
FENWICK SOLAR FARM

**Fenwick Solar Farm
EN010152**

**Statement of Common Ground between Fenwick Solar Project
Limited and National Highways**

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The Infrastructure Planning (Examination Procedure) Rules 2010

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Prepared for:
Fenwick Solar Project Limited

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Statement of Common Ground

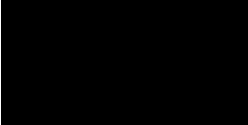
Signatures

This Statement of Common Ground has been prepared and agreed by Fenwick Solar Project Limited and National Highways.

, NSIP Development Manager on behalf of Fenwick Solar Project Limited

Date: 23 April 2025

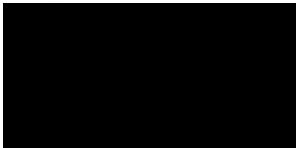
Signed:



, Planning and Development, on behalf of National Highways.

Date: 23 April 2025

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 progressed during the pre-examination and examination period to reach a final position between the Applicant and National Highways.
- 1.1.4 The ExA requested the SoCG include the following matters as set out in its **Rule 6 Letter [PD-005]**:
- a. Scope of Environmental Impact Assessment (EIA) topics and issues carried through to the assessment, and the appropriateness of the assessment methodologies used;
 - b. Highways and transport implications; and
 - c. Effectiveness of proposed mitigation and monitoring measures and method for securing such measures within the Draft DCO.
- 1.1.5 All comments received from National Highways following the issue of the 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 includes comments received from National Highways within their Relevant Representation submission as these are deemed as the remaining matters for discussion.
- 1.1.6 It can be taken that any matters not specifically referred to in Section 3 of this SoCG are not of material interest or relevance to National Highways' Relevant Representations and therefore have not been considered in this document. It was confirmed by National Highways on 3 April 2025 that the matter requested by the ExA in Paragraph 1.1.4(a) above was not of material interest or relevance to National Highways.
- 1.1.7 Full responses to all comments raised within National Highways' Relevant Representations 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) National Highways (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 National Highways is a government-owned company charged with operating, maintaining and improving motorways and major A roads in England. It also sets highways standards used by all four UK administrations, through the Design Manual for Roads and Bridges. National Highways is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (Ref. 2) and so has been consulted throughout the preparation of the Application.

1.3 Description of the Scheme

- 1.3.1 The Scheme involves the construction, operation and maintenance, and decommissioning of a solar photovoltaic 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-054]** 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
30 May 2023	Email/Letter	The Applicant informed National Highways that they intend to begin work to prepare the Application for the Scheme. The Applicant provided an overview of the Scheme and key transport constraints identified through initial desktop studies. The Applicant requested the opportunity to engage with National Highways on a number of listed topics regarding the Scheme, including baseline traffic conditions, the intended scope of traffic surveys, likely construction and operational traffic volumes, and potential impacts on National Highway managed routes (e.g. M62, A1 and M18).
27 June 2023	Email/Letter	Jacobs Systra Joint Venture (JSJV) (on behalf of National Highways) provided a letter and technical memorandum detailing the findings of their review of the EIA Scoping Report for the Scheme.
14 May 2024	Email/Letter	JSJV (on behalf of National Highways) provided an email and technical memorandum detailing the findings of their review of the PEIR for the Scheme.
14 March 2025	Email	The Applicant issued a draft version of the SoCG to National Highways for their review.
3 April 2025	Meeting (Microsoft Teams)	The Applicant, JSJV, and National Highways discussed the SoCG following its review, including the current position of National Highways regarding each of the matters raised.

