



Meeting note

Project name	Cleve Hill Solar Park
File reference	EN010085
Status	Final
Author	The Planning Inspectorate
Date	23 February 2018
Meeting with	Cleve Hill Solar Park Ltd
Venue	Temple Quay House
Attendees	The Planning Inspectorate Tracey Williams (Case Manager) Karl-Jonas Johansson (Case Officer) Emma Cottam (EIA and Land Rights Advisor) Karen Wilkinson (EIA and Land Rights Advisor) The Applicant Hugh Brennan – Cleve Hill Solar Park Ltd / Hive Energy Emily Marshall – Counter Context Peter Cole – Pinsent Masons Mike Bird – Arcus Consultancy Services Simon McCarthy – Cleve Hill Solar Park Ltd / Wirsol Energy
Meeting objectives	Project update meeting
Circulation	All attendees

Summary of key points discussed and advice given

Welcome and introductions

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.

Consultation

The Applicant gave an overview of the non-statutory consultation it has carried out, including consultation events at Seasalter, Faversham, Graveney and on the Isle of Sheppey. The Applicant noted that interest in the Proposed Development had been very low on the Isle of Sheppey compared to the other locations used.

The key themes raised during the consultation were impacts on landscape, visual, ecological, tourism and heritage receptors, as well as impacts from construction traffic and flooding. The relationship between the Proposed Development and the Medway Estuary and Swale Strategy (the MEASS) was also raised. The Applicant noted that the consultation responses included a number which were in favour of the project. The Applicant has produced and published on their website a Summary Report of the feedback received at this consultation stage.



The Applicant informed the Inspectorate that it had met with the two local MPs who are taking an interest in the Proposed Development, as well as elected members and local residents (particularly those living in closest proximity to the application site).

The Applicant intends to submit its section 46 notification to the Inspectorate in April 2018. Statutory Consultation is scheduled to commence in late April 2018, in line with the Applicant's published Statement of Community Consultation. Statutory Consultation will run for approximately 5 weeks.

The Applicant has set up Planning Performance Agreements and meetings with both Swale Borough Council and Kent County Council. The Applicant noted that Canterbury City Council has suggested additional viewpoints for consideration in the Landscape and Visual Impact Assessment. The Applicant intends to produce photomontages from key locations which the Proposed Development may have an impact upon.

Following the consultation undertaken to date, the Applicant explained that solar panels will no longer be included on the elevated south-eastern section of the application site. The Inspectorate advised that alternative layouts considered for the Proposed Development could be described in the 'alternatives' section of the Environmental Statement (ES).

The Applicant was advised to be clear in the Consultation Report on how the responses to both the Statutory and Non-Statutory consultation have influenced the design and evolution of the Proposed Development.

Protective Provisions

The Applicant confirmed that it was discussing protective provisions with National Grid (NG), London Array and UK Power Networks.

Environmental Impact Assessment and Scoping Opinion

Specific matters included in the Scoping Opinion were discussed, including the description of the development, consultation responses, the MEASS and flood risk.

Where flexibility is sought for the Proposed Development (for example, for the battery storage facility), the Applicant was advised to clearly define the scheme parameters and explain how these have been used to inform a robust assessment in the ES.

The Applicant was advised to consider any potential cumulative impacts with the proposed NSIPs at Kemsley (K3 and K4) in its ES assessments, particularly in terms of construction traffic movements.

The Applicant explained that it had met with Natural England, the RSPB and Kent Wildlife Trust as part of a habitat management steering group. The Applicant is looking at mitigation and enhancement opportunities and intends to produce a Biodiversity and Landscape Management Plan as part of the Development Consent Order (DCO) application. Bird surveys are ongoing and expected to conclude in April 2018.



The Applicant explained that the Preliminary Environmental Information Report (PEIR) is likely to take the form of a draft ES and draft Habitats Regulations Assessment.

The MEASS and Flood Risk Assessment

The Applicant outlined the Environment Agency's (EA) proposals to let the sea reclaim some low-lying coastal areas around the Medway Estuary and Swale (including the application site) over the next 20 – 50 years (the MEASS). The Applicant explained that the MEASS as currently proposed cannot co-exist with the Proposed Development and accordingly, the Applicant, London Array and NG have submitted objections to the EA's recent consultation on the MEASS. A meeting to discuss a way forward is scheduled for 27 February 2018.

The Applicant explained that it had been undertaking flood modelling (breach analysis) and noted that an earth bund is likely to be required to protect the proposed electrical infrastructure from flooding. The Applicant has not yet determined whether this bund could be built with soil excavated from the application site. The Inspectorate advised that impacts resulting from the bund should be described and fully assessed in the ES, including any potential import of earth and associated traffic movements.

The Inspectorate confirmed that a Drainage Strategy could be submitted as a separate application document, but recommended that this contains clear cross referencing to the Flood Risk Assessment as required.

Consents and Licenses

The Applicant confirmed that it is likely to require Protective Species Licences in relation to water voles and great crested newts. To provide an Examining Authority with assurance that the necessary licences are capable of being granted, the Applicant was advised to seek Letters of No Impediment from Natural England and to submit these with the DCO application.

The Applicant was also advised to submit (as part of the DCO application) a schedule showing the various consents and licenses needed for the Proposed Development and the timelines associated.

Compulsory Acquisition and Crown Land

The Applicant confirmed that the draft DCO will contain Compulsory Acquisition powers and that no Crown land would be affected (Crown land would only be affected if construction materials were shipped in to the site).

Draft documents review

The Inspectorate set out the process and timelines associated with its draft documents review service. The Applicant indicated that it would submit draft documents for review in late May/early June 2018.

Anticipated submission date



The Applicant is aiming to submit its DCO application in July 2018. The Applicant indicated that the issue around the soil used for the bunding could delay the submission. It was confirmed that the Applicant needed to submit two hardcopies of the application. The Inspectorate informed the Applicant that it would send out a 'warm-up' letter 4 weeks before the anticipated submission date, which sets out what the Applicant needs to do in the run-up to the submission.

Any Other Business

The Applicant explained that temporary diversions of the two public footpaths crossing the application site were likely to be required during the construction period. The Applicant is also considering impacts to permissive paths.

The Applicant was advised to review the requirements of NPS EN-1 (paragraph 5.13.3) in respect to the use of WebTAG methodology for the transport assessment.

The Applicant confirmed that it was complying with the new General Data Protection Regulation that comes into effect in May 2018.

The Applicant was advised to produce a Guide to the Application and a Statement of Commonality when submitting the DCO application and to review the [best practice documents](#) available on the Inspectorate's website.

The Applicant confirmed that it would submit a Statutory Instrument validation report for the DCO together with the application.

Next Meeting

Likely to be a teleconference in mid-March.

Post meeting note

The Applicant's attention is drawn to new correspondence from the Department of Transport regarding the movement of abnormal loads, which is available on the guidance section of the Inspectorate's website:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>