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All Interested Parties and Statutory  
Parties

Your Ref:

Our Ref: EN010101

Date: 23 March 2021

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Dear Sir/ Madam

**Planning Act 2008 – Section 88 and The Infrastructure Planning  
(Examination Procedure) Rules 2010 – Rule 4, Rule 6, Rule 9, Rule 13**

**Application by INGR Solar (Little Crow) Limited for an Order Granting  
Development Consent for Little Crow Solar Park project**

**Invitation to the Preliminary Meeting, draft Examination Timetable and  
Notification of Hearings**

**Following the issue of the Rule 6 Letter and accompanying Annexes on  
Monday 22 April 2021, I have made the following corrections and  
amendments to the Rule 6 letter:**

- 1. The deletion from the draft Examination Timetable at Annex D of the  
Open Floor Hearing (OFH) which was scheduled to be held on Tuesday  
20 April 2021**
- 2. The deletion from Deadline A of the deadline for Interested Parties to  
confirm their attendance at the OFH, that was scheduled to be held on  
20 April.**

**This letter supersedes the version submitted on Monday 22 April 2021. I  
apologise for any inconvenience the reissuing of the Rule 6 letter may have  
caused.**

I write to you following my appointment by the Secretary of State as the Examining  
Authority (ExA) to carry out an examination of the above application. A copy of the  
appointment notice can be viewed at:

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/little-crow-solar-park/?ipcsection=docs&stage=3&filter1=Appointment+of+Examining+Authority>

I would like to thank those of you who submitted Relevant Representations. These representations have assisted me when preparing my proposals regarding how to examine this application.

I have now made proposals taking account of the Relevant Representations that have been made, the Planning Inspectorate's guidance published in response to Coronavirus (COVID-19) and the likely effect of ongoing public health controls. I propose to start the Examination using virtual methods but to remain flexible so that, should public health requirements allow, I have the option of holding in person hearings if I can during the Examination.

[Advice Note 8.6: Virtual examination events](#) explains how virtual events will be held and how you can get involved. Please read this material carefully.

### **Invitation to the Preliminary Meeting**

This letter is an invitation to the Preliminary Meeting (PM) to discuss Examination procedures for the Little Crow Solar Farm Examination. It contains a number of important annexes, including **Annex A** (the Agenda) and Annex B which introduces the PM, explains how it will be conducted and how you can participate.

**Dates of meeting:** **Tuesday 20 April 2021**

**Arrangements conference:** **from 9:20am**

**Meeting begins:** **10:00am**

**Venue:** **Virtual event**  
**(please refer to Annexes A, B & Advice Note 8.6)**

### **Purpose of the Preliminary Meeting**

The purpose of the PM is to enable views to be put to me about the way in which the application is to be examined. **At the PM I will be looking at the procedure and not the merits of the application.** The merits of the application will only be considered once the Examination starts, which is after the PM has been concluded.

The agenda for the meeting is at **Annex A**. This has been set following my Initial Assessment of Principal Issues arising from my reading of the application documents and the Relevant Representations received. That assessment is set out in **Annex B**.

As a result of this assessment I wish to hear from the Applicant, North Lincolnshire Council, Interested Parties and Statutory Parties where they consider changes may be needed to the draft Examination Timetable, which is set out in **Annex C**, and other procedural arrangements.

Please submit requests to be heard at the PM, identifying the matters on the Agenda (see Annex A) you wish to discuss, or submissions in writing for consideration if you are unable to attend, to the project mailbox:

[LittleCrowSolarPark@planninginspectorate.gov.uk](mailto:LittleCrowSolarPark@planninginspectorate.gov.uk). These must be received by **Thursday 8 April 2021** (Procedural Deadline A).

If you are unable to submit correspondence electronically, please contact the Little Crow Solar Park Case Team on 0303 444 5000.

**Please note that due to the nature of the event, we can only accommodate participation on the day by those who register to speak by 8 April, and numbers may need to be limited.**

I will give written submissions the same weight as any oral contributions made during the PM. It will not be necessary to repeat any written submission when speaking at the PM.

### **Attendance at the Preliminary Meeting**

The PM will be live-streamed and recorded. The recording will be published on the National Infrastructure Planning website for this project as soon as practicable after the meeting has been completed.

Because participation in a virtual Preliminary Meeting relies on the provision of a joining link or telephone number in advance, it is important that you think about whether you wish to speak and confirm your involvement by **Procedural Deadline A (8 April 2021)**.

I strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group. Anyone who has not made an involvement request will still be able to access a live-stream or the recording and so the meeting will be in public.

Please remember this meeting is only about the process of the Examination, and I will not be hearing any representations at this meeting about the merits of the Proposed Development or the application.

On receipt of requests to participate from Interested Parties, I will consider them and may contact some parties to confirm their type of involvement in line with the information provided in the Involvement form, in advance of the PM taking place. As such, prospective participants are advised to keep the whole day available.

Please note that **you are not required to make oral or written submissions at the PM in order to participate in the Examination**. If you are an Interested Party, you will still be able to make a Written Representation and comment on the Written Representations made by other Interested Parties. You will also be able to participate in any hearings that are arranged. Should you no longer wish to be an Interested

Party and do not wish to be involved in the Examination process, you can notify the Case Team of this in writing.

### **After the Preliminary Meeting**

After the PM you will be sent a letter setting out the finalised Examination Timetable. A recording and a note of the meeting will also be published on the project webpage on the National Infrastructure Planning website for this project.

The Examination will be held using a combination of written and hearing procedures that are explained in [Advice Notes 8.5 and 8.6](#).

All issue specific hearings (ISH) and any open floor hearings (OFH) are held in public. Where hearings take place virtually, they will be recorded and made available to view on the National Infrastructure (NI) project website by live-stream and shortly after each event. If any physical hearings can take place during the examination for this Proposed Development, an audio recording of those hearings will be published on the NI project website.

All relevant and important matters will be taken into account when I make a recommendation to the Secretary of State for Business, Energy and Industrial Strategy, who will make the final decision in this case.

### **Notification of hearings**

I have made a Procedural Decision to hold the following hearing in the first week of the Examination:

- A virtual Issue Specific Hearing (ISH1) on Tuesday 20 April 2021, commencing no earlier than 14:00 pm onwards and then reconvening on Wednesday 21 April 2021, from 10:00 am onwards, if a second sitting day is required.

Important information about this hearing is contained within **Annex E**.

Information about how to request to speak at this hearing is appended to this letter.

### **Procedural Decisions made by the Examining Authority**

In addition to the hearing notified above, I have made some further Procedural Decisions which are set out at **Annex F**. These are summarised as follows:

- The setting of deadlines for the submission of Statements of Common Ground and Local Impact Reports.
- The notification by Interested Parties of their wish to attend an Accompanied Site Inspection<sup>1</sup> and their nomination of locations, including justifications, for the consideration of the ExA.
- The notification by Statutory Parties and certain Local Authorities of their wish to be considered as an Interested Party by the ExA.
- The submission of low-resolution documents for use at virtual events.

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<sup>1</sup> An Accompanied Site Inspection would only go ahead if Government guidance on COVID-19 at that time permits

- The submission and acceptance of post-application documents.

## **Managing Examination correspondence**

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by email and using online questionnaires, as electronic communication is more environmentally friendly and cost effective for the taxpayer.

