefficients (Cv) used in the TUFLOW model (4).	Significance: Needed to verify if the model includes the "BaiaMonte Effect" (11.7x kinetic energy). Implication: Without this, the flood risk assessment is unverifiable and potentially dangerous.
Deadline 7	Public Health & Solastalgia	Full survey data regarding mental health impacts (solastalgia) on 109 residents (5).	Significance: Reclassifies distress from "feedback" to a "Health Impact." Implication: Allows the Applicant to bypass a formal Health Impact Assessment under EIA Regs.
01 Dec 2025	Storage Loss Tolerance	Justification for the "5mm tolerance" agreement and the change in the EA's position (14).	Significance: The "Distinct Cell" hypothesis hides a 5.7mm rise.

Date of Request	Subject Matter	Specific Evidence Requested	Significance and Implications
			Implication: Sanctions a breach of the "No Net Loss" principle.

Part IV: The Hydrological Blind Spot and the Water Framework Directive

While the Sequential Test failure is the primary procedural breach, the ExA's handling of flood risk methodology reveals a secondary, equally fatal flaw: the to confront scientific obsolescence.

4.1 The "Agreed Fiction" of Hydrological Neutrality (Cook & McCuen)

The Applicant's Environmental Statement (ES) and Flood Risk Assessment (FRA) are built on the **Cook & McCuen (2013)** model (7). This model posits that solar panels are effectively "hydrologically neutral." It assumes that if the ground beneath the panels remains vegetated, the runoff volume is not significantly different from a greenfield site. Based on this, the Applicant argues that no significant mitigation is required.

4.2 The "Baiamonte Effect": Scientific Reality vs. Model Assumption

However, the "current knowledge" mandated by EIA Regulation 14(3)(b) has moved on. Research by **Baiamonte et al. (2023)** has empirically demonstrated that the Cook & McCuen assumptions are flawed when applied to large-scale arrays (6, 9). Baiamonte's research identifies the **"Baiamonte Effect"** (kinetic energy amplification):

1. **Interception & Concentration:** Solar panels intercept rainfall and channel it to the lower edge (drip line).
2. **Amplification:** This concentrated water falls to the ground, its **kinetic energy amplified by up to 11.7 times** compared to natural rainfall.
3. **Scour:** This high-energy impact causes soil scour (erosion) at the drip line, creating channels.
4. **Flow Transformation:** The water does not infiltrate; it creates "concentrated flow" channels, reducing the Time to Peak (Tp) and increasing runoff velocity. This will result in peak flood surges in storm conditions which will overwhelm local drainage systems and significantly enhance peak flooding at the River Trent from the OESF proposal alone and there will be a multiplier effect from other solar farms approved or proposed. The applicant, the lead local flood authorities and the Environment Agency have to account for this – and this must be readily apparent to the ExA.

By accepting the Cook & McCuen model without investigating the Baiamonte evidence, the ExA is approving a project that *will* cause soil erosion and significantly enhanced local and regional flooding. Under the *Weser Ruling* (Case C-461/13), any deterioration of the water body status (via sediment pollution) is unlawful.

4.3 The Invalidity of the "Distinct Cell" Hypothesis

A critical element of the Applicant's defence regarding flood storage compensation is the "Distinct Cell" hypothesis. The Applicant acknowledges that the project will raise flood levels by **3.5mm** on the eastern floodplain and **2.2mm** on the western floodplain (10). However, they argue that these figures should not be aggregated to a total of 5.7mm because the East and West floodplains act as hydraulically "distinct cells" that peak at different times.

Forensic Rebuttal:

This hypothesis is hydrodynamically flawed (11). The River Trent in this location functions as a single, connected hydraulic system. The eastern floodplain acts as "initial storage"; as the flood waters rise, they fill the eastern cell first. If this capacity is compromised (artificially raised by 3.5mm due to the solar farm), the hydraulic gradient is reduced, forcing the main channel to convey more flow downstream or stage higher to push water into the western floodplain.

Therefore, the impact is not isolated; it is sequential and cumulative. By treating them as separate, the Applicant artificially dilutes the impact to stay within the negotiated "5mm tolerance." In reality, the cumulative loss of storage across the system results in a minimum flood level rise of **5.7mm**, which exceeds the tolerance threshold and constitutes a breach of the "No Net Loss" principle.

4.4 Cumulative Effects and the Regional Model Failure

The One Earth Solar Farm is not occurring in isolation; it is one of several massive solar NSIPs proposed for the Trent Valley. Despite this, the ExA has failed to compel the commissioning of a "Regional Cumulative Model." This is necessary to account for the cumulative Biamonte effect and the illegal allowance of storage loss proposed in the OESF proposal and others.

If each of the four proposed solar NSIPs in the region utilizes the "5mm tolerance" loophole to avoid digging compensatory storage, the cumulative effect on the catchment could be a flood level rise of approximately **20mm** (4 projects x 5mm) (30). This aggregate displacement is significant enough to alter flood outlines and threaten third-party properties. By assessing One Earth in a silo, the ExA is ignoring the "death by a thousand cuts" inflicted on the floodplain's storage capacity.

4.5 The "Perfect Storm" Scenario

The convergence of these failures creates a high-probability risk scenario: the "Perfect Storm" (29). This scenario arises from the interaction between the **Baiamonte Effect** and the cumulative presence of multiple solar NSIPs during a peak storm event.

1. **Kinetic Amplification:** The 11.7x kinetic energy amplification across thousands of hectares of glass panels will significantly reduce the "Time to

Peak" (Tp) of the surface runoff. Water flows faster over sealed, scoured surfaces than over vegetated soil.

2. **Coincidence of Peaks:** In this scenario, the "flash" peak discharges from all the combined new solar NSIPs would enter the river system simultaneously, with a much shorter lag time than modelled. This accelerated runoff coincides with the peak storm conditions in the River Trent itself.
3. **BESS Failure:** The floodwaters inundate the access roads to the Battery Energy Storage Systems (BESS). High humidity or water ingress triggers a thermal runaway event (statistically more likely in flood conditions). Because the roads are impassable, fire crews cannot reach the site. Toxic fire water spills directly into the floodwaters.

This unmodelled coincidence of peaks and safety failure represents a catastrophic flaw in the assessment.

Part V: The Human Dimension—Solastalgia and Health

While the focus of this report is procedural and hydrological, the ExA has also failed to account for the psychological impact of the scheme, specifically **Solastalgia**.

5.1 Defining Solastalgia

Solastalgia is the distress caused by environmental change impacting people while they are still in their home environment (18). Unlike nostalgia, it is the pain of having your home leave you. Evidence links solastalgia to depression, anxiety, and PTSD.

5.2 The Assessment Void

The ExA has treated "Health" primarily as a function of noise and air quality. They have ignored the "psychoterratic" impact of converting 2,000+ hectares of rural landscape into an industrial power station. By classifying resident surveys as "consultation feedback" rather than "health data" (19), the Applicant [REDACTED] a formal Health Impact Assessment (HIA). The ExA's [REDACTED] to compel this assessment (see Table 1) underutilizes the EIA Regulations.

Part VI: Conclusions and the Necessity of Refusal

The examination of the One Earth Solar Farm has revealed a procedural architecture that is failing to adapt to regulatory changes and scientific reality.

Summary of Findings:

1. **Sequential Test:** The Applicant continues to use a pre-2025 methodology ("willing landowner") that is now unlawful. The ExA has failed to correct this via Rule 17, specifically by refusing to compel the "Land Negotiation Logs" that would expose the pre-determination of the site.

2. **Site Availability:** Superior FZ1 sites like AP7 (79% FZ1) exist. Submission **REP4-079** demonstrated the financial viability of using these sites (the "Constellation" alternative), but the ExA failed to compel the Applicant to engage with this evidence.
3. **Hydrology:** The ExA is relying on an obsolete hydrological model (Cook & McCuen) while ignoring evidence of kinetic amplification (Baiamonte), creating a "Perfect Storm" risk.
4. **Storage Loss:** The "Distinct Cell" hypothesis is invalid; the true storage loss is 5.7mm, exceeding the agreed tolerance.

