

Meeting note

Project name	Sunnica Energy Farm
File reference	EN010106
Status	Final
Author	The Planning Inspectorate
Date	8 December 2020
Meeting with	Sunnica Energy Farm
Venue	Microsoft Teams
Meeting objectives	Project meeting
Circulation	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.

Consultation

The statutory consultation will conclude on Friday 18 December 2020 (extended from 2 December 2020). The Applicant explained how it had adapted the consultation approach to exceed the description of the consultation set out in the Statement of Community Consultation. It did this for a number of reasons which included that the Parish Councils had agreed to hold copies of the PEIR (in a COVID secure way) to enable hard to reach groups to access it. The Applicant was advised to document in the Consultation Report how it had applied The Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020 including anything additional to what the regulations stipulate.

The Applicant presented the interim findings from the statutory consultation. The main issues arising from the consultation are: scale of the project, loss of farmland, visual impact, archaeology impacts, construction traffic and decommissioning.

The Applicant confirmed that it had received a request from a local resident seeking that a viewpoint, which supports the LVIA, to be taken from his garden. Nigel Chalmers (AECOM) from the Applicant's environmental consultants explained that it was unlikely that the offer would be taken up as it was not normal practice to use viewpoints located in private gardens and viewpoints from publically accessible locations are preferred. The viewpoints selected in the PEIR were agreed with the relevant local authorities, but it was agreed that the Applicant would discuss viewpoints further with the host authorities before carrying out the EIA.

It was confirmed that the Applicant is discussing mitigation for scheduled monuments with Historic England and the nearby registered park and garden with the Gardens Trust.

Environmental Impact Assessment

The Applicant presented a summary of the main findings of the PEIR.

Further survey work is required to inform the EIA and the Applicant highlighted that some of the survey work might not be completed by the time the application is submitted. The Applicant clarified that all incomplete survey data will be assessed on a worst-case scenario basis and any supplementary information would be submitted during pre-examination and would be of a confirmatory nature.

Applications under s53 of the Planning Act 2008

The Applicant updated the Inspectorate in respect of its access strategy to undertake environmental surveys to inform the EIA.

The Applicant confirmed that the preferred approach remained seeking access by voluntary agreement. As this had not resulted in access being granted for all the land that the Applicant needed to survey it had made 16 applications under s53 of the Planning Act 2008 in December 2019 and January 2020. Those applications remained undetermined.

The Applicant realised that the s53 applications may not be determined in sufficient time to enable it to undertake its surveys in advance of the programmed application date. It was therefore decided in the summer of 2020 to seek an electricity generating licence so that it would have status as an acquiring authority. This has enabled the Applicant to use powers under s172 of the Housing and Planning Act 2016 to gain access.

The s53 application process was discussed, including the time taken to get decisions on the applications and the risk that posed to the project programme. It was agreed that the Applicant and the Inspectorate would hold a feed-back session after the decisions had been issued. The Applicant confirmed it wanted to proceed with the s53 applications.

Programme

- Statutory consultation will run from 22 September to 18 December 2020;
- Draft documents to be submitted to the Inspectorate for review at the end of January 2020; and
- Anticipated submission date first week in May 2021 (post bank holiday)

Draft Documents review

It was agreed that the Applicant would highlight any novel issues in the drafting of the DCO when submitting the draft documents and that a draft documents meeting would be arranged for March 2020.

Any Other Business

The Applicant was advised to review any s51 advice issued if the Little Crow Solar Park application is accepted for examination (Decision due by 1 January 2021).

The Applicant was informed that the Inspectorate would not be able to forward any pre-application consultation responses sent to the Inspectorate as it may constitute a data breach under the General Data Protection Regulation. Anyone who submitted a response to the Inspectorate were instead advised to contact the Applicant directly.

Specific decisions/ follow-up required?

No follow ups recorded