



The Planning Inspectorate

National Infrastructure
Planning
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All Interested Parties, Statutory Parties
and Other Persons

Your Ref:

Our Ref: EN010132

Date: 14 February 2024

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 8(3), 9 and 13

Application by West Burton Solar Project Limited for an Order Granting Development Consent for the West Burton Solar Project

Notice of variation to the Examination Timetable and Hearing

We are writing to provide notification that the Examining Authority (ExA) has made a Procedural Decision to vary the Examination Timetable. This relates to the need to accommodate the postponed elements of the Issue Specific Hearings (ISH) held during w/c 5 February 2024. The variation is set out in **Annex A**. It involves the insertion of ISH5, which will be held on **13 March 2024**. Additionally, the morning of 14 March 2024 will be held in reserve to accommodate continuing ISH5 discussions in the event that they are not completed on 14 March 2024. **Annex B** below contains the formal notification of this hearing.

ISH5 will take place as an entirely virtual event. It will cover landscape and visual matters, cultural heritage and cumulative impacts. An agenda will be published at least 5 days prior to the event.

As a consequence of this change, the ExA has decided to make the following additional timetable changes:

- The publication of the ExA Second Written Questions will be on **Tuesday 19 March 2024**;
- Deadline 5 will be on **Thursday 11 April 2024**;
- Publication of ExA commentary on, or schedule of changes to, the draft Development Consent Order will be on **Friday 19 April 2024**.

If you have any questions about the content of this letter, please contact the Case Team on the details above.

Yours sincerely

Andrea Mageean

Lead Member of the Panel of Examining Inspectors

Annex A

Item	Matters	Date
1.	<p>Procedural Deadline A</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions on the Examination Procedure, including the draft Examination Timetable • Requests to be heard orally at the Preliminary Meeting • Requests to be heard at Open Floor Hearing 1 	<p>Thursday 24 August 2023</p>
2.	<p>Preliminary Meeting - adjourned</p>	<p>Thursday 7 September 2023</p>
3.	<p>Procedural Deadline B</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions on revised draft Examination Timetable • Requests to be heard orally at the Preliminary Meeting • Requests to be heard at Open Floor Hearing 1 (<i>Please respond even if you previously requested to be heard at the postponed OFH1</i>) 	<p>Tuesday 31 October 2023</p>
4.	<p>Preliminary Meeting resumes</p>	<p>Wednesday 8 November 2023</p>
5.	<p>Open Floor Hearing 1 (Evening)</p>	<p>Wednesday 8 November 2023</p>
6.	<p>Issue Specific Hearing 1 regarding the Scope of the Proposed Development; Need, Site Selection and Alternatives; and Environmental Matters</p>	<p>Thursday 9 November 2023</p>
7.	<p>Issue by the ExA of Examination Timetable</p>	<p>As soon as practicable after the Preliminary Meeting</p>
8.	<p>Deadline 1</p> <p>For receipt by the ExA of:</p>	<p>Friday 24 November 2023</p>

- Statements of Common Ground requested by the ExA
- Comments on Relevant Representations (RR)
- Summaries of all RR exceeding 1500 words
- Written summaries of oral submissions made at Open Floor Hearing 1 held on 8 November 2023
- Notification by Statutory Parties of their wish to be considered as an Interested Party (IP) by the ExA.
- Applicant's draft itinerary for a Site Inspection
- Requests to be heard by interested parties at a further Open Floor Hearing
- Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing
- Suggested locations for site inspections (Accompanied or Unaccompanied), including the reason for nomination, issues to be observed and whether the location(s) require access to private land.
- Applicant's updated documents – clean and tracked version showing changes since the last submitted versions of:
 - Draft Development Consent Order
 - Explanatory Memorandum
 - Book of Reference
 - Statement of Reasons
 - Report on the interrelationships with other National Infrastructure Projects
 - Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights and blight

	<ul style="list-style-type: none"> ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submitted documents and documents to be certified ○ Schedule of Progress towards securing other consents <ul style="list-style-type: none"> ● Any further information requested by ExA for this deadline 	
9.	<p>Deadline 1A</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Local Impact Reports from Local Authorities ● Written Representations (WR) ● Summary of all WRs exceeding 1500 words ● Comments on any Additional Submissions made after the close of the Relevant Representation period. 	<p>Thursday 7 December 2023</p>
10.	<p>Publication by the ExA of:</p> <p>First Written Questions (if required)</p>	<p>Friday 15 December 2023</p>
11.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Comments on any submissions received by Deadline 1 ● Updated Statements of Common Ground in clear and tracked changes versions ● Comments on the Applicant's draft itinerary for the Site Inspection ● Applicant's updated documents – clean and tracked version showing changes since the last submitted versions of: <ul style="list-style-type: none"> ○ Draft Development Consent Order ○ Explanatory Memorandum 	<p>Wednesday 3 January 2024</p>

