
FENWICK SOLAR FARM

**Fenwick Solar Farm
EN010152**

**DRAFT Statement of Common Ground between Fenwick Solar
Project Limited and Burnet Heritage Trust**

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The Infrastructure Planning (Examination Procedure) Rules 2010

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Revision History

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Prepared for:
Fenwick Solar Project Limited

Prepared by:
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Statement of Common Ground

Signatures

This draft Statement of Common Ground has been prepared and agreed by Fenwick Solar Project Limited and the Burnet Heritage Trust.

██████████ NSIP Development Manager on behalf of Fenwick Solar Project Limited

Date:.....

Signed:

Name, Position, on behalf of the Burnet Heritage Trust.

Date:.....

Signed:.....

1. Introduction and Purpose

1.1 Purpose of this Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared for the examination of an application (the Application) made to the Secretary of State for Energy Security and Net Zero for a Development Consent Order (DCO) under section 37 of the Planning Act 2008 (Ref. 1) for the proposed Fenwick Solar Farm (the Scheme). The Application is submitted by Fenwick Solar Project Limited (the Applicant).
- 1.1.2 This SoCG does not seek to replicate information available elsewhere within the Application documents. All documents are available on the Planning Inspectorate's website at <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010152/documents>.
- 1.1.3 SoCGs are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination. This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties, where matters are under discussion or where agreement has not been reached. It has been, and will be, progressed during the pre-examination and examination periods to reach a final position between the Applicant and the Burnet Heritage Trust. This SoCG will be revised and updated as discussions between the Applicant and the Burnet Heritage Trust progress during the Examination.
- 1.1.4 All comments received from the Burnet Heritage Trust following the issue of the Environmental Impact Assessment (EIA) Scoping Report, Non-Statutory Consultation, Preliminary Environmental Information Report (PEIR) and Statutory Consultation have been addressed throughout the Application process and the Applicant's responses are detailed in the corresponding technical documents submitted with the Application. This SoCG summarises comments received from the Burnet Heritage Trust within their Relevant Representation into broad themed topics as the main areas for discussion. Detailed responses will continue to be provided to specific matters throughout the Examination, where required. Exclusion of a matter from this SoCG does not infer that the matter is agreed, rather that it is beyond the scope of the main themes discussed.
- 1.1.5 Full responses to all comments raised within the Burnet Heritage Trust's Relevant Representation are provided within the Applicant's Responses to Relevant Representations.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared between: (1) the Applicant; and (2) the Burnet Heritage Trust (jointly referred to as the Parties).
- 1.2.2 The Applicant is a wholly owned subsidiary of BOOM Developments Limited who specialise in non-subsidised solar and battery storage projects.
- 1.2.3 The Burnet Heritage Trust was established in 1999 for the purpose of protecting the wildlife of the Humberhead Levels, notably the wildlife of the

clay farmlands located to the north of Doncaster. It operates in the parishes of Fishlake, Fenwick, and Sykehouse and currently manages approximately 47 hectares (ha) of land, mainly located along the valley of the River Went. The Burnet Heritage Trust is not listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (Ref. 2) but has been consulted throughout the preparation of the Application. The **Rule 6 Letter [PD-005]** requests that an SoCG is progressed between the Parties.

1.3 Description of the Scheme

- 1.3.1 The Scheme involves the construction, operation and maintenance, and decommissioning of a solar photovoltaic (PV) electricity generation facility with a capacity exceeding 50 megawatts (MW) and associated development. It will connect to the National Grid either at the Existing National Grid Thorpe Marsh Substation or via the Grid Connection Line Drop, with both options including necessary associated infrastructure. Since the proposed generating capacity surpasses 50 MW, the Scheme is classified as a Nationally Significant Infrastructure Project, requiring consent through a DCO under the Planning Act 2008 (Ref. 1). Further details on the Scheme can be found in **Volume I, Chapter 2: The Scheme [APP-053]** of the Environmental Statement (ES).

1.4 Format of Document and Terminology

- 1.4.1 Section 2 of this SoCG summarises the engagement the Parties have had with regard to the Scheme.
- 1.4.2 Section 3 summarises the issues that are ‘agreed’, ‘not agreed’ or are ‘under discussion’.
- 1.4.3 These terms are used as follows:
- a. ‘Agreed’ indicates where the issue has been resolved;
 - b. ‘Under discussion’ indicates where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties; and
 - c. ‘Not Agreed’ indicates a final position where the Parties have agreed to disagree.
- 1.4.4 Abbreviations used within the SoCG are provided in Section 5.

