



Meeting note

Project name	Mallard Pass Solar Farm
File reference	EN010127
Status	FINAL
Author	The Planning Inspectorate
Date	10 August 2022
Meeting with	Mallard Pass Solar Farm 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.

Stage Two Statutory Consultation

The Developer provided an update on statutory consultation which had taken place. Stage one consultation ran for six weeks from Thursday 04 November to Thursday 16 December 2021. Stage two consultation ran for 10 weeks from Thursday 26 May to Thursday 4 August 2022.

During stage two consultation, the Applicant sought community feedback on:

- How the Mallard Pass Solar Farm (MPSF) proposals have developed since stage one and have had regard to stage one comments received.
- The developed concept plan, design and layout for MPSF, including visualisations.
- Suggested mitigation and enhancement measures to respectively address impacts and deliver benefits
- The Information presented in the Preliminary Environmental Information Report (PEIR) and PEIR Non-Technical Summary (NTS).

Events

The Applicant held six information events throughout the Stage Two Statutory Consultation in total.

Four in person events were conducted between Saturday 25 June 2022 and Friday 1 July 2022 in a number of locations. Two online webinars were also held. Over the two webinars, the Applicant received over 200 questions

The Applicant confirmed it had followed up any questions in writing that they were unable to answer verbally at events.

The Applicant noted there was significantly greater attendance at in person events than at online events.

Mallard Pass has received approximately 1319 responses to stage two consultation. 88.96% of respondents were local.

300 feedback forms

- 32 hard copies
- 268 digital copies

1010 Emails to the dedicated project inbox.

9 FREEPOST letters.

The Applicant noted that the majority of consultee feedback (over 50%) was received in the final 48 hours of the Stage Two Statutory Consultation period.

The Inspectorate queried if the Applicant has Planning Performance Agreements (PPAs) in place with the councils. The Applicant confirmed that they have PPAs in place that run up until the point of submission with Rutland, Lincolnshire and South Kesteven.

The Applicant stated that strong support for the project improved from 11% at stage one consultation to 21.5% in stage two consultation.

Respondents who either do not support or strongly oppose the proposals reduced from 72% to 71.5% between stage one and two consultations.

The Inspectorate queried whether the Applicant intends to provide responses to those that have taken part in consultation prior to submission. The Applicant advised that this is under discussion, however they would expect to contact wider groups.

The Inspectorate advised that the Applicant may want to consider producing and circulating a newsletter to ensure that respondents and locals can continue to follow the project.

The Inspectorate queried whether the Applicant has had continued interaction with local MPs. The Applicant has been interacting with the two MPs covering the site.

Stage Two Consultation – Qualitative Analysis

The Applicant noted they were still processing feedback received. However, early qualitative analysis of Stage two feedback found the following key themes,

- Food production, land use and agriculture
- Impact on local environment, wildlife, biodiversity, habitats
- Visual Impact, particularly on rural landscape
- Impact on recreation, community
- Impacts of construction and decommissioning, particularly regarding traffic, roads, noise
- Scale, size of development vs. need for the project
- Developers' background and manufacturing process
- Flood risk

The Inspectorate queried whether information on the approach to be taken by the Developer with respect to concerns that have been raised about human rights in connection with this project could be expanded on within the Explanatory Memorandum (ExM).

The Inspectorate reminded the Applicant about the need to give due regard to the provisions of the General Data Protection Regulations when making the content of consultation responses it has received available.

Stakeholder Meetings

The Applicant updated the Inspectorate that it has conducted the following events

- 18 May 2022 – Virtual Meeting with South Kesteven District Council
- 24 May 2022 – Virtual Webinar with several Local Parish Councils
- 04 July 2022 – Virtual Meeting with Lincolnshire County Council

The Applicant was unable to conduct a meeting with Rutland County Council due to availability limitations so far within the council.

