

CLEVE HILL SOLAR PARK

PRELIMINARY MEETING NOTE

Summary of Key Points Discussed and Advice Given

Application	Proposed Cleve Hill Solar Park
Reference	EN010085
Time and Date	10.00am 30 May 2019
Venue	The Alexander Centre, 17 Preston St, Faversham ME13 8NZ

Please note that this meeting note is not a full transcript of the Preliminary Meeting (PM). It is a summary of the key points discussed and responses given. An audio recording of the event is available on the Project Page of the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/South%20East/Cleve-Hill-Solar-Park/>.

1. Welcome and introductions.

(00:10 – 35:18 minutes on audio)

David Rose (DR) introduced himself as the lead member of the panel of the Examining Authority (ExA), appointed by the Secretary of State to examine the application by Cleve Hill Solar Park Ltd, for the Cleve Hill Solar Park project.

In doing so he explained his involvement, in 2007, as an Inspector appointed by the Secretary of State (SoS) to conduct a Public Inquiry and to report to the SoS on an application for the Cleve Hill Sub-Station. In light of a number of written objections to his appointment to the ExA, DR quoted from a written reply (published on the project web page) from the Professional Lead for National Infrastructure (on behalf of the SoS). He also confirmed his impartiality by reference to his professional code of conduct and the Planning Inspectorate's underlying principles that Planning Inspectors would act with fairness, openness and impartiality.

Professor Sir David Melville, on behalf of the Faversham Society, and Richard Knox-Johnston, on behalf of the Campaign for Rural England, Kent (CPRE), who raised oral concerns, were advised that the PM was not an opportunity to discuss the merits or otherwise of DR's appointment by the SoS and, if concerns remained, the matter should be pursued through the appropriate channels.

Andrew Mahon (AM) introduced himself as a panel member of the ExA, also appointed by the Secretary of State to examine the application.

DR introduced members of the ExA's supporting case team who were present to deal with any queries during or after the meeting. It was explained that the purpose of the meeting was to make procedural arrangements for the Examination, and that no evidence would be heard about the project and related

representations. DR explained that an audio recording of the meeting would be published on the project web page (as above).

DR asked intending participants to introduce themselves and for any media present to be made known.

2. Examining Authority's remarks on the Examination process. *(35:30 – 60:00 on audio)*

AM briefly explained the process for examining applications for Nationally Significant Infrastructure Projects (NSIPs) under the Planning Act 2008.

AM outlined the various hearing types that would be held during the Examination, namely: Issue Specific Hearings (ISH), Open Floor Hearings (OFH) and Compulsory Acquisition Hearings (CAH). These would provide a forum for the ExA to ask questions on written material previously submitted. It was stressed that the Examination process was essentially one of written representations.

DR introduced the national policy framework within which the ExA must operate and confirmed that other relevant policies in local authorities' development plans could also be important and relevant.

DR confirmed that Additional Submissions had been accepted into the Examination by the ExA and indicated that these could be found online in the Examination Library.

AM explained who could be involved in the Examination – Interested Parties (IP) via Relevant Representations (RR), Affected Persons (AP) via Compulsory Acquisition matters and Statutory Parties (SP).

AM also described the Examination process in terms of timetable Deadlines, with focus on IPs making Written Representations, ExAs Written Questions, Local Impact Reports (LIR) and Statements of Common Ground.

AM paused for any questions.

Richard Knox-Johnston (CPRE) raised a point in relation to the time available for OFHs and questioned the ability of Swale Borough Council, following the recent election of a new Council, to submit its Local Impact Report in accordance with the Draft Timetable.

It was confirmed that these matters would be considered in due course. AM then briefly outlined the implications, or otherwise, for the Examination of withdrawal from the European Union and the status of European law.

3. Initial Assessment of Principal Issues. *(60:00 – 1:49:00 minutes on audio)*

DR introduced this item and discussed each Principal Issue (PI) with the parties.

