



Green Hill Solar Farm – EN010170

Response to Secretary of State Consultation

Interested Party Registration Identification Number: 

Dear Secretary of State,

Grendon Parish Council welcomes the opportunity to respond following the Secretary of State's invitation to comment in respect of the Green Hill Solar Farm Development Consent Order application, sent 28 August. The Council wishes to make clear at the outset that **it maintains its objection to the Development Consent Order and its previous representations submitted throughout the Examination.**

Habitats Regulations Assessment and potential BESS pollution

Grendon Parish Council acknowledges that the Environment Agency has confirmed that, subject to the proposed mitigation being implemented, it considers the Applicant's measures capable of addressing the identified waterborne pollution pathway from a BESS incident to the Upper Nene Valley Gravel Pits Special Protection Area and Ramsar Site.

The Council does not dispute the Environment Agency's stated position. However, its conclusion is dependent upon engineered mitigation including an impermeable liner, automatic and manually operated drainage isolation, contaminated gravel treatment and removal procedures, and **subsequent approval** of the Battery Storage Safety Management Plan.

The Council considers that the Secretary of State must distinguish between demonstrating mitigation for an incident within the Green Hill BESS considered in isolation and demonstrating that the cumulative risk created by the concentration of substantial BESS and high-voltage electricity infrastructure around Grendon Substation has been adequately assessed.

That distinction is particularly relevant because the receiving environment is not an ordinary watercourse. **The Upper Nene Valley Gravel Pits SPA and Ramsar Site is an Internationally Protected wetland habitat.** The existence of the proposed extensive firewater containment measures itself demonstrates that a credible hydrological pollution pathway from the Green Hill development has been identified. The Council therefore considers that the assessment must address not only the probability of containment failure, but also the consequence if containment fails.

A significant release of contaminated firefighting water into a wetland system has the potential to affect water quality, sediments, aquatic organisms and the food chains upon which protected bird populations depend. Where contaminants are persistent, they may remain within sediments or biological systems long after the visible pollution event has passed.

The ecological effects could consequently extend far beyond an immediate pollution incident and may include:

- acute toxicity to aquatic organisms;
- contamination of wetland sediments and soils;
- loss or degradation of aquatic invertebrates and other food sources relied upon by protected bird species;
- movement of contaminants through the aquatic food web;
- prolonged deterioration in water quality;
- potentially long-term ecological degradation where persistent contaminants cannot readily be removed.

An Internationally Protected wetland cannot simply be reconstructed if substantially contaminated.

The Council therefore considers that the correct question is not simply *“Is a major pollution event unlikely because containment measures are proposed?”*. The more important question under the Conservation of Habitats and Species Regulations 2017 is *“Can the competent authority exclude, on the basis of the best scientific evidence and beyond reasonable scientific doubt, an adverse effect upon the integrity of the internationally protected site if a credible failure of the proposed mitigation occurs?”*.

Under Regulation 63, the competent authority may agree to the project only after having ascertained that it will not adversely affect the integrity of the European site. That assessment must also consider effects in combination with other plans or projects.

This is where the Council considers the present assessment particularly important.

The Green Hill BESS would not exist as an isolated installation. The Grendon electricity infrastructure already includes and/or has planning permission for significant electricity and battery storage development, including the 49.99 MW Grendon Lakes BESS approved by North Northamptonshire Council in 2025, together with another previously approved battery storage facility and their associated substations and connections to the existing Grendon National Grid substation.

During determination of the Grendon Lakes application, Grendon Parish Council specifically raised the cumulative fire and environmental risk resulting from the increasing concentration of BESS infrastructure around Grendon Substation.

Importantly, North Northamptonshire Council did **not** assess Green Hill as part of that application's cumulative effects. Its assessment instead proceeded on the basis that, should Grendon Lakes be consented, the subsequent Green Hill assessment would need to take **that** consented development into account and provide any necessary mitigation.

