



Meeting note

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| Project name | Heckington Fen Solar Park |
| File reference | EN010123 |
| Status | Final |
| Author | The Planning Inspectorate |
| Date | 08 December 2021 |
| Meeting with | Ecotricity (Heck Fen Solar) Limited |
| Venue | Microsoft Teams |
| Meeting objectives | Project update meeting |
| Circulation | All attendees |

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

The Inspectorate explained that the publication of the meeting note could be delayed up to six months, or until a formal scoping request had been submitted (if requested by an Applicant for commercial reasons).

Introduction

The Applicant, Ecotricity (Heck Fen Solar) Limited, presented the location of the Proposed Development, and red line boundary, including potential options for connection to the National Grid via the existing Bicker Fen sub-station. There are ongoing discussions as to whether above ground infrastructure is required for the grid connection point and cable route.

Scoping

The Applicant intends to submit a scoping request to the Planning Inspectorate in the week commencing 3 January 2022. The Applicant outlined that there are two grid route options under consideration, both of which the Scoping Report will consider. Before submitting their application, the final route will be selected and refined and the Environmental Statement (ES) will provide reasoning for the preferred route.

The list of aspects to be included in the Applicant's ES have been shared with North Kesteven District Council and Boston Borough Council, and the local authorities have had an opportunity to comment on whether topics should be included/excluded from the topic list. The Applicant and the Planning Inspectorate discussed evidence that might support the scoping in/out of aspects for the ES.

The Inspectorate referred to aspects which are currently excluded from the topic list such as waste, human health, vibration, and lighting. The Applicant noted that the impact of lighting will be limited for various reasons and had not proposed to include a separate chapter in the scoping report. The Inspectorate advised that provision of limited information had previously undermined Applicants' approaches to scoping out lighting impacts and advised that an outline of the lighting design may be beneficial.

In regard to health and safety, this is to be covered under the major accidents and disaster section in the Miscellaneous chapter. The Inspectorate advised that based on previous NSIPs, battery storage features present potential major accidents and disasters from fire and explosion and this should be considered in the scoping report/ES.

Moreover, the Applicant intends to scope out human health as this will be linked to the noise and air quality chapters. The Inspectorate advised that it would be beneficial to include a paragraph in the ES signposting where human health has been assessed in other chapters as the EIA Regulations (2017) Schedule 4, part 5(d) states that risks to human health should be reported.

The Inspectorate advised the Applicant to consider the impact of waste from decommissioning using a worst-case scenario perspective. This advice was premised on the scale of the Proposed Development as well as the cumulative impact arising from the decommissioning of several solar NSIPs within the region during a similar timeframe. In addition, the Inspectorate suggested reviewing the forthcoming Scoping Opinion for Gate Burton Energy Park, to be published by 23 December 2021, which may be of use to the Applicant given the scheme similarities.

The Applicant discussed the short-to-medium-term potential for commercial solar panel recycling facilities in the United Kingdom.

The Applicant asked, from a visual and landscape perspective, what cumulative search area would be recommended by the Inspectorate. The Inspectorate referred to its Advice Note 17 on cumulative impact and added that it is helpful to include a summary of conclusions of cumulative effects separate from each individual section in the report. The Inspectorate also explained that cumulative effects is an evolving assessment, and an appropriate search area will need to be defined close to submission and agreed with the local authorities as to which projects should be included.

The Inspectorate noted that the provision of the number of traffic movements would be helpful to understand the extent of traffic impacts in the Scoping Report. The Inspectorate also suggested including cable voltages and its impact on noise and electromagnetic fields, as well as ensuring that the most up to date projections for climate change are used.

Programme timeline

The Applicant's informal public consultation is to finish on 17 December 2021. It has held three virtual consultation events to date and will be agreeing the Statement of Community Consultation in Spring 2022, followed by additional consultation events in Summer 2022. The Applicant will work on its draft ES and Preliminary Environmental

Information Report simultaneously and will complete ecology survey sections during Summer 2022. The application is expected to be submitted in Q1 2023. The parties agreed to change the submission date on the National Infrastructure website from Q4 2022 to Q1 2023.

The Inspectorate asked when it can expect to receive a redline boundary GIS shapefile ahead of the Scoping Report. The Applicant's intention is to submit this by the 10 December 2022.

The Inspectorate advised that, dependent on whether the Applicant intends to request a draft document review, it is useful to focus on specific documentation and any specific advice sought including any novel drafting in the draft Development Consent Order. The Applicant expressed a willingness to seek a draft document review and noted the Inspectorate's concerns over its internal legal resources (in terms of possible delays); both parties to update position at future meetings.