If you have received a postal letter/postcard but are able to receive communications by email, please confirm this with the Case Team using the contact details at the top of this letter, as soon as possible.

Up-to-date information about the project and the Examination can be obtained from: <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/little-crow-solar-park/?ipcsection=overview>

## **Your status in the Examination**

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document '[What is My Status in the Examination?](#)':

If your reference number begins with 'XXXX', 'XXXX-0', 'XXXX-AFP', 'XXXX-S57' 'XXXX-APP' you are in Group A. If your reference number begins with 'XXXX-SP' you are in Group B. If your reference number begins with 'XXXX-OP' you are in Group C. The meaning and purpose of those groups are explained in the document published at the link above.

If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

## **Deadlines**

Please note that all deadlines in the draft Examination Timetable and as referred to in this letter are at 23:59 on the deadline day. Each deadline within the Timetable should, however, be treated as being a 'not later than time and date'. There is therefore no reason why submissions relating to a particular deadline cannot be made to the Planning Inspectorate in advance of the stated deadline.

## **Management of information**

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the Examining Authority) and a record of any advice which has been provided by the Planning Inspectorate, is published at:

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/little-crow-solar-park/?ipcsection=docs>

All Examination Documents can also be viewed electronically at the locations listed in **Annex G**.

Please note that in the interest of facilitating an effective and fair Examination, I consider it necessary to publish some personal information. To find out how we handle your personal information, please view our [Privacy Notice](#).

## **IMPORTANT**

The Planning Inspectorate will be providing an electronic portal which parties will be able to use during the Examination to make written submissions at relevant Deadlines. The project page of the NI website will include a new tab titled '**Make a submission**', which can be accessed ahead of each Deadline. Further information will be included in the Rule 8 letter which will be issued as soon as practicable after the Preliminary Meeting.

## **Unaccompanied Site Inspection prior to the PM**

In advance of the PM I intend to undertake an Unaccompanied Site Inspection (USI) to familiarise myself with the area within the vicinity of the application site. That USI will be undertaken having regard to the COVID-19 public health requirements in force at the time and the guidance the Planning Inspectorate has issued to Inspectors with respect to conducting site inspections. A note of my USI will be published on the project webpage shortly after I have conducted my inspection.

## **Award of costs**

We also draw your attention to the possibility of the award of costs against Interested Parties who behave unreasonably during the Examination. You should be aware of the relevant costs guidance 'Awards of costs; examinations of applications for development consent orders' which applies to Nationally Significant Infrastructure Projects. This guidance is available at:  
<https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

I look forward to working with all parties in the examination of this application.

Yours faithfully

*Grahame Gould*

**Examining Authority**

## **Annexes**

- A** Agenda for the Preliminary Meeting
- B** Introduction to the Preliminary Meeting
- C** Initial Assessment of Principal Issues
- D** Draft Examination Timetable
- E** Notification of ISH1
- F** Procedural Decisions made by the Examining Authority
- G** Availability of Examination Documents

This communication does not constitute legal advice.  
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

**Title of meeting:** **Little Crow Solar Park Preliminary Meeting**

**Date:** **Tuesday 20 April 2021**

**Joining available from:** **09:30am**

**Meeting start time:** **10:00am<sup>1</sup>**

**Venue:** **Virtual Event** (See **Annex E**)

Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate

**Attendees:** **Invited Parties who have pre-registered**

**(This meeting will also be available for people to observe live online via a link, which will be advertised on the project page of the National Infrastructure website shortly before the Meeting is due to start)**

<b>Item 1</b>	Welcome and introductions
<b>Item 2</b>	The Examining Authority's (ExA) remarks about the virtual PM process – <b>Annex B</b>
<b>Item 3</b>	The ExA's remarks about the Examination process – <b>Annex B</b>
<b>Item 4</b>	Initial Assessment of Principal issues – see <b>Annex C</b>
<b>Item 5</b>	Draft Timetable for the Examination – see <b>Annex D</b> Including: <ul style="list-style-type: none"> <li>• Deadlines for submissions and notifications</li> <li>• Dates and format for hearings</li> <li>• Arrangements for site inspections</li> </ul>
<b>Item 6</b>	Procedural Decisions taken by the ExA – see <b>Annex F</b>
<b>Item 7</b>	Any remaining questions or submissions regarding procedural matters not set out in the agenda that have been submitted to the Planning Inspectorate in writing in advance of the Preliminary Meeting

<sup>1</sup> If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect into the Preliminary Meeting in good time. In common with traditional Preliminary Meetings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

<b>Item 8</b>	Any other matters
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**Please note:**

Please submit requests to be heard at the Preliminary Meeting, identifying the matters on the Agenda (see Annex A) you wish to discuss, or submissions in writing for consideration if you are unable to attend, to the project mailbox: [LittleCrowSolarPark@planninginspectorate.gov.uk](mailto:LittleCrowSolarPark@planninginspectorate.gov.uk). These must be received by Thursday 8 April 2021 (Procedural Deadline A).

If you are unable to submit your request electronically, please contact the Little Crow Solar Park Case Team on 0303 444 5000.

Please be available from the start and throughout the meeting (or any relevant part or session of the meeting that you are asked to attend). The agenda is subject to change at the discretion of the ExA, although in making changes the ExA will be mindful of the format of the meeting and the need to provide opportunities for all parties to participate. The ExA will conclude the meeting (or any relevant part or session of the meeting) as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time the ExA may change the order of the agenda items and may introduce breaks in the proceedings.

It is important when requesting involvement that you identify the agenda items on which you wish to speak.

If it is not possible for you to join the PM, you will be able to view the recording for it which will be available through the project page of the National Infrastructure website.

**Please make sure that you read the following documents before attending the Preliminary Meeting:**

- The Planning Inspectorate Privacy Notice:  
<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notices/customer-privacy-notice>
- Our FAQ document which contains important information about how data protection legislation is applied at our events:  
<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2020/02/GDPR-at-events-FAQ-final.pdf>

## **An Introduction to the Preliminary Meeting**

### ***Background***

The Preliminary Meeting (PM) for the Little Crow Solar Park will take place virtually online, but the format, content and procedure will be very similar to the traditional, face-to-face PMs that have been held for other National Infrastructure Examinations.

The Examining Authority (ExA) accepts that virtual meetings may present a challenge to some parties to participate in and may be unfavourable and unpalatable to others. However, the Government has been explicitly clear that Examinations of Nationally Significant Infrastructure Projects (NSIPs) should continue to proceed at this time. The safest and most appropriate way to undertake this is to hold meetings virtually.

For these reasons, the ExA will not entertain discussions on the principle or appropriateness of holding virtual meetings either prior to, or at the PM. Nor will we consider a postponement of the Examination until physical meetings can once again take place. Should Interested Parties wish to make known their objections to either of the above, they should do so in writing to the Planning Inspectorate via the project email address [LittleCrowSolarPark@planninginspectorate.gov.uk](mailto:LittleCrowSolarPark@planninginspectorate.gov.uk). The ExA wishes to stress that should the situation change, and restrictions be lifted on such matters early on in the Examination period, the ExA may be able to consider an alternative to virtual meetings.

The ExA is conscious of videoconferencing fatigue and aims to keep the proceedings focussed and as efficient as possible. This Annex provides advance information that would usually be included in the ExA introductory remarks following the opening of the PM. **Please read this carefully** as, on the day, the ExA will only present a summary of the key points set out here in order to ensure that the time available for participants to speak is maximised.