That makes the cumulative assessment undertaken for Green Hill particularly important. The issue is not simply whether an individual Green Hill battery container has appropriate fire suppression systems, nor whether contaminated firewater arising from an incident confined to Green Hill could theoretically be retained within its site boundary. The relevant scenario now includes:

- the existing Grendon 400 kV and associated high-voltage electricity infrastructure;
- previously approved battery storage infrastructure;
- the separate 49.99 MW Grendon Lakes BESS consented in 2025;
- substations, transformers, cables and associated high-voltage equipment; and
- the proposed Green Hill BESS, forming part of a scheme of approximately **500 MW** overall generating capacity.

The Council does not suggest that simultaneous failure of multiple installations is inevitable. Its concern is whether a credible major incident within one installation could affect neighbouring BESS or high-voltage infrastructure and thereby increase the scale, duration or complexity of the emergency.

That could materially affect matters including:

- radiant heat and the possibility of fire propagation;
- prolonged thermal runaway and re-ignition;
- damage to neighbouring electricity infrastructure;
- **toxic smoke** and combustion products entering the waterways and impacting the village of Grendon;
- emergency service access;
- duration and volume of firefighting water required;
- the capacity of drainage containment systems;
- the consequences of containment failure during prolonged firefighting;
- the interaction of an incident with heavy rainfall or flooding, including the plume falling as **toxic rain**;
- and the potential for interruption or damage to the **Nationally Significant Transmission Infrastructure**.

The Council considers that this cannot properly be regarded as a purely theoretical concern when **National Grid Electricity Transmission** itself has confirmed that significant Green Hill and National Grid infrastructure is proposed within the same area and potentially within similar timescales.

NGET has expressly informed the Secretary of State that the Applicant's current protective provisions provide inadequate protection for existing and future National Grid infrastructure, and agreement between the parties remains outstanding. The need for adequate insurance provision required by NGET identifies the potential risk that they recognise given that the OBSSMP (Rep-075) does not contain any design details whatsoever. As stated in their letter dated 11 September “The level of risk presented is, as yet, unknown as the design of the Project has not been finalised”. The Applicants comments in their cover letter dated 11 September, “NGET is the statutory undertaker for electricity transmission assets, and it would not be expected to possess any relevant expertise in relation to BESS and BESS safety. The consultation feedback that NGET could provide would be very limited in scope and unlikely to be relevant”, misses or avoids the point entirely. It is the Council’s view that NGET should absolutely be consulted with regards to

the final Battery Storage Safety Management Plan, not as battery experts, but as the body responsible for safety and security of their existing and future infrastructure, including Nationally Significant National Grid projects and as such, there must be careful coordination and consultation between Green Hill Solar and other NGET so that one project does not unduly interfere with another or cause undue hardship to the village of Grendon and beyond, or indeed result in a **catastrophic event**.

The Council recognises that NGET's representations are not themselves a specific objection based upon BESS fire safety. They are however relevant evidence that the infrastructure proposed around Grendon Substation is interconnected and that questions concerning the interaction between existing and future electricity infrastructure and safety remain unresolved.

The Council considers that the Secretary of State should require clear evidence demonstrating that the cumulative BESS and electrical-infrastructure risk around Grendon Substation has been specifically assessed, rather than relying upon safety assessments undertaken separately for individual developments.

That assessment should include credible **consequential and cascading** incident scenarios and should demonstrate that the proposed firewater containment capacity is sufficient for the worst-case incident and that the **airborne** pollution mitigation measures are also sufficiently addressed in the final BSSMP.

The precautionary nature of the Habitats Regulations is particularly important where the consequences of getting the assessment wrong are asymmetric:

- If additional containment, separation or emergency-response measures are ultimately found to have been unnecessary, the principal consequence is simply additional engineering and cost to the Applicant. However,
- If the mitigation proves inadequate and significant pollutants reach the Upper Nene Valley Gravel Pits SPA and Ramsar Site, the potential consequences are that severe long-term damage to an Internationally Protected ecological system may be extremely difficult, or in some circumstances impossible, to restore.

For that reason, the Council considers that prevention must carry substantially greater weight than reliance upon remediation.

The Secretary of State must be satisfied, on the basis of the best scientific evidence available, that adverse effects upon the integrity of the Internationally Protected site can be excluded **beyond reasonable scientific doubt**.

