



Stonestreet Green Solar

Statement of Common Ground with National Highways

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Revision History

Revision	Revision Date	Authorised By	Position	Comment
Issue 1	14/11/24	MS	Senior Director	For NH Review
Issue 2	4/12/24	NDW	Assistant Spatial Planner	NH Comments
Issue 3	4/12/24	MS	Senior Director	Response to NH comments
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Issue 5	9/12/24	MS	Senior Director	Response to NH comments / finalisation

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1 Introduction

1.1 Purpose of this Statement of Common Ground

- 1.1.1 This Statement of Common Ground ('SoCG') has been prepared to support an application (the 'Application') for a Development Consent Order ('DCO') from the Secretary of State for Energy Security and Net Zero under Section 37 of the Planning Act 2008 ('PA 2008') for the proposed Stonestreet Green Solar (the 'Project'). The Application has been submitted by EPL 001 Limited (the 'Applicant').
- 1.1.2 This SoCG has been prepared between (1) the Applicant and (2) National Highways ('NH') (jointly referred to as the 'Parties'). It has been prepared in accordance with The Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects guidance¹.
- 1.1.3 NH is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009² and so has been consulted during the preparation of the Application and following its acceptance. NH is the company responsible for the safety, reliability, and operational efficiency of the Strategic Road Network (SRN), in this case the M20 in the vicinity of the site.
- 1.1.4 The Examining Authority has requested that the SoCG include the following matters as set out in the Rule 6 Letter [[PD-004](#)], Annex G (dated 22 October 2024).
- Traffic and Transport, including traffic modelling and assessment of alternatives;
 - Good Design; and
 - The dDCO, including protective provisions.
- 1.1.5 Additionally, the Parties have agreed that this SoCG should address the Construction Traffic Management Plan ('CTMP') and the Decommissioning Traffic Management Plan ('DTMP').
- 1.1.6 This SoCG has also been prepared in the context of the Initial Assessment of Principal Issues (Rule 6 Letter, Annex C), in particular Principal Issue 10 (Traffic – Construction and Decommissioning).
- 1.1.7 It is agreed that any matters not specifically referred to in this SoCG are not of material interest or relevance to the representations submitted to the Examining Authority by NH (the 'Representations') and therefore have not been considered in this document.
- 1.1.8 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the Parties, where agreement has not been reached (and that is the Parties' final position) and where discussions are still

ongoing. This SoCG will be revised and updated as discussions between the Parties progress during the Examination.

1.2 Description of the Project

- 1.2.1 The Project comprises the construction, operation and maintenance, and decommissioning of solar photovoltaic ('PV') arrays and energy storage, together with associated infrastructure and an underground cable connection to the existing National Grid Sellindge Substation.
- 1.2.2 The Project will include a generating station (incorporating solar arrays) with a total capacity exceeding 50 megawatts ('MW'). The agreed grid connection for the Project will allow the export and import of up to 99.9 MW of electricity to the grid. The Project will connect to the existing National Grid Sellindge Substation via a new 132 kilovolt ('kV') substation constructed as part of the Project and cable connection under the Network Rail and High Speed 1 ('HS1') railway.

1.3 Current Position

- 1.3.1 Section 2 of this SoCG addresses the position of the Applicant and NH with respect to the key areas of the Project and the NH Representations.
- 1.3.2 This is intended to be a 'live' document and some aspects are still under discussion between the Parties. The intention is to provide a final position in subsequent versions of the SoCG, addressing and identifying where changes have been made and ultimately both Parties agree on relevant points.

1.4 Record of Engagement

- 1.4.1 The Applicant has undertaken consultation and engagement with NH throughout the development of the Application. The Applicant consulted NH as a prescribed consultee, in accordance with section 42 of the PA 2008, about the Project and environmental impact assessment as part of the formal pre-application consultation procedure. This afforded NH the opportunity to provide responses to the information provided at various stages of the pre-application process.
- 1.4.2 As highlighted in Table 1.1 below, the Applicant provided a number of opportunities for NH to engage with the Project during the pre-application stage.
- 1.4.3 Table 1.1 shows a summary of the feedback and correspondence that has taken place between the Applicant (including consultants on its behalf) and NH in relation to the Application.