Recommendations:

To restore procedural integrity and avoid an inevitable loss at Judicial Review, the ExA must:

1. **Issue a Rule 17 Request:** Compel the Applicant to submit the **Land Negotiation Log** to test the validity of the site selection dates.
2. **Commission Independent Hydrological Review:** Appoint an expert to assess the applicability of the "Baiamonte Effect" and the 20mm cumulative regional rise.
3. **Suspend the Recommendation:** Delay the reporting phase until these critical evidence gaps are filled.

If the Applicant cannot demonstrate—using the strict criteria of the September 17, 2025 PPG—that FZ1 sites are physically unsuitable, the ExA has no lawful option but to **recommend refusal** of the Development Consent Order.

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Comprehensive Forensic Audit (February 2026)

One Earth Solar Farm Examination (EN010159)

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1. Introduction: The Anatomy of a Jurisdictional Nullity

The following audit provides a forensic deconstruction of the One Earth Solar Farm (EN010159) examination, asserting that the proceeding is fundamentally corrupted by a systemic breach of the doctrine of procedural [REDACTED]. Rather than a series of disconnected administrative errors, the evidence details a continuous "chain of illegality" beginning with the [REDACTED] misrepresentation of statutory consultation under Section 55 of the Planning Act 2008 [1].

This analysis demonstrates how the Applicant's [REDACTED] of material evidence—specifically regarding hydrological risks and community opposition—was subsequently shielded by a "supine" regulatory environment. By tracing the failure of

the Planning Inspectorate (PINS), the Examining Authority (ExA), and the Government Legal Department (GLD) to exercise their gatekeeping duties, this audit establishes that the examination has devolved into a "sanitised fiction." Under the principle of [REDACTED] [2], the resulting record is presented here not merely as procedurally deficient, but as a legal nullity that divests the Secretary of State of the jurisdictional competence to grant valid consent.

2. Applicant Corruption and the Doctrine of Procedural Bad Faith

The examination into the One Earth Solar Farm (EN010159) is fundamentally compromised by a sequence of documented events that establish a high threshold for procedural [REDACTED] and jurisdictional nullity. The Planning Act 2008, specifically Section 55, mandates that the Planning Inspectorate (PINS) may only accept an application if it is satisfied that the applicant has complied with the statutory consultation duties defined in Chapter 2 of Part 5. However, evidence collated throughout the examination demonstrates that the Section 55 acceptance decision was procured via a [REDACTED] Consultation Report, which renders the subsequent proceedings a legal nullity.

The primary mechanism of this [REDACTED] was the [REDACTED] misrepresentation of the nature of a pivotal consultation meeting on 1 August 2024. In Paragraph 6.2.38 of the Consultation Report [3], the Applicant characterized the meeting with North Clifton Parish Meeting and South Clifton Parish Council as a simple "question-and-answer session". Factual records, including meeting scripts and subsequent testimony, confirm this characterization was a [REDACTED]. The 1 August event was a robust confrontation where community leaders presented substantive challenges to the project's hydrological safety, sequential test logic, and site selection. The Chairman of the meeting explicitly informed the Applicant's team that the consultation process was a "sham". By sanitizing the record and omitting the verbatim script and minutes—which contained warnings of enhanced flood risk and the invalidity of the site choice—the Applicant [REDACTED] the depth of community opposition from the Planning Inspectorate during the critical acceptance phase.

The chronology of events establishes a clear timeline of [REDACTED]. Following the hostile encounter in August 2024, the Applicant maintained a four-month period of silence, failing to acknowledge the detailed script provided to Project Lead [REDACTED] on 2 August. This silence was only broken on 6 November 2024, after PINS issued an advisory note stating that "all necessary information relating to pre-application consultation activities must be included in the Consultation Report" [4]. Realizing that the original records would jeopardize the application, the Applicant submitted a fabricated narrative dated 19 November 2024. This narrative misrepresented the attendees by excluding the statutory consultee South Clifton Parish Council and minimized the event's substance to circumvent PINS's disclosure requirements. This sequence demonstrates that the omission was not a clerical oversight but a [REDACTED] strategy to secure procedural acceptance through [REDACTED].

3. Forensic Analysis of ExQ3 Responses and Inadvertent Admissions

The Applicant's conduct represents a documented strategy of active procedural [REDACTED], which was initiated immediately following the 1 August 2024 meeting and maintained throughout the examination. A primary instrument of this deception was Appendix J-2 of the Consultation Report, which was used to present a [REDACTED] account of community engagement to secure Section 55 acceptance. The chronology of intent is established by a 4.5-month period of active [REDACTED], where the Applicant knowingly suppressed the verbatim script and technical warnings provided to [REDACTED] on 2 August 2024.

This [REDACTED] escalated during the examination when the Applicant (via [REDACTED]) claimed on 25 July 2025 that the records were "lost in the finalisation process," a premise proven false at Deadline 1 when the missing Appendix J-2 of the Consultation Report was provided and continued to intentionally suppress the script, email to [REDACTED] minutes and the 109-person Mental Health Report. The [REDACTED] was terminally confirmed at Deadline 6 in the response to ExQ3; when specifically directed by the Examining Authority (ExA) to produce the meeting script, the Applicant executed a [REDACTED] "Bait and Switch," substituting sanitized minutes ([REDACTED] termed "notes") while finally producing the Mental Health Report they had previously denied possessing. This admission of prior possession proves the "lost file" claim was a [REDACTED] device used to secure jurisdictional entry. This defect is incurably corrupt; under the principle of [REDACTED], the late provision of documents does not cure the record but instead serves as forensic confirmation of the initial and persistent nature of the fraud, rendering the entire proceeding a legal nullity.

4. Chronology of Procedural Fraud

Event	Significance for Jurisdictional Nullity
1 August 2024	Consultation meeting with Clifton parishes; Major technical objections raised; consultation labelled "sham."
2 August 2024	Verbatim script and warnings sent to [REDACTED]; Applicant fixed with corporate knowledge of [REDACTED].
6 November 2024	PINS issues mandatory disclosure directive; Trigger for the Applicant to [REDACTED] a sanitised narrative.
March 2025	[REDACTED] Consultation Report submitted; Para 6.2.38 mischaracterises the 1 August meeting to secure S.55 acceptance.
25 July 2025	Applicant admits Appendix J-2 documents were "lost"; Direct admission that S.55 acceptance was based on incomplete data.
1 August 2025	Revised Appendix J-2 excludes script/email again; Proof of [REDACTED] and persistent [REDACTED].
December 2025	ExQ3 responses provide sanitised minutes; Attempt to [REDACTED] to manageable administrative error. Continued [REDACTED] demonstrated by bait and switch.

5. The Institutional Failure of Vetting: Regulatory Complicity and the Section 55 Breach

The failure to properly vet the Consultation Report (CR) during the Section 55 acceptance phase represents a systemic collapse of oversight by both the 16 local authorities and the Planning Inspectorate (PINS). None of the local authorities (or PINS) identified that Appendix J-2 was missing from the report and critical community objections—specifically from the North and South Clifton populations most directly impacted—were missing despite these authorities having a statutory duty to provide an accurate Adequacy of Consultation Representation (ACR).

██████████ of Newark and Sherwood District Council (NSDC) was in possession of the 1 August 2024 meeting script and technical warnings regarding hydrological risk as early as 2 August 2024; however, his formal ACR was "supine," rubber-stamping a report he knew to be a ██████████ of the community engagement. PINS further abdicated its role as a "gatekeeper" by ██████████ to verify that the documents explicitly referenced in CR Paragraph 6.2.38 actually existed and ██████████ to notice that Appendix J – 2 was missing. Evidence from the Section 51 Advice Log indicates that PINS administrative staff met with the Applicant on 16 August 2024 and provided guidance that effectively coached them on how to navigate ██████████ challenges.

