



## Meeting note

<b>Project name</b>	<b>Fenwick Solar Farm</b>
<b>File reference</b>	<b>EN010152</b>
<b>Status</b>	<b>Final</b>
<b>Author</b>	<b>The Planning Inspectorate</b>
<b>Date</b>	<b>25 July 2024</b>
<b>Meeting with</b>	<b>Fenwick Solar Project Limited</b>
<b>Venue</b>	<b>Microsoft Teams</b>
<b>Meeting objectives</b>	<b>Project Update Meeting</b>
<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.

### Scheme Evolution

The Applicant noted that some changes to the red line boundary have been made since undertaking Statutory Consultation, that has resulted in some land being removed. The Applicant explained that they had made minor amendments to the initial proposed main access route to the site, in order to address junction upgrades, which would limit hedgerow removal and mitigate construction traffic.

The Applicant also explained that to avoid interaction with the Environment Agency (EA) flood defence that is associated with the River Don, they removed a small parcel of land, to mitigate this matter.

The Applicant confirmed that they will be undertaking targeted consultation imminently, to address the minor extension of the order limits boundary, due to highway visibility issues and that the particular landowner is already impacted by the proposal.

### Statutory Consultation

The Applicant confirmed that the Statutory Consultation ran from 18 April to 31 May 2024 where over half the responses were positive or neutral.

The Inspectorate enquired what the feedback in general was from Natural England (NE), EA and Highways Agency. The Applicant replied that National Highways are not substantially affected so most of the comments on traffic and highways were from local residents which is the reason the Applicant reconsidered the construction route access. The Applicant said that they have had constructive dialog overall with NE and the EA and noted that with Historic England (HE) there is a scheduled monument which is outside of the order

limits in Fenwick Hall. HE requested a 20m buffer which has been implemented but the micro-sighting and panel arrangements are now at 170m from the scheduled monument, and it is looking like a moderate effect on that asset is likely, however HE have been very helpful. They said that there is also quite a lot of dialogs with the EA regarding the River Went on the northern border with a flood modelling exercise.

The Inspectorate noted that in its last meeting with the Applicant in October the Applicant mentioned holding a meeting with the Yorkshire and Humber Drainage Board. The Applicant confirmed that they had a meeting with them last week and that they have been very responsive. They have run through the crossing methodology with them and what they need to define within their Environment Statement (ES) and Development Consent Order (DCO) submission which would satisfy them. The Inspectorate asked if the Applicant intends on having any further conversations with them and the Applicant said that potentially they may need to confirm specific wording by them, but that they have all they need to finalise the relevant DCO application documentation.

## **Land Update**

The Applicant confirmed that the land matters are in hand and confirmed that the main solar PV site was under option; titles have been interrogated to identify affected landowners; Land Interest Questionnaires issued to identify all party interests; the first draft of the Book of Reference and Land Plan have been produced listing all the land interest (but will be reordered to ensure it reads consistently with other documents); there is no special category or crown land identified within the scheme; and they will undertake a data refresh prior to the DCO application.

The Inspectorate queried whether the Applicant intended to compulsory acquire any land and/or have any category 1 persons been identified. The Applicant said that they would be seeking powers and are hoping to temporary agree land rights, but compulsory acquisition will be a backup.

## **Review of draft DCO documents**

The Applicant noted that they are essentially the same organisational team that is involved in East Yorkshire Solar Farm, so they are gaining knowledge from that examination to apply to this project together with the recent DCO decisions from Secretary of State. They noted that they are not intending to share their draft documents with the Inspectorate. The Applicant noted that they could share them if the Inspectorate thought it was of benefit to them but explained that they may not have time to share the documents and for them to be reviewed with the Inspectorate before their anticipated submission date.

The Inspectorate replied that although this is the Applicant's decision, it may be beneficial to have the draft review to provide advice to help the Applicant prepare their documents. The Inspectorate further added that it is better for the Inspectorate to review documents that are fit for purpose rather than skeleton documents where queries remain in relation to the structure for example. The Inspectorate also advised that if the Consultation Report is good enough for acceptance together with Works Plans and Land Plans then these are the documents that normally attract advice and questions within section 55 report of the Examining Authority.

The Inspectorate advised that they would only be able to undertake a review of the draft project description chapter of the ES, should the Applicant decide to share any ES documents with the Inspectorate.

The Applicant questioned what the purpose of the review was and if it was just to look at the section 55 checks or to help plan resourcing at the Inspectorate given the scale of application. The Inspectorate confirmed that it does help plan resources and to check if there is consistency between documents which often arises within section 51 advice.

## **Submission**

The Applicant confirmed that they are submitting the application at the end of October 2024. The Inspectorate asked how likely is it that this submission date will change, and the Applicant replied that it may slip by a day or so but they are working towards this date.

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

The following actions were agreed:

- The Inspectorate to update estimated submission date on their website from October 2025 to October 2024.
- Applicant to have meeting about whether they are submitting draft documents to the Inspectorate and will let the Inspectorate know as soon as possible.
- If the Applicant is not submitting draft documents to the Inspectorate, then another project update meeting in mid-September will be arranged.
- Applicant to notify the Inspectorate end of September/early October if the estimate submission date of end of October 2024 has slipped more than a day or so.