DCO Submission Concept Masterplan

The Applicant informed that following review of consultee feedback from Stage Two, they are in the process of making changes to their DCO Submission Concept Masterplan. Initial changes to the Concept Masterplan include

- Removal of Solar PV development from certain field parcels
- Extension to permissive paths
- Review and refinement of landscape offsets to residential receptors
- Inclusion of additional east-west green corridors
- Inclusion of additional hedgerow planting

The Applicant is continuing to review amendments that may provide environmental improvements to the area to assist in nature recovery.

The Inspectorate queried whether the scale of the areas included for solar PV development is being reduced. The Applicant is considering this in line with the emerging changes to the Concept Masterplan noted above, and advised that the project is more likely to reduce in area covered than increase.

The Inspectorate recommended that the Applicant uses clear colour schemes on any plans to provide clarity to any members of the public viewing them. The Applicant should also provide clarity on what areas are included within the Order Limits. The Applicant is planning to remove a number of highways from the Order Limits.

Final Questions and Answers

The Inspectorate queried how Protective Provisions are progressing. The Applicant advised that no agreements are in place, but the Applicant has opened lines of communication, in particular with National Grid Gas, National Grid Electricity Transmission, Cadent Gas, Anglian Water and National Rail.

The Inspectorate queried if there had been progress regarding trial trenching with Lincolnshire County Council. The Applicant advised that trial trenching plans are due to be presented to local authorities in the coming weeks.

The Applicant noted that they intended to agree the locations and quantity of trial trenching in line with the results of the geophysical survey with each local authority, and they were not aware of any disagreement with local councils regarding this approach in principle. The Applicant will follow up with the Inspectorate regarding the specific percentage of trial trenching being proposed.

It was explained by the Applicant that although part of the site was located within the area served by Lincolnshire County Council the majority of the proposed order limits proposed are within the area of Rutland County Council.

An update was provided to the Inspectorate on the anticipated submission date in Q4 2022 and it was recognised that the exact timing of the submission may have an impact on the provision of Adequacy of Consultation Responses to the Inspectorate during the Acceptance stage.

The Inspectorate asked if the Applicant intends to submit draft documents for review. The Applicant advised that this is being discussed internally. Due to there being limited time before the expected submission date, the Inspectorate advised that in the event draft documents are provided, the Applicant will need to highlight key areas for review.

When queried by the Inspectorate, the Applicant advised that requests under s53 of the Planning Act 2008 have been ruled out.

The Inspectorate queried whether there will be any Compulsorily Acquisition (CA). The Applicant is expecting to apply for CA powers but has not identified any parcels of land that they expect to have to use the powers on. The Inspectorate advised the Applicant to follow the guidance when preparing the application documents including the Book of Reference and Land Plan.

Specific decisions/ follow-up required?

The following actions were agreed:

- The Applicant will provide a specific submission date so the Inspectorate can update the National Infrastructure website.
- The Applicant name included on the National Infrastructure website will be changed by the Inspectorate to Mallard Pass Solar Farm Limited.

Post Meeting Follow up regarding Trial Trenching

- The Applicant confirmed that there is a difference in opinion in the overall number of trenches required – The Mallard Pass team proposed circa 200 targeted trenches across the total site area (i.e. within Rutland County Council and South Kesteven District Council and Lincolnshire County Council). This trenching strategy is based on the results of the geophysical surveys and desk-based assessment, and an understanding of the likely scheme impacts. LCC are suggesting a percentage-based approach (circa 2% sample + 2% contingency of the Solar PV area). This would equate to approximately 350 (potentially more with contingencies) trenches within South Kesteven District/LCC portion of the site (Note - nearly 2/3 of the site falls within Rutland County Council).
- Notwithstanding this difference in quantum, the Mallard Pass team intend to secure in writing agreement on the WSI methodology and LCC confirmed it would be for the Inspector to decide whether the Applicant had undertaken a sufficient volume of trenching.
- The Applicants are continuing to discuss the issue with LCC and it is their intention, at minimum, to proceed with trenching in line with advice from Cotswold Archaeology, and include the results with DCO submission.