By allowing a demonstrably ██████████ report to serve as the jurisdictional foundation for the examination, PINS and the host authorities have facilitated a procedural nullity that violates the "front-loading" principle of the Planning Act 2008 and ensures that the Secretary of State is proceeding on a ██████████ of evidence.

6. Procedural Failures of the Examining Authority

The Failure to Requisition Material Evidence: Procedural Abdication and the Evidentiary Vacuum

I. The Genesis of Non-Compliance: Preliminary Failures

The Examining Authority's (ExA) functional abdication of its inquisitorial duty under the Planning Act 2008 began at the Preliminary Meeting. By issuing what amounted to a "Verbal Rule 17" instruction—demanding a "full and detailed response" to allegations of consultation ██████████—and then failing to enforce it when the Applicant demurred, the ExA signalled that its mandates were elective. This initial failure to act tainted the entire proceeding; it provided the Applicant with a perceived license to ignore matters of substance and avoid engagement on material planning issues throughout all subsequent deadlines.

II. The Persistence of the Evidentiary Vacuum

This "supine" posture transitioned from a tactical error into a systemic breach of the "Duty to Assist" during Issue Specific Meeting 1 and beyond. Despite formal requests from Interested Parties, the ExA persistently refused to exercise its Rule 17 powers [5] to compel the disclosure of material, outcome-determinative evidence. By allowing the ██████████ to withhold critical datasets, the ExA has ensured that the

Secretary of State is proceeding in an evidentiary vacuum, rendering any final recommendation procedurally unfair and legally unsafe.

III. Specific Requisitions Withheld or Unenforced

The ExA's [REDACTED] to issue or enforce directions has left the following critical "evidentiary black holes" in the examination record:

Consultation and Forensic Evidence

- **The Verbatim 1 August 2024 Meeting Script:** Mandatory production of the original script read to [REDACTED] to correct the misrepresentation of the consultation as a "Q&A session" in Appendix J-2 of the Consultation Report.
- **The 2 August 2024 Follow-up Email:** Production of the critical email providing Project Lead [REDACTED] with prior knowledge of fatal hydrological and site-selection flaws.
- **109-Resident Mental Health Survey:** Direct submission of the study by Dr. Sarah Fletcher, which recorded 90%+ opposition and significant local anxiety.
- **Final Direction and Termination Warning:** A formal mandate (requested 20 October 2025) for a non-negotiable 7-day timeframe to produce the suppressed records or face termination of the examination.

Hydrological and Hydraulic Data

- **Specific Runoff Coefficients (Cv):** Disclosure of the mathematical inputs used to determine if the safety case assumed greenfield infiltration or the physical reality of glass arrays.
- **Regional Hydrological Model (RHM):** A joint technical commission to quantify the synchronized peak discharge risk from the five-solar NSIP cluster in the Trent Valley.
- **3D physically-based SHETRAN modelling:** coupled surface–subsurface simulation to map and quantify soil erosion, sediment transport, and consequent mobilization of Radium-226 and hydrocarbons.
- **2D Erosion and Kinetic Energy Modelling:** Evidence that proposed ground cover can withstand the 11.7x kinetic energy amplification of the "Baia Monte effect".
- **Raw, Unbuffered Modelling Results:** Submission of raw data to allow independent "Level-for-Level" slice analysis of flood storage displacement.
- **Time of Concentration (Tc) Analysis:** Modelling the non-linear acceleration of runoff reaching collection points.

Sequential Test and Land Availability

- **Chronological Land Holder Engagement Logs:** A detailed log of "Date of Initial Contact" versus "Date of Option Agreement" for all land parcels. This is critical to audit if site selection was pre-determined by commercial lease deals before the alternative search was conducted, especially following the 2025 PPG update confirming ownership is irrelevant.

- **Alternative Constellation Financial Modelling:** Comparative financial and NPV modelling for the environmentally superior Flood Zone 1 alternatives identified in REP4-079 (examination library reference).
- **Sequential Test Re-justification:** A compulsory action to compel a revised Sequential Test addressing all reasonably available sites without ownership constraints following the 17 September 2025 PPG update.

Infrastructure Safety and Professional Standards

- **HDD Site-Specific Frac-out Assessments:** Site-specific risk assessments for all horizontal directional drilling crossings of the Mercia Mudstone.
- **National Fire Chiefs Council (NFCC) Compliance:** Evidence of 1,900 L/min water capacity for 2 hours and containment for contaminated firewater runoff.
- **Property-by-Property Impact Schedule:** A consolidated index linking individual dwellings to specific impact pathways, mitigation measures, and residual effects.
- **HIA Author Professional Competency Verification:** Mandatory proof of Chartered Geologist/Scientist accreditation for the Hydrogeological Impact Assessment author.
- **Site-Specific Water Quality Monitoring Plan (WQMP):** Baseline data and mapping of monitoring locations upgradient and downgradient of receptors.

7. Analysis of the "Baia Monte Effect"

The gravity of the ExA's failure regarding the Baia Monte effect cannot be overstated. When rain hits a solar array, the droplets coalesce and accelerate, significantly increasing the erosive force compared to natural rainfall.

$$E_k = \frac{1}{2} mv^2$$

Where the velocity (v) is amplified by the height and tilt of the panels, the resulting kinetic energy (E_k) can reach the 11.7x threshold mentioned, leading to catastrophic topsoil stripping and sediment loading in local watercourses if not modelled with 2D precision.

8. The Fatal Breach of Natural Justice (24 October 2025)

The structural collapse of the examination was confirmed by the internal email disclosure of 24 October 2025, which revealed a fundamental breach of the rules of natural justice. In a direct violation of the principle of "*Nemo iudex in causa sua*" (no one should be a judge in their own cause) [6], a formal complaint regarding the ExA's procedural conduct was referred by the PINS Case Manager back to the ExA themselves for "instructions" on how to handle the challenge.

This act of administrative collusion stripped the ExA of any remaining objective impartiality. By allowing the subject of a complaint to dictate the terms of its own investigation, PINS management effectively destroyed the "quasi-judicial" firewall required by the Planning Act 2008. From this moment, the ExA lost the jurisdictional competence to conduct the examination, as they were no longer an independent

adjudicator but a party to the concealment of their own procedural failures. This "closed loop" of self-adjudication rendered all subsequent steps in the examination a procedural nullity, as the tribunal had become, in its own right, the judge of its own cause.

9. Institutional Failures of the Planning Inspectorate and Executive

The procedural [REDACTED] of the Planning Inspectorate (PINS) in the One Earth examination represent a systemic collapse of administrative independence. While the Examining Authority (ExA) exercises a quasi-judicial function, they remain PINS employees dependent on the agency for administrative support and future appointments. This structural conflict has manifested as a refusal to investigate the [REDACTED] Section 55 report, prioritising administrative expediency over statutory integrity.

Illegitimate Gatekeeping and the "Sub Judice" Shield

This collapse was particularly evident at the executive level, involving CEO [REDACTED] and Operations Manager [REDACTED]. In correspondence dated December 2025, PINS leadership engaged in illegitimate gatekeeping by notifying Interested Parties of an intention to "disregard" future representations, citing a "sub judice" restriction.

This was a fundamental misapplication of Schedule 1 of the Contempt of Court Act 1981; because no formal Claim Form had been issued, the matter was not legally "active" and no such restriction applied. By deploying this false legal shield, PINS leadership acted *ultra vires*, usurping the ExA's exclusive prerogative under Section 87 of the Planning Act 2008 to determine the relevance of evidence. This strategy created an "accountability vacuum" and a "Kafkaesque" environment where PINS staff effectively sanitised the record to [REDACTED] evidence of jurisdictional nullity from the Secretary of State.

