

Heckington Fen Solar Park

EN010123

Statement of Commonality

Applicant: Ecotricity (Heck Fen Solar) Limited

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Pursuant to: APFP Regulation 5(2)(q)

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STATEMENT OF COMMONALITY

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1. INTRODUCTION

- 1.1 This document has been prepared in respect of an application for the proposed Heckington Fen Solar Park made by Ecotricity (Heck Fen Solar) Ltd (“the Applicant”) to the Secretary of State for Energy Security and Net Zero for a Development Consent Order (“DCO”) under section 37 of the Planning Act 2008.
- 1.2 The purpose of this document is to summarise the status and progress of all Statements of Common Ground (SoCGs) and to provide a Statement of Commonality, i.e. matters that are common to more than one SoCG.
- 1.3 Overleaf, Table 2.1 summarises the SoCG status and Section 3 provides more detail of the current position on SoCGs that are not yet finalised. In the following section, Table 4.1 shows matters that are common to several interested parties.
- 1.4 In Table 2.1 of this SoC:
- “Final and signed” indicates where issues are resolved;
 - “Final” indicates where issues are resolved but not signed;
 - “Under discussion” indicates a number of points remain under discussion between the parties;
 - “Draft shared” is whereby the Applicant is yet to receive a response from the other party; and
 - “Capable of resolution” provides a view as to whether the parties are likely to agree by the close of the Examination.

Statement of Common Ground

- 1.5 The Rule 6 Letter (PD-009) requested Statements of Common Ground with the parties listed in Table 2.1. The exception is Cadent Gas who is omitted following confirmation to the Planning Inspectorate on 14 September 2023 (AS-033) they have no assets being affected by the project.

Deadlines

1.6 The following deadlines were provided in the Rule 6 Letter (PD-009) and confirmed in the Rule 8 Letter (PD-010):

- Deadline 1 – 3 October 2023
- Deadline 2 - 7 November 2023
- Deadline 3 - Tuesday 5 December 2023
- Deadline 4 - Tuesday 16 January 2024
- Deadline 5 - Tuesday 13 February 2024 – Final SOCGs to be received.
- Deadline 6 – Tuesday 20 February 2024

2. STATEMENT OF COMMON GROUND - OVERVIEW

Table 2.1 – Overview

Party to SOCG	Deadline 1	Deadline 2	Deadline 4	Deadline 5
Boston Borough Council, North Kesteven District Council and Lincolnshire County Council	Under discussion	Updated with BBC and NKDC	Updated	
Anglian Water	Final and signed			
Black Sluice Internal Drainage Board	Single item remains under discussion, capable of resolution	No update	Final	
Environment Agency	Under discussion, capable of resolution	Updated	No update	
Lincolnshire Wildlife Trust	Final and signed			

Party to SOCG	Deadline 1	Deadline 2	Deadline 4	Deadline 5
National Gas Transmission plc	Under discussion, capable of resolution	No update	No update	
National Grid Electricity Transmission plc	Under discussion, capable of resolution	No update	No update	
National Grid Viking Link Ltd	Under discussion, capable of resolution	No update	No update	
Natural England	Draft shared	Updated	No update	
Network Rail Infrastructure Ltd	Draft shared	No update	No update	
Triton Knoll OFTO Limited	Under discussion, capable of resolution	No update	No update	

3. PROGRESS SUMMARY

Position at Deadline 4

3.1 This section provides a summary of the current position on individual SoCGs between the Applicant and each party at Deadline 4 (16 January 2024). Individual SoCGs submitted to the ExA should be referred to for the full detail on specific matters.

Boston Borough Council (BBC)

3.2 No further points remain under discussion. BBC are in agreement with the proposals for the biodiversity/connectivity linkage (as a mitigation/enhancement measure for the loss of trees at the Bicker Fen substation), which is dealt with in the Outline Landscape and Ecological Management Plan (document reference 7.8).

North Kesteven District Council

- 3.3 A small number of points, primarily in relation to the Development Consent Order (fees for discharge, and measures to take upon non-generation of electricity) remain under discussion. Archaeology and ecology have been resolved through further information or Requirements. Best and most versatile land cannot be resolved entirely, but Requirements in relation to grazing and the additional commitments offered by the Applicant in the outline Operation Environmental Management Plan at Deadline 3 (REP3-034) have assisted with moving this point along.

Lincolnshire County Council

- 3.4 As above for North Kesteven District Council.

Anglian Water

- 3.5 This SOCG is final and signed.

Black Sluice Internal Drainage Board

- 3.6 The Applicant and BSIDB have reached agreement, and this SOCG is considered final but not signed. A signed version is expected at Deadline 5.

Environment Agency

- 3.7 Discussions are ongoing between the Applicant's and the EA's solicitors in relation to the land agreements. No further update is possible to the SOCG which is only outstanding on this point.

