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Kingsway Solar Farm Limited

Case ref: EN010165

Date: 17 June 2026

(By email only)

Dear Sir/ Madam

Planning Act 2008 – section 51

Application by Kingsway Solar Farm Limited for an order granting development consent for the Kingsway Solar Farm project

Section 51 advice to the applicant

Following the applicant's withdrawal of the above application on 16 June 2026, the Planning Inspectorate is providing advice to the applicant under section 51 of the Planning Act 2008 (PA2008) about its observations in relation to the application submitted on 21 May 2026. The applicant may wish to consider these observations should it be minded to re-submit a new application.

Main matters

Baseline environmental information - ecology

It is understood the applicant intends to undertake a suite of further ecological surveys in 2026 to address gaps in the survey coverage, as detailed in Table 6.3 of Environmental Statement (ES) Chapter 6: Biodiversity (Doc. 6.6) and in supporting ES appendices 6.4 to 6.14 (Docs. 6.6.A4 to 6.6.A14). The data gaps are described as being due to the evolution of the scheme design, access limitations, and/ or where surveys could not be completed or completed within the appropriate survey season. The spatial extent of the missing survey data includes the entirety of inter array cable corridor 1 and parts of the grid connection corridor, together with parts of Developable Area C for select species and habitats, such as arable plants.

The extent of the proposed surveys includes: UKHab; arboricultural surveys; surveys of potential ancient woodland; badger surveys; bat roost surveys; and surveys for invasive non-native species, together with surveys for arable plants, birds (including vantage point surveys), and great crested newts within targeted areas of the Order limits. A general

timeline for completion of these surveys is given as in 'spring / summer 2026' (Table 6.3 of ES Chapter 6 (Doc 6.6)) with results being made available (paragraph 6.4.33) 'prior to examination'.

The application documents do not confirm when the requisite updated documents are to be provided in support of the application following these surveys. Due to the stated date of spring/ summer 2026 for the surveys and considering optimal timings for habitat and species surveys, it is unclear if the missing data and any requisite updates to the ES would be provided before or during the relevant representations period to allow interested parties the opportunity to make informed representations on all ecology matters, or even in advance of a likely date for the start of examination.

Consultation feedback indicates that further engagement on surveys was requested but not completed. For example, ES Chapter 6 (Doc 6.6) Table 6.1 states that following the final meeting with Cambridgeshire County Council (CCC), East Cambridgeshire District Council and South Cambridgeshire District Council on 4 February 2026, the consultee team requested further liaison, but this was not arranged prior to submission.

Potential ancient woodland

Further to the abovementioned matter of surveys for potential ancient woodland, were the relevant areas found to be ancient woodland, the applicant notes that a compensation strategy would be required as per paragraph 5.4.55 of the Overarching National Policy Statement for Energy (EN-1) (NPS EN-1). The application documents, including Planning Statement Appendix 4: Consideration of Potential Ancient Woodland (Doc. 5.6.4), suggest that a compensation strategy would be prepared in collaboration with consultees and stakeholders in advance of determination. The application documents do not set out in any substantive detail what such a compensation strategy would include or what land it might relate to. There is no evidence that the discovery of potential ancient woodland has been discussed with consultation bodies. In addition, matters around any compensation strategy were not discussed with relevant bodies during pre-application. For these reasons, it is unclear of the likelihood that agreement with relevant parties could be reached on a compensation strategy during the course of any examination to enable an Examining Authority to also reach an informed view on the matter in its recommendation to the Secretary of State.

Baseline environmental information – historic environment including archaeology

ES Chapter 8a (Doc. 6.8a) indicates that the grid connection corridor and inter array cable routes have not been subject to trial trenching and geophysical surveys, although a desk-based assessment has been undertaken for these areas (ES appendix 6.8.A10 and ES appendix 6.8.A4, respectively). The Outline Archaeological Mitigation Strategy (oAMS) (Doc. 7.1) states that further evaluation would be needed within areas of the grid connection corridor and inter-array corridor where groundworks are proposed.

ES Chapter 8a and the oAMS confirm the approach to the outstanding areas of trial trenching within Developable Areas has been agreed with Cambridgeshire Historic Environment Team (CHET). However, the decision to undertake evaluation for the grid connection corridor and inter-array connection at the post-consent stage does not appear to have been discussed with consultation bodies. Consultation feedback (Doc. 6.8.A3) from CCC and Historic England also raises a range of concerns including matters relating

to setting of designated heritage assets, effects on scheduled monuments, the approaches to further evaluation and mitigation strategies and included requests for further engagement and dialogue to resolve these matters. However, documents appear to have been finalised without being shared with consultation bodies prior to submission of the application and there is limited evidence of how matters were discussed, and where possible, resolved with consultation bodies.

As such, in relation to both built heritage and archaeology, the content and quality of the application documents are considered to also affect the ability of the Examining Authority to examine the application within the maximum 6-month statutory time period.

Devil's Dyke site of special scientific interest (SSSI) and scheduled monument (SM)

The conclusions of the assessment of effects on Devil's Dyke SSSI and SM presented in ES Chapter 6 (Ecology) (Doc. 6.6) and ES Chapters 8a and 8b (Cultural Heritage) (Docs. 6.8a and 6.8b) are not consistent with the proposed development description (Doc. 6.3) and Works Plans (Doc. 2.3). These indicate construction activities would be required within these sites, for example to close footpaths or facilitate works during stringing of overhead lines. However, the assessment concludes that there would be no direct effects in both cases, due to no works being required within the designated sites.