2. Record of Engagement

2.1.1 Table 2-1 below sets out a summary of the meetings and correspondence between the Parties in relation to the Scheme.

Table 2-1: Schedule of Meetings and Correspondence

Date	Form of correspondence and attendees	Summary of topics discussed and outcomes
28 June 2023	Email	The Burnet Heritage Trust introduced themselves and confirmed they were currently working through the EIA Scoping Report. They requested that the Burnet Heritage Trust be considered a key consultee going forward and a point of contact to direct correspondence.
29 June 2023	Email	The Applicant introduced themselves and the Scheme, as well as confirming the point of contact and opportunities to engage going forward. The Applicant suggested an on-site meeting with the Burnet Heritage Trust.
24 July 2023	Email	The Burnet Heritage Trust provided the Applicant with feedback regarding the Scheme during the non-statutory consultation period.
3 August 2023	Email	The Applicant acknowledged receipt of the Burnet Heritage Trust's feedback during the non-statutory consultation period and offered a meeting with members of the Burnet Heritage Trust to discuss the Scheme.
28 September 2023	Meeting (Microsoft Teams)	The Applicant and the Burnet Heritage Trust discussed the Scheme and feedback received during the non-statutory consultation period.
15 April 2024	Email	The Burnet Heritage Trust provided recommendations regarding ecological mitigation for birds for the Applicant to consider.
23 April 2024	Email	The Applicant confirmed that the Burnet Heritage Trust were aware of the upcoming statutory consultation events.
22 May 2024	Meeting (In-person)	The Applicant and the Burnet Heritage Trust discussed the Scheme and any additional feedback. The Applicant also provided an overview of the DCO process and how the Burnet Heritage Trust could

Date	Form of correspondence and attendees	Summary of topics discussed and outcomes
		register as an interest party. The Burnet Heritage Trust highlighted the dredging which takes place along the River Went and requested attendance at ongoing site visits, data collected, and contacts at Natural England which the Applicant agreed to consider. The Applicant committed to further meetings.
30 May 2024	Email	The Burnet Heritage Trust shared their response to statutory consultation.
9 July 2024	Email	The Applicant confirmed the process for the Burnet Heritage Trust to register as an interested party.
18 October 2024	Meeting (Microsoft Teams)	The Applicant provided an update on the Application and outlined the upcoming programme following the submission, including Examination.
5 November 2024	Email	The Applicant shared key documents which had been submitted as part of the Application for the Burnet Heritage Trust to review and provide comment as part of their upcoming Relevant Representations.
5 March 2025	Email	The Applicant confirmed the Burnet Heritage Trust were aware of the publication of the Rule 6 Letter and that the ExA had requested that an SoCG between the Applicant and the Burnet Heritage Trust be progressed.
10 March 2025	Email	The Applicant provided details regarding the upcoming initial hearings and instructions for joining.
25 March 2025	Email	The Burnet Heritage Trust queried what matters the Applicant considered would likely be included in the SoCG between the Parties.
25 March 2025	Email	The Applicant confirmed availability for a meeting on 26 March 2025 to discuss the matters to be included in the SoCG between the Parties.
26 March 2025	Meeting (Microsoft Teams)	The Applicant provided the Burnet Heritage Trust with an overview of the Examination process, including the background to SoCG and proposed timeframes. The Applicant shared key

Date	Form of correspondence and attendees	Summary of topics discussed and outcomes
		Application documents and the matters agreed and under discussion between the Applicant and the Burnet Heritage Trust were also discussed.
27 March 2025	Email	The Applicant thanked the Burnet Heritage Trust for the meeting on 26 March 2025 and confirmed that a draft SoCG would be sent to them for review by 28 March 2025.
28 March 2025	Email	The Applicant sent a draft SoCG to the Burnet Heritage Trust for review with an indicative timeframe to finalise the positions set out in this document for Deadline 1.
1 April 2025	Email	The Applicant sent their draft responses to the Burnet Heritage Trust's Relevant Representation for review and requested a meeting to further discuss these and the draft SoCG during the week commencing 21 April 2025.
1 April 2025	Email	The Burnet Heritage Trust confirmed they would confirm dates for a meeting during the week commencing 21 April 2025 as soon as possible.
3 April 2025	Email	The Applicant requested an update from the Burnet Heritage Trust regarding their availability for a meeting during the week commencing 21 April 2025.
8 April 2025	Email	The Applicant requested that the Burnet Heritage Trust provide their comments on the draft SoCG by 11 April 2025, as confirmed previously. An update from the Burnet Heritage Trust regarding their availability for a meeting during the week commencing 21 April 2025 was also requested.
11 April 2025	Email	The Burnet Heritage Trust provided an update on their position regarding the matters included in the draft SoCG and raised a number of questions requesting further information regarding the Scheme.
11 April 2025	Email	The Applicant noted the feedback provided by the Burnet Heritage Trust and