### ***The Examining Authority***

The ExA is a 'Single Appointed Person', Grahame Gould, who will introduce himself at the start of the Preliminary Meeting.

### ***The Case Team***

The ExA will be supported before and during the meeting by the Planning Inspectorate Case Team. Louise Evans is the Case Manager for this application, supported by the Case Officer, Tamika Hull. A member of the team will be welcoming and admitting participants into the virtual Preliminary Meeting. They are available to answer questions by email before and after the meeting. The project's email address is: [LittleCrowSolarPark@planninginspectorate.gov.uk](mailto:LittleCrowSolarPark@planninginspectorate.gov.uk).

### ***Purpose of the Preliminary Meeting (PM)***

The PM is being held to discuss the arrangements for the Examination of an application for Development Consent for the proposed Little Crow Solar Park, which is a Nationally Significant Infrastructure Project (NSIP), and which will

generally be referred to in the Preliminary Meeting and Examination as the 'Proposed Development'. The application has been made by INRG Solar (Little Crow) Limited, who will be referred to as 'the Applicant'.

You will find information about the application and, in due course, documents produced for this Examination on the Planning Inspectorate's National Infrastructure website for this NSIP application. This has a dedicated page for the project with links to Examination procedure, the timetable, Relevant Representations and Examination documents. The address is:

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/little-crow-solar-park/?ipcsection=docs>

You are encouraged to look at the website if you haven't already done so, because it is used to communicate with you and to provide access to documents throughout the Examination. There is an option on the project web page, halfway down on the right-hand side of the page, to register to receive updates throughout the Examination and it is recommended that you do so that you will receive an e-mail every time the banner is updated on the project page, at key stages during the Examination.

The main purpose of the PM is to consider arrangements for the Examination of the application for the Proposed Development. It focuses on the process only, and it will not be looking at the substance of the proposal: questions, discussions and representations about the merits or disadvantages of the Proposed Development and the application are for the Examination itself which will begin following the close of the PM, during the afternoon of 20 April 2021.

The proposals for the Examination are set out in the Rule 6 letter of **23 March 2021**, to which this is an Annex.

The Preliminary Meeting will be your opportunity to influence the procedural process that the ExA intends to follow, and you should read the Rule 6 letter and all of its Annexes thoroughly beforehand. The agenda for the Preliminary Meeting is attached to the Rule 6 letter at **Annex A**. It is important to have the letter and the agenda in front of you and to refer to them during the course of the PM. If you are not experienced with videoconferencing and manipulating various documents on a screen, you may wish to print these out in advance of the meeting for reference.

### ***Preliminary Meeting (PM) Invitees***

The Applicant is invited to the PM and is generally given the opportunity to reply to any representations made.

Everyone who has made a written Relevant Representation has been registered as an Interested Party and has been sent this Rule 6 letter. Each Interested Party is entitled to involvement in the Examination going forward.

Certain bodies are 'Prescribed Consultees' or statutory parties. They are bodies that can elect to become Interested Parties without having made a Relevant Representation.

The ExA has the power to involve 'Other Persons' in the Examination as though they are Interested Parties, including inviting them to the Preliminary Meeting. However, this is only likely to happen in exceptional circumstances, for example if it was clear that the application would materially affect a person, and for a good reason they had been unable to take the necessary action to register as an Interested Party.

### ***Conduct of the Preliminary Meeting (PM)***

The PM could take a few hours to complete. In running the event virtually there are some limitations on the number of people who can speak at any one time. Nevertheless, it is expected that the PM will have been completed by early afternoon.

Participants may have to make allowances and be patient if there are some delays associated with the use of the technology. In recognition of the particular strains of on-screen communication, the ExA will take short breaks if and when considered necessary. The joining instructions will provide more information about the final structure and format of the meeting.

A digital recording of proceedings will be made available on the National Infrastructure website the project page for this application as soon as practicable following the PM. The digital recording allows any member of the public who is interested in the application and the Examination to find out what has happened, whether they were able to attend or observe the meeting or not. The making and publication of these recordings are a critical means by which the ExA meets the legal requirement to hold the PM (and any other hearings) in public. In this regard, **anyone speaking at the PM will need to introduce themselves each time they speak** to ensure that someone listening to the recording after the event knows who is speaking. A note of the PM will be produced following the closure of the meeting.

As the digital recordings are retained and published, they form a public record that can contain personal information to which the General Data Protection Regulation (GDPR) applies. Participants must do their best to avoid providing any information to this public record which should otherwise be kept private and confidential. If there is a need to submit such information, it should be in written form. Although this will also be published, the personal content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should contact the Case Team prior to the PM and ask for guidance before they place personal and private information into the public domain.

The Planning Inspectorate's practice is to publish the recordings and retain them for a period of five years from the Secretary of State's decision on the Development Consent Order (DCO). If you actively participate in the PM, it is important that you understand that you will be recorded and that you consent to the retention and publication of the digital recording.

Following the ExA's introductions, each participant who has been registered to speak will be asked to introduce themselves, including any organisations or groups that they represent. The ExA will then conduct the PM in accordance with

the Agenda. If you prefer not to have your image recorded, you can switch off your camera.

### ***The Examination process***

The examination of NSIP applications is a very different process to that, for example, of a Public Inquiry into a planning appeal following the refusal of planning permission. The main differences are that the examination of NSIP applications are **primarily a written process** and it has an inquisitorial approach as opposed to an adversarial one.

This means that the ExA will probe, test and assess the evidence primarily through written questions. While some Hearings may be held to supplement the written evidence, any questions at those hearings to the Applicant or to Interested Parties will come from the ExA. Questioning or cross-examination of hearing participants by other participants will generally not be allowed by the ExA.

In terms of opportunities to provide evidence in writing, the draft Examination Timetable makes provision for the following written processes:

- 1) Local authorities can submit Local Impact Reports (LIRs) if they wish. Whilst these are voluntary, they must be considered by the Secretary of State in reaching a decision. Consequently, LIRs are a very important method for local authorities to communicate issues of concern to them and their residents.
- 2) Interested Parties can make Written Representations and comment on Written Representations made by other parties.
- 3) Interested Parties can respond to the ExA's written questions and comment on responses to these written questions provided by others.
- 4) Interested Parties may be asked to contribute to the submission of Statements of Common Ground (SoCG) if it appears that there are matters on which they and the Applicant agree, and if it would be useful for this to be clarified. A SoCG can also be extended to: identify matters that are not agreed and explain why there is disagreement with respect to those matters; and/or set out matters that remain outstanding at the time of the submission of a SoCG.

The draft Examination Timetable includes a series of numbered Deadlines for the receipt of written submissions, for example written representations, responses to the ExA's questions, LIR and SoCG. For clarity, unless otherwise stated in the final Examination Timetable, the statutory deadline for the acceptance of written submissions will be at 23:59 on the date specified in the final Examination Timetable. Documents received after the relevant Deadline will only be accepted at the discretion of the ExA and may not be accepted to ensure fairness to all parties. Circumstances where documents are submitted late without good reason, causing inconvenience or delay to other parties can be considered by the ExA to amount to unreasonable behaviour. While each deadline within the Timetable will be the latest time and date for the making of submissions to the ExA, there is no reason why submissions relating to a particular deadline cannot be submitted ahead of the stated deadline.