	<ul style="list-style-type: none"> ○ Book of Reference ○ Statement of Reasons ○ Report on the interrelationships with other National Infrastructure Projects ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submitted documents and documents to be certified ○ Schedule of Progress towards securing other consents <ul style="list-style-type: none"> ● Any further information requested by ExA for this deadline 	
12.	<p>Deadline 3</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Responses to the ExA's First Written Questions 	Tuesday 9 January 2024
13.	<p>Weeks reserved for hearings:</p> <ul style="list-style-type: none"> ● Accompanied Site Visit (if required) ● Issue Specific Hearing(s) (if required) ● Open Floor Hearing(s) (if required) ● Compulsory Acquisition Hearing(s) (if required) 	w/c 22 January and w/c 5 February 2024
14.	<p>Opening of Relevant Representations in relation to proposed provisions seeking additional land or rights in relation to Changes (CA Regulations RRs)</p>	Thursday 8 February 2024
15.	<p>Deadline 4</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Comments on any submissions received by Deadlines 2 and 3; ● Updated Statements of Common Ground in clean and tracked change versions 	Wednesday 28 February 2024

	<ul style="list-style-type: none"> • Written summaries of oral submissions made at hearings held w/c 22 January and w/c 5 February 2024 (if required) • Updated Applicant's documents – clean version and version showing tracked changes since the last submitted versions of: <ul style="list-style-type: none"> ○ Draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Report on the interrelationships with other National Infrastructure Projects ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submitted documents and documents to be certified ○ Schedule of Progress towards securing other consents • Any further information requested by ExA for this deadline 	
16.	Issue Specific Hearing 5 (ISH5) on matters postponed at ISH3 Wednesday 7 February 2024 and ISH4 Thursday 8 February 2024	Wednesday 13 March 2024 (with the morning of Thursday 14 March 2024 held in reserve)
17.	<p>Closing date for CA Regulations RRs</p> <p>Deadline 4A</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • CA Regulations Written Representations (CA Regulations WRs) relating to the effect of the change requests. • Summaries of any CA Regulations WRs that exceed 1500 words. 	Friday 15 March 2024

	<ul style="list-style-type: none"> Any further information requested by the ExA under Rule 17 of the EPR. 	
18.	<p>Deadline 4B</p> <p>For receipt by the Examining Authority of</p> <ul style="list-style-type: none"> Requests from any additional Interested Parties and any additional Affected Persons to speak at a further Open Floor Hearing Requests from any additional Interested Parties and any additional Affected Persons to speak at a further Issue Specific Hearing Requests from any additional Interested Parties and any additional Affected Persons to speak at a Compulsory Acquisition Hearing 	Monday 18 March 2024
19.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> Second Written Questions (if required) Report on the Implications for European Sites (if required) 	Tuesday 19 March 2024
20.	<p>Submission by the Applicant of Certificates of Compliance under Regulation 9 of the CA Regulations.</p> <p>Issue by the ExA of notices of Hearings (if required) and Initial Assessment of Principle Issues (IAPI)</p>	Monday 25 March 2024
21.	<p>Deadline 5</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Comments on any submissions received by Deadline 4 Any further information requested by ExA Responses to the ExAs Second Written Questions (if required) 	Thursday 11 April 2024

	<ul style="list-style-type: none"> • Comments on the Report on Implications for European Sites (if required) • Comments on submissions for Deadline 4A 	
22.	Publication of the ExA’s commentary on, or schedule of changes to, the draft Development Consent Order (if required)	Friday 19 April 2024
23.	Additional hearings (Open Floor Hearing, Issue Specific Hearing and Compulsory Acquisition Hearing) (if required)	Monday 22 and Tuesday 23 April 2024
24.	<p>Deadline 6</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any submissions received by Deadline 5 • Comments on ExA’s commentary on, or schedule of changes to, the dDCO (if required) • Final Statements of Common Ground in clear and tracked changes versions • Updated Applicant’s final documents – clean version and version showing tracked changes since the last submitted versions of: <ul style="list-style-type: none"> ○ Report on the interrelationships with other National Infrastructure Projects ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers 	Tuesday 30 April 2024