Date	Form of correspondence and attendees	Summary of topics discussed and outcomes
		confirmed a meeting to further discuss the draft SoCG on 23 April 2025.
16 April 2025	Email	The Applicant requested further details regarding the reasoning behind the Burnet Heritage Trust's position on matters in the SoCG and provided answers to questions raised regarding the Scheme.
23 April 2025	Email	The Burnet Heritage Trust confirmed they were unable to attend the meeting to discuss the draft SoCG on 23 April 2025. They confirmed that additional feedback regarding the SoCG would be sent to the Applicant by 25 April 2025.
25 April 2025	Email	The Applicant requested an update from the Burnet Heritage Trust regarding their additional feedback on the draft SoCG.
25 April 2025	Email	The Burnet Heritage Trust confirmed that additional feedback regarding the Scheme has been sent to the ExA.

3. Areas of Discussion Between the Parties

3.1.1 Table 3-1 below details the areas of discussion and matters that are agreed, under discussion and not agreed between the Parties.

Table 3-1: Areas of Discussion with the Burnet Heritage Trust

Ref	Relevant Application Document	Summary of Description of Matter	Current Position of the Burnet Heritage Trust	Current Position of the Applicant	Status
1	Volume I, Chapter 8: Ecology Volume III, Appendix 8-2 to 8-9 Framework Construction Environmental Management Plan (CEMP)	Approach of the ecological impact assessment and scope of ecological surveys.	The Burnet Heritage Trust expressed concern regarding the approach to the ecological impact assessment and surveys undertaken to support the assessment detailed in the PEIR.	The Applicant refers the Burnet Heritage Trust to Volume I, Chapter 8: Ecology [APP-060] of the ES which has been further developed since the PEIR stage and provides a full assessment of the potential impacts of the Scheme on ecology and nature conservation in line with relevant guidance for undertaking Ecological Impact Assessment. Volume III, Appendix 8-1 to 8-9 [APP-145 to APP-155] support the ES chapter and provide full details of the ecological baseline conditions recorded during the surveys. The scope of the assessment and surveys has been agreed with statutory consultees, such as Natural England and City of Doncaster Council. As stated in Table 3-3 of the Framework CEMP [APP-196], pre-construction site walkovers will be undertaken in advance of mobilisation/any potential advance works to re-confirm the ecological baseline conditions and to identify any new ecological risks. The Applicant will produce a detailed CEMP post consent, during the detailed design stage, that will be in accordance with the Framework CEMP [APP-196].	Not agreed
2	Biodiversity Net Gain (BNG) Assessment Framework Landscape and Ecological Management Plan (LEMP)	Commitment to BNG measures.	The Burnet Heritage Trust expressed concern regarding the Applicant’s commitment to BNG measures integrated into the Scheme design.	The Applicant has submitted a BNG Assessment [APP-200] using Defra’s Statutory Biodiversity Metric, which sets out how the Applicant will deliver net gains in habitat units, hedgerow units and watercourse units. All gains will be delivered within the Order limits and are in line national and local strategic policies for biodiversity gain and ‘BNG Good Practice Principles for Development’ (CIEEM, IEMA and CIRIA, 2019). The BNG has been developed with guidance from statutory consultees, such as Natural England and City of Doncaster Council. Details of the proposed landscape mitigation, including BNG measures, integrated into the Scheme design can be found within the Framework LEMP [APP-203], as well as on the Indicative Landscape Masterplan within Appendix 1 of this document. A detailed LEMP must be approved by the relevant local planning authority prior to	Under discussion

