



Meeting note

File reference	EN010085
Status	Final
Author	Karl-Jonas Johansson
Date	3 May 2017
Meeting with	Cleve Hill Solar Park Ltd
Venue	Temple Quay House, Bristol
Attendees	The Planning Inspectorate

Chris White (Infrastructure Planning Lead)
Tracey Williams (Case Manager)
Karl-Jonas Johansson (Case Officer)
Emma Cottam (EIA and Land Rights Advisor)

Cleve Hill Solar Energy Park

Hugh Brennan (Cleve Hill Solar Energy Park Ltd (Hive Energy))
Gareth Phillips (Pinsent Masons)
Peter Cole (Pinsent Masons)
Harriet Knowles (Counter Context)
Clare Walters (Arcus Consultancy Services)
Mike Bird (Arcus Consultancy Services)

Meeting objectives	Project inception meeting
Circulation	All attendees

Summary of key points discussed and advice given:

Welcome and Introductions

The Applicant and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Inspectorate continued by outlining its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under section 51 of the Planning Act 2008 (PA2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which the Applicant (or others) can rely. It was clarified to the Applicant that the publication of the initial meeting note could be delayed up to six months or until a formal scoping request had been submitted, in accordance with the guidance set out in the Inspectorate's *Prospectus for Applicants*.

Pre-application service

The Inspectorate outlined its pre-application service and clarified that outreach events would be considered on a case by case basis. Due to the location of the project the Inspectorate considered that an outreach event may not be necessary as some stakeholders may already be aware of the PA2008 process given recent projects in the area. However if an outreach event was requested the Inspectorate would consider the request. The Applicant was advised to refer any queries the local authorities may have to the Inspectorate.

Project background

The Applicant explained the background to the project and highlighted some of the benefits it considers the site may have for their project such as an existing grid connection, low visual impact and the low urbanisation of the area. It was clarified that the project is now a joint venture between Hive Energy and Wirsol and that the Applicant intends to include battery storage in the Development Consent Order (DCO) application.

Land issues

The Applicant explained that the site is owned by one landowner with the exception of: the London Array cable corridor, where London Array own the subsoil of the cable corridor; the grid connection to National Grid infrastructure within the Cleve Hill substation; and the access to the site from the public highway (via the Cleve Hill substation access road also owned by London Array). The Applicant doesn't expect the cable corridor to be a key issue for the project going forward. In addition to the cable corridor there is a 400 kV overhead line crossing the site and public rights of way through and adjacent to the site.

The Applicant informed that there are various ecological designations in the vicinity of the site, notably to the east, north and west. The Applicant was advised to engage early with the relevant internal drainage board as the site is transversed with drainage channels. The Applicant noted that the site is predominantly comprised of agricultural land, 95% of which is Grade 3b, with a small area of Grade 2 land. The Applicant was advised to consider the policy context with regard to agricultural land.

The Applicant confirmed that the DCO will contain Compulsory Acquisition (CA) powers, but confirmed that no Crown land would be affected by the project. There might be a need for CA of land adjacent to roads outside the main site. The Applicant may look to use CA powers to "clean title" for certain parts of the site. The Applicant is currently working on a short list of statutory undertakers such as National Grid that might need protective provisions in the DCO.

Ecological surveys

The Applicant conducted baseline bird surveys between 2014 and 2016, including breeding and wintering bird surveys. The Applicant explained that it had been in discussions with Natural England (NE) regarding the baseline data collected and will provide evidence of agreement with NE in the application documents. The Applicant added that parts of the application site will be kept free of panels and may be used to accommodate displaced birds.

The Applicant has undertaken a Phase 1 Habitat survey of the site, along with various protected species surveys. The Applicant noted that some protected species licences may be required. The Inspectorate advised the Applicant to establish Statements of Common Ground with NE and the Kent Wildlife Trust.

Landscape and Visual Impact

The Applicant stated that a key receptor in terms of the visual impact of the project would be users of the Saxon Shore Way long-distance footpath, which runs adjacent to the site. The Applicant considers that the visual impact on receptors located further afield would be limited due to the nature of the Development and topography of the surrounding landscape.