Table 1-1: Record of Engagement

Date	Form of Response	Key topics discussed and outcomes
18 May 2022	Response to Scoping Opinion consultation on information to be provided in the Environmental Statement	<p>NH have no comments on whether an EIA is required; but if it is, it should be compatible and consistent with any Transport Assessment (TA)/ Transport Statement (TS) for the application site.</p> <p>NH will be content for any abnormal loads to be dealt with by the standard roadspace booking process. NH will be content to review any TA or TS and the CTMP details in due course.</p>
28 November 2022	Response to 2022 Statutory Consultation	<p>Any abnormal loads are to be dealt with by the standard roadspace booking process.</p> <p>NH will review the CTMP and other supporting information. Further detail is required in due course regarding the hourly profile of traffic and consent will need to be sought from NH for any temporary construction signage on the strategic road network ('SRN').</p>
17 July 2023	Response to 2023 Statutory Consultation	<p>NH's focus is on the safety, reliability and operational efficiency of the SRN, specifically M20 in the vicinity of the Site.</p> <p>The construction traffic route is acknowledged and understood, as is the number of construction traffic trips forecast which would avoid the traditional peak hours.</p> <p>It is acknowledged that a CTMP and DTMP will be submitted to Ashford Borough Council ('ABC'), in consultation with Kent County Council ('KCC') and NH.</p> <p>NH note that the Solar Photovoltaic Glint and Glare</p>

Date	Form of Response	Key topics discussed and outcomes
		<p>Study found no impact on the road receptors located along the M20.</p> <p>NH is satisfied that given the nature of the development (solar PV arrays and energy storage infrastructure) and the volume of traffic that would be generated during construction and decommissioning the proposals would <i>"not have an unacceptable impact on the safety, reliability, and/or operational efficiency of the SRN. Our formal response to this consultation is No Objection."</i></p> <p>NH looks forward to being consulted on the detailed CTMP prior to commencement of construction.</p>
13 November 2023	Response to consultation on minor changes to the site boundary (known as the "Order limits")	NH are content that none of the proposed changes have any implications for the SRN. NH remain content to rely on their previous consultation responses of No Objection subject to being consulted on the Construction Traffic Management Plans for the Construction and Decommissioning stages of the Project
13 November 2024	Email correspondence on the draft SoCG.	The Parties discussed the contents of this SoCG.

1.4.4 It is agreed that this is an accurate record of the key meetings and consultation undertaken between the Parties in relation to the issues addressed in this SoCG as at the date of this SoCG.

1.5 Format of Document and Terminology

1.5.1 This SoCG has been structured to reflect matters and topics of interest to NH in relation to the Project as set out in the NH Representations.

- 1.5.2 Section 2 summarises the issues that are ‘agreed’, ‘not agreed’ or are ‘under discussion’ under the topics of interest in Table 2.1.
- 1.5.3 The following terminology is applied in Section 2:
- ‘Agreed’ indicates where the issue has been resolved.
 - ‘Not Agreed’ indicates a position where both Parties have reached a final position that a matter cannot be agreed between them.
 - ‘Under Discussion’ indicates where points continue to be the subject of on-going discussions between Parties.
- 1.5.4 For any issues that are 'Under Discussion', the Parties have also indicated the likelihood that disagreement will remain by the end of the Examination using a “Low” (Green), “Medium” (Amber) and “High” (Red) traffic light model, as requested in the Rule 6 letter.

2 Areas of Discussion between the Parties

Table 2-1: Areas of Discussion

Ref.	Description of Matter	NH Current Position	Applicant's Current Position	Status
1.	Traffic Assessment	NH is satisfied with the assessment. NH's focus is on the impacts during the construction and decommissioning phases of the project, including the cumulative effects. On the basis of the assessment, NH has concluded that the development would not have an unacceptable impact on the safety, reliability, and/or operational efficiency of the SRN.	<p>The scope for the assessment in ES, Volume 2: Chapter 13: Traffic and Access (Doc Ref. 5.2(B)) was discussed with statutory consultees and the Planning Inspectorate.</p> <p>Table 13.1: EIA Scoping Opinion of ES, Volume 2, Chapter 13: Traffic and Access (Doc Ref. 5.2(B)) provides a summary of the EIA Scoping Opinion (ES Volume 4, Appendix 1.2: EIA Scoping Opinion (Doc Ref. 5.4) [APP-062]) responses of relevance to the assessment of traffic and access and how the issues raised have been responded to.</p>	Agreed
2.	Consideration of Alternatives	NH has not commented on the consideration of alternatives. The focus of NH is on the impacts of the presented proposal on the safety, reliability, and operational efficiency of the SRN, in this case the M20 in the vicinity of the site.	<p>Details of the overarching site selection process for the Project are provided in ES Volume 2, Chapter 5: Alternatives and Design Evolution (Doc Ref. 5.2(A) [AS-010] and ES Volume 4, Appendix 5.2: Site Selection Influencing Factors (Doc Ref. 5.4) [APP-067].</p> <p>ES Volume 2, Chapter 5: Alternatives and Design Evolution (Doc Ref. 5.2(A) [AS-010] then describes the changes to the</p>	Agreed