Until those matters are demonstrated, the Council considers that the cumulative consequences of the proposed BESS infrastructure have **not been sufficiently resolved** for the purposes of **Regulation 63 of the Conservation of Habitats and Species Regulations 2017**.

Best and Most Versatile agricultural land and 60-year restoration

The Council considers the Secretary of State's specific request for further information concerning the restoration of approximately 4.3 hectares of land beneath the BESS and substations after 60 years of hardstanding particularly significant. The Applicant's response principally describes a process of soil stripping, stockpiling, maintenance, eventual restoration and aftercare.

The Applicant's response demonstrates only a proposed method of attempting restoration but does not establish with sufficient certainty that land affected by major energy infrastructure for approximately six decades will be restored to its former Agricultural Land Classification (ALC) or equivalent productive quality.

This distinction is fundamental.

The Council therefore asks the Secretary of State to distinguish carefully between:

- a. an intention or methodology to restore agricultural land generally, and**
- b. objective evidence demonstrating that restoration of the land beneath the proposed BESS site to its former agricultural quality after six decades is realistically achievable.**

The Applicant's own Agricultural Land Classification Technical Report identifies 784.2 hectares (approximately 1,938 acres), or 66.6% of the surveyed agricultural land, as BMV, including 311 hectares (approximately 769 acres) of Grade 1 and Grade 2 land.

The strategic significance of removing or materially restricting the productive capacity of almost 2,000 acres of BMV agricultural land for approximately 60 years *must also now be considered against HM Government's own assessment of the increasing vulnerability of UK food security*.

The central issue is twofold:

- i. Is there sufficient objective evidence that land affected by major infrastructure for 60 years can actually be restored to its former agricultural quality; and**

- ii. **Is it appropriate to remove or substantially constrain almost 2,000 acres of some of the country's best food-producing land during precisely the period in which HM Government itself anticipates increasing pressure upon domestic and global food production?**

National Grid – unresolved protective provisions

The Council considers National Grid Electricity Transmission plc's (NGET) responses of 24 August and 11 September 2026 to be particularly material. They confirm that agreement has not been reached on the protective provisions.

More significantly, NGET states that the protective provisions contained within the Applicant's draft Order do not align with those required by NGET and could cause serious detriment to its undertaking and its ability to deliver other Nationally Significant National Grid projects. It identifies inadequate protection for both existing and future infrastructure and continuing issues concerning safeguarding, insurance and indemnity.

This is of particular concern to Grendon Parish Council as the Council does not consider it appropriate for development consent for a project of this magnitude to be granted while material protective provisions concerning nationally significant electricity infrastructure remain unresolved between the Applicant and NGET.

The Council therefore requests that no DCO should be granted unless and until the Secretary of State is satisfied that the necessary protective provisions are agreed with NGET and incorporated into the Order in legally enforceable form.

Permanent compulsory acquisition remains disproportionate

The Council also expressly maintains its previous objection to the proposed compulsory acquisition powers. The revised DCO continues to provide powers for the compulsory acquisition of land and rights, alongside powers for temporary possession.

Grendon Parish Council maintains that the permanent compulsory acquisition of land in connection with a development expressly presented as temporary and subject to a 60-year operational period is disproportionate unless permanent acquisition is demonstrated to be strictly necessary.

Where land is required only for construction, operation and subsequent decommissioning of temporary infrastructure, the Council considers that voluntary agreements, temporary possession or appropriately time-limited rights should be used, not Compulsory Purchase Orders.

The Council therefore asks the Secretary of State to apply the tests contained within the Planning Act 2008, including the statutory requirements governing compulsory acquisition and the need for a compelling case in the public interest, together with the proportionality requirements arising from Article 1 of Protocol 1 to the European Convention on Human Rights, as given effect through the Human Rights Act 1998.

The Council maintains that permanent acquisition should **not** be authorised where the Applicant **has not demonstrated** why lesser interference with property rights would be insufficient.

