

Green Hill Solar Farm

EN010170

Written Summary of the Applicant's Oral Submissions at Compulsory Acquisition Hearing 2

Prepared by: Pinsent Masons LLP

Date: March 2026

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The Infrastructure Planning (Examination Procedure) Rules 2010

Rules 8(1)(c)



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Issue Sheet

Report Prepared for: Green Hill Solar Farm

Examination Deadline 6

Written Summary of the Applicants Oral Submissions at Compulsory
Acquisition Hearing 2

Prepared by

Pinsent Masons LLP



1 Summary of Oral Submissions at Compulsory Acquisition Hearing 2

Agenda Item	Comment
1. Welcome, introductions, arrangements for the Hearing	The ExA introduced the hearing and made some preliminary remarks.
2. Purpose of Compulsory Acquisition Hearing 2 (CAH2)	<p><u>The following parties introduced themselves during CAH2:</u></p> <p><u>The Applicant</u></p> <p>Claire Brodrick, Partner at Pinsent Masons LLP (solicitors for the Applicant)</p> <p>Lesley Giles, Project Development Manager at Island Green Power</p> <p>Julian Barter, Project and Land Acquisition Specialist at Bruton Knowles</p> <p>Jane Crichton, Technical Director at Lanpro</p> <p>Charlotte Astrella, Associate EIA Consultant at Lanpro</p> <p><u>Affected Persons:</u></p> <p>Matthew Partridge</p>
3. Matters for discussion at this Hearing	The ExA introduced agenda item 3.
3.1 Summary from applicant in relation to Change Request 1 (CR1)	<p>The ExA asked the Applicant to summarise any compulsory acquisition implications arising from Change Request 1.</p> <p>Claire Brodrick, on behalf of the Applicant explained that Changes 1, 3, 6, 7 and 9 involved the addition of new land within the Order Limits, or the increase in the compulsory acquisition powers being sought. All other Changes removed land from the Scheme or reduced the extent of compulsory acquisition powers being sought. Ms Brodrick noted that the Changes resulting in new or greater compulsory acquisition powers are:</p> <p>In relation to Change 1, the extension of a permissive path at Green Hill A to reach the public highway. The land added into the Order Limits is unregistered (plot 01-01-b) or forms part of the public highway (01-011-c). Freehold acquisition is required of 01-011-b as this is necessary to enable the Applicant to permit others to use this land as part of a permissive path. Regarding the status of the land, Ms Brodrick added that the adjacent landowners have not been able to evidence title to the land. The three adjacent landowners are identified as reputed owners in the Book of Reference [REP5-010], which also reflects the unknown ownership.</p> <p>In relation to Change 3, the extension of a permissive path at Green Hill A.2 to reach the public bridleway. This Change added a new plot 02-029-b and increased the level of compulsory acquisition powers sought over part of plot 03-031, resulting in this plot being split. Freehold acquisition is required in order for the Applicant to permit others to use this land as part of a permissive path. Ms Brodrick explained that the land added into the Order Limits is owned by Acan Developments Limited, which had previously been identified within the Book of Reference [REP5-010] as holding a presumed subsoil interest in the public highway. The Applicant has agreed and signed Heads of Terms for the use of this land. Ms Brodrick also confirmed that the Applicant has signed Heads of Terms with the landowners that include the use of plot 03-031-a (resulting from plot 03-031 being split).</p> <p>In relation to Change 6, the extension of a permissive path at Green Hill E to reach the boundary of the public highway. This Change introduced a new plot, 08-089-b, into the Order Limits. Freehold acquisition of this land is required in order for the Applicant to permit others to use the land as part of a permissive path. Ms Brodrick explained that the Applicant has agreed Heads of Terms with the landowner for the use of this land, and that a Deed of Variation is currently under negotiation.</p>