These written processes will be the principal means used by the ExA to receive information, evidence and views about the application. However, the Examination will only be effective if all parties commit to giving timely, full, frank and clear answers to every question that is relevant to their interests and to engage fully with any other related processes such as the completion of Written Representations and SoCGs.

There is no merit in withholding or delaying information, or in failing to cooperate, and, should it occur, any unreasonable behaviour that caused another party to incur wasted expenditure could lead to an award of costs against the offending party. The failure to reply to a written question asked by the ExA may well result in that question being asked again by the ExA.

The ExA has discretion to make changes to the Examination Timetable for the wider benefit of the Examination. If possible, events will be arranged for times when all relevant parties are available, but the ExA is under a duty to complete the Examination of the application by the end of the period of six months beginning after the close of the Preliminary Meeting. This requirement is set by the legislation, and while the ExA will try to rearrange event dates to accommodate all relevant parties, in practice there will be very limited scope to alter the dates set out in the draft Examination Timetable.

The statutory time limit for the Examination means that everyone must strive for a 'right first time' approach to matters set out in writing. Where there are matters that still need to be discussed and agreed between the Applicant and Interested Parties, those matters should be progressed by the Applicant and the affected Interested Parties as early as possible and not left to consideration and/or resolution at the last opportunity, concluding SoCG being a case in point.

### **Hearings**

The draft Examination Timetable includes provision for Hearings, at which the ExA receives oral evidence from the various parties.

Any registered Interested Party may request an **Open Floor Hearing (OFH)** to make oral representations about the application, if they believe this to be preferable to restricting their representation to the written form, though both carry equal weight and Interested Parties are reminded that the examination of an NSIP application should primarily be a written process. Oral submissions should be based on representations previously made in writing, but they should not simply repeat matters previously covered in the written submission. Rather, they should focus on specific detail, explanation and evidential corroboration to help inform the ExA. There should be no new or unexpected material in oral presentations. A summary written note with any supporting evidence or references will be requested of each speaker after the Open Floor Hearing.

As with all Examination events, OFHs are subject to the powers of control of the ExA, as set out in the PA2008 and supporting legislation. Participants must register in advance by the deadline shown in the Examination Timetable and in accordance with the instructions an agenda will be circulated. It is common practice for the ExA to set a time limit for each speaker and speakers with

common points are asked to come together to nominate a spokesperson or representative speakers to cover specific topics, in order to avoid repetition. Speakers representing public authorities, community and membership organisations or multiple IPs are normally provided with an additional time allowance, recognising their representative role.

The ExA has the discretion to hold **Issue Specific Hearings (ISH)** if it considers ISHs would aid the Examination and there is a specific reason why this would be more helpful than relying solely on written evidence. The lack of an ISH on one or more topics does not suggest that that topic is less important than others which are subject to a Hearing. Rather, it is an indication that the ExA is satisfied that the issues can be fully considered through written submissions and responses to its written questions and that each party has had a fair opportunity to put its case.

The Examination Timetable includes a number of reservations for Issue Specific Hearings and Interested Parties may make suggestions for topics in their written or oral representations to the PM.

It may be necessary for the ExA to hold an ISH specifically relating to the draft DCO. This is normal practice, and it would be held on a without prejudice basis. Parties can suggest modifications and amendments to the draft DCO provided with the application by the Applicant, without prejudicing their overall position on the application. The holding of such an ISH would not imply that the ExA had reached any judgements on the application. Whatever its ultimate recommendation, the ExA must make sure that the draft DCO is fit for purpose if the Secretary of State decides to approve the application, as any consent will be subject to requirements (equivalent to planning conditions) set out in any made DCO.

At Hearings, it will not normally be necessary for parties to make long and detailed submissions that need IT support such as PowerPoint presentations, nor would facility for this be provided. Any such detail can be provided in writing after a Hearing and by the relevant examination deadline.

The draft Examination Timetable includes a deadline (**Deadline 1** on 10 May 2021) for participants to notify the ExA that they wish to speak at an OFH on the 29 or 30 June 2021.

### ***Site inspections***

As part of the Examination process, the ExA will undertake site inspections. Site inspections can either be unaccompanied (USI) or accompanied (ASI), although any inspections would be subject to any Government restrictions relating to COVID-19 in force at the time.

The purpose of any site inspection is for the ExA to see features of the proposal within the context of the evidence put forward. Notes of USIs are published on the National Infrastructure website project page for this application.

An ASI(s) will only be necessary to view land to which there is no public right of access, or with no clear view from nearby locations with open public access. The

purpose of ASIs is for familiarisation only and no discussion on the merits of the Proposed Development will be entertained during an ASI by the ExA.

The draft Examination Timetable includes a deadline for IPs to make submissions suggesting sites and locations that the ExA should visit. Those suggestions will be used to inform any USI(s) that the ExA undertakes in addition to the USI that will precede the PM, as well as possible ASI(s) undertaken by the ExA. It should be noted that public health restrictions may limit the scope for ASIs and, if any such restrictions remain in force by the end of the Examination, the ExA may decide that undertaking USIs at relevant nominated locations, supported by the submission of additional written, photographic, video or drone material would be preferable to not visiting sites or holding ASIs in circumstances which could make them impractical or unduly time-consuming to conduct.

## Initial Assessment of Principal Issues

This is the Initial Assessment of the Principal Issues prepared under s88(1) of the Planning Act 2008 (PA2008). In making this initial assessment, the Examining Authority (ExA) has had regard to the application documents and Relevant Representations received in respect of the application.

It is not a comprehensive or exclusive list of all relevant matters. The ExA will have regard to all important and relevant matters during the Examination and when it writes its Recommendation Report to the Secretary of State for Business, Energy and Industrial Strategy after the Examination has concluded.

The order of the issues does not imply any order of prioritisation or importance.

The policy and consenting requirements and documents associated with the PA2008 are an integral part of the Examination and are therefore not set out as separate Principal Issues.

It should be noted that a number of the Principal Issues set out below may have an interrelationship or overlap, and this will be reflected in the Examination. It should also be noted that:

- whilst the effects of the proposal on the achievement of sustainable development including the mitigation of, and adaptation to, climate change are not listed as specific Principal Issues; and
- whilst the effects of the proposal in relation to human rights and equalities duties are not listed as specific Principal Issues;

the ExA will conduct all aspects of the Examination with these objectives in mind.