Ref.	Description of Matter	NH Current Position	Applicant's Current Position	Status
			<p>Project together with the Design Approach Document (Doc Ref. 7.4) [APP-149] which explains the approach taken and the decisions made to arrive at the final Project design.</p> <p>The Project therefore complies with the good design polices set out in both EN-1 and EN-3.</p>	
3.	CTMP	<p>NH's Relevant Representation suggests some changes to the outline CTMP so that it clearly recognises that there are two relevant highway authorities that need to be consulted given the presence of two road networks (local and strategic) that would be impacted. NH would be consulted with before the detailed CTMP could be determined.</p>	<p>In its pre-application consultation response, NH requested that it be consulted on the detailed CTMP and DTMP. The Draft Development Consent Order (Doc Ref. 3.1(B)), Schedule 2, Part 1: Requirements therefore states:</p> <ul style="list-style-type: none"> ▪ Requirement 7(1): <i>"No phase of the authorised development may commence until a CTMP for that phase has been submitted to and approved by the local planning authority, such approval to be in consultation with the relevant highway authority."</i> ▪ Requirement 14(2)(b): <i>"Prior to commencement of any decommissioning works for any part of the authorised development ... a DTMP for that part must be submitted to and approved by the local planning authority, such approval to be in</i> 	Agreed

Ref.	Description of Matter	NH Current Position	Applicant's Current Position	Status
			<p><i>consultation with the relevant highway authority."</i></p> <p>The 'relevant highway authority' for this purpose is KCC as the highway authority for the local road network and NH as the highway authority for the SRN.</p> <p>ABC, as the local planning authority, is the discharging authority for the purposes of the Requirements. This is in accordance with the Planning Inspectorate's Advice Note 15 which states under the heading 'Discharging Requirement' that "<i>the relevant planning authority for the area(s) within which the development is situated, is likely to be the relevant 'person' from which to obtain such approvals</i>" (para. 19.1). In exercising its function as the discharging authority, ABC will need to have appropriate regard to any consultation responses from the relevant highway authority, which is NH for the SRN. This will ensure that all relevant considerations are taken into account in the approval of any detailed management plan.</p> <p>The Applicant considers that the current drafting in the Draft DCO (Doc Ref. 3.1(B)) as outlined above is appropriate, that it is consistent with the Advice Note and that it has precedent in other made solar DCOs</p>	

Ref.	Description of Matter	NH Current Position	Applicant's Current Position	Status
			<p>such as The Cottam Solar Project Order 2024.</p> <p>Nevertheless, to provide further clarification, the Applicant proposes to include the following definition in a new limb (4) in Requirement 7 and limb (5) in Requirement 14 in the Draft DCO (Doc Ref. 3.1(B)):</p> <p><i>“For the purposes of this paragraph, “relevant highway authority” means the highway authority for the highways that are the subject of a [CTMP / DTMP] submitted pursuant to sub-paragraph [7(1) / 14(2)(b)]”.</i></p>	
4.	DTMP	NH's Relevant Representation suggests some changes to the outline DTMP so that it clearly recognises that there are two relevant highway authorities that need to be consulted given the presence of two road networks (local and strategic) that would be impacted. NH would be consulted with before the detailed CTMP could be determined.	As above.	Agreed
5.	Draft DCO	NH's Relevant Representation suggests some changes to the Draft DCO so that it clearly recognises that there are two relevant highway authorities that	Agreed.	Agreed

Ref.	Description of Matter	NH Current Position	Applicant's Current Position	Status
		<p>need to be consulted given the presence of two road networks (local and strategic) that would be impacted. Should the DCO be approved, NH looks forward to being consulted on the detailed CTMP prior to the commencement of construction.</p>		
6.	Protective Provisions	<p>NH can confirm that there is no land within the SRN boundary included in the Order Limits.</p> <p>NH has not sought Protective Provisions.</p>	Noted.	Agreed
7.	Design	<p>NH has not commented on the design aspects of the Project, with the focus being on the impacts on the SRN, in this case the M20 in the vicinity of the site</p>	Noted.	Agreed

3 Signatures

This SoCG has been prepared and agreed by the Applicant and NH.

On behalf of EPL 001 Limited

Name:

Signature:

Position:

Date:

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On behalf of National Highways

Name:

Signature:

Position:

Date:

.....

References

¹ *Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects*. [online] GOV.UK. Available at: <https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects> [Accessed 14 Oct. 2024]

² Legislation.gov.uk. (2023). *The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009*. [online] Available at: <https://www.legislation.gov.uk/uksi/2009/2264/schedule/1/made>