

The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

20 November 2024

Dear Sir/Madam

Planning Act 2008 – Application for Development Consent Order for Springwell Solar Farm

PINS Application ref. EN010149

Introduction

On behalf of Springwell Energyfarm Limited (the 'Applicant'), I am pleased to enclose an application for a Development Consent Order ('DCO') ('the Application') pursuant to Section 37 of the Planning Act 2008 ('PA 2008') in relation to Springwell Solar Farm ('the Proposed Development').

Subject of the Application

The Application is for a DCO to construct, operate and maintain, and decommission of solar photovoltaic ('PV') electricity generating station and energy storage, together with associated infrastructure and an export connection to the National Grid.

The Application is required because the Proposed Development is classified as a Nationally Significant Infrastructure Proposed Development (NSIP) pursuant to sections 14(1)(a) and 15(1) and (2) of the PA 2008, as an onshore generating station in England with a capacity exceeding 50 megawatts (MW). As such, the decision on whether to grant development consent will be made by the Secretary for Energy, Security and Net Zero ('Secretary of State').

The location of the Proposed Development is shown on **ES Volume 2, Figure 1.1 Location Plan [EN010149/APP/6.2]**. The Proposed Development will be located within the Order Limits (the land shown on the **Works Plans [EN010149/APP/2.3]** within which the Proposed Development can be carried out). The Order Limits plan is provided as **ES**



Volume 2, Figure 1.2 Order Limits [EN010149/APP/6.2]. Land within the Order Limits is known as the 'Site'.

Application Fee and Documentation Enclosed

A fee of £8,796.00 has been submitted by CHAPS to the account of the Planning Inspectorate on 12th November 2024. The Planning Inspectorate confirmed on 18th November 2024 that the fee had been received.

The Application is submitted via a Sharepoint system, which has been set up for file transfer of the application documents. This was agreed with the Planning Inspectorate in the pre-submission meeting on 7th October 2024.

In accordance with the Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents, a GIS shapefile showing the Order Limits for the Proposed Development and the Electronic Application Index, were issued to the Planning Inspectorate via email on 29th October 2024.

A **Section 55 Checklist [EN010149/APP/1.4]** that has been completed by the Applicant has been included with the Application to assist with the Planning Inspectorate's compliance check of the Application.

Application Formalities

This 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:

- The Infrastructure Planning (Applications, Prescribed Forms and Procedure) Regulations 2009 ('the APFP Regulations');
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations');
- DLUHC's Guidance 'Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Proposed Developments' (April 2024); and
- Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents

The Proposed Development is an Environmental Impact Assessment (EIA) development and therefore the Application is accompanied by an **Environmental Statement ('ES') [EN010149/APP/6.1]** in accordance with the EIA Regulations.

The Application will be published (with any necessary redactions and minus any confidential documents) on the Planning Inspectorate's webpage from the point of acceptance. The confidential documents are to include:

- Breeding Bird Survey (**Volume 3, Appendix 7.2** of the **ES [EN010149/APP/6.3]**);
- Barn Owl Survey (**Volume 3, Appendix 7.4** of the **ES [EN010149/APP/6.3]**); and
- Badger Survey Report (**Volume 3, Appendix 7.10** of the **ES [EN010149/APP/6.3]**)

Planning Inspectorate updated Guidance

Over the course of the development of the application, there have been a number of updates made to the regulations and guidance from the Planning Inspectorate. Below summarises how the Application has addressed these changes.

- Commitments Register – it has been noted that the Mitigation Schedule has now been renamed as a commitments register as per Nationally Significant Infrastructure Projects: Commitments Register guidance. The Applicant can confirm that a Mitigation Schedule is to be submitted with the application under **Volume 1, Chapter 17: Mitigation Schedule of the ES [EN010149/APP/6.1]** and a Commitments Register will be developed during Examination.
- As per the Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents (October 2024) Annex A, the order of information submitted with a DCO has been re-organised. However, due to the timing of this change, the Springwell Solar Farm DCO Application is following the original order of information due to the timeframes.

We recognise that Statements of Common Ground should be submitted with the Application if available at this stage. Therefore, the Applicant has attached 5 Statements of Common Ground that are in draft form but with a number of matters agreed at submission stage. The Applicant can confirm that they are also in the process of preparing additional Statements of Common Ground with further statutory consultees, as set out in the **Planning Statement [EN010149/APP/7.2]**, and these will be submitted during the examination if the application is accepted.

- We recognise that the advice note 'Nationally Significant Infrastructure Projects: Advice on Good Design' has recently been updated shortly before the submission of this DCO application. Given this, we have carried out an initial review of it and consider that the development of the Proposed Development broadly aligns with this advice.
- Use of Artificial Intelligence – in accordance with recent PINS Guidance 'Use of artificial intelligence in casework evidence' (September 2024), the Applicant confirms that no AI has been used either by it or its consultants in the preparation of this Application.

Proposed Development Description

A non-technical summary of the Proposed Development is included within **ES Volume 5: Non-Technical Summary [EN010149/APP/6.5]**. A more detailed technical description of the Proposed Development is included within **ES Volume 1, Chapter 3: Proposed Development Description [EN010149/APP/6.1]**.

Habitat Regulation Assessment

The Application includes a Habitat Regulation Assessment (HRA) No Significant Effect Report (NSER) in Part 7 **[EN010149/APP/7.17]**. The NSER Report identifies that there are no European Sites which have the potential to be affected by the Proposed Development.

This Report has been prepared in accordance with the Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments (September 2024) and APFP Regulations 5(2)(q).

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 Development Consent Order [EN010149/APP/3.1]** (the 'Draft DCO') for the purposes of this Proposed Development is listed within the **Book of Reference [EN010149/APP/4.3]** and shown on the **Land Plans [EN010149/APP/2.2]**. The **Statement of Reasons [EN010149/APP/4.1]** also provides details of the powers sought, as does the **Schedule of Negotiations and Powers Sought [EN010149/APP/4.4]** which also provides the latest position on negotiations to date.

The **Book of Reference [EN010149/APP/4.3]** has been prepared and is submitted in compliance with Regulation 5(2)(d) of the APFP Regulations.

Details of the adequacy of funding is provided in the **Funding Statement [EN010149/APP/4.2]**. The Statement of Reasons and Funding Statement are submitted in compliance with Regulation 5(2)(h) of the APFP Regulations.

Other Consents and Licenses

A summary of other consents and licenses likely to be required in addition to those being requested as part of the Draft DCO is provided in the **Schedule of Other Consents and Licenses [EN010149/APP/3.3]**.

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 MHCLG and PINS, and its pre-application discussions held with PINS, 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 [EN010149/APP/5.1]** and supporting **appendices [EN010149/APP/5.2]**, which provide 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

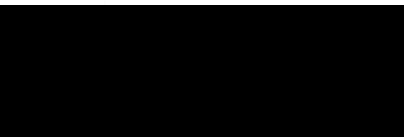
As required under Regulation 5(3) of the APFP Regulations, all plans, drawings or sections provided under Regulation 5(2) are no larger than A0 size, are drawn to an identified scale (not smaller than 1:2500) and, in the case of plans, show the direction of north. The exception to this is that some figures that accompany the **Environmental Statement [EN010149/APP/6.1]** vary in scale due to the large size of the Proposed Development. Context would be lost for the plans provided in the Environmental Statement if they were to conform to the scale requirements required under Regulation 5(2).

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,



Rory Carmichael
Principal Development Manager
On behalf of Springwell EnergyFarm Ltd