<b>Principal Issue</b>	<b>Brief Amplification To include but not necessarily limited to:</b>
Agriculture and soils	<ul style="list-style-type: none"> <li>• Effects on agricultural land and farming operations</li> <li>• Soil quality</li> </ul>
Air quality	<ul style="list-style-type: none"> <li>• Construction and decommissioning effects, including dust</li> <li>• Mitigation of effects</li> </ul>
Amenity and recreation	<ul style="list-style-type: none"> <li>• Whether the proposals are appropriate to minimise disruption to users of the public right of way network during construction and decommissioning</li> </ul>
Biodiversity, ecology and the natural environment	<ul style="list-style-type: none"> <li>• Effects on legally protected species, including those subject to European site designations</li> <li>• Effects on woodland, trees and hedgerows</li> <li>• Age and validity of ecological surveys</li> <li>• Potential cumulative effects on farmland birds, including qualifying features of the Humber Estuary Special Protection Area that utilise land within the Proposed</li> </ul>

	<p>Development boundary and the proposed Conesby Solar Farm and existing Ravensthorpe Solar Farm</p> <ul style="list-style-type: none"> <li>• Adequacy of proposed mitigation measures, monitoring and management, including the relationship with the Construction Environmental Management Plan (CEMP) and draft Development Consent Order (dDCO)</li> </ul>
Draft Development Consent Order	<ul style="list-style-type: none"> <li>• Consistency between the dDCO and Explanatory Memorandum</li> <li>• The flexibility with respect to the location of the proposed battery storage facility</li> <li>• Whether any consent should be time limited</li> <li>• The adequacy and drafting of the proposed Articles, Requirements and associated provisions</li> <li>• Arrangements for decommissioning and restoration of the site</li> </ul>
Environmental Statement – general matters	<ul style="list-style-type: none"> <li>• The expected duration of the construction phase for the Proposed Development and how the impacts of the construction phase have been assessed</li> <li>• The intended generating capacity for the Proposed Development having regard to: <ul style="list-style-type: none"> <li>○ the dDCO’s reference to ‘output over’ 50 megawatts peak (MWp);</li> <li>○ the submitted Environment Statement and Planning Statement references to a candidate design for the Proposed Development with a ‘maximum range’ of between 150 and 200 MWp;</li> <li>○ the draft Statement of Common Ground with various Interested Persons and the development consulted upon prior to the referring to a ‘maximum design capacity’ of up to 150 MWp; and the interrelationship between the capacities for the solar park and battery storage facility and the capacity of the grid connection that has been secured</li> </ul> </li> <li>• The identification of any other proposed nearby major developments and the consideration of cumulative and in-combination effects of those developments with the Proposed Development</li> <li>• The approach to the consideration of alternatives to the Proposed Development, including location and scale, and whether the Proposed Development would comply with legal and policy requirements in relation to the consideration of alternatives</li> <li>• The extent to which the Proposed Development would deliver a biodiversity net gain and how that should be calculated</li> <li>• The approach to the assessment of climate change</li> <li>• The effects during the decommissioning phase for the Proposed Development</li> </ul>

	<ul style="list-style-type: none"> <li>• The approach to the assessment of any impacts associated with chemical leakage relating to the operation of the battery facility</li> <li>• The volume of waste arising during the construction, operational and decommissioning phases of the Proposed Development</li> </ul>
Historic environment	<ul style="list-style-type: none"> <li>• Effects on non-designated heritage assets, including during the construction and decommissioning phases for the Proposed Development</li> </ul>
Landscape and visual effects	<ul style="list-style-type: none"> <li>• Suitability of the study area and the viewpoints used in the Landscape and Visual Impact</li> <li>• Effects during construction</li> <li>• Effects on views from the Public Rights of Way network</li> <li>• Consideration of glint and glare effects</li> <li>• Effectiveness of visual mitigation measures</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• Identification of sensitive receptors</li> <li>• Noise effects during construction and decommissioning and mitigation</li> <li>• Noise effects during operation</li> </ul>
Socio-economic	<ul style="list-style-type: none"> <li>• Economic and employment effects on the local and wider economy, during construction and when operational</li> </ul>
Traffic and transport	<ul style="list-style-type: none"> <li>• Effects on communities and other sensitive receptors along the construction HGV delivery route, including noise and air quality</li> <li>• Mitigation measures</li> </ul>
Water and flooding	<ul style="list-style-type: none"> <li>• Flood Risk Assessment (FRA) and climate change allowance, including relationship with life span of the Proposed Development and applicability of new UK Climate Projections (UKCP18)</li> <li>• Potential changes in surface and groundwater quality including indirect implications for biodiversity</li> </ul>

## Draft Examination Timetable

The Examining Authority (ExA) is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

Item	Matters	Due Dates
1.	<p><b>Procedural Deadline A</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written submissions, if required, from the Applicant and any Interested Party (IP) relating to Examination procedure and any changes that are considered necessary to the draft Examination timetable</li> <li>• Requests to be heard orally at the Preliminary Meeting (please refer to Annex A for further information), including indications of: which agenda items IPs wish to speak on; the points they wish to raise; and why these need to be made orally rather than in writing</li> <li>• Requests to attend and be heard orally at the Issue Specific Hearing 1.</li> </ul>	<p><b>Not later than 23:59 on Thursday 8 April 2021</b></p>
2.	<p><b>Preliminary Meeting (PM)</b></p>	<p><b>Tuesday 20 April 2021 at 10:00</b></p>
3.	<p><b>Issue Specific Hearing 1 (ISH1) concerning:</b></p> <ul style="list-style-type: none"> <li>• Environmental Statement – general matters, including generating capacity, alternatives to the Proposed Development and cumulative effects; and</li> <li>• the draft Development Consent Order</li> </ul>	<p><b>Tuesday 20 April 2021 not before 14:00</b></p> <p><b>And (if required) Wednesday 21 April 2021 at 10:00</b></p>
4.	<p><b>Issue by the ExA of:</b></p> <p>Examination Timetable</p> <p>Publication of:</p> <ul style="list-style-type: none"> <li>• The ExA's Written Questions (ExQ1)</li> </ul>	<p><b>As soon as practicable following the Preliminary Meeting</b></p>

5.	<p><b>Deadline 1 (D1)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Written submissions on Examination procedure responding to matters raised orally in the PM</li> <li>• Comments on any updates to Application documents submitted by the Applicant before or at the PM (if relevant)</li> <li>• Comments on Relevant Representations (RR)</li> <li>• Written Representations (WRs)</li> <li>• Summaries of any WRs exceeding 1500 words</li> <li>• Post ISH1 submissions, including written submissions of oral cases given during that hearing</li> <li>•</li> <li>• An updated version of the draft Development Consent Order (dDCO) submitted by the Applicant, following its discussion at ISH1 and to be submitted in an editable format with any revisions to the preceding version shown using tracked changes</li> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Notification by Statutory Parties of wish to be considered as an Interested Person (IP) by the ExA</li> <li>• Submission by the Applicant and IPs of suggested locations for the ExA to include in Unaccompanied and/or Accompanied Site Inspections, including the reason for nomination and issues to be observed, information about whether the location can be accessed using public rights of way or what access arrangements would need to be made, and the likely time requirement for the visit to that location (if not covered within an Unaccompanied Site Inspection (See <b>Annex F</b> )</li> <li>• Notification of wish to speak at any future ISHs</li> <li>• Notification of wish to speak at a OFH</li> <li>•</li> <li>• Responses to any further information requested by the ExA</li> <li>• Any requests from the ExA for information under Rule 17 of the Examination Procedure Rules 2010 (if required)</li> </ul>	<p><b>Not later than 23:59 on Monday 10 May 2021</b></p>
6.	<p><b>Deadline 2 (D2)</b></p> <p>Deadline for receipt by the ExA of:</p>	<p><b>Not later than 23:59 on</b></p>