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Ref	Relevant Application Document	Summary of Description of Matter	Current Position of the Burnet Heritage Trust	Current Position of the Applicant	Status
3	Volume I, Chapter 8: Ecology	Unique characteristics and high biodiversity value of the area surrounding the Order limits.	The Burnet Heritage Trust expressed concern that the assessment of the Scheme does not adequately consider the unique characteristics and high biodiversity value of the area surrounding the Order limits, including their site at Topham and the Fishlake and Sykehouse landscape.	construction. The detailed LEMP will include a post-construction monitoring programme, as stated in Paragraph 6.1.2 of the Framework LEMP [APP-203] .	
	Volume I, Chapter 10: Landscape and Visual Amenity			The Applicant recognises the unique characteristics and high biodiversity value of the area surrounding the Order limits. Volume I, Chapter 8: Ecology [APP-060] provides a detailed assessment of the Scheme’s impact on important ecological features and is supported by extensive survey work which identifies the habitats and species present and considers if they are likely to be affected by the Scheme. This assessment considers adjoining important wildlife sites, such as the Went Valley Local Wildlife Site and priority and notable habitats and species, including those in the Topham area. The Scheme avoids and/or mitigates all significant adverse effects on internationally, nationally and locally designated biodiversity sites and other important ecological features, such as protected species and habitats, and veteran trees, during the construction, operation and maintenance, and decommissioning phases. This has been achieved through a considered and iterative design informed by detailed ecological surveys and a design team with qualified professional ecologists. The Framework LEMP [APP-203] includes details of enhancement measures and management prescriptions for all habitats within the Order limits. This includes provision of habitats of greater value for biodiversity, such as hedgerows and woodlands, buffers to protect existing features, and mitigation measures that will allow the Scheme to support and contribute to emerging Local Nature Recovery Strategies.	Not agreed
	Framework LEMP				
4	Volume I, Chapter 8: Ecology	Proposed Site of Special Scientific Interest (SSSI) designation	The Burnet Heritage Trust notes that their sites are currently in the submission process to be designated as a SSSI by Natural England and requests that this area is considered in the assessment of the Scheme.	The Applicant notes that the Burnet Heritage Trust’s sites have been put forward as a proposed SSSI. However, through consultation with Natural England it has not been possible to locate further details on the submission, including an approved boundary of the area to be designated and the agreed habitats and species assemblages to form the citation. As such, a specific assessment of this potential designated site has not been undertaken. However, the assessment presented in Volume I, Chapter 8: Ecology [APP-060] does consider the impacts on all relevant habitats and species which are likely to comprise the proposed SSSI and so	Not agreed

Ref	Relevant Application Document	Summary of Description of Matter	Current Position of the Burnet Heritage Trust	Current Position of the Applicant	Status
				while no assessment of the proposed SSSI itself is presented, the impacts to the relevant component features, are assessed (where located within a potential zone of influence of the Scheme).	
5	Volume I, Chapter 10: Landscape and Visual Amenity Volume I, Chapter 11: Noise and Vibration Volume I, Chapter 12: Socio-Economics and Land Use Framework CEMP Framework LEMP Framework Public Right of Way Management Plan (PRoWMP) Framework Construction Traffic Management Plan (CTMP)	Interaction between construction activities and surrounding public amenities.	The Burnet Heritage Trust has expressed concern regarding the impact on public rights of way (PRoW) and the amenity value of the area, including other walking/cycling routes and a bird hide and associated permissive path at Topham Ferry Ings. They note the potential for noise disturbance and visual impacts which could negatively affect user experience and wellbeing.	The Applicant notes the concern regarding the interaction between the Scheme and nearby public amenities. The impact of the construction phase on PRoW have been assessed in Volume I, Chapter 10: Landscape and Visual Amenity [APP-062], Volume I, Chapter 11: Noise and Vibration [APP-063], and Volume I, Chapter 12: Socio-Economics and Land Use [APP-064]. The Applicant has selected access locations for construction vehicles to minimise any interactions with PRoW and will ensure that robust procedures are put in place to ensure the safety of PRoW users which are set out in the Framework PRoWMP [APP-202] and Framework CTMP [APP-206 to APP-207]. Any PRoW to be temporarily closed will have a suitable localised diversion in place to allow continued use by the local community, as set out in the Framework PRoWMP [APP-202]. Volume I, Chapter 10: Landscape and Visual Amenity [APP-062] recognises that there will be impacts on some views from PRoW during the construction, phase of the Scheme, however, where the potential for adverse visual effects has been identified, landscape mitigation, including vegetative screening, has been embedded within the design of the Scheme to reduce effects as far as possible. Buffers between PRoW and perimeter fencing have also been included in the design, with fencing being installed a minimum distance of 20 m either side of the centre of the PRoW where solar infrastructure lies to both sides (creating a 40 m wide corridor between the fence lines), or 15 m from the PRoW centreline if solar infrastructure is to one side only. Details of the proposed landscape mitigation can be found within the Framework LEMP [APP-203], as well as on the Indicative Landscape Masterplan within Appendix 1 of this document. As discussed in Volume I, Chapter 11: Noise and Vibration [APP-063], the Applicant acknowledges that short-term exposure to noise can cause disturbance to PRoW users and result in adverse noise effects. However, given the linear nature of PRoW, the range of	Under discussion