Lincolnshire Wildlife Trust

- 3.8 This SOCG is final and signed.

National Gas Transmission plc

- 3.9 A draft has been shared and agreed with Gas Transmission plc for Deadline 1. The draft includes a number of points that remain Under Discussion. This remains the case for Deadline 4. These are expected to be capable of resolution before Deadline 6.

National Grid Electricity Transmission plc

- 3.10 A draft has been shared and agreed with NGET for Deadline 1. A single point remains Under Discussion. This remains the case for Deadline 4. These are expected to be capable of resolution before Deadline 6.

National Grid Viking Link Ltd

- 3.11 A draft has been shared and agreed with National Grid Viking Link Ltd for Deadline 1. The draft includes a number of points that remain Under Discussion. This remains the case for Deadline 4. These are expected to be capable of resolution before Deadline 6.

Natural England

- 3.12 Comments were received from Natural England on 1 November 2023; a revised draft is submitted for Deadline 2. Further discussions are required to address their comments about soil management and to progress the draft District level licences. No update is proposed for Deadline 4.

Network Rail Infrastructure Ltd

- 3.13 A draft has been shared with Network Rail on 5 September 2023. No response has been received. This remains the case for Deadline 4.

Triton Knoll OFTO Limited

3.14 A draft has been shared and agreed with Triton Knoll for Deadline 1. The draft includes a number of points that remain Under Discussion. This remains the case for Deadline 4. These are expected to be capable of resolution.

4. STATEMENT OF COMMONALITY

4.1 The following table sets out matters that are common to SoCGs that have been drafted, and is guided by the Rule 6 Letter (PD-009). It is subject to change as SoCG discussions are progressed. A tick (✓) - denotes the subject is included.

4.2 The colours within Table 4.1 denote whether the topic is:

Agreed or no comment	Under discussion	Not agreed
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Table 4.1 – Statement of Commonality

Interested Party / Topic	Biodiversity, Ecology and the Natural Environment	Habitats Regulations Assessment	Biodiversity Net Gain	Compulsory Acquisition	Draft Development Consent Order	Energy Generation and Storage	General and Cross-Topic Matters	Historic Environment	Land Use and Soils	Landscape and Visual, and Design	Socio-Economics	Traffic and Transport	Water Environment and Flood Risk	Other Matters	Cumulative Effects	Effects on Operations	Relevant other byelaws, agreements, consents and licences
Boston Borough Council	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
North Kesteven District Council	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Lincolnshire County Council	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
Anglian Water					✓								✓			✓	
Black Sluice Internal Drainage Board					✓								✓			✓	✓

Interested Party / Topic	Biodiversity, Ecology and the Natural Environment	Habitats Regulations Assessment	Biodiversity Net Gain	Compulsory Acquisition	Draft Development Consent Order	Energy Generation and Storage	General and Cross-Topic Matters	Historic Environment	Land Use and Soils	Landscape and Visual, and Design	Socio-Economics	Traffic and Transport	Water Environment and Flood Risk	Other Matters	Cumulative Effects	Effects on Operations	Relevant other byelaws, agreements, consents and licences
Environment Agency				✓	✓								✓				✓
Lincolnshire Wildlife Trust	✓	✓	✓		✓										✓		✓
National Gas Transmission plc					✓											✓	
National Grid Electricity Transmission plc					✓											✓	✓
National Grid Viking Link Ltd					✓											✓	
Natural England	✓	✓	✓		✓				✓					✓			✓
Network Rail Infrastructure Ltd					✓											✓	
Triton Knoll OFTO Limited					✓											✓	

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Interested Party / Topic	Biodiversity, Ecology and the Natural Environment	Habitats Regulations Assessment	Biodiversity Net Gain	Compulsory Acquisition	Draft Development Consent Order	Energy Generation and Storage	General and Cross-Topic Matters	Historic Environment	Land Use and Soils	Landscape and Visual, and Design	Socio-Economics	Traffic and Transport	Water Environment and Flood Risk	Other Matters	Cumulative Effects	Effects on Operations	Relevant other byelaws, agreements, consents and licences
Boston Borough Council	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
North Kesteven District Council	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Lincolnshire County Council	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
Anglian Water					✓								✓			✓	
Black Sluice Internal Drainage Board					✓								✓			✓	✓
Environment Agency				✓	✓								✓				✓
Lincolnshire Wildlife Trust	✓	✓	✓		✓										✓		✓
National Gas Transmission plc					✓											✓	
National Grid Electricity Transmission plc					✓											✓	✓
National Grid Viking Link Ltd					✓											✓	
Natural England	✓	✓	✓		✓				✓					✓			✓
Network Rail Infrastructure Ltd					✓											✓	
Triton Knoll OFTO Limited					✓											✓	

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