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	<p>In relation to Change 7, the extension of the Order Limits at the A45 Crossing to increase the width of the crossing. This Change introduced a number of new plots into the Order Limits, as shown on sheet 12 of the Land Plan [REP5-004]. The land is subject to the compulsory acquisition of rights, specifically an easement required for the grid connection cable. Ms Brodrick confirmed that the land added into the Order Limits is held by the landowners identified in the adjacent land, and that negotiations are ongoing with those landowners regarding the use of their land, including the additional land introduced through this change.</p> <p>In relation to Change 9, the removal of an area from the Order Limits and a Change to compulsory acquisition status within Green Hill F, arising from changes to access routes around Horn Wood. This Change increased the compulsory acquisition powers sought in order to enable construction access to be located further away from the ancient woodland. The compulsory acquisition of rights is required so that this land can be used as an access during scheduled replacement activities and decommissioning, in addition to its use during the construction phase. Ms Brodrick noted that the increase in compulsory acquisition powers sought in plot 16-210-c has been agreed in principle with the landowner (Compton), and that a Deed of Variation is currently being negotiated. She also explained that a separate area of land to the west of Horn Wood was removed from the Order Limits as part of this change.</p> <p>The ExA then requested a summary of the Changes resulting in the removal of land from the Order Limits or the reduction of compulsory acquisition powers.</p> <p>Ms Brodrick explained that:</p> <p>In relation to Change 2, the change to compulsory acquisition status within Green Hill A.2 downgrades On-Tower UK 1 Limited's leasehold land from the compulsory acquisition of new rights to temporary possession only. Following a review of the Order Limits, it was confirmed that rights were not required over this land, and that any works needed to support construction activities can be carried out using temporary possession powers alone. Ms Brodrick explained that, as a result, no permanent or ongoing rights are sought in this location.</p> <p>In relation to Change 4, the change to compulsory acquisition status within Green Hill C reduces the extent of compulsory acquisition rights sought in order to preserve Sywell Solar Farm's existing non-exclusive access rights. Ms Brodrick noted that no further agreement with landowners is required in respect of the compulsory acquisition position. She added that the Applicant is progressing an Asset Protection Agreement with Sywell Solar to govern the use of the shared accessway and the management of any infrastructure crossings, and that this document is currently with Sywell Solar for comment.</p> <p>In relation to Change 5, the change to compulsory acquisition status within Green Hill E downgrades the extent of rights sought over Cadent Gas Limited's leasehold land from the compulsory acquisition of new rights to temporary possession only. Ms Brodrick explained that no works are currently proposed in this area of land, and therefore no negotiations with Cadent Gas Limited are underway in respect of compulsory acquisition. Protective Provisions and a side agreement with Cadent Gas Limited have been agreed.</p> <p>In relation to Change 8, the change to compulsory acquisition status removes a small parcel of land within Green Hill F located across the river which is no longer required for the Scheme. Ms Brodrick confirmed that the removal of this land has no material impact on the compulsory acquisition rights sought. She added that the updated plans reflecting this change are being taken forward as part of the ongoing Deed of Variation discussions with the landowner, Compton.</p>
<p>3.2 Summary of cases from Affected Persons attending CAH2</p>	<p>The ExA invited submissions from Affected Persons.</p> <p>Mr Partridge raised a series of questions in relation to plots 08-094-a, 08-094-b and 08-095. The ExA requested that the Applicant address each in turn.</p> <p>In response to a query on the surveys carried out on these plots, Ms Brodrick, on behalf of the Applicant, confirmed that archaeological geophysical surveys have been undertaken by the Applicant in March 2025.</p>