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				noise impacts along them forming the ambient noise environment and the transient usage of a PRow, a material change in the experience of using the PRow as a whole as a result of noise emissions from the Scheme which could affect PRow users' health or quality of life is not anticipated. This conclusion is also applicable to other routes, including the Trans-Pennine Trail to the northeast of the Order limits and Footpaths 35.3/15/1 and 35.3/15/2 to the north of the Order limits. As confirmed in Table 12-15 of Volume I, Chapter 12: Socio-Economics and Land Use [APP-064], the bird hide and associated permissive path at Topham Ings East and West has been considered as a community and recreational facility within 2 km of the Solar PV Site. Table 12-27 confirms that construction effects to community facilities and visitor attractions would be temporary and not significant. Noise modelling for receptors in Topham, as presented in Volume I, Chapter 11: Noise and Vibration [APP-063], show that average noise levels may be between 5 dBA and 10 dBA higher than baseline levels based on worse-case construction noise activities. These predictions represent a worst-case scenario where all construction plant is operating simultaneously and, therefore, noise predictions are likely to overestimate construction noise levels in this area. Measures to minimise disturbance from noise as a result of the construction phase of the Scheme are detailed in Volume I, Chapter 11: Noise and Vibration [APP-063] and secured in the Framework CEMP [APP-196] which includes Best Practicable Means to be applied, as far as reasonably practicable. It should be noted that the erection of the Solar PV Mounting Structures will typically consist of driving the mounts directly into the ground using a small, tracked post driver, followed by Solar PV Panels being attached by hand. Grid Connection Cables and On-Site Cables would largely require a trench to be dug and refilled once the cables are inserted. The exception of this is where horizontal direction drilling is required, however, this will not be in proximity to the Burnet Heritage Trust's land. Typical construction working hours during the week are from 07:00 to 19:00 (shortened if working would necessitate artificial lighting) and the location of construction activities will change throughout the construction phase to focus on different areas within the Order limits.	

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				Therefore, noise produced by construction activities is expected to be limited and no single area within or surrounding the Order limits will experience prolonged noise impacts.	
6	Volume I, Chapter 2: The Scheme Volume I, Chapter 8: Ecology Volume I, Chapter 11: Noise and Vibration Framework CEMP	Interaction between the construction activities and surrounding wildlife and habitats.	The Burnet Heritage Trust has expressed concern regarding the impact on local wildlife and habitats during the construction phase of the Scheme. They note the potential for noise disturbance as a result of construction and query the duration of the construction phase.	An assessment of the construction phase is presented in Volume I, Chapter 8: Ecology [APP-060] which concludes that there will be no significant adverse effects to important ecological features with proposed embedded avoidance and mitigation measures in place. As specified in Volume I, Chapter 2: The Scheme [APP-054], the overall construction phase for the Scheme would last an estimated 24 months (24 months to construct the Solar PV Site and 12 months to construct the Grid Connection Corridor, completed in tandem). Whilst the construction phase may be extended, these durations present a worst-case assumption for the technical assessments as a longer construction phase would mean reduced intensity of construction activities that could take place in a given time. Measures to minimise disturbance from noise as a result of the construction phase of the Scheme are detailed in Volume I, Chapter 11: Noise and Vibration [APP-063] and secured in the Framework CEMP [APP-196] which includes Best Practicable Means to be applied, as far as reasonably practicable. As discussed in further detail in the Row 5 above, noise produced by construction activities is expected to be limited and no single area within or surrounding the Order limits will experience prolonged noise impacts.	Not agreed

4. References

- Ref. 1 Planning Act 2008. Available at:
<https://www.legislation.gov.uk/ukpga/2008/29/contents>. [Accessed 6
February 2025].
- Ref. 2 Infrastructure Planning (Applications: Prescribed Forms and Procedure)
Regulations 2009. Available at:
<https://www.legislation.gov.uk/uksi/2009/2264/contents/made>. [Accessed
6 February 2025].

5. Abbreviations

Abbreviation/Term	Definition
BNG	Biodiversity Net Gain
CEMP	Construction Environmental Management Plan
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
ExA	Examining Authority
LEMP	Landscape and Ecological Management Plan
MW	Megawatts
PEIR	Preliminary Environmental Information Report
PRoW	Public Right of Way
PRoWMP	Public Right of Way Management Plan
SoCG	Statement of Common Ground
SSSI	Site of Special Scientific Interest



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