



CLEVE HILL SOLAR PARK

INITIAL STATEMENTS OF COMMON GROUND REQUESTED BY THE EXA - NATIONAL GRID

June 2019
Revision A

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CLEVE HILL
SOLAR PARK



CLEVE HILL SOLAR PARK

DCO APPLICATION REFERENCE EN010085

STATEMENT OF COMMON GROUND (SOCG)

JUNE 2019

BETWEEN:

- 1) CLEVE HILL SOLAR PARK LTD; AND**
- 2) NATIONAL GRID ELECTRICITY
TRANSMISSION PLC**

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1 INTRODUCTION

1. This Statement of Common Ground (SoCG) has been prepared in relation to an application (the Application) made to the Secretary of State (SoS) for the Department for Business, Energy & Industrial Strategy (BEIS), under section 37 of the Planning Act 2008, seeking a Development Consent Order (DCO) for the Cleve Hill Solar Park (hereafter referred to as the Development). The Application was accepted by PINS on 14th December 2018. Application documentation is available online [here](#).
2. This SoCG is being prepared as a means of clearly stating any areas of agreement and disagreement between the Applicant and National Grid Electricity Transmission PLC (NGET) which are set out in Table 2 within section 3.
3. The SoCG is supported by the following appendix:
 - Appendix A: Letter FROM NGET to CHSPL dated 10 October 2018.

2 AGREEMENT

4. Confirmation that Table 2 of this SoCG reflects the position as between the parties at the stated date stated below:

Date	Signatory	Signature
25.06.19	Anne Holdsworth	Agreed by E-mail.

3 STATEMENT OF COMMON GROUND

Table 2: NGET Relevant Representation Comments

NGET Comments	Applicant Response	Status (NGET to complete)
<p><i>Comments</i> <i>(Relevant Representation Comments referenced in bold NGET-X)</i></p>	<p><i>Applicant's response</i></p>	<p><i>E.g., Agreed / Not Agreed / N/A</i></p>
<p>NGET-1 National Grid Electricity Transmission Plc ("National Grid") wishes to make a relevant representation to the Project in order to protect its position in relation to infrastructure and land which is within or in close proximity to the proposed Order limits. National Grid's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order limits should be maintained at all times and access to inspect and maintain such apparatus must not be restricted.</p>	<p>The Applicant has taken NGET's rights into account in the design of the Development, in so far as it affects the ZV (400kv) overhead line Canterbury to Kemsley (Appendix A includes a letter confirming agreement on this dated 10 October 2019).</p> <p>The overall solar park layout design changed between the 6 September 2018 version and the application submission (minor alterations to the placement of solar panels within the development parcels), however this hasn't altered any of the clearances specified in earlier correspondence. The latest information on clearances for the final layout (unchanged from that agreed by NGET on 10 October 2019) was submitted with the DCO Application. The relevant documents are available as follows:</p> <ul style="list-style-type: none"> • The relevant clearances have been observed and remain applicable: APP-247. • The application layout of the development: APP-053. • The design principles document (APP-251) which includes the Works Plan (also at APP-007) is also relevant as this sets out the limits to the flexibility sought within the DCO. The above clearances have defined the limits of the developable areas and will be observed for any layout within the design principles established. 	<p>Agreed.</p>

NGET Comments	Applicant Response	Status (NGET to complete)
	<p>The Applicant is committed to preserving NGET’s rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order limits at all times. As part of this commitment, the Applicant has included protective provisions for NGET in the draft DCO (see Schedule 7, Part 2).</p>	<p>National Grid require protective provisions in their standard form to be included in the dDCO. The parties are currently in the process of agreeing these and then the dDCO can be amended to reflect the agreed Protective Provisions in due course.</p>
<p>NGET-2 The documentation and plans submitted for the Project have been reviewed in relation to impacts on National Grid’s existing apparatus and land interests located within this area. National Grid has a high voltage electricity overhead transmission line and a substation, which forms an essential part of the electricity transmission network in England and Wales within, or in close proximity to, the Order limits:</p> <ul style="list-style-type: none"> • ZV (400kV) overhead line route - Canterbury North to Kemsley - Cleve Hill to Kemsley Cleve Hill 400 kv Sub Station 	<p>Protective provisions have been included within the draft DCO (Schedule 7, Part 2) to ensure that NGET interests are adequately protected and to ensure compliance with relevant safety standards.</p>	<p>The protective provisions to be agreed, as above, will protect both the overhead lines and the sub-station. The parties have entered into a connection agreement in respect of the connection to NGET’s substation. NGET require the approval to the connection route and control over the land rights being acquired by compulsion to facilitate this. This is currently being discussed and agreed between the parties and agreement is expected to be reached soon.</p>

NGET Comments	Applicant Response	Status (NGET to complete)
<p>NGET-2 National Grid will require protective provisions to be included within the DCO to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards.</p> <p>National Grid is liaising with the Promoter in relation to the protective provisions for inclusion within the DCO along with any supplementary agreements which may be required. National Grid will keep the Examining Authority updated in relation to these discussions.</p>	<p>Discussions are ongoing between the Applicant and NGET to ensure the protective provisions in the DCO are appropriate. Agreement is expected to be reached early in the examination.</p>	<p>Agreed, as above.</p>
<p>NGET-2 As a responsible statutory undertaker, National Grid's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations.</p>	<p>The Environmental Statement confirms that there will be no adverse impacts on the operations of NGET as the statutory undertaker as a result of the Development.</p>	<p>It is not just the environmental impacts of the Development that is of concern to NGET, it is the protection of their apparatus and land rights, which is being addressed as above.</p>
<p>NGET-2 National Grid reserves the right to make further representations as part of the examination process but in the meantime will negotiate with the Promoter with a view to reaching a satisfactory agreement.</p>	<p>Discussions are ongoing between the Applicant and NGET to ensure the protective provisions in the DCO are appropriate. Agreement is expected to be reached early in the examination.</p>	<p>Agreed, NGET will update the ExA as necessary.</p>

APPENDIX A – LETTER FROM NGET TO CHSPL DATED 10 OCTOBER 2018

Land and Acquisitions

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Mr Michael Bird
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3 Swinegate
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Y01 8AJ

10 October 2018

Dear Mr Bird

Ref: EN010085 - Cleve Hill Solar Park

Thank you for contacting National Grid about the above site.

You confirmed in your correspondence dated 6th September 2018 that:

‘Development Design

We have continued to observe the separation distances that were discussed with Nick Dexter earlier in the year but it would be helpful to have written confirmation that NGET is comfortable with our design approach. We are still in the process of making design changes and will send over the final plan as soon as it is available. The parameters used to date include:

- *Minimum 5 m horizontal offset from outermost cables to nearest above ground infrastructure (i.e., solar panels).*
- *Fencelines and tracks could cross beneath or run parallel to the OHL but will observe the required 5.3 m safety clearance zone as per the information provided by Nick.*
- *OHL Tower clearances to be observed as per drawings received (15 m minimum applied).’*

We have reviewed the documentation that you have sent over, including NGET Section Clearances, and are satisfied that NGET is comfortable with your design approach at this stage.

We have also provided you with the document 'Third Party Guidance for working near National Grid Electricity Transmission equipment' and draw your attention to the reference to solar farms.

As I have already confirmed, NGET will still require protective provisions.

Yours sincerely



Anne Holdsworth