A further manifestation of this institutional collapse is evidenced in PINS' handling of formal complaints, most notably Ticket 91538. In its response of 28 January 2026, PINS [REDACTED] asserted that the matter was "under litigation" due to Pre-Action Protocol correspondence, despite no Claim Form having been issued. This manufactured jurisdictional bar was used to [REDACTED] scrutiny of misconduct by senior officers, including the suppression of an 18 December 2025 recusal request concerning Operations Manager [REDACTED]. Compounding this, PINS admitted that the Examining Authority had reviewed "unredacted" documents not available in the public Examination Library, thereby confirming the existence of a two-tier evidence system in breach of Article 6 ECHR. The refusal to investigate allegations involving CEO [REDACTED], combined with the likelihood that the complaint response was influenced by the very officers under investigation, demonstrates that the complaints procedure is structurally [REDACTED] of independence. This [REDACTED] of internal oversight reinforces the wider pattern of procedural [REDACTED] and constitutes an additional breach of natural justice, further vitiating the examination.

PINS ██████ to issue a Final Response to formal Complaint 91538, despite an explicit request, constitutes further maladministration and confirms the structural collapse of its internal oversight mechanisms. By closing the complaint on a false legal premise ("ongoing litigation") and declining to complete the statutory complaints process, PINS has effectively ██████ escalation through normal channels. This obstruction is not a procedural oversight but a continuation of the same pattern of institutional self-protection and evasion of scrutiny. The ██████ to issue a completion letter renders the complaints process ██████ of providing independent redress and constitutes an additional breach of natural justice, reinforcing the conclusion that the examination is a jurisdictional nullity.

Institutional Censorship and "Redaction Creep"

The mechanism of "Redaction Creep" commenced at Deadline 2 and escalated into a coordinated strategy of institutional censorship. A critical instance occurred regarding the response to the ExA's Second Written Questions (ExQ2). In a demonstration of profound procedural irony, the ExA specifically invited the Interested Party in Q1.0.2 to particularise the Applicant's legal failures; yet, when this evidence was submitted at Deadline 4 (3 October 2025), PINS administrative staff withheld the papers from the Examination Library for three full weeks. They were only published on 4 November 2025—long after the window for other parties to comment had been compromised.

Unlawful Redactions and the "Welwyn Principle"

When these answers were finally published, they were subjected to extensive, unlawful redactions that went far beyond data protection. PINS systematically removed specific terminology carrying legal weight—such as "Fraud," "Misrepresentation," "Scienter," and "Deliberate"—effectively rewriting witness testimony to downgrade allegations of ██████ under Section 238 of the Planning Act 2008 into a generic administrative complaint.

Most egregiously, PINS redacted:

- The name of a public Act of Parliament ██████
- The citation for the Supreme Court judgment in ██████ [7].

This action was intended to prevent the ██████ the doctrine that deception voids planning permission—from appearing on the face of the public record.

Administrative Nullity

Furthermore, PINS ██████ to publish material documents submitted at Deadline 9 under Rule 17, even though these documents provided conclusive evidence of the examination's nullity and could not lawfully be time-barred. By prioritising administrative "speed targets" and shielding the ██████ from professional accountability for "conspiracy" or "active concealment", PINS senior management

has rendered the final record a "sanitised fiction" designed to secure approval regardless of statutory defaults.

10. Phase of Redaction and Strategic Implication

Phase	Target of Redaction	Impact on Record/Submissions	Legal & Strategic Implication
1: Tone Policing	"Contempt" and "Conspiracy"	Softens the language used against agents.	Shielded [REDACTED] from professional accountability.
2: Suppression of Intent	"Deliberate" and "Misrepresentation"	Removes evidence of "Guilty Mind."	[REDACTED] record to suggest clerical error rather than mens rea.
3: Legal Interference	"Incurable Corruption" and "Deceit"	Neutralizes the severity of the claim.	[REDACTED] submissions of status as formal legal warnings.
4: Suppression of Law	[REDACTED]	Removes the statutory/case law basis.	Blocked the record of established planning law precedents.
5: Regulator Protection	Criticism of [REDACTED] and [REDACTED] competence	Conceals regulatory failure.	Shielded [REDACTED] from scrutiny regarding commercial pressure.
6: Meta-Censorship	Lists of previously redacted words	Erases the history of the editing itself.	[REDACTED] spoliation of the administrative record.

11. Procedural Failures of the Government Legal Department (GLD) and the Secretary of State

The Government Legal Department (GLD) has committed a professional dereliction of duty by [REDACTED] to advise the Secretary of State (SoS) to immediately suspend the examination, despite being fixed with irrefutable corporate knowledge of the examination's corruption. Having been formally served with the "Forensic Bundle on Jurisdictional Nullity" on 7 November 2025, the GLD [REDACTED] the proven corruption of the administrative record and the Applicant's [REDACTED] Consultation Report.

By [REDACTED] to intervene and instead endorsing a process where the SoS relies on an "unredacted record" internally while the public record remains sanitised and censored, the GLD has facilitated a terminal breach of natural justice. This inaction

ensures that any resulting Development Consent Order (DCO) will be built upon a foundation of institutional [REDACTED] and an administrative record that is a "sanitised fiction," rendering it void *ab initio*.

The Failure of the Secretary of State's Oversight (5 February 2026)

This systemic [REDACTED] culminated in the Department for Energy Security and Net Zero's (DESNZ) correspondence dated 5 February 2026. In this letter, the Secretary of State's department responded to formal notifications of institutional corruption by referring the complainant back to the Planning Inspectorate (PINS)—the very agency documented as being responsible for the "Redaction Creep" and the [REDACTED] of evidence.

By allowing the SoS to issue this referral, the GLD has permitted the Executive to enter a state of jurisdictional [REDACTED]. This manoeuvre represents a "closed loop" of accountability that violates the fundamental constitutional principle of: *Nemo iudex in causa sua*.

By forcing the complainant to seek redress from the very administrative body I have proven is spoiling evidence, the SoS has effectively [REDACTED] himself of the legal authority to judge the application. Through this referral, the SoS and the GLD have:

- **Extinguished Independent Judgment:** The SoS has abdicated his statutory duty under the Planning Act 2008 to reach a reasoned conclusion based on a lawful record. By delegating the investigation of PINS back to PINS, he has admitted he is either unwilling or unable to supervise his own agency.
- **Validated Institutional [REDACTED]:** The SoS has remained "wilfully blind" to the [REDACTED] infecting the application, despite being fixed with notice. Once a decision-maker is notified that [REDACTED] and refuses to investigate, they lose the jurisdiction to proceed.
- **Created a Fatal Procedural Bar:** The GLD has [REDACTED] in its primary duty to protect the SoS from committing an act of administrative suicide. By endorsing a "dual-record" system—where the SoS relies on evidence hidden from the public—the GLD has ensured that any final decision is a jurisdictional nullity.

The letter of 5 February 2026 is not a mere procedural error; it is a formal admission that the Secretary of State has been placed in a position where he is legally incapable of acting as an independent adjudicator, rendering him *functus officio* regarding any valid grant of consent.

12. Defects of the Flood Risk Assessment and the Baiamonte Effect

The technical foundation of the project's safety assessment is deeply flawed. The Applicant's Flood Risk Assessment (FRA) relies on the outdated Cook & McCuen (2013) model, which treats solar farms as "hydrologically neutral" if grass cover is maintained. This approach ignores contemporary, peer-reviewed scientific evidence—specifically the work of Baiamonte et al. (2023) [8]—which demonstrates that industrial-scale solar arrays fundamentally alter hydrological responses.

The Physics of Kinetic Energy Amplification

Solar panels act as "disconnected impervious surfaces" or "impermeable glass conduits". The "Baiaumont effect" describes a phenomenon where:

- **Concentration:** Panels intercept 100% of rainfall and channel it to the lower dripline, concentrating water into a narrow strip of land.
- **Amplification:** Water falling from the panel edge (typically from a height of ~3.8m) strikes the ground with up to 11.7 times the kinetic energy of natural rainfall.
- **Surge Effect:** This concentration and energy amplification increasing the speed to peak flow by up to 4 times, creating a dangerous surge effect where runoff enters drainage systems much faster than in a greenfield scenario.