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	<p>Ms Brodrick confirmed that Mears Ashby Road and Wilby Road were not proposed as routes for construction traffic. Ms Brodrick explained that, while the cable route crosses Wilby Road, this would be a north–south vehicular crossing point only, to enable access between the cable corridor on either side of the road, and not an access point for vehicles travelling along Wilby Road itself. Ms Brodrick stated that traffic would not use Wilby Road as a construction route, but that a crossing point would be required where the cable route passes beneath the road.</p> <p>Post Hearing Note: The Applicant confirms that all access points at Wilby Road and Mears Ashby Road are crossing points only, and are not proposed construction traffic access routes. This includes the crossing points shown as E1(N) and E1(S) in addition to CR8 and CR9. Both crossing points are shown on Sheet 10 of the Access to Works Plan [REP3-014]. No construction traffic is proposed to route along either Wilby Road or Mears Ashby Road.</p> <p>In response to a question as to whether any plant or machinery would be left on the relevant plots overnight and what measures are proposed to ensure avoid any obstruction to the habitat of the Spinney, Ms Brodrick explained that some plant and machinery may be stored to the north and south within plot 08-094-a. However, ecological buffer zones would apply, and no storage of equipment or machinery would take place within those buffer zones. Ms Brodrick added that there is approximately 41.3m separation between the woodland and the pylons. The width of the Order Limits in this section is 32.59m which allows for a 15m woodland offset, a 14.31m indicative cable route corridor and a 12m offset to the High Voltage Overhead Transmission lines.</p> <p>Ms Brodrick confirmed that, due to the implementation of the buffer zones, there would be no ecological impacts arising from the storage of plant and machinery within the relevant plots.</p> <p>In response to concerns about potential impacts to badgers and whether an alternative cable route could have been chosen, Ms Brodrick noted that the Applicant has considered the presence of badgers. However, this information has been redacted from public documents, and the Applicant cannot legally confirm the location of any sett. Ms Brodrick clarified however that the Applicant’s position is that there would be no impacts on ancient woodland or on species within those areas. Ms Brodrick added that the Outline Ecological Protection and Mitigation Strategy [REP5-072] sets out a number of method statements, including Method Statement 8: Specific Measures for Avoidance of Impacts on Badgers. Ms Brodrick further explained that whilst surveys were undertaken to inform the Environmental Impact Assessment, further surveys would also be carried out prior to construction in order to account for any movement of species and to ensure that the proposed mitigation remains appropriate.</p> <p>In relation to route selection, Ms Brodrick explained that the Applicant sought to minimise impacts on landowners. It is typical for the cable route corridor to be aligned with existing infrastructure and, in this case, the route follows the existing north–south overhead line. Ms Brodrick explained that avoiding the Spinney would have required the route to be taken significantly further south and that, having considered the options, following the overhead line was considered to be the least disruptive route. On that basis, the Applicant considers the proposed mitigation measures to be appropriate.</p> <p>Ms Brodrick confirmed that the Applicant would be happy to demonstrate the available space on site to Mr Partridge in order to show that the buffer zones are adequate.</p> <p>Post Hearing Note: <i>The Applicant has arranged to meet Mr Partridge on site on the 26 March 2026 along with their representatives.</i></p>
<p>3.3 Applicant’s Land Rights negotiations update</p>	<p>The ExA asked the Applicant to provide an update with respect to its land rights negotiations and Heads of Terms.</p> <p>Ms Brodrick explained that, in relation to Anglian Water Services (AWS), AWS confirmed to the Applicant on 5 March 2026 that they have reviewed the Book of Reference [REP5-010] and consider all matters resolved relating to their assets. Ms Brodrick explained that this will be reflected in the next version of the Statement of Common Ground submitted into examination. Ms Brodrick added that Protective Provisions had been agreed with AWS.</p>



