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Mr N. McBride
Head of Planning
Lincolnshire County Council

Your Ref:

Our Ref:

Date:

16 May 2023

By email

Dear Mr McBride

Solar Nationally Significant Infrastructure Projects – Lincolnshire

Thank you for your email of 2 March 2023 requesting a multi-partite meeting with the Planning Inspectorate to discuss the coordination of examinations for solar Nationally Significant Infrastructure Projects (NSIP) in Lincolnshire. I apologise for the delay to our reply.

The Planning Inspectorate appreciates that your colleagues, other statutory consultees, stakeholders, and members of the public in the local area may be concerned about how these examinations will proceed as well as how the cumulative effects from these projects will be considered under separate examinations. By way of introduction, I am the Operations Manager overseeing the administrative side of the pre-application and examination process for Cottam, Mallard Pass, Gate Burton, West Burton, Heckington Fen and Tillbridge solar projects, providing general management support to both the assigned Case Managers and appointed Examining Authorities to these projects.

Examination timetables

I want to assure you that our Case Managers and the appointed Examining Authorities are acutely aware of the number of NSIPs in Lincolnshire proceeding to Examination and the impacts this could have on attendance on those parties wishing to participate in one or more of the Projects listed above.

It is the case that different Examining Authorities have been appointed for Cottam, Heckington Fen, and Gate Burton, with an Examining Authority to be appointed soon for West Burton (Tillbridge is still at the pre-application stage, with the application expected to be submitted in Q4 2023). The examinations of these projects will therefore be conducted separately, and consequently each Examining Authority will only have responsibility for examining their own case. In so doing, it is vital that the Examining Authorities are not constrained in how they conduct their examinations, so that they can meet the requirements of the Planning Act 2008 for setting and running the events as well as gathering and testing the evidence and material necessary to reach informed and lawful recommendations to the Secretary of State. Additionally, they will need to remain separate

and impartial from each other in interrogating the different issues between these individual solar applications and the particulars and merits of each case.

However, the interrelationship between these projects will nonetheless be a practical consideration for the Examining Authorities in their approach to the drafting of their examination timetables, as they will try, wherever practicable, to avoid overlaps in hearing dates and submission deadlines. We are currently working across teams to map draft event dates, share related procedural information and assist the Examining Authorities for these different projects to ensure such impacts are minimised. In turn, this will help us ensure that we have sufficient resourcing within the Planning Inspectorate to run the different examination processes.

Critically, parties will have the opportunity to comment on the procedural aspects of the draft examination timetables for each project at the Preliminary Hearings, as the draft timetables will be set out in the Rule 6 notification letters once these have been finalised and issued.

Overlapping issues

I am aware of the multi-partite meeting that was held on 30 September 2022 between the Planning Inspectorate, the applicants and local authorities for these solar projects and the appended document to the meeting note from Pinsent Masons setting out their suggestions as to how these examinations could be coordinated.

The Planning Act 2008 and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 require the submission of cumulative impact assessments from applicants in the respect of their NSIP applications subject to examination and in relation to other NSIPs depending on the proximity of projects and the issues in contention. The Planning Inspectorate's 'Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects' (version 2)¹ provides information on the legal context and obligations placed on applicants as well as an overview of the process for NSIPs.

It is noted that the applicant for Cottam has submitted a Cumulative Assessment Site Plan with its application, which is likely to form part of the Examining Authority's Initial Assessment of Principal Issues. It is also likely that the individual Examining Authorities will seek reports and evidence on the interrelationship with other NSIPs during the respective examinations as well as Statements of Common Ground between the applicant for the scheme, statutory consultees, and applicants for other nearby NSIP applications, in relation to overlapping issues that are relevant to the proposed Development Consent Order. Thus, the examinations will provide an opportunity for parties to submit views on any cumulative effects.

We expect the Rule 6 letters will be issued soon for Gate Burton and Cottam, with Heckington Fen and West Burton following in due course. These letters should address some of your concerns in respect of coordination between these projects and when parties can submit their views and evidence on matters such as cumulative impacts. It is necessary for statutory and interested parties to submit their views on the merits of these projects and any procedural aspects within the examination process, at the Preliminary Meeting, examination hearings and the deadlines for written submissions, to ensure that these can be considered by the Examining Authorities. If you have remaining concerns that you do not feel can be addressed via the Examination process, following the issuing of the Rule 6 letters, please contact us again and we will endeavour to assist.

¹ Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects | National Infrastructure Planning ([planninginspectorate.gov.uk](https://www.planninginspectorate.gov.uk))

I hope my reply has been helpful.

Yours sincerely

Jolyon Wootton

Jolyon Wootton
Operations Manager