



The Planning Inspectorate

Planning Act 2008 – section 91

Application by Cleve Hill Solar Park Ltd for an Order granting Development Consent for the Cleve Hill Solar Park

Agenda for Issue Specific Hearing 6 dealing with Environmental Matters

In its letter dated 9 August 2019, the Examining Authority notified Interested Parties of its decision to hold an Issue Specific Hearing into the above matter on the following date:

Hearing	Date and time	Location
Issue Specific Hearing 6 Environmental Matters	Wednesday 11 September 2019 10.00am (Seating available from 09.30am)	Hempstead House Hotel, London Road, Bapchild, Sittingbourne, ME9 9PP

Participation, conduct and management of Hearing

This is the sixth Issue Specific Hearing in this Examination. It is being held because the Examining Authority wishes to question the Applicant about various environmental matters.

The Agenda has a very specific focus. Oral submissions on other subject matters or from persons who are not Interested Parties may only be heard at the discretion of the Examining Authority. Interested Parties who wish to make representations on other issues are encouraged to bring these to an Open Floor Hearing where there is no subject-specific agenda and any important and relevant matters may be raised.

The Examining Authority invites and would particularly like to hear from the following Interested Parties during this Hearing:

- The Applicant;
- Natural England;
- Swale Borough Council;
- Kent County Council;
- Canterbury City Council;
- Kent Wildlife Trust;
- CPRE Kent;
- GREAT;
- Faversham & Oare Heritage Harbour Group;
- Faversham and Swale East Branch Labour Party;
- Dr B Erasin;
- Mr R Gomes;
- The Faversham Society.

The named parties have been invited because they are:

- public bodies with policy and regulatory responsibilities associated with the subject matter;
- national and local authorities for the affected area; or
- persons or organisations with a related and relevant special interest.

Participation is subject to the Examining Authority's power to control the Hearing. Interested Parties may be invited to make oral representations at the Hearing¹ (subject to the Examining Authority's power to control the Hearing). Oral representations should be based on the Relevant Representations or Written Representations made by the person by whom (or on whose behalf) the oral representations are made².

However, representations made at the Hearing should not simply repeat matters previously covered in a written submission. Rather, they should draw attention to those submissions in summary form and provide further detail, explanation and evidential corroboration to help inform the Examining Authority.

The Examining Authority may ask questions about representations or ask the Applicant or other party to comment or respond. The Examining Authority will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the Hearing will therefore be led by a member of the Panel, supported by other Panel members.

This agenda is for guidance only. It is not designed to be exclusive or exhaustive. The Examining Authority may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration. In particular, it is noted that this agenda has been compiled in advance of Deadline 4. As such, the responses to the Examining Authority's second written questions and any other information or updates provided at that Deadline have not been taken into account. The detail of the agenda is likely to be changed once these documents have been received.

Any lack of discussion of a particular issue at a Hearing does not preclude further examination of that issue, including through any further information requested by the Examining Authority under Rule 17 of the Examination Rules.

Should the consideration of the issues take less time than anticipated, the Examining Authority may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to. Some of the issues identified in the agenda are by their nature overlapping. It may be the case therefore that certain questions later on in the agenda are answered by earlier questions. If this is the case the Examining Authority will acknowledge this at the time.

¹ s91 Planning Act 2008

² s91 Planning Act 2008

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day or at a subsequent sitting.

Breaks will be taken during the hearing as directed by the Examining Authority. All parties should note that the agenda given below is to provide a framework for this Hearing and offer discussion points; it does not constrain the Examining Authority to specific topics. The Examining Authority may wish to raise other matters arising from submissions and pursue lines of inquiry in the course of the discussions which are not included in this agenda.

References in square brackets [] are to the unique document identification number in the Examination Library. This document is found on the National Infrastructure Planning website at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010085/EN010085-000472-Examination%20Library%20Cleve%20Hill%20Solar%20Park%20PDF%20Version.pdf>

The hearing will have regard to submissions already set out in (amongst others):

- Relevant representations;
- Written representations;
- Written summaries of oral submissions;
- Report to Inform Appropriate Assessment [APP-026];
- Ecology chapter of the Environmental Statement [APP-038];
- Ornithology chapter of the Environmental Statement [APP-039];
- Ecology figures in the Environmental Statement [APP-055];
- Ornithology figures in the Environmental Statement [APP-056];
- Landscape and visual chapter of the Environmental Statement [APP-037];
- Landscape and visual figures in the Environmental Statement [APP-054, APP-063-196];
- Outline Landscape and Biodiversity Management Plan [REP3-005];
- Outline CEMP [REP3-006];
- Outline SPA Construction Noise Management Plan [REP3-008];
- Mitigation Schedule [REP3-011];
- Outline Construction Traffic Management Plan [REP3-009];
- Landscape and Visual Cross-sections [REP3-027];
- Statements of Common Ground [APP-256].



Agenda

Title of meeting	Cleve Hill Solar Park Hearing on Environmental Matters
Date	Wednesday 11 September 2019
Time	9.30am (doors open) for 10.00am
Venue	Hempstead House Hotel, London Road, Bapchild, Sittingbourne, ME9 9PP
Attendees	Invitees

- 1. Examining Authority's opening remarks**
- 2. Purpose of the Hearing and speakers' introductions**
- 3. Applicant's update on negotiations and agreements with statutory bodies and local interest groups, including Statements of Common Ground**
- 4. Applicant to summarise updates and amendments to relevant documents and assessments between the application date and today, including the Report to Inform Appropriate Assessment**
- 5. Approach to the EIA and methodologies used**
 - a) Updates to the mitigation route map for those measures identified as necessary in the Environmental Statement, and where and how they will be secured in any DCO;
 - b) Updates to the LBMP.
- 6. Update on HRA; effects on European and Ramsar site qualifying features and adequacy of, and mechanisms for securing, the necessary mitigation measures, triggers and remedial actions / adaptive land management measures where necessary, and ongoing monitoring and maintenance**
 - a) SPA CNMP / BBPP / CEMP;
 - b) Arable Reversion Habitat Management Area;
 - c) Habitat within the solar array for marsh harrier;
 - d) Other HRA issues.
- 7. Updates on effects on European, nationally and other important wildlife and habitats and adequacy of, and mechanisms for securing, the necessary mitigation measures, triggers and remedial actions / adaptive land management measures where necessary, and ongoing monitoring and maintenance**
 - a) Water voles;

- b) European eels;
- c) Hazel dormouse;
- d) Other issues.

8. Any other biodiversity and nature conservation matters

9. Any outstanding cultural heritage matters

10. Any outstanding matters relating to Public Rights of Way

11. Landscape and Visual Impact Assessment matters

- a) Cross-sectional drawings provided at Deadline 3;
- b) Any other landscape or visual matters.

12. Any outstanding matters relating to noise

13. Traffic and transport

- a) CTMP;
- b) Any other outstanding matters relating to traffic or transport.

14. Outstanding matters relating to the water environment

- a) Pollution Prevention Plan;
- b) Drip line rilling and susceptibility to soil erosion;
- c) Containment of any pollution or contamination from the battery storage and substation compounds;
- d) Any other matters relating to the water environment.

15. Agricultural Land Classification

16. Safety Management Plan, especially for battery energy storage system / Fire precautions and management measures / Liaison with emergency services / definition of proposed system and EIA

17. Any other outstanding environmental matters

18. Close of Hearing