	<ul style="list-style-type: none"> <li>• Comments on WRs and responses to comments on RRs</li> <li>• Responses to ExQ1</li> <li>• Local Impact Report (LIR) from North Lincolnshire Council (See <b>Annex F</b>)</li> <li>• Update on the preparation of Statements of Common Ground (SoCG) requested by the ExA (See <b>Annex F</b>)</li> <li>• Updated Guide to the Application documents (See <b>Annex F</b>)</li> <li>• Applicant's revised dDCO to be submitted in an editable format with any revisions made to the preceding version shown using tracked changes (if required)</li> <li>• Comments on any amendments made to the dDCO by the Applicant at D1</li> <li>• Comments on any additional information/submissions received by D1</li> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Responses to any further information requested by the ExA</li> <li>• Any requests from the ExA for information under Rule 17 of the Examination Procedure Rules 2010 (if required)</li> </ul>	<p><b>Monday 24 May 2021</b></p>
<p><b>7.</b></p>	<p><b>Issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Notification of Hearings to be held during the week commencing 28 June 2021 (if required)</li> </ul>	<p><b>Tuesday 1 June 2021</b></p>
<p><b>8.</b></p>	<p><b>Deadline 3 (D3)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on LIR</li> <li>• Comments on responses to the ExQ1</li> <li>• Comments on any updated SoCG received at D2</li> <li>• Update on the preparation of SoCGs</li> <li>• Updated Statement of Commonality of SoCGs</li> <li>• Updated Guide to the Application</li> <li>• Applicant's revised dDCO to be submitted in an editable format with any revisions shown using tracked changes (if required)</li> <li>• Comments on any amendments made to the dDCO by the Applicant at D2</li> <li>• Comments on any additional information/submissions received by D2</li> <li>• Responses to any further information requested by the ExA</li> </ul>	<p><b>Not later than 23:59 on Monday 7 June 2021</b></p>

	<ul style="list-style-type: none"> <li>Any requests from the ExA for information under Rule 17 of the Examination Procedure Rules 2010 (if required)</li> </ul>	
<b>9.</b>	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> <li>ExA's further written questions (ExQ2) (if required)</li> </ul>	<b>Friday 11 June 2021</b>
<b>10.</b>	<p>Dates reserved for Hearings</p> <ul style="list-style-type: none"> <li>ISHs (if required)</li> <li>OFH (if required)</li> </ul>	<b>Tuesday 29 and Wednesday 30 June 2021</b>
<b>11.</b>	<p><b>Deadline 4 (D4)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Responses to ExQ2 (if required)</li> <li>Post-hearing submissions, including written summaries of oral cases made by the Applicant and IPs (if hearings on 29/30 June 2021 are required)</li> <li>Applicant's revised dDCO to be submitted in an editable format with any revisions to the preceding version shown using tracked changes (if required)</li> <li>Comments on any amendments made to the dDCO by the Applicant at D3 (if required)</li> <li>Comments on any updated SoCG received at D3</li> <li>Update on the preparation of SoCGs</li> <li>Updated Statement of Commonality of SoCGs</li> <li>An updated Guide to the Application documents to be submitted by the Applicant</li> <li>Responses to any further information requested by the ExA</li> <li>Any requests from the ExA for information under Rule 17 of the Examination Procedure Rules 2010 (if required)</li> </ul>	<b>Not later than 23:59 on Wednesday 7 July 2021</b>
<b>12.</b>	<p><b>Deadline 5 (D5)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Comments on responses to ExQ2</li> <li>Applicant's revised dDCO to be submitted in an editable format with any revisions to the preceding version shown using tracked changes (if required)</li> </ul>	<b>Not later than 23:59 on Monday 9 August 2021</b>

	<ul style="list-style-type: none"> <li>• Comments on any amendments made to the dDCO by the Applicant at D4 (if required)</li> <li>• Comments on any updated SoCG received at D4</li> <li>• Update on the preparation of SoCGs</li> <li>• Updated Statement of Commonality of SoCGs</li> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Responses to any further information requested by the ExA</li> <li>• Any requests from the ExA for information under Rule 17 of the Examination Procedure Rules 2010 (if required)</li> </ul>	
<b>13.</b>	<p><b>Issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Notification of Hearings to be held during the week commencing 6 September 2021 (if required)</li> </ul> <p><b>Publication of:</b></p> <ul style="list-style-type: none"> <li>• The ExA's Further Written Questions (ExQ3) (if required)</li> </ul>	<p><b>Monday 16 August 2021</b></p>
<b>14.</b>	<p><b>Deadline 6 (D6)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to the ExA's ExQ3 (if required)</li> <li>• Applicant's revised dDCO to be submitted in an editable format with any revisions to the preceding version shown using tracked changes (if required)</li> <li>• Comments on any amendments made to the dDCO by the Applicant at D5 (if required)</li> <li>• Comments on any updated SoCG received at D5</li> <li>• Final and signed SoCGs</li> <li>• Updated Statement of Commonality of SoCGs</li> <li>• Any executed s106 Agreement</li> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Responses to any further information requested by the ExA</li> <li>• Any requests from the ExA for information under Rule 17 of the Examination Procedure Rules 2010 (if required)</li> </ul>	<p><b>Not later than 23:59 on Tuesday 31 August 2021</b></p>

<p><b>15.</b></p>	<p><b>Issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>Any requests for information under Rule 17 of the Examination Procedure Rules 2010 (if required)</li> </ul> <p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>Agendas for Hearings to be held during the week commencing 6 September 2021 (if required)</li> <li>The Report on the Implications for European Sites (RIES) (if required)</li> <li>The ExA's proposed schedule of changes to the dDCO (if required and if no DCO specific ISH is held on 7 or 8 September 2021)</li> </ul>	<p><b>Wednesday 1 September 2021</b></p>
<p><b>16.</b></p>	<p>Dates reserved for Hearings</p> <ul style="list-style-type: none"> <li>ISH(s) (if required)</li> <li>OFH (if required)</li> </ul>	<p><b>Tuesday 7 and Wednesday 8 September 2021</b></p>
<p><b>17.</b></p>	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>The ExA's Further Written Questions (ExQ4) (if required)</li> <li>The ExA's draft Schedule of Changes to the dDCO (if required and if not issued on 1 September 2021)</li> <li>Any requests for information under Rule 17 of the Examination Procedure Rules 2010 (if required)</li> </ul>	<p><b>Friday 10 September 2021</b></p>
<p><b>18.</b></p>	<p><b>Deadline 7 (D7)</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Post-hearing submissions, including written summaries of oral cases made by the Applicant and IPs (if hearings on 7/8 June 2021 are required)</li> <li>Comments on responses to ExQ3 (if required)</li> <li>Responses to the ExA's ExQ4 (if required)</li> <li>Comments on any amendments made to the dDCO by the Applicant at D6 (if required)</li> <li>Final version of the dDCO to be submitted by the Applicant in a clean and tracked changed forms to be submitted by the Applicant in the SI template, with an SI template validation report</li> </ul>	<p><b>Not later than 23:59 on Monday 20 September 2021</b></p>

	<ul style="list-style-type: none"> <li>• An updated Guide to the Application documents to be submitted by the Applicant</li> <li>• Responses to any further information requested by the ExA</li> <li>• Any requests from the ExA for information under Rule 17 of the Examination Procedure Rules 2010 (if required)</li> </ul>	
<b>19.</b>	<p><b>Deadline 8</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to any further information requested by the ExA under Rule 17 at D7 (if required).</li> </ul>	<p><b>Not later than 23:59 on Friday 1 October 2021</b></p>
<b>20.</b>	<p>The ExA is under a duty to complete the Examination of the application by the end of the period of 6 months.</p> <p>Please note that the ExA may close the Examination before the end of the six month period if it is satisfied that all relevant matters have been addressed and discussed.</p>	<p><b>Wednesday 20 October 2021</b></p>

### Submission times for deadlines

The time for submission of documents at any deadline in the timetable is no later than **23:59** on the relevant deadline date, unless instructed otherwise by the ExA.

