

# Meeting note

<b>Project name</b>	Tween Bridge Solar Farm
<b>File reference</b>	EN010148
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	24 April 2023
<b>Meeting with</b>	RWE
<b>Venue</b>	Microsoft Teams
<b>Meeting objectives</b>	Project Update 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.

### Project Update and Amendments to the draft Order Limits

The Applicant is planning to undertake a non-statutory consultation exercise in summer 2023, with statutory consultation planned to commence late 2023-early 2024.

The Applicant has made amendments to the draft order limits presented in the Environmental Impact Assessment (EIA) Scoping Report, which have reduced the overall extent of the site boundary. A new vehicular access has been added, along with two new parcels of land in the northern and southern extents of the site. The Applicant confirmed it would consider the caravan site as part of its consultation strategy where necessary. The Applicant confirmed that the amendments to the order limits would result in an increase to the total megawatt output capacity of the Proposed Development, noting that the new parcel of land to the south would include additional photovoltaic (PV) panels.

The Applicant's environment team considers that the amendments to the order limits and Proposed Development made since adoption of the EIA Scoping Opinion would not result in any new or different likely significant effects. As such, the Applicant does not intend to request a new Scoping Opinion. The Inspectorate noted that EIA scoping is not a statutory requirement and advised that it is a matter for the Applicant to determine whether to submit a new scoping request. The Inspectorate advised that the baseline studies and potential impacts considered in the Environmental Statement (ES) should address the new areas of land take and changes to the Proposed Development. The Applicant noted that it will include

an explanation in each aspect chapter of the ES discussing changes made to the Proposed Development since adoption of the Scoping Opinion.

The Inspectorate queried whether the proposed National Grid substation would be part of the application for development consent. It was confirmed that the Applicant has a grid connection agreement, but that there was uncertainty around the location of the proposed substation and the timing of any separate application/s in relation to this component. The Inspectorate advised that where options/ uncertainty remains regarding the proposed substation at the point of DCO application, the assessment in the ES should be based on reasonable worst case scenarios considering the information available at the time of assessment.

The Applicant confirmed it is likely that it will be seeking flexibility in the DCO using the Rochdale Envelope approach.

### **Scoping Report and Scoping Opinion**

The Applicant outlined its proposed targeted approach to Agricultural Land Classification (ALC) survey, which would involve a sample every 200m rather than every 100m. The Applicant stated that this approach was also taken on the Mallard Pass and Heckington Fen DCO applications. The Applicant is awaiting confirmation from Natural England (NE) regarding the acceptability of this approach; the Inspectorate advised the Applicant to continue to pursue agreement with NE on this matter, noting that loss of agricultural land as a result of the Proposed Development may likely to be a concern for Interested Parties and encouraged the Applicant to ensure it justifies its approach to targeted surveys.

The Applicant referenced the Inspectorate's comments in row ID 3.4.5 of the Scoping Opinion in terms of waste management at the decommissioning stage, noting they did not yet know what the end use of the PV panels would be. The Inspectorate acknowledged the uncertainties in this regard and advised that the Outline Decommissioning Plan should include as much detail as possible on how waste would be managed, taking account of the available information, and identifying where assumptions have been made or uncertainty exists.

The approach to the biodiversity assessment was discussed; the Inspectorate advised the Applicant to maintain up to date evidence of agreements with relevant consultation bodies and to justify the approach taken in the ES. Great Crested Newts (GCN) were discussed, in terms of survey extent and sampling method. The Applicant noted it may explore District Level Licencing (DLL) for GCN. If DLL is not available or not pursued, the Applicant should undertake baseline surveys in line with NE's Standing Advice for GCN, which identifies the potential need for surveys up to 250m from a development.

The Applicant sought clarity around the Inspectorate's comments in row ID 3.7.4 of the Scoping Opinion, specifically whether intrusive investigations and trial trenching should be completed prior to submission of the DCO application. The Inspectorate advised that it was a matter for the Applicant to determine whether this was necessary but advised that the ES should be based on sufficient baseline data to support a robust assessment of likely significant effects as required by the Infrastructure Planning EIA Regulations 2017. The Applicant was advised to review the approach taken for other solar NSIPs (including those in the Lincolnshire area and consented schemes) and to justify the approach taken in the ES.

The Inspectorate noted that concerns had been raised by local authorities around archaeological sensitivities and scope of survey effort in relation to other NSIPs in the Lincolnshire area and advised the Applicant to make effort to discuss and agree the approach with relevant consultation bodies, including local authorities.

The Applicant noted that North Lincolnshire Council and some of the surrounding local authorities had not responded to the Secretary of State's scoping consultation. The Inspectorate advised that any late responses will be forwarded to the Applicant and published on the National Infrastructure project page.

## **AOB**

The Inspectorate queried if the Applicant had made attempts to secure Land Agreements and if any compulsory acquisition had been established. The Applicant explained that these formal exchanges hadn't yet taken place but would reach Heads of Terms soon, that the Applicant's intention is to limit Compulsory Acquisition wherever possible. The Applicant is yet to contact the Canal and Rivers Trust and Network Rail for technical discussions on Protective Provisions.

The Applicant is aiming for submission of the DCO application in October 2024. Draft documents are likely to be submitted for review.