Agenda Item	Comment
	<p>With regard to Crown Land, Ms Brodrick explained that two Crown interests were identified: a presumed subsoil interest in the public highway in plot 15-202, held by the Duchy of Lancaster; and rights within a conveyance dated 6 March 1972 that may benefit the British Railways Board, affecting plots 12-143, 12-144, 12-145 and 12-146. This interest was included on the basis that the interest may be held by the Secretary of State for Transport.</p> <p>Ms Brodrick then explained that the Duchy of Lancaster has confirmed that it does not have a subsoil interest and, as such, this has been removed from Revision E of the Book of Reference [REP5-010].</p> <p>In relation to British Railways Board interests, Ms Brodrick explained that the Applicant has attempted to seek confirmation from the Department for Transport on whether it holds this interest, and from National Highways as beneficiary of the Historic Railways Estate, in which case the interest would not meet the definition of Crown Land. However, no response has been received that would enable the Applicant to confirm if this interest is, in fact, Crown Land.</p> <p>The interest has been included on a precautionary basis, however it is likely that the interest noted in the Book of Reference is not Crown Land. The interest noted relates to a conveyance dated 6 March 1972, to which the British Railways Board was a party. The Applicant is confident that this conveyance had the effect of terminating the British Railways Board's ownership in the land, whilst preserving rights for third party statutory undertakers as the land was returned to the current freeholder. This is consistent with the railway in question, the Northampton to Peterborough Railway, being closed completely in 1972. However, the deed effecting the conveyance is not available from the Land Registry. The interest was therefore listed as Crown Land on a precautionary basis, with the intention of confirming the position with the Department for Transport.</p> <p>Ms Brodrick added that the Applicant is mindful that the consent of the relevant Crown entity is required in order for compulsory acquisition powers to be granted in the DCO over the land in which the Crown interest is held and therefore noted that it may be of assistance to the Examination for the Examining Authority to make a request to the Department for Transport to review the position in respect of the identified potential British Railways Board interest, and confirm if they agree with the Applicant's assessment that the interest was extinguished in 1972.</p> <p>The ExA noted the option to issue a Rule 17 letter seeking this clarification.</p> <p>Post Hearing Note:</p> <p><i>The Applicant has completed their enquiries on this matter and append confirmation from the Historical Railways Estate (on behalf of the Department for Transport) that when British Railways Board sold the land in both titles referred to, the rights of the electricity cable and gas main transferred to the purchaser and therefore BRB (Secretary of State for Transport) have relinquished all interest in the land (please see Appendix A). Therefore, there is no longer any Crown Land within the Scheme and the reference to Crown Land has been removed in the draft DCO Revision E [EX6/GH3.1_E].</i></p> <p>Julian Barter, on behalf of the Applicant, provided a general update on the Applicant's progress in making Voluntary Agreements with landowners. Mr Barter explained that negotiations are progressing well across the Scheme and confirmed that, in relation to the cable route corridor, the Applicant is progressing 36 individual agreements. Mr Barter confirmed that Heads of Terms have now been signed for approximately 50% of the cable route, including agreements concluded since Deadline 5, reflecting continued progress during the examination.</p> <p>The ExA asked whether the Applicant had any further update on its position outlined in its Response to Deadline 4 Submissions [REP5-087] regarding the safeguarding of minerals queries raised by the Trustees of Ecton Estate in RRK-001.</p>



Agenda Item	Comment
	<p>Ms Brodrick explained that correspondence between the representative of Ecton Estate and Island Green Power's in house land team is ongoing and a meeting is being arranged in order to understand the extent of the minerals and the timeframes of any potential sterilisation. Ms Brodrick added that the Applicant would provide an update on these discussions at Deadline 6.</p> <p>Post Hearing Note: <i>The Applicant is still waiting for confirmation on a suitable meeting date from Ecton Estate and continues to try and arrange a meeting.</i></p>
4. Any Other Business	N/A
5. Review of matters and actions arising	N/A
6. Close of Hearing	N/A



Appendix A – National Highways Email Confirmation

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Historic and Former British Railways Board Land
Date: 23 January 2026 11:44:54

Hi Matthew,

Thank you for your email

When British Railways Board sold the land in both titles you referred to, the rights of the electricity cable and gas main transferred to the purchaser and therefore BRB (Secretary of State for Transport) have relinquished all interest in the land.