### Publication dates

All information received will be published on the project webpage on the National Infrastructure Planning website as soon as practicable after the deadlines for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the 'Documents' tab on the project webpage. Each document will be given a unique reference. These references will be used by the ExA during the Examination:

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/little-crow-solar-park/?ipcsection=docs>

### Hearing agendas

Please note that for Issue Specific Hearings the ExA will aim to publish a detailed draft agenda on the project website at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

For Open Floor Hearings agendas will not be published unless, in consideration of the number of participants notified to the Planning Inspectorate, the ExA decides that establishing a running order will facilitate the process on the day.

### **Report on the Implications for European Sites (RIES)**

Where an Applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017 and/ or Regulation 28 of The Offshore Marine Regulations.

## Notification of hearing

Notification of the date, time and place of an Issue Specific Hearing (ISH) to be held in the early stages of the Examination is provided in accordance with section 91 of the Planning Act 2008.

Date	Hearing	Start time	Joining Details
<b>Tuesday 20 April 2021 and Wednesday 21 April 2021 (continuing from Tuesday 20 April only if required)</b>	<b>Issue Specific Hearing on the Environmental Statement – general matters, including generating capacity, alternatives to the Proposed Development and cumulative effects; and the draft Development Consent Order</b>	<b>On 20 April not before 2.00pm (arrangements conference from 13.30  On 21 April at 10.00am (arrangements conference from 9.30am</b>	<b>Virtual event  Join by digital device or telephone using details to be provided in forthcoming Agenda</b>

Please submit requests to attend this hearing via the project mailbox: [LittleCrowSolarPark@planninginspectorate.gov.uk](mailto:LittleCrowSolarPark@planninginspectorate.gov.uk). Please specify in your request specifically if you intend to speak. Requests to speak must be submitted by **Procedural Deadline A (Thursday 8 April 2021)**.

If you are unable to submit your request to attend the hearings electronically, please contact the Little Crow Solar Park Case Team on 0303 444 5000 by the above deadline.

Information about hearings is included in the Planning Inspectorate's 'Advice Note 8.5: The Examination: hearings and site inspections', available on the National Infrastructure Planning website here:

Advice Note 8.5: The Examination: [hearings](#) and site inspections

For information on attending and participating in online hearings please also see the [Planning Inspectorate's Advice Note 8.6: Virtual Events](#)

## Procedural Decisions made by the Examining Authority (ExA)

The ExA has made the following Procedural Decisions under Section 89(3) of the Planning Act 2008 (PA2008).

### 1. Acceptance of Additional Submissions

The ExA has exercised its discretion to accept into the Examination the following documents submitted by the Applicant:

- The Applicant's response [AS-004] to the Section 51 PA2008 advice issued by the Planning Inspectorate [PD-002] when accepting the application for Examination
- Updated Guide to the Application (the Applicant's Application Index) [AS-001]
- A revised Book of Reference (BoR), including amended Land Plans appended to the BoR [AS-002]
- A revised version of the Transport Statement (Appendix 9.1 of the Transport Statement [AS-003]
- The Applicant's Section 56 PA2008 notice [OD-001]
- The Applicant's notification under Section 58 of PA2008 confirming compliance with Section 56 and Regulation 16 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) [OD-002]

These documents have been published on the project webpage of the National Infrastructure website, and can be accessed via the following link: <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/little-crow-solar-park/?ipcsection=docs>

All documents relating to this project are also filed in the [Examination Library](#), which is regularly updated.

Interested Parties are asked to submit any comments they may have on any of these documents by Deadline 1 on 10 May 2021.

### 2. Statements of Common Ground (SoCG)

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the Examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. **SoCG can also usefully state where and why there may be a disagreement** about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant interested Party and be submitted by the Applicant.

In relation to some of the Principal Issues identified in **Annex C**, the ExA would be assisted by the preparation of a SoCG between the Applicant and certain Interested Parties. The submitted application was accompanied by draft SoCG to be entered into by the Applicant and: North Lincolnshire Council [APP-112], Anglian Water [APP-113], Environment Agency [APP-114], Historic England [APP-116], Public Health England [APP-117], Natural England [APP-118], Lincolnshire Wildlife Trust [APP-119] and Northern Power Grid [APP-120]. The draft Examination Timetable at **Annex D** provides for the submission of either updated or final (and signed) SoCG throughout the Examination, with all of the final and signed SoCG to be submitted no later than **Deadline 6** (31 August 2021).

The following Statements of Common Ground, to include areas of agreement and disagreement should be submitted:

<b>Anglian Water Services Limited</b> , to include but not limited to:
<ul style="list-style-type: none"> <li>• Impacts on the operations of the statutory undertaker</li> <li>• The need for and drafting of Protective Provisions</li> </ul>
<b>Environment Agency</b> , to include but not limited to:
<ul style="list-style-type: none"> <li>• Assessment of hydrological, water quality, water resource and wildlife effects, including but not limited to surface water crossings, run-off, the risk of flooding, and contamination of surface and groundwaters</li> <li>• Mitigation and enhancement measures, including likely effectiveness, monitoring procedures and method for securing such measures within the draft Development Consent Order (dDCO)</li> <li>• Drafting of the dDCO , including the Articles and Requirements</li> </ul>
<b>Historic England</b> , to include but not limited to:
<ul style="list-style-type: none"> <li>• Collection and analysis of heritage data, survey areas, and the presentation of results</li> <li>• Methodology for, and findings of, the Environmental Impact Assessment (EIA)</li> <li>• Impacts on the settings of designated assets</li> <li>• Proposals for mitigation measures and monitoring and method for securing such measures within the dDCO</li> <li>• Drafting of the dDCO , including the Articles and Requirements</li> </ul>
<b>Lincolnshire Wildlife Trust</b> , to include but not limited to:
<ul style="list-style-type: none"> <li>• Survey areas, assessment of baseline data and data collection methodologies</li> <li>• Analysis of data and the presentation of results, including the use of expert judgements and assumptions</li> <li>• Methodology for EIA, including assessment of cumulative and in-combination effects</li> <li>• Likely effects on any protected species and on special interest features of sites designated for nature conservation purposes</li> <li>• Mitigation and enhancement measures, including likely effectiveness, monitoring procedures and method for securing such measures within the dDCO</li> <li>• Drafting of the dDCO, including the Articles and Requirements</li> </ul>