The [REDACTED] dismissal of this empirically based science on "climate context" is a hypothesis without evidence, failing to acknowledge that the Baiaumont studies were controlled experiments designed specifically to isolate the hydrodynamic function of PV arrays.

Overwhelming Impact on Local Drainage and Storage Loss Significance

The 11.7x increase in peak discharge and surge effect poses an overwhelming threat to local drainage infrastructure. The high-energy, channelized flow from the panels will likely scour the soil and create "erosion pits" or rills, rendering standard passive mitigation like swales ineffective. The [REDACTED] claim that "there is no more water" ignores the physics of velocity and timing; the accelerated surge can overwhelm culverts and back up agricultural drains, causing extensive flooding that is not quantified in the isolated FRA.

13. Hydro-Technical and Jurisdictional Malpractice

I. Substantive Ultra Vires: The 5mm Tolerance and Storage Loss

[REDACTED] has committed an act of substantive *ultra vires* by endorsing the "5mm tolerance" fiction. This procedural device allows the Applicant to bypass the "No Net Loss" mandate of NPS EN-1 Paragraph 5.8.15. [9]

- **Complicity of the EA:** The EA's shift from a precautionary stance to a "negotiated acceptance" was brokered in non-public meetings. By agreeing to treat real-world flood displacement as "model noise," the EA has effectively waived statutory requirements to facilitate the developer.
- **Breach of Operational Guidance:** This acceptance directly violates EA Operational Instruction 097_08, which explicitly mandates that officers must use "raw results, without including any allowance for model calculation error ('modelling tolerance')".
- **The 39,900 Cubic Metre Loophole:** These heuristics mask a quantified, uncompensated flood storage loss of at least 39,900 cubic metres across the order limits. According to the physical Law of Conservation of Mass, this displaced water does not vanish; it is forced elsewhere, raising flood levels on adjacent land.

II. The "Distinct Cell" Fallacy: A Scientific Absurdity

The Applicant's hydraulic modelling relies on the indefensible claim that the eastern and western floodplains function as isolated units.

- **The Science of Connectivity:** The eastern and western floodplains are connected by the main River Trent channel, which acts as a common boundary. Displacement on one bank propagates through the channel to the other.
- **Cumulative Breach:** The Applicant calculates a 3.5mm increase on the eastern floodplain and a 2.2mm increase on the western side. By treating these as "distinct cells," they avoid summing them into a cumulative 5.7mm afflux—a figure that exceeds even the EA's flawed 5mm threshold.

III. Jurisdictional Error: Violation of C.G. Fry & Son (2024)

The [REDACTED] strategy of deferring definitive safety proofs to post-consent "Requirements" (specifically DCO Requirement 22) represents a material jurisdictional error.

- **Decision-Stage Certainty:** As established by the Supreme Court in C.G. Fry & Son Ltd v Secretary of State [2024] UKSC 35 [10], safety-critical "Appropriate Assessments" and certainties must be established before the grant of consent, not discharged as a post-commencement administrative exercise.
- **Evidential "Promissory Notes":** By proposing a post-consent "re-run" of the Flood Risk Assessment (FRA), the [REDACTED] is asking the Secretary of State to grant a DCO on a "promissory note" regarding public safety, which is legally impermissible for an NSIP.

IV. Contaminant Mobilisation: The SHETRAN Mandate

The [REDACTED] failure to provide SHETRAN (3D physically based) modelling represents a terminal evidentiary gap regarding the long-term chemical safety of the regional water supply. SHETRAN is the industry standard for coupled surface/subsurface flow analysis; it is the only model capable of quantifying "solute transport"—the mechanism by which surface changes "flush" contaminants into the ground.

- **The Geological Trigger (Glacial Spillway):** The site is situated on the Glacial Spillway, characterised by the Holme Pierrepont Sand and Gravel—a landscape of loose, highly erodible sub-soils. Unlike the generic "greenfield" baseline used by the Applicant, these soils possess high vertical permeability and low structural cohesion.
- **The "Flush" Mechanism:** The Baiaumont Effect establishes that solar arrays will create an 11.7x amplification of peak kinetic energy. This kinetic "pulse" will not only strip topsoil but also create preferential pathways through the gravel layers via the permanent disturbance of thousands of driven piles and cable trenches.

- **Toxic and legacy agricultural vectors:** This omission is critical given the site's proximity to Tollerton Airfield in the Trent Valley, where legacy Radium-226, hydrocarbons and historic agricultural chemicals are present; accelerated soil erosion and altered overland flow from the solar arrays could mobilise and transport contaminated sediments and agrochemical residues into local drains and Trent Valley watercourses. A focused assessment must therefore map soil-loss hotspots, sediment pathways and contaminant fate across the order limits.
- **Aquifer Infiltration:** The project sits within Environment Agency Drinking Water Protected Areas and Drinking Water Safeguard Zones.

Technical Conclusion: By relying on 2D volume-based models, the Applicant is treating a high-sensitivity hydrogeological basin as a simple flat surface. The Examination is currently proceeding in a state of "wilful blindness" regarding the risk of irreversible groundwater contamination. Both the Applicant and the Environment Agency are deficient for [REDACTED] to mandate a regional model that accounts for the interaction between high-energy runoff and the transport of legacy materials.

14. Cumulative Impacts and the Trent Valley Cluster

Regional Catastrophe and the Trent Valley Solar Cluster

I. The 200,000m³ Cumulative Displacement "Slug"

The Applicant's Flood Risk Assessment (FRA) is a clinical exercise in "salami-slicing." By treating the One Earth Solar Farm as a hydraulically isolated unit, they [REDACTED] the reality that it is a cog in a 6,000-hectare industrial machine.

- **The One Earth Catalyst:** While One Earth accounts for 39,000 m³ of storage loss, it is the tipping point for a 200,000 m³ regional displacement across the five-NSIP cluster (One Earth, Cottam, West Burton, Gate Burton, and Great North Road).
- **The Hydraulic "Slug":** The 200,000 m³ of water, which previously infiltrated the soil or remained contained within floodplain depressions, is now transformed into an instantaneous hydraulic slug. During a fluvial event, this volume is forced into the River Trent channel, which is already operating at peak conveyance capacity.

II. The Baiaumont Effect: From "Waves" to a "Wall of Water"

The Applicant fundamentally ignores the Baiaumont Effect, which dictates an 11.7x increase in kinetic energy from solar array driplines. This isn't just "runoff"; it is the mechanical acceleration of the entire catchment's hydrology.

- **Time of Concentration (Tc) Collapse:** The natural landscape staggered runoff into manageable "waves." The industrialisation of 6,000 hectares compresses the Tc, forcing these waves to synchronise.
- **Superposition of Peaks:** The result is Hydraulic Synchronisation. The 200,000 m³ of displaced storage, the accelerated industrial runoff, and the natural fluvial peak all arrive at the same bottleneck simultaneously. This

creates a Superposition of Waves—a sharp, non-linear surge in the Water Surface Profile (WSP) rather than a gradual rise.

III. Regional Catastrophe: The "Stage-Creep" Failure

The inevitable outcome of this synchronization is a catastrophic breach of regional flood defences.

- **Exhaustion of Freeboard:** The 200,000 m³ "slug" creates "Stage-Creep", a rising water level that eats away at the residual freeboard of downstream defences.
- **Backwater Choking:** By elevating the main channel's stage height, the "Eastern Cell" (One Earth) acts as a hydraulic dam, "choking" the discharge points for the "Western Cells." This creates a pressurized system where water is forced backward into unprotected land.
- **Systemic Collapse:** We are moving from a resilient, absorbent landscape to a rigid, high-velocity drainage system. This exports 100% of the risk to downstream communities and high-grade agricultural land, potentially leading to a total failure of the regional flood management strategy.

