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To the Applicant
(By email only)

Your Ref:

Our Ref: EN010152

Date: 29 November 2024

Dear

Planning Act 2008 (as amended) – Section 51

Application by Fenwick Solar Project Limited for an Order Granting Development Consent for the Fenwick Solar Farm

Advice following issue of decision to accept the application for examination

On 29 November 2024 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

[Fenwick Solar Farm - Project information](#)

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of these initial observations. The Applicant should pay attention to its content and consider how appropriate action might be taken in response.

Minor errors and omissions

There are minor errors and omissions, as reflected in Box 30 of the acceptance checklist.

Consultation Report (Doc ref: EN010152/APP/5.1)

Section 6.2 says that two landowners and an agricultural tenant with interests in the Order limits had not been consulted at the statutory consultation and that the Applicant wrote to them on 6 September 2024 with a deadline of 8 October 2024. It is unclear within the documentation and plans where the area of land which is occupied by the two landowners and agricultural tenant is within the Order limits. Please provide clarification on this.

Consultees identified on a precautionary basis

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the Examination of the application. On this basis, the Applicant may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary. The Applicants attention is also drawn to Box 5 of the checklist, regarding Bassetlaw District Council (BDC), noting it is “unknown”. Based on the Consultation Report (Doc Ref: EN010152/APP/5.2) Appendix I1, Table 1-1 it appears BDC had been consulted, however the Applicant may wish to serve notice of the accepted application.

Draft Development Consent Order (dDCO) (Doc ref: EN010152/APP/3.1)

Article 34(2) “Benefit of the Order” of the dDCO refers to an area titled “Work No. 4(b)” in respect of laying of cables to the National Grid Thorpe Marsh Substation. However, the Works Plans (Doc ref: EN010152/APP/2.2) does not delineate where area Work No. 4(b) is within the National Grid Thorpe Marsh Substation. Please identify this area on the Works Plan.

Plans

There are a number of errors in the following plans:

- Streets, Rights of Way and Access Plan (EN010152/APP/2.3) – whilst the document has the correct name, all the plans are incorrectly numbered as EN010152/APP/2.4. Please correct. Additionally, the colour used for ‘*existing access to be retained shown for information only*’ is a shade of green that is difficult to read on the plans. The Applicant is advised to consider a revised colour scheme.

Environmental Statement (ES) (Doc ref: EN010152/APP/6.1) and its appendices

The following discrepancies and errors have been identified within the Environmental Statement Chapters which require your attention:

- Chapter 12 Socio-economics paragraph 12.4.22 – this paragraph says that all landowners in the Grid Connection Corridor have been identified and voluntary agreements are being negotiated. This does not appear to align with the information presented within the Schedule of Negotiations and Powers Sought document (Doc ref: EN010152/APP/4.4) for Plots 9/03 and 9/08. The Applicant is requested to provide an update on this matter.
- Chapter 12 Socio-economic paragraph 12.4.23 – this states that an agricultural holdings and land use survey has not been completed given that the Applicant and project team are engaging directly with affected landowners. However, the Inspectorate consider that this information would be beneficial to enable an understanding of the impact of the proposal on these aspects and therefore the Applicant is requested to provide such information prior to the start of the Examination.
- Appendix 7-2 Cultural Heritage Desk Based Assessment paragraph 3.7.4 alongside paragraph 7.4.13 of Chapter 7 of the ES notes that at the time of writing the final fieldwork report for trial trench evaluation undertaken within the Solar PV site was not

available. The Applicant is advised to provide prior to the start of the Examination an update on this matter and when such information is likely to be available.

- Appendix 10-5 Landscape Assessment – this has the incorrect title: *Volume III Appendix 10-3 Landscape Assessment*. The Applicant is requested to amend this title.
- Appendix 12-3 Agricultural Land Classification Report Figures 12-4 and 12-5 – the plans do not appear to align with the agricultural land classification for the application site. Figure 12-4 shows the majority of the site as Grade 4 whereas Figure 12-5 shows the majority of the site as Grade 3b. The Applicant is requested to review these plans and amend accordingly.
- Appendix 14-2 Glint and Glare Assessment Annex A: Figures – Figures 1A, 1D, 1E, 1F, 2, 3, 4 and 5 all have the incorrect proposed order limit boundary. Figure 5 is also meant to be Site Layout but the title of the plan is shown as Public Rights of Way figure 2-3. The Applicant is requested to amend these figures.

Framework Construction Traffic Management Plan (CTMP) (Doc ref: EN010152/APP/7.17)

There are some minor errors within this document:

- Paragraph 4.1.3 – this says “*access arrangements to the Grid Connection Corridor are as follows, with access details also shown in ES Volume II Figure 2-4: Location of Temporary Construction Compounds and Indicative HDD Areas [EN010152/APP/6.2]: a. Staff and HGV vehicle movements: i. 100% of all staff and HGV movements will enter/exit via Trumfleet Lane (South of Moss)/Marsh Road/Thorpe Bank.*”. However, the Indicative HGV Routing Figure 13-3 (Doc ref: EN010152/APP/6.2) shows HGV routing via Moss Lane only and no other HGVs travelling south of that. It is therefore unclear how HGVs associated with the cable corridor would access Access Points 6 – 10. The Applicant is requested to provide further clarification on HGV access along the cable route as other documents (including the Transport Assessment) refer to accesses via Trumfleet Lane, Marsh Road and Thorpe Bank and how this aligns with Figure 13-3.

No Significant Effects Report (NSER) (Doc ref: EN010152/APP/7.12)

Footnote 7 refers to Skipwith Common Special Area of Conservation (SAC). Skipwith Common SAC was not identified in paragraph 4.2.6 as being within 20km of the Proposed Development and has not been illustrated in Figure 2 or assessed in the NSER. The Applicant should clarify the status of the Skipwith Common SAC in relation to the Proposed Development. However, if its inclusion in the NSER is an error, then the Applicant should submit a revised version of the NSER which doesn't make reference to the Skipwith Common SAC. Plate 1 is very low resolution and difficult to read, the Applicant is advised to provide an updated NSER with a higher resolution Plate 1, which is more legible to view.

Please pay close attention to the advice set out in this letter, including matters addressed within the section 55 checklist and act on it accordingly. It is requested that you action these points before the commencement of the Relevant Representation period. This will contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

Sarah Norris

Sarah Norris
Case Manager

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