Parties in discussion;

- Graveney Rural Environment Action Team (GREAT)
- Helen Whately MP
- The Faversham Society
- Swale Borough Council
- CPRE
- Peter Latham
- Matthew Hatchwell
- George Bull
- Faversham and Swale East Branch Labour Party
- Cleve Hill Solar Park Ltd (the Applicant)

The main issues raised included managed retreat proposals for the site, unknown archaeology, hazards and access for emergency vehicles, the need for the proposed Development, and possible alternatives, the experience of the Applicant, the east-west orientation of the solar PV panels, climate change and carbon sequestration, the character and socio-economics of small towns, security cameras, traffic noise, decommissioning, and road condition.

4. Draft Timetable.

(1:49:36 – 1:56:32 minutes on audio)

DR introduced Annex C to the Rule 6 letter of 18 April 2019 – Draft Timetable for the Examination.

DR heard from Anne Salmon, of the Faversham and Swale East Branch Labour Party, who announced difficulty in attending the 17 July ISH on Biodiversity/Nature Conservation Matters and requested the date be moved to 25 July – she confirmed that she is available from 20 July.

The Applicant confirmed it had total flexibility around these matters.

5. Deadlines for Submission.

(1:56:45 – 2:03:00 minutes on audio)

DR began discussion on Deadline timings during the course of the Examination, and parties were then encouraged to bring to light any concerns on this matter.

CPRE raised concerns around 12 June 2019 being too soon for Deadline 1, due to the inability of the very recently formed Swale BC Planning Committee to meet to discuss and properly consider the proposals. Graham Thomas of Swale BC confirmed that officers had delegated powers to produce the LIR and that they could accept 12 June 2019 as Deadline 1.

The Faversham Society suggested an additional ISH is required in relation to need and the technical aspects of the proposal.

The Applicant recommended Deadline 2 'Comments on RRs' point be deleted, as the Applicant has already provided these to the ExA (and accepted as an Additional Submission). The submission of this information was noted.

6. Hearings and Accompanied Site Inspections:
(2:03:00 – 2:19:15 minutes on audio)

AM first explained the arrangements for Site Inspections – beginning with the announcement of the previous day's Unaccompanied Site Inspection (USI), with assurance that further USIs are likely to be conducted in due course with subsequent publishing of notes.

In terms of the Accompanied Site Inspections (ASI), AM explained that notification of the time and meeting place for the ASI would be published on the project website, at least one week in advance.

AM then explained the arrangements and principles for Hearings. A description of each Hearing was given followed by a pause for questions.

The Faversham Society requested that the OFHs should be as open, spontaneous and accessible as possible. DR reminded everyone that the Examination process was essentially a written one; prior written submissions would assist the ExA; and, written material could be supplemented orally, as necessary, by the participants of OFHs.

CPRE opined that the time allocated for OFHs was insufficient and suggested an additional OFH half-day session on 22 July 2019.

Faversham and Swale East Branch Labour Party suggested an ISH on traffic and transport.

The ExA confirmed that these suggestions would receive careful consideration.

The Applicant confirmed it was happy to accommodate any additional/extended Hearings that the ExA considered necessary.

7. Any Remaining Procedural Matters
(2:19:15 – 2:30:50 minutes on audio)

DR invited observations on any remaining procedural matters not already covered.

GREAT raised concerns over an Equality Impact Assessment and the potential effects on disadvantaged groups. The Applicant noted that under the Planning Act 2008 the obligation for ensuring equality lay with the determining authority, not the Applicant.

GREAT also raised concerns regarding the Planning Inspectorate and its unwillingness to release FOI data of meeting communications with the Applicant.

DR explained that FOI queries were a matter to be pursued outside of the Examination. The Applicant explained that all meeting information has been published on the project website page.

The Faversham Society questioned whether a further ISH would be useful to consider whether what they considered to be an emerging technology and its perceived associated risks could reliably be assessed within a 'Rochdale envelope' approach. Again, it was confirmed that this would receive consideration.

8. Availability of Documents

(2:30:50 – 2:32:40 minutes on audio)

DR informed parties that the RRs and Application documents could be found in Annex D of the Rule 6 letter dated 18 April 2019 – in particular the list of locations such as council offices and libraries where computers were available to view the documents in person.

Preliminary Meeting Closed 12:52