



CLEVE HILL SOLAR PARK

APPLICATION COVER LETTER

November 2018
Revision A

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APFP Regulation: 5(2)(r)

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CLEVE HILL
SOLAR PARK

Tracey Williams
Case Manager
National Infrastructure Directorate
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

15 November 2018

Dear Ms Williams,

**Planning Act 2008 – Application for Development Consent
Cleve Hill Solar Park Ltd
The proposed Cleve Hill Solar Park Order (“the Order”)
Application ref: EN010085**

We are pleased to enclose an application from Cleve Hill Solar Park Ltd (“the Applicant”) for an Order granting development consent (“the Application”) pursuant to section 37 of the Planning Act 2008 (“the 2008 Act”) for the proposed Cleve Hill Solar Park (hereafter referred to as “the Solar Park”).

1. Subject of the Application

- 1.1. The Application is for development consent to construct, operate and maintain Cleve Hill Solar Park. The Solar Park comprises of a solar photovoltaic array, and electrical storage, each with a generation capacity of greater than 50 MW, and connection infrastructure.
- 1.2. The proposed development site is an area of 491.2 ha and is located on land at Cleve Hill, approximately 2 km (1 mile) to the northeast of Faversham, and 5 km (3 miles) west of Whitstable on the north Kent coast. The approximate National Grid Reference of the site centre is TR 037 639.
- 1.3. Development consent is required to the extent that development is, or forms part of a Nationally Significant Infrastructure Project (“NSIP”) pursuant to section 14(1)(a) and 15(2) of the 2008 Act. As Cleve Hill Solar Park is expected to have a capacity of greater than 50 MW it is an NSIP for the purposes of the 2008 Act. It is for this reason that the Project falls within the definition of a Nationally Significant Infrastructure Project as set out in the Secretary of State.

2. Documentation enclosed and application fee

2.1. We enclose one hard copy of:

- The completed and signed application form;
- The Environmental Statement ("ES"); and
- Each of the other documents listed in the schedule provided as Application Document Reference 1.3, the Guide to the Application.

2.2. We also enclose four USB memory sticks containing the documentation set out above. No confidential annexes are included with the Application therefore all memory sticks are identical.

2.3. A fee in the sum of £6,939 has been submitted by BACS transfer to the account of the Planning Inspectorate ("PINS").

3. Application formalities

3.1. The Application is made in the form required by Section 37(3)(b) of the 2008 Act. The Application documentation complies with the overall requirements of Section 37 and the requirements set out in:

- The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the "APFP Regulations");
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017; and
- The published Communities and Local Government Guidance (March 2015) and PINS' Advice Note 6 on the preparation and submission of application documentation (February 2016).

3.2. With regards to Question 22 of the Application Form (Application Document Reference 1.2), the response 'Construction or extension of a non offshore generating station (Reg. 6 (1a))' has been selected. A Grid Connection Statement is provided as Document Reference 5.4.

3.3. The Applicant confirms that PINS will be able to publish the Application (with any necessary redactions and minus any confidential documents) on PINS' webpage at the point of submission.

4. Description of the Project

4.1. The project comprises a solar generating and energy storage facility and all infrastructure required to transmit the power generated to the National Transmission System via the existing Cleve Hill Substation.

██████████ility – Rochdale Envelope

5.1. Due to the rapid pace of technological development in the solar photovoltaic (PV) and energy storage industry, it is necessary to provide flexibility in the

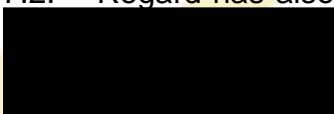
Development Consent Order (“DCO”), to allow for the most up to date technology possible to be utilised by the Development at the time of construction. To address this, a Rochdale Envelope approach is used.

- 5.2. The design principles set out in the Outline Design Principles document (Application Document Reference 7.1) form the Rochdale Envelope limits within which the Development can be constructed and operated. These design principles, and a candidate design which in all cases falls within the design principles is described in ES Chapter 5: Development Description (Application Document Reference 6.1.5) for the purposes of undertaking an EIA.

6. Exemption Modification / Deemed Marine Licence

- 6.1. A joint statement with the Environment Agency (“EA”) has been prepared, which sets out the scope of flood defence works deemed to be maintenance and the agreed position that the Applicant should be able to undertake those works in the event the project is implemented. It also explains how the EA's marine licence exemption could be modified via the DCO so that it may apply to the Applicant. The joint position paper accompanies the Application in Appendix 26 within the Appendix to the Consultation Report (Application Document Reference 5.1.1), along with correspondence received from the Marine Management Organisation (“MMO”) within the same Appendix.
- 6.2. The MMO has confirmed that it does not formally object to the exemption being included in the draft DCO, but is also not able to agree at this time. Therefore, as an alternative the Applicant has included a Deemed Marine Licence in the draft DCO in relation to maintenance works to the flood defences (see Work No 9 of the draft DCO).
- 6.3. Therefore, both of the approaches set out above are covered in the draft DCO for the consideration of the Secretary of State (“SoS”).

7. Habitats regulations

- 7.1. A Report to Inform Appropriate Assessment (“RIAA”) is provided in support of the Application. The scope and extent of the RIAA has been determined by a combination of professional judgement, the scoping opinions collated by PINS on behalf of the SoS, Section 42 responses to Preliminary Environmental Information Report and ongoing consultations with Natural England, Kent Wildlife Trust and the Royal Society for the Protection of Birds.
- 7.2. Regard has also been given to PINS’ Advice Note Ten: Habitats Regulations  relevant to nationally significant infrastructure projects, Version 8

8. Compulsory acquisition

- 8.1. The land over which the Applicant is seeking powers of compulsory acquisition of land and compulsory acquisition of rights and powers of temporary possession in the draft DCO for the purposes of the Scheme are listed in the Book of Reference (Application Document Reference 4.3).
- 8.2. The Book of Reference has been prepared and submitted in compliance with Regulation 5(2)(d) of the APFP Regulations, and in accordance with the Department for Communities and Local Government guidance 'Planning Act 2008: Guidance related to procedures for compulsory acquisition of land' (September 2013).

9. Other consents

- 9.1. A summary of other consents and licences likely to be required in addition to those being requested as part of the draft DCO is provided in the Consents and Licences Required Under Other Legislation document (Document Reference 7.5).

10. Pre-application consultation

- 10.1. The Applicant has had careful regard to the pre-application consultation requirements of the 2008 Act, the guidance on pre-application consultation issued by the DCLG and PINS, and its pre-application discussions held with PINS, as required by Sections 50 and 55(4) of the 2008 Act.
- 10.2. As required by Section 37(3)(c), the Application is accompanied by a Consultation Report (Application Document Reference 5.1), which provides details of the Applicant's compliance with sections 42, 47, 48 and 49 of the 2008 Act.
- 10.3. The responses of statutory and non-statutory consultees are listed and summarised in the Consultation Report and these have informed the design evolution of the Application and the Solar Park.

We look forward to hearing from you in relation to the formal acceptance of the Application. If we can be of any assistance in that regard, please do not hesitate to contact us.

Yours sincerely,



Hugh Brennan
Managing Director
For and on behalf of Cleve Hill Solar Park Ltd



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Write to us at:
Freepost: Cleve Hill Solar



Email us at:
info@clevehillsolar.com



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