The Inspectorate advised the Applicant to consider the cumulative visual effects resulting from the project and any temporary or seasonal structures in the vicinity (such as polytunnels) in its assessment. The potential impact on views from tall buildings (such as church towers) was also noted. The Applicant advised that many of the properties close to the site do not face towards the proposed application site. The Applicant was advised to engage with the residents of dwellings closest to the site at an early stage.

The Applicant advised that the site is designated as a Special Landscape Area in the Local Plan. The Kent Downs Area of Outstanding Natural Beauty is located to the south.

Historic Landscape

The Applicant explained that the host authorities have indicated they would like to review a desk based cultural heritage assessment prior to offering further advice. The Applicant was advised to also discuss and agree its intended approach to the assessment with Historic England.

Flood Risk

The Applicant confirmed that the site is located within Environment Agency (EA) Flood Zone 3, although the site is protected by existing coastal flood defences. The Applicant intends to discuss and agree the detail of the flood risk assessment with the EA. The Applicant explained that the EA is developing a flood and coastal erosion risk management strategy for the Medway Estuary and Swale area.

Traffic

The Applicant is currently exploring whether it will be possible to use rail or to ship in building material rather than using the local road network when constructing the solar park. The Applicant intends to consult on whether to build the park with short or long timescales and it doesn't envisage any substantial traffic to be generated after the solar park has been built. The Applicant was advised to engage early with Network Rail with regard to the nearby railway bridge. The Applicant highlighted that there is also a school close to the site that might be impacted by the construction traffic.

Consents and Permits

The Applicant advised that it will seek a generating licence, an environmental permit, a drainage permit and possibly protected species licences.

Programme

The Applicant intends to submit an application to the Inspectorate in approximately 12 months' time (May 2018). During the preceding time the Applicant intends to finalise its baseline survey data and conduct two rounds of consultation. The Applicant has yet to decide if both rounds will be statutory consultation. Round one is currently planned to take place before the school summer holiday and the second round in October 2017. The Inspectorate advised that publishing the formal Statement of Community Consultation (SoCC) before non-statutory consultation may cause confusion for the consultees. The Inspectorate further advised the Applicant to use the principles of the SoCC for any non-statutory consultation. The Applicant clarified that it intended to have two consultation zones where the outer zone would only receive information about the project through advertising. The Inspectorate highlighted the need for the applicant to try to capture the users of the Saxon Shore Way long-distance footpath in its consultation. The Inspectorate further advised the Applicant to use the first round of consultation to narrow down its options.

Engagement with local authorities

The Applicant has met with Swale Borough Council, Kent County Council and Canterbury City Council. The Applicant advised that the three councils had identified ecology, visual impact and traffic as their main concerns. They also stated a wish to enter into Planning Performance Agreements (PPA) with the Applicant. The Inspectorate clarified that it does not get involved in the PPA negotiations. The Applicant was advised to discuss delegated powers with the local authorities, as during the six month examination timetable the deadlines require swift responses and there may not be time to seek committee approval for representations made by the local authority (see the Inspectorate's Advice Note 2); and also to discuss the prospect of joint working between the councils.

The Inspectorate was informed that the Swale Local Plan has yet to be adopted.

Submission

End of Q1 2018/start of Q2 2018

Any Other Business

The Applicant was advised to review the [s51 advice](#) issued to Statera regarding battery storage.

The Applicant stated it will time its scoping request so it does not overlap with its first round of consultation.

The Applicant noted that it intends to take a Rochdale approach to the assessment, whereby flexibility will be sought for the Proposed Development, e.g. the siting of the panels and the dimensions of the structure/s which would contain the battery storage.

PINS highlighted the need to ensure that the worst case scenario is defined and assessed in the ES. A high degree of flexibility could also have implications for the Habitats Regulations Assessment and the Applicant is advised to consider this carefully, discussing with NE as appropriate.

Specific decisions / follow up required?

- The Inspectorate to request from the Applicant the necessary information to launch the website – (*Completed post meeting*)
- The Applicant may wish to seek advice from PINS in relation to flexibility around the generating capacity of the project.
- The Applicant to send the Inspectorate its local authority contact list.
- The Applicant to confirm a date for the next project meeting.
- Applicant to update the Inspectorate on submission date for scoping request once this has been firmed up. Note that the Inspectorate will require a GIS Shapefile of the project site boundary (see the Inspectorate's Advice Note 7 for details) 2 weeks in advance of the submission.