IV. The Hydro-Kinetic Overload of the Trent Valley

- **Systemic Risk to Trent Valley:** The threat posed to the Trent Valley stems not only from the 200,000 m³ of displaced water, but more critically from the violent synchronisation of discharge induced by the Baiamonte Effect across 6,000 hectares.
- The transformation from an absorbent, high-friction agricultural landscape to a rigid, solar-industrial surface drastically reduces the "Time of Concentration" (T_c).
- There is an 11.7x increase in kinetic energy at the driplines, accompanied by a four-fold acceleration in the "speed to peak."
- This change turns the catchment from a natural buffer into a high-velocity conduit.
- The outcome is a catastrophic Superposition of Peaks: industrial runoff no longer lags the fluvial peak but collides directly with it.
- This instantaneous delivery of energy and volume at the River Trent's bottlenecks results in a non-linear surge in the Water Surface Profile—a "Wall of Water" that invalidates traditional freeboard calculations and poses a grave risk of comprehensive failure of regional flood defences.

V. Mandatory Requirement: 3D Regional Modelling

To prevent this regional disaster and protect the Water Framework Directive (WFD) status of the Trent, it is imperative to use 3D Non-Linear Hydraulic Modelling. Static 2D modelling is obsolete in the face of a 6,000-hectare industrial intervention. Only 3D modelling can map the complex backwater effects, the Baiamonte-driven kinetic energy shifts, and the true cumulative impact of the 200,000 m³ displacement on downstream defence integrity.

Conclusion: The [REDACTED] "Joint Report" is a fallacy of isolation. By removing the 200,000 m³ regional "buffer," they have engineered a Regional Flood Catastrophe. We must hold the Applicant and the Planning Inspectorate to the standard of cumulative reality, not isolated fiction.

15. Analysis of the Water Framework Directive (WFD)

The One Earth Solar Farm application is in terminal breach of the Water Framework Directive (WFD), as transposed by the Water Environment Regulations 2017 [11]. The Applicant's reliance on high-level, generic screening is legally invalidated by the Court of Appeal judgment in Secretary of State for Environment, Food and Rural Affairs v Pickering Fishery Association [2023] EWCA Civ 378 [12].

This ruling established that WFD compliance requires granular, specific evidence for individual water bodies at the decision-making stage, rather than "strategic aspirations."

I. The "Weser" Deterioration: Physicochemical and Chemical Failure

Under the Weser ruling (C-461/13) [13], "deterioration" occurs if even a single quality element drops by one class. The Applicant's failure to model the 11.7x kinetic energy surge (Baiaumont effect) on the site's highly erodible, loose-sediment sub-soils creates a direct pathway for "Physicochemical" failure:

- **Sediment Mobilization and Geomorphology:** The land within the Order Limits consists of sensitive Holocene alluvial sequences—specifically inorganic red-brown silty clays and loose sands. The accelerated dripline scour on these susceptible soils will trigger massive sediment loading into the River Trent. Under the WFD, sediment is a pollutant that increases turbidity and smothers benthic habitats, triggering an automatic class-drop deterioration.
- **Contaminant Leaching:** The site's specific geomorphology, characterized by high hydraulic conductivity, is uniquely susceptible to the "flushing" of legacy contaminants. Without 3D SHETRAN modelling, the Applicant cannot disprove the mobilization sediment or of radioactive Radium-226 and carcinogenic hydrocarbons into the water status. Given the soil's susceptibility, this constitutes a terminal risk to the "Chemical Status" of the water body.

II. Cumulative Impact of the Trent Valley Solar Cluster

The WFD requires an assessment of the "status" of the water body as a whole. The Applicant has ignored the Cumulative Sedimentation and Chemical Risk posed by the five-NSIP cluster (One Earth, Cottam, West Burton, Gate Burton, and Great North Road).

- **The "Siltation Slug":** The combined runoff from 6,000 hectares of industrialised floodplain creates a synchronized "slug" of sediment and contaminants that the River Trent cannot dilute. This cumulative pressure ensures a breach of the "Good Ecological Status" for the entire river reach.

III. The Article 4.7 Derogation Bar: The REP4-079 Alternative

The project is legally ineligible for a Regulation 19 (Article 4.7) derogation. A derogation can only be granted if there is no "significantly better environmental option."

- **REP4-079:** This examination document formally identifies the "Alternative Constellation"—a viable project layout located predominantly in Flood Zone 1.
- **The Legal Bar:** Because this superior alternative exists on the record, the legal condition for a WFD derogation cannot be met. The project remains a "Weser Breach" that cannot be excused.

IV. Procedural Finality: The Fry Precedent

The Secretary of State (SoS) cannot "reopen" the examination to retro-fix these evidentiary failures.

- **The Fry Precedent:** Under the principles upheld in *CG Fry & Son v SoS* [2025] [10], the SoS is bound by the evidence provided during the statutory examination period.
- **No "Retro-Fixing":** If the [REDACTED] has failed to provide the necessary granular modelling (such as 3D SHETRAN) by the close of examination, the SoS must determine the application on the existing (deficient) record. To grant consent in the absence of this data would be an error of law, as the SoS cannot "cure" a terminal WFD breach through post-examination conditions.

V. Procedural Finality: The Bar to Post-Examination "Fixes"

The Secretary of State is legally prohibited from reopening the examination to remedy the Applicant's [REDACTED] to provide a WFD derogation case. Under the Planning Act 2008, once the six-month statutory examination period has concluded, the evidence base is closed. Following the principle in *CG Fry & Son v SoS* [2025], a competent authority cannot grant consent for a project that fails to meet mandatory environmental thresholds at the point of decision. If the examination concludes without the "granular evidence" required by *Pickering* or the "significantly better environmental option" test required for a derogation, the SoS is left with a legally undeterminable application. Any attempt to "retro-fix" this breach via post-examination correspondence would constitute a fatal procedural error, depriving Interested Parties of their statutory right to examine the evidence and would render any subsequent DCO a jurisdictional nullity.

16. Failure of the Sequential Test and Site Selection

The Sequential Test as a Jurisdictional "Hard Gate"

The 2025 revisions to EN-1 and EN-3, alongside the September 2025 updates to the Planning Practice Guidance (PPG) [14], are designed to make clear that the overriding national priority for energy is subsidiary to the importance of avoiding flood risk. These updates confirm that 'Critical National Priority' status does not exempt an application from the strict Sequential Test. Policy mandates that if a 'reasonably

available' alternative exists in a lower-risk zone—such as the REP4-079 Alternative—it must be prioritized. Under the Fry Precedent [2025], the Secretary of State cannot reopen the examination or use post-decision conditions to 'fix' a failure to comply with these environmental thresholds; the application must be refused on the basis of the existing deficient record.

I. The Sequential Test as a Jurisdictional "Hard Gate"

The Applicant has inverted the legal architecture of NPS EN-1. Under the 2025 statutory sequence, "National Need" is not a wildcard; it is a conditional reward only accessible after the Sequential Test is passed. The test acts as a jurisdictional gatekeeper: until the Applicant proves no "reasonably available" lower-risk sites exist, the "Presumption in Favor of Consent" cannot be invoked. By selecting a high-risk site for commercial convenience and then retrofitting the test, the Applicant has committed a fundamental legal error.

II. The "Ownership is Irrelevant" Barrier (PPG 2025)

The 17 September 2025 PPG update confirms that for the Sequential Test, "Ownership is irrelevant." The Applicant's rejection of the REP4-079 Alternative due to "unwilling landowners" is a documented legal error. Following Mead and Redrow, "availability" is a matter of planning potential, not commercial negotiation. Because the REP4-079 sites are physically suitable and predominantly located in Flood Zone 1, they constitute "reasonably available" alternatives that the Applicant has failed to displace.

III. Failure to Engage: The REP4-079 Superiority

The Applicant has engaged in a strategy of engineered [REDACTED] to protect their floodplain site. They [REDACTED] the REP4-079 parcels as "unacceptable" due to Flood Zone 2 elements—a claim forensically debunked by West Lindsey County Council, who proved these parcels contain a far greater percentage of Flood Zone 1 than the current proposal.

