

Hefin Jones
Case Manager
National Infrastructure Directorate
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

26 June 2019

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

Application ref: EN010085

Deadline 2 Submission by the Applicant

Dear Hefin,

We are pleased to enclose Cleve Hill Solar Park Ltd’s (“the Applicant’s”) Deadline 2 (26 June 2019) submission which has been prepared by the Applicant in response to the Rule 8 letter issued by the Examining Authority (ExA) on 07 June 2019.

Documents have been submitted via emails or USB drive. A tracker will be provided with email submissions to make clear which documents have been issued with each email.

Submissions Requested by the ExA

As requested in the Examination Timetable included in Annex A to the Rule 8 letter, the following documents have been submitted:

- Responses to the ExA’s Written Questions (ExQ1);
- Written Representations;
- Initial Statements of Common Ground requested by the ExA;
- An updated Guide to the Application;
- The Compulsory Acquisition Schedule;
- An updated version of the draft Development Consent Order (dDCO) in clean, tracked and word versions; and
- Comments on responses submitted for Deadline 1.

The Applicant submitted comments in response to Relevant Representations (RRs) in March 2019 which are in the Examination Library ([AS-009](#)).

The updated Guide to the Application (Revision C) sets out in detail the documents submitted.

The Applicant would like to highlight some key aspects of this submission:

Marine Licence Exemption

Following further discussion with the Marine Management Organisation, the Applicant has decided to remove the option of a Marine Licence exemption from the draft Development Consent Order and to solely include a Deemed Marine Licence. This change has been welcomed by the MMO and a Statement of Common Ground (SoCG) reflecting this position is expected to be agreed by Deadline 3 (1 August 2019).

Time Limiting Requirement 15

Following further discussion with the Environment Agency, the dDCO has been updated to incorporate revised wording of Requirement 15 (decommissioning). The revised wording requires the Development to be decommissioned after 40 years of commercial operation subject to the Environment Agency providing evidence that a managed realignment of the existing flood defences can be delivered on the Cleve Hill site.

This updated wording guarantees that managed realignment on the Cleve Hill site proposed under the Medway Estuary and Swale Strategy (MEASS) can be delivered [REDACTED] and 2069) if the EA is able to secure all of the necessary rights and consents.

The wording of Requirement 15 remains subject to agreement by the EA and a Statement of Common Ground (SoCG) reflecting this position is expected to be agreed by Deadline 3 (1 August 2019).

Response to Additional Submission by GREAT dated 16 April 2019 (AS-012)

The Applicant has provided a tabulated response to a letter from GREAT dated 16 April 2019 titled "Answering the Statement of Need" ([AS-012](#)) in order to draw attention to the relevant sections of the Statement of Need ([APP-253](#)) and its Addendum ([AS-008](#)) and to submit to the Examination additional information which has become available since the publication of those documents, such as; Net Zero: The UK's Contribution to Stopping Global Warming (Committee on Climate Change, May 2019).

Document Updates

A number of documents require updating to address points raised in ExQ1. In order to avoid immediate amendments being required to address Deadline 2 responses, these documents will be updated and submitted to the Examination by Deadline 3 (1 August 2019). A tracker setting out the amendments to documents which are currently anticipated is included with this submission (document 10.6.2).

Status of Negotiations, including with Statutory Undertakers

The Applicant wishes to update the ExA that negotiations are progressing with:

- a) The Crown Estate (in relation to the terms of the DCO, S.135, and land interests);
- b) London Array Limited (note joint update issued by email to the ExA by Pinsent Masons on 21 June 2019);
- c) Blue Transmission London Array Limited (a meeting is scheduled for week commencing 24 June 2019); and
- d) National Grid (the terms of protective provisions and side agreement are close to being finalised).

Should there be any queries or issues with the documents submitted, please do not hesitate to contact the Applicant's project team.

Yours sincerely,



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