	<ul style="list-style-type: none"> ○ Schedule of the latest versions of the Applicant's submitted documents and documents to be certified ○ Schedule of Progress towards securing other consents ○ Draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons <ul style="list-style-type: none"> ● Written summary of oral submissions at hearings held on 22 and 23 April 2024 (if required) <ul style="list-style-type: none"> ● Any further information requested by ExA 	
25.	<p>Deadline 7</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Summary statements from parties regarding matters that they have previously raised during the Examination that have not been resolved to their satisfaction. ● Comments on any submissions received by Deadline 6 ● Any other information requested by the ExA for this deadline 	Wednesday 8 May 2024
26.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	Wednesday 8 May 2024

Annex B

Notification of Hearings

The ExA has made the Procedural Decision to hold the following hearing:

Hearing	Date	Start time	Location
Issue Specific Hearing 5 on postponed elements of Issue Specific Hearings 3 and 4 (ISH5)	Wednesday 13 March 2024 And morning of Thursday 14 March 2024 if required	Virtual Registration Process from: 9.30am Event start: 10.00am	Virtual via Microsoft Teams

Applicant's notification duties

The Applicant is reminded of its duty to notify and publicise hearings under Rule 13(6) and 13(7) of The Infrastructure Planning (Examination Procedure) Rules 2010.

Purpose of Hearings

Please refer to the [Planning Inspectorate's Advice Note 8.5: The Examination: hearings and site inspections](#) for information about the purpose of Issue Specific Hearings.

Registration and requests to participate in Hearings

Please inform the Case Team via the project mailbox: westburtonsolarproject@planninginspectorate.gov.uk by Thursday 8 March 2024 if you wish to attend and speak at the above hearing; this also applies to any party who originally requested to participate in either the ISH3 on Wednesday 7 February 2024, or the ISH4 on Thursday 8 February 2024.

Please contact the Case Team if you require any support or assistance to attend any Hearing. If you simply wish to observe any of the Hearings then you can either:

1. Watch a livestream of the event - a link to the livestream will be made available on the project webpage shortly before the event is scheduled to begin; and/or
2. Watch the recording of the event which will be published on the project webpage shortly after the event has finished.

Hearing Agendas

The Agenda and any detailed arrangements for the Hearings will be published on the project webpage at least five working days before the Hearings. However, the actual Agenda on the day of the Hearing may be subject to change at our discretion.

Procedure at Hearings and Post Hearing submissions

The procedure to be followed at Hearings is set out in [The Infrastructure Planning \(Examination Procedure\) Rules 2010](#).

Participation in a Hearing will be subject to the ExA's powers of control. It is for the ExA to determine how the Hearing will be conducted, including the time allowed at the Hearing for the making of a person's representations. The Hearing will be managed in the interests of ensuring fair access to the Hearing for all parties, and to ensure that the submissions of all invited persons are fully heard within the allotted time. For Issue Specific Hearings Interested Parties (IPs) may be invited to make oral representations at the Hearing on the specific issues being examined at the Hearing as set out in the Agenda.

All Hearings are recorded. The recordings and transcripts will be made available on the project webpage as soon as practicable following the Hearing. The recordings allow any member of the public who is interested in the application and the Examination to find out what has been discussed at a Hearing. It is therefore important to note that anyone speaking at the Hearing will need to introduce themselves, including any organisation or groups that they represent, each time they speak to ensure that someone listening to the recording after the Hearing is clear who was speaking.

As the recordings are retained and published, they form a public record that can contain personal information to which the General Data Protection Regulation (GDPR) applies. Please refer to our [Privacy Notice](#) for further information. Participants must do their best to avoid making public any information which they would otherwise wish to be kept private and confidential. If there is a need to refer to such information, it should be in written form. Although this will also be published, personal and private content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should ask the Case Team for guidance before they place personal and private information into the public domain.

The Planning Inspectorate's practice is to publish the recordings and transcripts and retain them for a period of five years from the Secretary of State's decision on the Development Consent Order (DCO). If you actively participate in the Hearing, it is important that you understand that you will be recorded and that the recording and transcript will be made available in the public domain.

The evidence presented orally at Hearings should be included in post Hearing submissions and submitted at the relevant deadline in the Examination timetable.

This communication does not constitute legal advice.
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<https://infrastructure.planninginspectorate.gov.uk>