Crucially, the REP4-079 model (Examination Library Ref) provides a like-for-like comparison proving it is:

- Financially Superior
- Technically Viable
- It utilizes the same High Marnham Connection
- It can provide the same generation capacity

The Applicant [REDACTED] to engage with this model, and the Examining Authority (ExA) failed to issue Rule 17 requests to compel a financial and engineering audit or a review of land negotiation logs. This failure to investigate a demonstrably superior alternative has left the examination record "poisoned."

Conclusion: Mandatory Refusal. The site was selected for commercial convenience well before any meaningful assessment, constituting procedural bad faith. Under the principle of *fraus omnia corrumpit*, this is not a minor defect but a jurisdictional void.

As the examination is now closed, the Fry Precedent [2025] bars the Secretary of State from "fixing" this record. Since a viable, lower-risk alternative (REP4-079) exists and was ignored, the application is ineligible for consent and must be refused.

17. The Obligation to Depart from Statutory Advice: The Shadwell Mandate

1. The Legal Mandate: The Shadwell Threshold

Under the principle established in *Shadwell Estates Ltd v Breckland DC* [2013] EWHC 12 (Admin) [15], the Examining Authority (ExA) is legally mandated to depart from the advice of statutory consultees when presented with "cogent and compelling reasons" that demonstrate the advice is defective or based on a flawed premise. The current "No Objection" from the Environment Agency (EA) and Lead Local Flood Authority (LLFA) is a [REDACTED] of advice derived from documented [REDACTED] to apply both the law and their own technical protocols.

2. Cogent Reason I: Breach of EA Internal Guidance (Operational Instruction 097_08)

The Environment Agency's acceptance of a "5mm modelling tolerance" for flood depth increases is a manifest [REDACTED] of its own internal mandatory standards.

- **The Reference:** Environment Agency Operational Instruction 097_08: Flood Estimation Guidelines.
- **The Specific Mandate:** The guidance explicitly directs officers to: *"...carry out this analysis using raw results, without including any allowance for model calculation error ('modelling tolerance')."*
- **The Failure:** By sanctioning an arbitrary 5mm threshold, the EA has used a "negotiated fiction" to mask a real-world, uncompensated loss of 39,900 cubic meters of floodplain storage. To rely on advice that explicitly [REDACTED] the regulator's own mandatory protocols is to reach a decision that is *Wednesbury* irrational.
- **Distinct Cell Fallacy and Understated Storage Loss** — The EA's acceptance of a separate-cell approach, which treats the eastern and western floodplains as hydraulically isolated, is scientifically indefensible. This artificial partitioning avoids aggregation of peak discharge and storage displacement across the Trent channel and therefore understates the true impact. When the increases are correctly aggregated across both banks, the effective displacement is approximately 5.7 mm (not 5.0 mm), producing a materially larger uncompensated floodplain storage loss and exposing the regulator's reliance on a negotiated fiction rather than site-specific hydraulics.
- The regulator's [REDACTED] are further exacerbated by its willingness to record a "No Objection" while permitting the Flood Risk Assessment to be re-run post-examination. By accepting an interim sign-off contingent on later modelling, the EA and LLFA have effectively sanctioned the deferral of decision-critical evidence and compounded the distinct-cell error: the separate-cell partitioning understates aggregated displacement, and the post-examination FRA deferral removes any practical safeguard against the materially larger uncompensated storage loss revealed by the corrected 5.7

mm aggregation. This procedural concession converts a modelling deficiency into an irreversible planning risk, undermines the front-loading requirements of NPS EN-1/EN-3, and reinforces the conclusion that the consultee "No Objection" is legally and technically unreliable.

3. Cogent Reason II: The Physics of the Baiamonte Effect vs. Site Geology

The EA and LLFA have accepted a drainage model that is a physical impossibility given the site's hydrogeology.

- **The 11.7x Kinetic Energy Surge:** Peer-reviewed science (Baiamonte et al., 2023) proves that solar arrays act as kinetic energy concentrators, increasing peak discharge velocity by 11.7 times and speed to peak by 4 times.
- **Geological Incompatibility:** The site is defined by Holme Pierrepont Sand and Gravel—non-cohesive, particulate soils that lack the structural integrity to withstand concentrated high-velocity discharge.
- **The Impact:** The high-velocity "curtain flow" at the dripline will act as a hydraulic hammer on these non-cohesive soils, guaranteeing scour and soil detachment. By ignoring this energy surge, the EA's model fails the "Current Knowledge" requirement of Regulation 14(3)(b) of the EIA Regulations.

4. Cogent Reason III: Invalidation of WFD "No Deterioration" Compliance

The EA has signed off on Water Framework Directive (WFD) compliance without assessing the primary pollutant pathway created by the project's impact on the local geology.

- **The Modeling Gap:** The EA has relied on a 2D surface model that assumes stable ground cover. This [REDACTED] to account for the shear-stress induced sediment mobilization caused by the 11.7x energy surge. On this site, the mechanical detachment of the Holme Pierrepont sands is a mathematical certainty, not a risk.
- **The WFD Breach:** Under the Weser ruling (C-461/13), any project causing deterioration in water body status—including biological degradation caused by massive sediment plumes—must be refused. By failing to require 3D SHETRAN modeling to simulate the interaction between high-energy runoff and the site's particulate geology, the EA has no empirical basis to claim "no-deterioration." Their "No Objection" is a guess that ignores the physical reality of the site's geological vulnerability.

5. Cogent Reason IV: The LLFA's Admitted Resource Deficit

The advice of the Lead Local Flood Authority (Nottinghamshire County Council) must be discarded due to its own explicit admission of technical incapacity.

- **The Admission:** NCC stated on the record that it "does not have the expertise or resource to provide comprehensive comments" on the drainage strategy.
- **The Shadwell Trigger:** Under Shadwell, the ExA cannot rely on advice when the body providing it admits it has not performed a technically rigorous review.

To do so would be to adopt "silence" as evidence of safety, which is a manifest error of law.

Conclusion

The Examining Authority and the Secretary of State cannot lawfully rely on the Environment Agency and LLFA "No Objection." The consultee advice is demonstrably tainted by a [REDACTED] of the EA's mandatory Operational Instruction 097_08, scientifically indefensible separate-cell modelling and deferred FRA, failure to account for the Baiamonte energy-concentration effect against non-cohesive Holme Pierrepont sands, and the LLFA's admitted lack of technical capacity. These defects are cogent, compelling, and outcome-determinative; to treat the current sign-off as determinative would be irrational, procedurally unfair, and in breach of EIA and WFD duties.

18. Breaches of National Policy Statements EN-1 and EN-3

Throughout the examination, the Applicant has systematically breached the requirements of NPS EN-1 and EN-3.

- **EN-1 Section 5.8:** Mandates avoidance of floodplains and a "robust Sequential Test." The Applicant's failure to consider disaggregated alternatives and its reliance on ownership constraints are direct breaches of this policy.
- **EN-1 Para 5.8.15:** Requires "no net loss of floodplain storage." The 39,900 "5mm loophole" loss is a calculated violation of this non-negotiable principle.
- **EN-3 (Renewable Energy):** While EN-3 supports solar, it requires developers to use "current knowledge." The reliance on the 2013 Cook & McCuen model in the face of the 2023 Baiamonte evidence is a breach of the requirement for up-to-date scientific assessment.

The legal precedent set in *Shadwell Estates Ltd v Breckland DC* establishes that a decision-maker must depart from statutory advice where there are "cogent and compelling reasons" to do so. The 11.7x kinetic energy factor and the quantified storage loss provide those compelling reasons to set aside the Environment Agency's "no objection" stance.

19. Unified Statement of Jurisdictional Nullity: The Total Breach

The One Earth Solar Farm (EN010159) application has resulted in a systemic collapse of the UK planning regime. Through a combination of Applicant deception, regulatory abdication, and institutional collusion, the examination record has been rendered an administrative fiction. The following acts, policies, and precedents have been breached, making it legally impossible for the Secretary of State to consider, let alone approve, this proposal.

