

Great North Road Solar and Biodiversity Park - Project EN010162

Issue Specific Hearing 1 - JPAG

Wednesday 26 November 2025 and Thursday 27 November 2025

Summary Record of Oral Submissions of Anthony Northcote on behalf of JPAG

Interested Party Reference [REDACTED]

3.1 Site selection and design evolution

Generating capacity and load factors, including the approach to overplanting

N/A

The development and application of design parameters and consideration of alternatives

We've set out our provisions on site selection in paragraphs 99 to 168 of our relevant representation, which is RR 101. Um, and electricity generation in paragraphs 40 to 53 of that document. We've heard from the applicant that they are wedded to 800MW being the grid capacity? There's been no consideration, and they've not said that they've in any way considered aggregating that across different projects.

So, a reasonable alternative of sub aggregation is not being considered. That is specifically supposed to be considered. I would also question, some of the choices that have been made in the broad site selection by 15km from the grid connection. Many of the Lincolnshire schemes, including the West Burton scheme, are much further away from the connections than that. We've had other site selection factors and not going across the River Trent.

Well, that doesn't match up with any of the Lincolnshire schemes, which all have grid connections across the River Trent. So ultimately, the fundamental point for us is the site selection has not actually been robust. It's not been proportionate for the scale of development. When you look through the documentation, they're aiming to retrofit criteria for choices of land that's been available to them.

I would make the point that they said in the preliminary environmental information report that they had taken into account flood risk as a very significant factor. Well, if they had done, they wouldn't have then had to take out a huge bite of the doughnut, as we call it, in the South Muskham and North Muskham area of land that was in flood zones. They claim that these changed but that is incorrect because we raised this concern in our previous response to the consultation undertaken by the applicant. Flood risk was supposed to be in a criteria fundamental in their starting point, plainly it wasn't.

So, I think overall, it casts very serious doubt on whether their site selection methodology actually has followed the procedure that they're saying to you that it has. With respect, I think it's been led by land available to them, and then they've tried to fit criteria related to that land.

In terms of the sheer scale of the area covered. I would remind everybody that's 181km². That's the applicant's own figures of the total land that the proposal extends across. That is very large. I would also reiterate the point that we're talking about a doughnut, and that what the applicant is not reminding you, of course; is that gaps within that doughnut are filled by other permitted solar schemes and in places other permitted BESS schemes.

So, it isn't a doughnut with gaps in between. It's a doughnut in which there are other schemes that are proposed that fill some of those gaps. So, I wouldn't the ExA, which I'm sure you won't to lose sight of the overall cumulative impact of all those projects together.

I've been in meetings where, the applicant has said, well, yes, we've picked the best land and said land that some of these other schemes are promoting is not the best land. Well, they've still got a planning permission. They're still going to be built.

I think what remains a bit unclear to me, and I think to other people, is what is the actual rationale as to why land is being discounted? We get lots of information in the in the design approach document about what has purportedly been taken into account. But when I've tried to find explanation as to why land is being discounted, the only place I ever found that was within the preliminary Environmental Information report, and it was very generic. It said things like to minimise visibility from settlements. For example, that resulted in the omission of north facing slopes, and visibility from some settlements. However, there doesn't seem to be a consistent consideration of aspects like visibility from settlements, because if you think about areas like Staythorpe and Averham, there has plainly been no consideration of that. So, I think it would be very helpful to the ExA to understand the rationale of why land has been discounted as much as why land has been chosen.

One element that's changed during the lifetime of this project is that the applicant has bought the existing permitted, BESS scheme at Staythorpe which is currently under construction. It's my understanding that EDF has signed a long-term arrangement with Elements Green to operate that BESS, which is expected not to be operational until 2027.

We also have the SSE BESS permitted just over the road. So, I think the issue that is not clear and perhaps needs to be explored as part of these viability arguments here is whether now that the

applicant has bought the BESS that is already under construction, what impact does that have on them needing another BESS? The reason the existing permitted BESS scheme that's currently under construction is important for the ExA to consider is because it is within the order limits, although it is not part of this scheme.

Best and most versatile (BMV) agricultural land

I had many of the same points that Newark and Sherwood raised, so I won't repeat them. It is necessary to take into account the written ministerial statement, which says, in addition to the two national policy statements, you should be avoiding BMV in the site selection process. The BMV figures are in table 17.5 of the environmental statement, which is App-060. Then if you also look at figure 17.1 in the agricultural land classifications APP-079, there you'll see that it's 149 hectares (8.5%) is grade 2, 944 hectares (53.5%) is grade 3A. If you look at the detail in figure 17.1, you'll see a lot of the grade 2 land in certain areas is where solar is proposed.