Kind regards,
Chris

Chris Bloom

Historical Railways Estate (on behalf of Department for Transport)
National Highways | 37 Tanner Row | York | YO1 6WP

Web: <http://www.nationalhighways.co.uk>

Behind the scenes under a former railway bridge <https://www.youtube.com/watch?v=mh0VQFDGvUE>

Our work with National Trust to transform Manchester's Castlefield viaduct: <https://www.youtube.com/watch?v=InrMhRiHzW4&t=1s>

Read the full story on our [website](#)

From: [REDACTED]
Sent: 21 January 2026 13:12
To: [REDACTED]
[REDACTED]
[REDACTED]
Cc: [REDACTED]
Subject: Historic and Former British Railways Board Land

You don't often get email from [REDACTED] [Learn why this is important](#)

Good Afternoon,

We are working on behalf of our client to investigate Land Ownership and any other types of interest in Land which may be impacted on by the Project Scheme.

The land in question is contained in the HMLR Registers, Plans and Deeds available in HMLR which I have obtained and attached.

In each of these Plans there is a Pink Coloured Strip of Land which appears to show what used to be an old Railway Line, which is no longer there, but there are still rights attached in each as follows:

NN266658 :

Entry C1:

(31.08.2006) The land tinted pink on the title plan is subject to the following rights contained in a Conveyance thereof and other land dated 6 March 1972 made between (1) British Railways Board and (2) Spencer David Douglas Compton:-
"Subject to the rights of the East Midlands Electricity Board in the cables passing over the property"

NN266657:

Entry C1:

(31.08.2006) The land tinted pink on the title plan is subject to the rights granted by a Deed dated 8 May 1967 made between (1) British Railways Board and (2) East Midlands Gas Board.
NOTE: Copy filed.

Entry C2:

(31.08.2006) The land tinted pink on the title plan is subject to the following rights contained in a Conveyance thereof and other land dated 6 March 1972 made between (1) British Railways Board and (2) Spencer David Douglas Compton:-
"Subject to the rights of the East Midlands Electricity Board in the cables passing over the property"

The focus is on the right in favour of British Railways Board, which after some investigation could not be these as they were Incorporated on 9 February 1996, which was after these rights were lodged and British Railways Board as a nature of business (SIC) is for Passenger Rail Transport, Interurban.

Is this of any interest to National Highways?

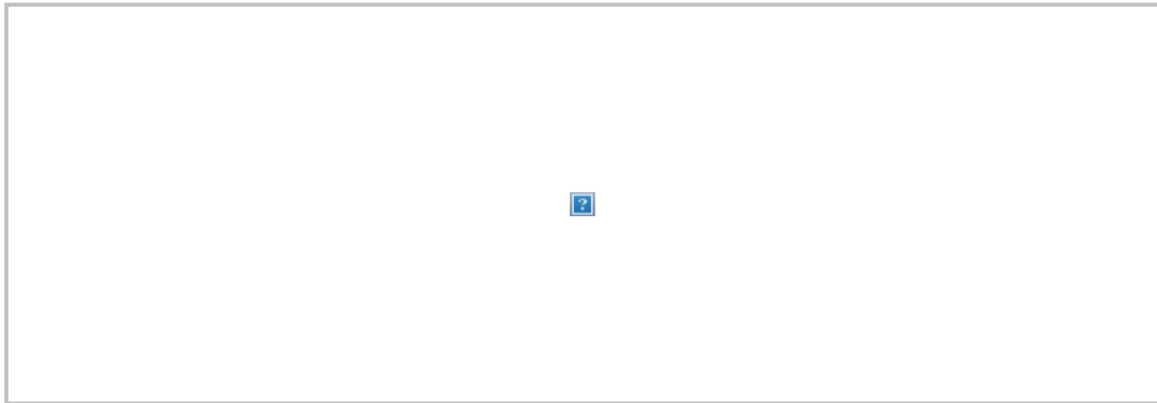
I look forward to your response.

Many Thanks,

Kind Regards,

Matthew Williams
Senior Land Referencer

██████████ |



Utilities & Infrastructure Team

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