I. The "Triad of Nullity" (Legal Precedents)

The SoS is fixed with notice of three binding precedents that strip the executive of the power to grant consent on this record:

- **The C.G. Fry Breach (Safety Certainty):** In violation of *C.G. Fry & Son Ltd v SoS* [2024], the Applicant deferred definitive flood safety proofs to post-consent "Requirements." Under Fry, safety must be certain now; it cannot be a "promissory note" for the future.
- **The Pickering Breach (Evidentiary Specificity):** Contrary to *SoS v Pickering Fishery Association* [2023], the Applicant relied on generic hydrological proxies. Without site-specific 3D SHETRAN modelling, a Water Framework Directive (WFD) "no-deterioration" certification is legally impossible.
- **The Shadwell Breach (Regulatory Oversight):** Under *Shadwell Estates Ltd v Breckland DC* [2013], the SoS is mandated to depart from the Environment Agency's "No Objection" when presented with "cogent and compelling" evidence of error. Section 17 of this audit identifies 4 such cogent reasons.
- **The C.G. Fry Breach (Safety Certainty):** In breach of *C.G. Fry & Son Ltd v SoS* [2024], the Applicant postponed providing conclusive flood safety evidence until after consent, relying on future "Requirements". The Fry case clearly establishes that safety must be guaranteed at the present stage and cannot be deferred as a "promissory note" for future fulfilment.

II. The Four Fatal Breaches of Natural Justice

The "quasi-judicial" integrity of the Planning Inspectorate (PINS) and the Department for Energy Security and Net Zero (DESNZ) has been terminally compromised:

- **Administrative Collusion (24 October 2025):** A formal complaint regarding the Examining Authority's (ExA) procedural conduct was referred by PINS back to the ExA themselves for "instructions." This destroyed the required firewall of impartiality (*Nemo iudex in causa sua*).
- **The "Private Examination" & Judicial Bias:** PINS administrative staff engaged in Institutional Censorship, applying unlawful redactions to legal terminology (Fraud, Scier, Misrepresentation). This created a "Private Examination" where the SoS decides based on an unredacted record while the public is restricted to a "sanitised" version. This violates the principle of Open Justice and creates a state of *Nemo iudex in causa sua*, as the SoS is effectively judging a case on evidence that the public has been barred from scrutinizing or rebutting.
- **The "Sub Judice" Deception (December 2025):** PINS leadership deployed an [REDACTED] "sub judice" shield to disregard representations, despite no formal court claim being active. This was a fundamental misapplication of the Contempt of Court Act 1981 used to sanitise the record and shield the ExA from accountability.
- **The Executive "Closed-Loop" (5 February 2026):** DESNZ responded to notifications of corruption by referring the complainant back to PINS—the very agency documented as spoiling the evidence. This confirms the SoS has

entered a state of jurisdictional [REDACTED], abdicating his statutory duty of oversight by allowing the agency under investigation to investigate itself.

III. The Welwyn Principle: *Fraus Omnia Corruptit*

The Section 55 Acceptance was procured through active [REDACTED] (the sanitised 1 August 2024 Consultation Report). As established in [REDACTED], an applicant cannot benefit from a process initiated by [REDACTED]. This [REDACTED] renders the entire examination a nullity.

IV. Statutory and Policy Defaulters

- **NPS EN-1 (Section 5.7):** The Sequential Test "Hard Gate" was bypassed by prioritising commercial leases over Flood Zone 1 alternatives (REP4-079 Constellation).
- **PPG 2025 (17 September Update):** The Applicant rejected safer sites based on "landowner willingness," violating the standard that "Ownership is irrelevant" for site availability.
- **Section 238 of the Planning Act 2008:** The deliberate misrepresentation of the 1 August meeting and the fabrication of "lost" records constitute a breach of the criminal provisions regarding false representations to a public body.

20. Conclusion: Jurisdictional Impotence and the Doctrine of the Poisoned Root

The Secretary of State is now fixed with notice: there is no lawful path to approval. The examination of the One Earth Solar Farm has transitioned from a statutory process into a Private Examination, conducted behind a veil of [REDACTED] redactions and institutional censorship.

The jurisdictional collapse is total, driven by two inseparable forces:

1. **Systemic Applicant [REDACTED]:** The proceeding was initiated via a Consultation Report (Section 55) and maintained through the [REDACTED] suppression of technical warnings, the fabrication of "lost" records, and the [REDACTED] of engineering viability. Under the principle of *fraus omnia corruptit*, the Applicant's [REDACTED] has unravelled the legal standing of the entire proposal.
2. **Regulatory Collusion:** The Planning Inspectorate and DESNZ have facilitated this [REDACTED] by [REDACTED] to exercise their inquisitorial duties and by breaching the rules of Natural Justice. By referring complaints back to the subjects of those complaints (*Nemo iudex in causa sua*) and allowing the SoS to rely on an unredacted "shadow record" hidden from public scrutiny, the regulators have stripped the process of its quasi-judicial legitimacy.

Consequently, the Secretary of State is *functus officio*. Any resulting Development Consent Order (DCO) will be built upon a foundation of Active Deception and Administrative Nullity. To grant consent on this "sanitised fiction" would be to

knowingly adopt a [REDACTED] of evidence, rendering the decision void *ab initio* and certain to be quashed upon Judicial Review.

21. Detailed Sources and Footnotes

1. **Planning Act 2008, Section 55:** Acceptance of applications. Mandates that the Secretary of State may only accept an application if the applicant has complied with Chapter 2 of Part 5 (statutory consultation).
2. **Fraus Omnia Corruptit (Fraud Unravels All):** Established in *Lazarus Estates Ltd v Beasley* [1956] 1 QB 702 at 712: "No court in this land will allow a person to keep an advantage which he has obtained by fraud... Fraud unravels everything."
3. **One Earth Solar Farm Consultation Report (2025):** Specifically Paragraph 6.2.38 and Appendix J-2 regarding engagement with Clifton Parish councils.
4. **Planning Inspectorate (PINS) Advisory Note (6 November 2024):** Internal procedural guidance issued to the Applicant following Section 51 advice.
5. **Infrastructure Planning (Examination Procedure) Rules 2010, Rule 17:** Allows the Examining Authority to request further information from any person at any time during the examination.
6. **Nemo iudex In Causa Sua:** A fundamental principle of natural justice; no person can be a judge in their own cause. See *R v Sussex Justices, ex parte McCarthy* [1924] 1 KB 256.
7. [REDACTED] **for Communities and Local Government [2011] UKSC 15:** Established that the [REDACTED] prevents a party from benefiting from their own dishonesty in the planning system.
8. **Baiamonte, G., et al. (2023):** "The hydrodynamic effect of solar panels on runoff generation and soil erosion." *Journal of Hydrology/Science of the Total Environment*.
9. **National Policy Statement (NPS) EN-1, Paragraph 5.8.15:** Mandates no net loss of floodplain storage and safe access/egress.
10. **C.G. Fry & Son Ltd v Secretary of State for Levelling Up, Housing and Communities [2024] UKSC 35:** Confirms that environmental assessments and safety certainties must be resolved at the decision-making stage, not deferred to conditions.
11. **Water Environment (Water Framework Directive) (England and Wales) Regulations 2017:** Transposing the EU WFD into UK law.
12. **Secretary of State for Environment, Food and Rural Affairs v Pickering Fishery Association [2023] EWCA Civ 378:** Judgment confirming that WFD compliance requires site-specific evidence at the point of consent.
13. **Bund für Umwelt und Naturschutz Deutschland eV v Bundesrepublik Deutschland (C-461/13) [2015] (The Weser Case):** Establishing the "no deterioration" rule for water body status.
14. **Planning Practice Guidance (PPG), Flood Risk and Coastal Change (Updated 17 September 2025):** Clarification that land ownership is not a valid reason for excluding sites from the Sequential Test.
15. **Shadwell Estates Ltd v Breckland District Council [2013] EWHC 12 (Admin):** Establishes the duty of a decision-maker to depart from statutory consultee advice if presented with cogent and compelling contrary evidence.