<b>Natural England</b> , to include but not limited to:
<ul style="list-style-type: none"> <li>• Survey areas, assessment of baseline data and data collection methodologies</li> <li>• Analysis of data and the presentation of results, including the use of expert judgements and assumptions</li> <li>• Methodology for EIA, including assessment of cumulative and in-combination effects</li> <li>• Likely effects on any protected species and on special interest features of sites designated for nature conservation purposes</li> <li>• Mitigation and enhancement measures, including likely effectiveness, monitoring procedures and method for securing such measures within the dDCO</li> <li>• Drafting of the dDCO, including the Articles and Requirements</li> </ul>
<b>North Lincolnshire Council</b> , to include but not limited to:
<ul style="list-style-type: none"> <li>• An assessment of impacts within the Council's area, including as relevant but not limited to: agriculture and soils; air quality; amenity and recreation; biodiversity, ecology and the natural environment; ground conditions and land contamination; historic environment; landscape and visual effects; noise and any other effects on the living conditions of residents of the area; socio-economic; traffic and transport; and water and flooding</li> <li>• An assessment of the Proposed Development's cumulative and in-combination effects with any other nearby major developments</li> <li>• An assessment of national and local planning policy relevant to the Proposed Development</li> <li>• The Articles and Requirements of the dDCO</li> <li>• Mitigation measures; including an assessment of their likely effectiveness, ongoing monitoring procedures and how mitigation will be secured within the DCO</li> </ul>
<b>Northern Powergrid</b> , to include but not limited to:
<ul style="list-style-type: none"> <li>• Impacts on the operations of the statutory undertaker</li> <li>• The need for and drafting of Protective Provisions</li> </ul>
<b>Public Health England</b> , to include but not limited to:
<ul style="list-style-type: none"> <li>• Assessment of the health impacts of electro-magnetic fields</li> </ul>

In addition, the ExA requests that at **Deadlines 1 to 5** the Applicant provides a Statement of Commonality for the SoCG providing an update on progress with the finalisation of the SoCG and an overview of the matters for which there is agreement and disagreement.

A signed SoCG between the Applicant and Highways England [APP-115] was submitted with the application. The Applicant should make arrangements for the SoCG between it and Highways England should the agreed position change prior to the conclusion of the Examination.

### 3. Guide to the Application

The ExA requests that at each deadline, the Applicant provides an updated Guide to the Application document which provides a list of the most up to date documents before the Examination. A final version must be submitted by **Deadline 7** (20 September 2021).

### 4. Local Impact Report

The ExA requests that North Lincolnshire Council submits a Local Impact Report (LIR) and would welcome LIRs from any other Authorities who may wish to submit one. All LIRs are to be submitted no later than by **Deadline 2** (24 May 2021).

### 5. Site Inspections

As part of the Examination process, the ExA will undertake site inspections. Site inspections can either be unaccompanied (USI) or accompanied (ASI), although any inspections would be subject to any Government restrictions relating to COVID-19 in force at the time.

The draft Examination Timetable includes a deadline for the Applicant and Interested Parties to make submissions suggesting sites and locations that the ExA should visit. Those suggestions will be used to inform the USI(s), as well as any possible ASI(s) undertaken by the ExA. It should be noted that public health restrictions may limit the scope for ASIs and, if any such restrictions remain in force by the end of the Examination, the ExA may decide that undertaking USIs at relevant nominated locations, supported by the submission of additional written, photographic, video or drone material would be preferable to not visiting sites or holding ASIs in circumstances which could make ASIs, in particular, impractical or unduly time-consuming to conduct.

### 6. Response to Relevant Representations

The ExA requests comments on Relevant Representations are made no later than **Deadline 1** (10 May 2021).

### 7. Low-resolution documents for possible sharing on screen at virtual events

As Examination events will be held virtually, the ExA requests for compressed/low-resolution versions of land and works plans to be submitted by the Applicant. That will enable those plans to be shared in a Microsoft Teams environment.

The ExA therefore requests the Applicant to re-provide the plans and drawings in accordance with the following specification by **Procedural Deadline A** on **Monday 8 April 2021**.

- No individual drawing/set of plans to exceed an absolute maximum of 10 MB - as a guide 5 to 6 MB should be achievable
- Pay attention to the output of plans on .pdf from, for example, CAD systems, as certain systems output these in multiple layers which load

successively and thus take a long time to load - layers should be merged/switched off

- Files should be given intelligent short names that enable the ExA and others to understand the content of the file from its filename or the beginning of its filename, so that the name is intelligible in the on screen tab when multiple document windows are open in a browser
- Files should be checked before submission to ensure that all relevant details can still be read when zoomed in e.g. plot numbers on land plans, labels for road, field or property names and keys
- Files should be given a 'screen share' test before submission, ensuring that when shared over the internet the plan distributes to multiple viewers in a timely manner, the cursor remains mobile and no unlooked for behaviours (screen freezing, pixilation, judder, etc.) are experienced by multiple users.

Low-resolution versions of plans and drawings are duplicate evidence. They are requested to assist the carrying out of virtual events only and will not form part of the Examination Library or be published on the National Infrastructure Planning website.

### **8. Format and numbering of documentation to be submitted to the Examination, including SoCG**

It is important that documents submitted to the Examination are easy to use. In whatever way they describe other Examination Documents they must always give the reference numbers in the Examination Library (e.g. [APP-001]). See Annex G for further information about the Examination Library. To aid reading and cross-referencing page and paragraph numbering should be used.

For documents that may be subject to amendments at different deadlines, for example the draft DCO and the SoCG, any changes to the text should be highlighted using tracked changes, so that it is clear how the most up to date version of a document differs from the preceding version. A brief summary should be included at the front of the document explaining what amendments have been made.

Any amended version of the draft DCO submitted prior to the submission of the final version at Deadline 7, should be submitted in both PDF and Microsoft Word formats, with the PDF version being for publication as part of the Examination Library and the latter being for the ExA's use.

Should application drawings and/or plans be amended as the examination progresses, each drawing or plan should be given a revision number and in a drawing/plan log a brief descriptive summary of the amendment(s) should be provided together with the date when the amendment was made.

## Availability of Examination Documents

The application documents and Relevant Representations are available on the project webpage on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/little-crow-solar-park/?ipcsection=overview>

All further documents submitted during the Examination will also be published at the above location.

For ease of navigation, please refer to the **Examination Library (EL)** which is accessible via a blue button under the 'Documents' tab. The EL is updated regularly throughout the Examination.

The EL records and provides hyperlinks to:

- each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the project webpage is also provided. **You must use the unique reference numbers applied in the EL when referring to any Examination Documents in any future submissions that you make.**

## Electronic deposit locations

In addition to documents being available to view electronically via the National Infrastructure Planning website for this application they can also be viewed using the Applicant's website for the Proposed Development <http://littlecrowsolar.co.uk/>. free of charge, at the locations below. You will need to make an appointment, using the contact details provided below, and present a recognised form of photo identification in order to access these locations.

**Please Note:** Opening hours and the availability of information technology set out in the table below may be subject to local changes or additional limitations to address COVID-19 pandemic public health requirements. Bearing in mind the effect of public health restrictions, please consider your need to attend these locations with care. Please check the current circumstances with the relevant locations before you attend.

<b>Inspection Location</b>	<b>Address and contact details</b>	<b>By appointment only during the hours set out below</b>	<b>Notes</b>
Scunthorpe Central Library	Carlton St, Scunthorpe DN15 6TX  01724 860161	Scunthorpe Central Library is due to re-open from 12 April 2021, please contact directly for information on opening times	Should you wish to use these facilities, we advise you to contact them in advance to check their current operating policies in view of the COVID-19 pandemic
Bottesford Library	Cambridge Ave, Scunthorpe DN16 3LG  01724 848484	Bottesford Library is due to re-open from 12 April 2021, please contact directly for information on opening times	Should you wish to use these facilities, we advise you to contact them in advance to check their current operating policies in view of the COVID-19 pandemic