The role and status of NG+

We went over this point as a procedural matter. I would draw attention to the fact there's actually three, elements that fall under this heading. There are the N+ proposals, the pre-existing flood alleviation proposals that have been referred to within documents as well, together with the proposals of the EG Education & EG Academy proposals. All of these were integral and referred to in documents produced throughout the consultation process by the applicant.

So, we're back to the element I raised as a procedural matter. If these are not part of this proposal, why have they been in all the documents and the consultation and documentation being put out? That has been misleading. On the issue of what weight, you should attach to NG+ etc. We would certainly reiterate that it would be unlawful to give any weight to any of those matters on the basis of the Supreme Court case of *R v Resilient Energy Seven Day Limited and Forest District Council 2017*, which is cited in paragraph 25 of our relevant representation, RR-101.

3.2 Climate and sustainability

GHG emissions

N/A

BESS

N/A

3.3 Biodiversity and ecology

Land within the order limits set aside for biodiversity mitigation

In terms of generalities, this issue about mitigation versus enhancement. I would make the point that an awful lot of the hedgerows that are proposed have been identified as being needed to deal with landscape and visual impacts. Therefore, they're not strictly enhancement. They are to make the development acceptable in the first place. So, I wouldn't want them to be double counted as being an enhancement when they're actually required for a different purpose.

The second general point I'd make is when I look at the areas proposed for the ecology and biodiversity matters. Many of them are in the flood zones, so are areas of flood risk. What I think is still a bit unclear is given that in this area where a lot of these are planned, these areas are not theoretical flood zones but are in fact areas that do flood and flood regularly every few years. I'm not entirely certain from looking through the documentation as to how the biodiversity elements that are proposed, are they really compatible with the fact that they're in flood zones? What impact would regular flooding have on the habitats that are proposed?

My final third detailed point is really, I'm wondering whether the applicants have actually done the correct due diligence as to whether all the land parcels that they propose are actually available to them, or whether they're already covered by other planning purposes.

Now I can only go off local knowledge. We haven't got the resources to look at every single land parcel. It's not role of us or the District Council to look at each land parcel and compare it against plans. But based on local knowledge, the land parcel at to the southwest of South Muskham, which is land parcel 3092 in the Land Plans document, which is APP-018.

Now that land parcel is secured through a section 106 planning obligation for a planning permission 06/01180/FULM as compensatory flood storage for a development of 15 dwellings at South Muskham. That development purports to have been commenced, it's currently being marketed in order for a developer to take it on. But it's being marketed on the basis it was commenced lawfully at that point in time. Well, the planning obligation required the compensatory flood storage to be provided before commencement. So, if that development has been commenced, which is the basis on how it is being marketed then that compensatory flood storage must already be in place; and it has to be retained in perpetuity. Therefore, on that basis, how can it now be proposed for a different development?

As I say this is just one element from some local knowledge. There may be other aspects, but it does I think call into question is whether there's been sufficient due diligence as to whether all these pieces of land are available. This parcel is a large area of land that is proposed for biodiversity enhancement. So, if it's not available, it is quite material to the ExA decision making process.

BNG

The applicant has taken us through the various different percentages of biodiversity net gain in the three categories. I think I'd make the point that, whilst they are above what we might all refer to as the statutory minimum, they're not exactly huge net gains. I've delivered housing sites that have had like 300%, biodiversity net gain in hedgerows, but we don't call them a biodiversity park. But this proposal is being badged as a solar and a biodiversity park. So, are these increases in biodiversity net gain worthy of that project name? Are they really aspirational? If that is the intention of this proposal? We would respectfully say no.

Also, is there sufficient buffer within those, elements to cater for design changes that's likely to happen. For example, if you take the watercourse units at only 11.09% then there is little buffer available. Things change over time. Is there enough of a buffer in that to still achieve above a 10% when final design is done?

Having looked through the document, I am left also with two slight queries. You'll you'll forgive me, but there's so much documentation, it's very difficult to read everything and digest the detail of everything, but I was left a little unclear as to whether or not there are actually any priority habitats within the order limits or not? I see reference to paragraph that's outside the order limits, but I never saw categorically a statement clarifying whether there are any existing priority habitats in the existing order limits.

For the second point, I think there's still a little bit of uncertainty about the issue post-decommissioning. The development is for 40 years. So, the monitoring would be for 40 years, which is beyond the 30 we'd have for normal development. But can we also have some clarity as to what's happening then with all of those biodiversity measures post-decommissioning, are they all remaining or are some of them coming back out? Because if they're coming back out, they're only temporary provisions. If they're not permanent provisions, then if they're only temporary, you may wish to give them different weight in your decision-making process than being permanent.