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 National Highways

Ref	Relevant Application Document	Summary of Description of Matter	Current Position of National Highways	Current Position of the Applicant	Status
1	<p>Transport Assessment</p> <p>Framework Construction Traffic Management (CTMP)</p> <p>Framework Decommissioning Environmental Management Plan (DEMP)</p> <p>Draft DCO</p>	Impacts of construction traffic on the Strategic Road Network (SRN).	National Highways' principal interest is in safeguarding the A1, M18 and M62. Although the SRN is outside the Order Limits, the traffic impact of the Scheme could be controlled through an appropriate CTMP and DEMP.	<p>The Applicant accepts that some use of the SRN will be required by vehicles during the construction phase. Information provided within Table 16 of the Transport Assessment [APP-179] demonstrates that across the day, low volumes of traffic are anticipated to use SRN links within the Study Area, namely the M18, M180, and M62. Based on the initial assessment of routes likely to be used by vehicles during the construction phase, it was considered that the number of vehicles potentially using the A1 would be negligible. Therefore, links on the A1 were not included in the Study Area and, subsequently, the Scheme is not anticipated to impact upon the safe and efficient operation of the SRN.</p> <p>The highest volume of vehicles using an SRN link is predicted to occur on the M62 west of Junction 34 during the hours of 06:00–07:00 and 19:00–20:00, where 44 two-way construction worker vehicle movements are predicted. This constitutes an AM increase in traffic of 1.5% and a PM increase of 2.1%. As the volume of traffic expected during the network peak hours (e.g. 08:00–09:00 and 17:00–18:00) are zero, the Applicant has not undertaken assessments at any SRN junctions.</p> <p>Impacts on the SRN during the construction and decommissioning phases will be mitigated through measures included in the detailed CTMP and detailed DEMP.</p>	Agreed that the impacts of construction traffic on the SRN can be mitigated through the detailed CTMP and DEMP.
2	<p>Volume I, Chapter 13: Transport and Access</p> <p>Framework CTMP</p> <p>Draft DCO</p>	The Framework CTMP and Requirement 13 for agreement on a detailed CTMP.	There are currently uncertainties relating to construction phase and therefore the potentially impacts cannot be fully assessed. The final CTMP produced to satisfy Requirement 13 will need to include additional information and ensure that construction is either appropriately controlled to avoid impact at the SRN or appropriate mitigation measures are included.	<p>The Applicant considers the assessment undertaken and presented in Volume I, Chapter 13: Transport and Access [APP-065] to be robust. Where there are uncertainties regarding the construction phase, appropriate assumptions have been made to ensure a worst-case scenario has been assessed.</p> <p>A Framework CTMP [APP-206] has been submitted as part of the Application and include measures to secure and control traffic impacts from the Scheme on the SRN and local road networks during the construction phase. In addition, the Framework CTMP [APP-206] ensures mitigation such as Heavy Good Vehicle routing and staff</p>	Agreed that the detailed CTMP will contain further information to ensure impacts to the SRN are mitigated.

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Ref	Relevant Application Document	Summary of Description of Matter	Current Position of National Highways	Current Position of the Applicant	Status
				<p>shift timing is secured to minimise the impact of the Scheme.</p> <p>The Framework CTMP [APP-206] will be developed into a detailed CTMP by the appointed contractor and, in accordance with Requirement 13 of the Draft DCO [APP-220], submitted and approved by the relevant planning authority in consultation with National Highways prior to the construction phase commencing. This will be substantially in accordance with the Framework CTMP [APP-206] and is secured by Requirement 13 in Schedule 2 to the Draft DCO [APP-220].</p>	
3	Framework DEMP Draft DCO	The Framework DEMP and Requirement 18 for agreement on a detailed DEMP.	The timescales as set out in the Requirement need clarifying as to whether a DEMP needs to be agreed before the start of decommissioning. The content of the submitted DEMP under this Requirement should be reviewed by National Highways (or any subsequent national highway authority) and should include an appropriate assessment in line with the current policies of the time. Therefore, to expect this assessment to be substantially in line with current framework DEMP may not be appropriate. It should also include a traffic management section in line with the final agreed CTMP (adjusted for the guidance at the time of submission). It is not clear that all these issues will be covered given the framework DEMP.	<p>A Framework DEMP [APP-198] has been submitted as part of the Application and includes measures to control traffic impacts from the Scheme on the SRN and local road networks during the decommissioning phase. This will be developed into a detailed DEMP by the appointed contractor and discussed with relevant stakeholders, including National Highways (or its successor at the time), prior to the decommissioning phase commencing. The detailed DEMP will be substantially in accordance with the Framework DEMP [APP-198] and is secured by Requirement 18 in Schedule 2 of the Draft DCO [APP-220].</p> <p>In relation to National Highways' concern around timescales, the Applicant notes that the wording of this Requirement states that the detailed DEMP must be submitted 'for approval' which indicates that decommissioning cannot take place before the detailed DEMP is agreed with the relevant planning authority.</p> <p>Following consideration of National Highways' comments regarding the Framework DEMP [APP-198], the Applicant has updated the Framework DEMP for Deadline 1 of Examination to ensure that this document specifically refers to consultation with National Highways as part of the preparation of the detailed DEMP.</p>	Agreed that National Highways will be consulted regarding the detailed DEMP to ensure that mitigation is in line with current policies and the detailed CTMP.

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
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
DEMP	Decommissioning Environmental Management Plan
EIA	Environmental Impact Assessment
ES	Environmental Statement
ExA	Examining Authority
JSJV	Jacobs Systra Joint Venture
MW	Megawatts
PEIR	Preliminary Environmental Information Report
SoCG	Statement of Common Ground
SRN	Strategic Road Network



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