Overall conclusion

Grendon Parish Council recognises the national importance of renewable electricity generation and does not object to solar energy as a technology.

Our objection has consistently been based on the exceptional scale and location of this Scheme, and its cumulative environmental, infrastructure and community impacts. including the extensive use of Best and Most Versatile agricultural land, proximity and potential pollution pathway to Internationally Protected Habitats, the concentration of BESS and high-voltage infrastructure around Grendon Substation, impact upon the rural landscape and communities, infrastructure implications and the proposed compulsory acquisition of land.

The subsequent responses do not, in the Council's view, demonstrate that all of those concerns have been removed. In particular the following:

- **The BESS pollution and Habitats Regulations issue remains mitigation-dependent.** It depends upon extensive containment, isolation and future management measures, yet to be determined in the final Battery Safety Management Plan. It does not, in the Council's view, adequately resolve the separate **cumulative risk created by the Green Hill BESS alongside existing and**

consented BESS and nationally significant high-voltage infrastructure at Grendon, nor demonstrate that containment and emergency-response arrangements have been assessed against a credible major or cascading incident. Given the potentially severe and long-term consequences of significant toxic runoff entering the Upper Nene Valley Gravel Pits SPA and Ramsar Site, the Council considers that this requires **particular precaution**;

- **The agricultural-land concern has become more, rather than less, significant.**

In the Council's view, the Secretary of State's question regarding restoration of the land beneath the BESS and substations to its former ALC quality has not been adequately answered. Whilst the Applicant has provided a proposed restoration methodology they have not provided objective evidence demonstrating that restoration to the land's former ALC grade and productive capability after approximately 60 years is realistically achievable. T

he Applicant's own Agricultural Land Classification Technical Report identifies 784.2 hectares (approximately 1,938 acres), or 66.6% of the surveyed agricultural land, as BMV, including 311 hectares (approximately 769 acres) of Grade 1 and Grade 2 land.

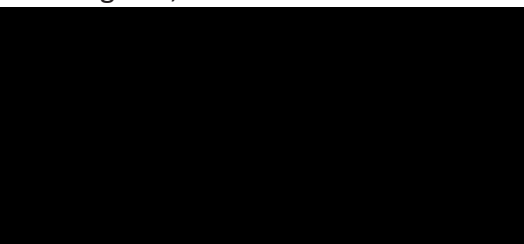
- **Important environmental and safety controls remain dependent upon post-consent plans and detailed management arrangements.** Where those controls are necessary to establish environmental acceptability or compliance with the Habitats Regulations, the Council considers that the essential mitigation and performance standards must be **sufficiently certain** and **enforceably secured within the DCO** itself; and
- **National Grid's concerns remain unresolved.** Most significantly, NGET has expressly confirmed that agreement has still not been reached on protective provisions and that the Applicant's proposed provisions provide inadequate protection for existing and future National Grid infrastructure. The Council considers this particularly important given the concentration of existing, consented and proposed energy infrastructure around Grendon Substation and the need to ensure that the interaction and cumulative consequences of those developments have been properly addressed.

These matters should not be considered individually or in isolation. They must be considered cumulatively, alongside the adverse impacts identified in Grendon Parish Council's previous Relevant Representation and subsequent Examination submissions, all of which the Council expressly maintains.

Under Section 104 of the Planning Act 2008, the Secretary of State must determine the application in accordance with the applicable National Policy Statements, subject to the statutory exceptions. The Council recognises the national need for renewable energy infrastructure. However, national need does not remove the requirement to determine whether this **particular** Scheme, in this **particular** location and at this exceptional scale, satisfies the environmental, Habitats Regulations, agricultural, infrastructure, safety and compulsory-acquisition requirements of the applicable statutory and policy framework.

The Council considers that the outstanding issues are particularly significant because they concern risks whose consequences may be difficult or impossible to reverse and therefore, asks the Secretary of State to apply **The Precautionary Principle** particularly carefully where conclusions concerning protected sites, pollution control, BESS safety, soil restoration or nationally significant electricity infrastructure depend upon future detailed schemes.

Kind regards,



Clerk to Grendon Parish Council