



## Meeting note

<b>Project name</b>	Byers Gill Solar
<b>File reference</b>	EN010139
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	10 February 2022 and 18 August 2022
<b>Meeting with</b>	JBM Solar
<b>Venue</b>	Microsoft Teams
<b>Meeting objectives</b>	Developer Introduction and Project Inception Meeting
<b>Circulation</b>	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.

The Inspectorate explained that the publication of the meeting note could be delayed up to six months, or until a formal scoping request had been submitted (if requested by an Applicant for commercial reasons).

The Planning Inspectorate met with representatives from JBM Solar for an introductory meeting in February 2022 and following appointment of consultants and legal, held a further meeting in August 2022 to introduce the Byers Gill Solar Farm in detail. This note includes information from both meetings.

### ***Applicant***

JBM Solar introduced themselves as one of the largest solar developers in the UK, having consented 1 GW of capacity to date.

### ***Introduction to the Project***

Byers Gill Solar ("the Project") is located in the North-East of England. The project will include:

- Solar PV modules and associated mounting structures
- Inverters, transformers, switch gear and control equipment
- A substation
- Energy storage equipment
- Underground on and off-site cabling
- Mitigation and enhancement measures

The Project will be over 50 (MW) Alternating Current (AC) capacity. The Proposed Development includes 33 Kilovolt (kV) cable connecting panel areas, and 132kV cable from the panel area to the grid connection. The cables are currently proposed to be underground. The project would include battery energy storage systems (BESS). The Applicant's proposed substation is proposed in the area North-West of Little Stainton.

The Applicant explained that the Project will cross local authority boundaries, with the relevant host authorities being Stockton-on-Tees Borough Council and Darlington Borough Council. The Applicant has begun engagement with the local authorities and has identified relevant parish councils.

The Inspectorate queried the current land use of the proposed site. The Applicant noted that land proposed for use as panel areas is agricultural. The Applicant is to begin commissioning ecological surveys. The Applicant noted that there are no international or national ecologically designated sites in proximity to the site, although a small nature reserve is located in the vicinity of the site.

The Inspectorate queried whether there were any Public Rights of Way (PRoW) crossing the proposed site. The Applicant noted that there were a number of PRoWs in the area.

The Inspectorate queried whether the cable corridors may intersect with the other proposed solar projects in the vicinity. The Applicant noted that this is a possibility. The

Inspectorate queried whether the developer is intending to use fixed or tracking panels. The Applicant advised that they are keeping their options open on this currently.

The Inspectorate queried whether there was any Special Category Land or open space within the Order Limits. The Applicant is not aware of any such land. The Applicant stated it is currently seeking to avoid compulsory acquisition of land and stated that is not expecting there to be any category 3 persons impacted by the project.

### ***Environmental Impact Assessment (EIA)***

The Applicant noted that there are nearby solar projects that do not meet the thresholds established in the Planning Act 2008 (consenting through the TCPA process). It added that cumulative assessment including these sites is likely to be considered as part of its Environmental Impact Assessment.

The Applicant noted a number of cultural heritage receptors in the area.

The Inspectorate queried whether multiple options will be presented in the scoping report. The Applicant confirmed this will be the case for the cable route.

The Inspectorate queried what type and grade of agricultural land is present in the redline boundary. The Applicant advised that the land is predominantly arable with some areas of grazing and that all land within the red line boundary is classified as grade 3. Surveys will be carried out soon to determine the land as-grade 3a or grade 3b.

The Inspectorate queried whether ground nesting birds were identified on site; the Applicant confirmed that surveys indicated potential for ground nesting birds. The Applicant proposes to use a district level licensing approach to Great Crested Newts and

it is seeking focused archaeological trial trenching rather than applying an arbitrary percentage to the site for surveys. Discussion with the local authority on the results of the geophysics will inform this.

There was a discussion regarding the application of Biodiversity Net Gain in the solar industry, including the monitoring of net gain on the site and the evidence of the success of those measures in the context of the 2017 Environmental Impact Assessment regulations.

There was a discussion on archaeology and the approach to desk-based and geophysical investigations on the site. The Inspectorate noted that it would expect desk based assessment to inform the need for geophysical surveys and that this in turn should inform the need for trial trenching.

### ***Scoping***

The Applicant provided a list of aspect Chapters they anticipated scoping in and out of the Environmental Statement which would be explained in the scoping report. The Inspectorate advised that waste at decommissioning should be considered in the scoping report and that a preliminary risk assessment should inform the ground conditions chapter in the scoping report.

The Applicant is currently involved in pre-scoping engagement with local authorities (LA), statutory consultees and local groups. The Applicant has been engaging with LA's since July 2022.

The Applicant expects to submit their Scoping Report in October 2022, in which the Applicant will include a Reg 8 notification confirming that the project is an EIA development. The Inspectorate encouraged the Applicant to provide a detailed Scoping Request.

The Inspectorate advised the Applicant that the shape-file will need to be submitted with 10 working days' notice. The Applicant advised they would also be happy to send it earlier than the 10 working day requirement if required.

The Inspectorate advised the Applicant to be aware of scheduling the consultation period and where the 42 days fall. Of particular importance is whether any days will be lost to public holidays.

### ***Other***

The Inspectorate also highlighted the importance of community engagement during statutory and non-statutory consultation. The Applicant may find benefit in including the collaborative design elements in draft documents to ensure that they are communicated effectively in the DCO Application.

The Applicant expects to use the Statement of Common Ground as a medium of engagement with Local Authorities and key stakeholders to keep track of unresolved issues. The Inspectorate referred to documents used in the Hornsea Four Offshore Wind Farm DCO application which may be useful to the Applicant.

The Inspectorate referred to issues being raised in other solar NSIP examinations, including risks associated with fire hazard from battery storage and the use of agricultural land. It advised the Applicant to prepare evidence on these issues prior to engagement with stakeholders.

The Applicant was informed by the Inspectorate that work was ongoing to develop a Solar Advice Note for Nationally Significant Infrastructure Projects and that it would be informed when it is published. It is intended that this sector specific Advice Note will assist Developers, Applicants, Local Authorities and members of the public.

### ***Anticipated Programme***

The Applicant plans to open discussions with Local Authorities in September 2022.

The Applicant anticipates submitting a Scoping Request to the Inspectorate October 2022.

The Applicant expects most surveying to be completed by Winter 2022.

Statutory consultation is due to take place in Spring 2023, ahead of a DCO Submission in Autumn / Winter 2023.

### ***Specific decisions/ follow-up required?***

The following actions were agreed:

- Applicant to provide an update on Scoping timetable
- Parties to organise a follow-up meeting