The parties discussed Biodiversity Net Gain. The Inspectorate advised the Applicant to negotiate with Natural England and to use the most up to date metrics.

Engagement with LAs

The Applicant has sent its draft engagement strategy to the three host local authorities, which will help inform the Statement of Community Consultation in due course.

The Applicant has sent nearly 6000 leaflets, has received some positive feedback from informal sessions, and has met with North Kesteven District Council, Boston Borough Council and Lincolnshire County Council on several occasions. A Statement of Common Ground inception meeting with North Kesteven and Lincolnshire is forthcoming, and Planning Performance Agreements are set to be established. Seventeen Parish Councils have been consulted.

The Inspectorate questioned whether the current non-statutory consultation was an entirely virtual consultation and whether any concerns had been raised around potential digital exclusion; no such concerns have been raised, and hard copy versions of documentation had been offered on the newsletters. The Applicant noted that whilst the consultation has been online, the next stage of formal consultation will be a combination of both virtual and in-person events subject to Covid-19 restrictions. The Inspectorate queried whether the Applicant's webpage records the number of users visiting the site during the consultation period. The Applicant noted the webpage does not have such functionality but would investigate further, as it is a helpful record to include in the Consultation Report.

Both parties discussed the approach to Adequacy of Consultation reports in light of the ongoing Covid-19 pandemic. The Inspectorate advised the Applicant to review other schemes which have conducted recent consultation using virtual methods.

The Inspectorate advised the Applicant to consider the use of hard copy documentation when conducting their consultation and advised that the local community are aware of the opening times of selected venues.

The Inspectorate questioned whether the local group 'Heck Off', that had engaged in the consented wind farm application, had made any representations. The Applicant has not yet heard from them, further noting that there is little press coverage currently. The Applicant noted that a local climate action network group had contacted them, who are welcoming the proposals.

Lessons learnt from DCO and other solar projects

Both parties discussed the significance of energy storage and associated development and determining which consenting regime is required; matters which were raised during previous solar examinations such as Cleve Hill. The Inspectorate noted that the acceptability of the approach taken by the Applicant to battery storage in its dDCO could be assessed via the draft documents service.

The Inspectorate queried whether the draft Energy National Policy Statements (NPS) had been considered whilst preparing the Scoping Report. The Applicant confirmed they had. The Applicant asked The Inspectorate if they had sight of the timeline for the draft NPS, no further information was available.

Alternatives

The Proposed Development site had been selected as suitable for a solar project. The Applicant is approaching alternatives by considering whether the environmental impacts are so significant that an alternative site may be preferred. The Applicant noted that a 'No development' option will be considered in the alternatives assessment.

BMV and agricultural land

The Applicant noted that the Proposed Development Site did not arise from a sequential test through identifying the most suitable site from an agricultural land classification perspective. Instead, the Applicant notes that the Proposed Development site was identified, and agricultural land was then considered. The Applicant also confirmed that, separately, a sequential test would be carried out for the Flood Risk Assessment.

The Inspectorate advised the Applicant to establish the baseline of the land and conduct an assessment to determine what the impacts will be.

The Inspectorate asked whether the Applicant had conducted an Agricultural Land Classification survey. The Applicant had done so on-site specific areas and will present this information within the scoping report.

Additionally, the Applicant noted that such assessments are influencing the design of the scheme. For example, higher quality land being utilised for biological enhancements rather than for solar arrays. The Applicant noted there will be ongoing agricultural practice on the site through the maintaining of a flock and associated grazing.

Mines and minerals

The Applicant informed the Inspectorate that in advancing compulsory acquisition for the grid route cable connections, there are some mineral interests within the grid route owned by the Crown. Crown interest cannot form part of the compulsory acquisition.

The Applicant asked how other promoters had dealt with such an issue and asked how to reflect this in the Book of Reference. The Applicant seeks to engage with the Crown and where necessary seek a commercial agreement rather than entering a special parliamentary procedure.

The Inspectorate referenced four cases involving minerals interests – the A1 Birtley to Coal House Improvement Scheme, York Potash Harbour Facilities Order, Hirwaun and Abergelli Power Projects.

The Inspectorate advised the Applicant to include a discussion on minerals within the Scoping Report.

CA/Crown Land update

The Applicant noted that there are 20-30 different landowners along the grid connection route, alongside a third-party Crown interest in the solar farm area.

There was a brief discussion on the use of interactive mapping tools and the ability of the Inspectorate to host interactive maps on its website and for the benefit of the Examiners during the examination. Whilst this is currently not possible it was agreed that this matter would be kept under ongoing review.

Specific decisions/ follow-up required?

The following actions were agreed:

- To organise a follow-up meeting.

