

West Burton Solar Project

Application Form: Covering Letter

Prepared by: Lanpro Services
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PINS reference: EN010132
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APFP Regulation 5(2)(q)



West Burton Solar Project Limited
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Mr Robert Cook
Case Manager
The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

21 March 2023

Dear Mr Cook,

**Planning Act 2008 - Application for a Development Consent Order
for West Burton Solar Project**

Application Ref: EN010132

On behalf of West Burton Solar Project Limited (the Applicant) I am enclosing an application for a Development Consent Order (DCO) (the Application) pursuant to section 37 of the Planning Act 2008 (PA 2008) for the proposed West Burton Solar Project (the Scheme).

Subject of the Application

The Application is for a DCO to construct, operate (including maintenance), and decommission a ground mounted solar photovoltaic (PV) panel array energy generating facility, a Battery Energy Storage System (BESS), and supporting infrastructure.

The Application is required because the Scheme is classed as a Nationally Significant Infrastructure Project (NSIP) pursuant to sub-sections 14(1)(a) and 15(1) and (2) of the Planning Act (PA) 2008 as an onshore generating station in England with a capacity exceeding 50 megawatts (MW). The Secretary of State for Energy Security and Net Zero (Secretary of State) will decide whether to grant development.

The NSIP and associated development are described in Schedule 1 of the draft DCO **[EN010132/APP/WB3.1]**.

Application fee and documentation enclosed

The fee has been paid by BACS transfer to the account of the Planning Inspectorate.

The Application is submitted via file transfer of the application documents, as agreed with the Planning Inspectorate.

A Section 55 Checklist **[EN010132/APP/WB1.5]** has been completed by the Applicant and is included to assist with the Planning Inspectorate's compliance check of the Application.

Application formalities

The Application is made in the form required by Section 37 (3) (b) of the PA 2008 and the application documents comply with the requirements in Section 37 of the PA 2008 and those set out in:

- A. The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP regulations);
- B. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations);
- C. The Department for Communities and Local Government's (DCLG) 'Planning Act 2008: Nationally significant infrastructure projects – Application form guidance (June 2013); and,
- D. The Planning Inspectorate's Advice Note Six: Preparation and submission of application documents' (September 2021).

It has been confirmed to the Planning Inspectorate that the Application will be published (with any necessary redactions and minus any confidential documents) on the Planning Inspectorate's webpage as soon as possible after submission of the Application.

Scheme description

A non-technical description of the Scheme is included within the Guide to the Application **[EN010132/APP/WB1.3]**. A more detailed technical description of the Scheme is located within Chapter 4 of the Environmental Statement **[EN010132/APP/WB6.2.4]**.

Need for the Project

The Scheme provides for up to 480MW (DC) of clean energy at a time when the need for renewable energy has never been clearer. The Application is accompanied by a Statement of Need **[EN010132/APP/WB7.11]** which provides further detail on the need for the West Burton Solar Project in the context of rising energy bills, energy security concerns and the urgency of action necessary to achieve Net Zero by 2050. The Statement of Need concludes:

"In summary: the meaningful and timely contributions offered by The Scheme to UK decarbonisation and security of supply, while helping lower bills for consumers throughout its operational life, will be critical on the path to Net Zero. Without The Scheme, a significant and vital opportunity to develop a large-scale low-carbon generation scheme will have been passed over, increasing materially the risk that future Carbon Budgets and Net Zero 2050 will not be achieved"

Consent flexibility

The Scheme encompasses an energy farm with Solar PV array electricity generating facilities and BESS infrastructure. Solar PV and BESS are evolving and as a result, the draft DCO

[EN010132/APP/WB3.1] and supporting Works Plan **[EN010132/APP/WB2.3]** propose a degree of flexibility to allow the latest technology to be used at the time of construction. A number of the design aspects and features of the Scheme cannot be confirmed until the tendering process for the design and construction of the Scheme has been completed. Concept Design Parameters and Principles that set out the design parameters within which the Scheme is proposed to be constructed and operated are provided **[EN010132/APP/WB7.13]** as part of the submission.

The Environmental Impact Assessment undertaken to assess the environmental effects of the Scheme has considered and reflected the flexibility sought in the draft DCO. The reasonable worst case set out in the Concept Design Parameters and Principles document **[EN010132/APP/WB7.13]**, has been assessed in the Environmental Statement **[EN010132/APP/WB6.1 – WB6.5]** and those Design Parameters are secured by the draft DCO **[EN010132/APP/WB3.1]**.

Compulsory Acquisition

The land over which the Applicant is seeking powers of compulsory acquisition of land, rights and interests and powers of temporary possession in the draft DCO **[EN010132/APP/WB3.1]** for the purposes of the Scheme is listed in the Book of Reference **[EN010132/APP/WB4.3]**. The Statement of Reasons **[EN010132/APP/WB4.1]** also provides details of the powers sought and negotiations to date.

The Book of Reference **[EN010132/APP/WB4.3]** has been prepared and is submitted in compliance with Regulation 5(2)(d) of the APFP Regulations, and in accordance with the Department for Communities and Local Government guidance 'Planning Act 2008: Guidance related to procedures for compulsory acquisition of land' (September 2013).

Details of the adequacy of the funding for compensation are provided in the Funding Statement **[EN010132/APP/WB4.2]**. The Statement of Reasons and Funding Statement are submitted in compliance with Regulation 5(2)(h) of the APFP Regulations.

Other Consents

A summary of other consents and licences likely to be required in addition to those being requested as part of the draft DCO is provided in the Consents and Agreements Position Statement **[EN010132/APP/WB7.4]**.

Pre-application consultation

The Applicant has had careful regard to the pre-application consultation requirements of the PA 2008, the guidance on pre-application consultation issued by the DCLG and the Planning Inspectorate, and its pre-application discussions held with the Planning Inspectorate, as required by Section 50(3) of the PA 2008.

As required by Section 37(3)(c) of the PA 2008, the Application is accompanied by a Consultation Report **[EN010132/APP/WB5.1]**, which provides details of the Applicant's compliance with sections 42, 46, 47, 48 and 49 of the PA 2008, the APFP Regulations, the EIA Regulations, and the relevant guidance.

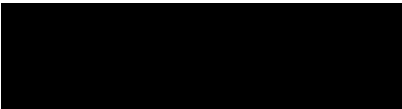
Other matters

In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retains all responses to the consultation carried out under Part 5 of the PA 2008, and can make them available at the request of the Planning Inspectorate and/or the Secretary of State.

The Applicant will keep all application documents under review and will endeavour to provide updates (where it considers it necessary to do so) during the examination of the Application considering questions and comments received from the Examining Authority and Interested Parties.

We look forward to hearing from you in relation to a formal acceptance of this Application. If we can be of any assistance, please do not hesitate to contact us using the details provided below.

Yours sincerely



West Burton Solar Project Ltd.



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