3.4 Cumulative environmental effects

The relationship between existing and planned developments, clustering of solar schemes in the sub-region

First of all, I'd like to say I'm quite disappointed that the applicant claims that no other parties, put forward any sites that should have been considered in a cumulative assessment. We plainly have, we've listed in our relevant representation APP-101, some 117 proposals that we consider that should have been assessed within the cumulative assessment. So, the applicant plainly has

not read that. Those details were in the consultation response we put to them in their previous consultation. So, they're not new to them.

I think our overarching point, is the applicant is focusing upon, cumulative impact required as part of the environmental statement. There is no mention of the written ministerial statement that requires a policy derived assessment of cumulative impact and assessment of concentration of proposals, which is different. We would argue that that second aspect of the written ministerial statement requires consideration which hasn't been done. That's certainly not being looked at.

We would agree that far too many proposals have been scoped out. I think from our perspective, this is a fairly unique geographic basis. I refer to it as the doughnut and because of that, the sheer scale of the area it covers is huge. Yet the traditional approach that the applicants have taken means that, for example, not everything that's in the centre of the doughnut has been considered as part of the cumulative assessment because the standard approach of certain distance from the order limits. That approach doesn't capture everything in the middle, but everything in the middle is, in effect, part of the scheme.

The applicants themselves, in documents, have described the entire scale of the proposal as being covering some 18,000 hectares, which includes the whole of the centre of the doughnut. So, we think that the approach has not been policy driven. It's not been considered in the context of the written ministerial statement.

I do understand the difficulties in that you have to have a cutoff point to move forward. But we don't operate in a world that stands still. What is important is that some of the still emerging proposals, like Grassthorpe Beck Solar, are vitally important because it sits directly between this proposal and the One Earth scheme. So, if it's not properly considered, then how is a proper assessment being made?

Now I understand from producing documents you have to produce them at a given point, but the examination process is about keeping things up to date and matters can be considered and the ExA need to make a decision based on the latest information. So, the latest information would be that Grassthorpe Beck is now being actively proposed, and we've also got the scheme at Barnby in the Willows. That is one of the first proposed schemes looking to take advantage of the 100MW limit for the planning permission route. So, I appreciate from a technical perspective you have to have a cutoff point. But in terms of certainly policy derived impact of consideration of effects, you can still have regard to those that are emerging but are sufficiently advanced to be taken into account.

The assessment of landscape effects

We've raised concern that the general approach of identifying the zones of influence is really not sufficient. The encircling effect and the clustering needs to be properly considered as part of this.

On the point about the regularity of experience, what is commonly called the sequential views, because where we are, there are very limited, crossings across the River Trent. So, there are some settlements where people will never be able to leave their village, and particularly places like Averham and Kelham, without going through the development. The problem with the zones of influence, is that it does not take into account those settlements that are completely encircled in the middle of what I call the doughnut, that are outside of the zone of influence. But again, they cannot leave their village and go anywhere without daily going through this development and the cluster of other development.

So, I think the, the difficulty that we have is the traditional approach of identifying landscape impacts here just doesn't seem to be quite right on the basis of the particular nature of this type of scheme, which is very unusual in its layout and therefore needs a slightly more unusual approach to this matter.

BMV agricultural land

I'm grateful to the applicants admitted to their error of omitting One Earth from table 17.21. But there seems to be a wider omission in that table. And that is the other consented schemes that are not the NSIP schemes but are the other permitted schemes that have planning permission and or are proposed. We've considered them in everything else. So, why in the aspect of loss of best and most versatile land, have we only decided to look at the NSIP schemes and not the full cumulative effect? So, I think that's a wider omission that the applicant needs to address.

I'd also like to pick up the issue about the way the assessments done. It seems a little disingenuous to say, well, we're looking at these projects and then we're assessing it against the total amount of best and most versatile land in England. As they've not counted every scheme that's being proposed in England to make that assessment. Then I think the correct geographic area that this assessment needs to be made at, I would agree with Newark & Sherwood DC should be at a district level. This is a massive project together with others in the district. It will have a huge, localised impact on the loss of best and most versatile land. In the spirit of the written ministerial statement on the clustering element and its assessment of the best and most versatile land that would seem to be the appropriate way of considering cumulative effects.

The final point I'd like to make is this land is going to be out of agricultural production for a generation. We don't yet have a solar scheme that's been in place for 40 years throughout its life.

Therefore, we don't know on the basis of real-life data what the land will be like after 40 years of being left in that process. So, I think the assumption that the land quality will not be affected or can immediately return to agriculture at the end is something that is untested and unknown at this point in time.

There will be the generational loss of farmers. Where are the farmers going to come from in 40 years' time to suddenly pick farming back up?