2.10 Statutory or Non-Statutory Sites or Features of the Historic Environment Plan (Section A Developable Areas and Section B Grid Connection Route)

The plans, whilst showing locations of features generally, such as listed buildings, conservation areas and scheduled monuments, does not include labels or references to enable the cross referencing to other documents to identify the features. The identification of some of these, including listed buildings, is also not clearly provided on any other plans or figures provided as part of the application to enable appropriate cross referencing. This part of the application thus does not comply with regulation 5(2)(m) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.

Pre-application consultation

The Consultation Report (Doc. 5.1) and its associated appendices indicate that, in the round, the applicant has likely met the basic requirements of s42, s47 and s48 of PA2008. Nonetheless, a common theme running through the adequacy of consultation responses was around the inadequacy of baseline information provided to enable an informed view of the degree of likely significant effects, the level of engagement to present such information and thus the degree to which relevant parties, including host authorities, were able to influence the design and evolution of the proposed development.

The government's guidance *Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects* sets out that the pre-application stage should allow the likely effects of a project to be fully consulted upon, with the design of the project evolving up to the point of application submission, and encourages good quality engagement and project development work from the outset. It also set out that applicants need to give consultation bodies sufficient information about the characteristics of the proposed development in order to enable them to respond in an effective and timely way about the likely environmental effects and avoid unnecessary delay. It further notes that the use of

the 'Rochdale envelope' approach is not an excuse to submit applications with insufficient supporting survey material.

Given the extent of the surveys/ baseline information missing or awaiting further work in relation to (for example) ecology, ancient woodland and archaeology, as outlined above, the applicant may wish to consider whether it needs to hold further consultation on these matters and/ or ensure that the Consultation Report clearly demonstrates why the consultation already carried out provided sufficient information to parties to enable informed feedback, citing any supporting evidence in the application.

Conclusions on the main matters

Having regard to the above, whilst likely meeting the statutory requirements in relation to consultation, it is considered that the coverage and quality of consultation material and engagement, and the shortfalls in survey and other information provided with the application, along with the unknowns as to when this would be provided, presents a risk to the ability for meaningful engagement in the pre-examination and examination process for interested parties. This also risks the ability for an Examining Authority to examine the application within the statutory timeframes.

Other matters/ observations for consideration for any future application

Documents missing or with missing parts/ sections:

4.2 Funding Statement (FS) – the contents page and paragraph 3.1.2 refers to either an 'Appendix 2' or an 'Appendix B' as comprising financial statements for Bagnell Energy Ltd. However, there is no Appendix B in the document, and though there is an Appendix 2, this only contains a letter of support from Bagnell Energy Ltd in respect of 'Meridian Solar Farm'.

6.1.A2 ES Appendix 1.2: EIA Scoping Report - missing Appendices A to L.

6.6.A5 ES Appendix 6.5: Preliminary Ecological Appraisal - missing sheet of target notes for Developable Area C (as referred to in paragraph 2.1.3 and the first paragraph of Appendix B).

6.7.A9 ES Appendix 7.9: Tree Constraints Plan – appears to be missing inset 51 of 64 as shown on the overview plan and there appear to be subsequent errors in inset numbering from 51 of 64 onwards.

6.8.A5 ES Appendix 8.5: Geophysical Survey Report Part 1 – missing. The document supplied is a duplication of 6.8.A4 ES Appendix 8.4: Archaeological Desk-Based Assessment Part 1.

7.1 Outline Archaeological Mitigation Strategy – reference is made to a number of figures (including Figures 2.1 to 2.3 at paragraph 1.4.4 and Figures 3.1 to 3.10 at paragraphs 2.1.9, 3.3.2 and 3.3.3). These figures are not included in the document.

7.11 Outline Construction Traffic Management Plan (oCTMP) – missing Appendices A, B and C.

Draft Development Consent Order (dDCO) matters:

A general review of the dDCO for clarity and consistency should be undertaken. There are a number of instances where this would be particularly useful. For example:

Article (A) 2 - footnote (q) is on the incorrect page.

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/>



A2 'date of decommissioning' – this refers to requirement (R) 21 but should refer to R20.

A2 and elsewhere - 'design parameters' should instead refer to 'design parameters document' to correctly reflect the name of the document.

A2 and elsewhere – various reference to 'work plans' and 'works plan' – the relevant document is titled 'Works Plans'.

A2 and elsewhere – 'outline skills, supply chain and employment plan' should be 'outline employment, skills and supply chain plan' to correctly reflect the name of the document.

A2 - reference is made to an 'outline air quality and dust management plan' though one has not been provided and there is no other mention of this in the dDCO.

A2 - 'outline soils management plan' should be 'outline soil management plan' to correctly reflect the name of the document.

A2 - reference to "National Grid Electricity Distribution" or "NGED" but this organisation does not appear elsewhere in the dDCO.

A2 – consider whether the definition of 'public right of way' should also make provision to include existing ones.

A2(1) and (2) - 'streets, rights of way and access plan' should be 'streets, rights of way and access plans' to correctly reflect the name of the document.

A2 - 'tree regulation order and hedgerow plan' should be 'tree preservation order and hedgerow plan' to correctly reflect the name of the document and this should also be cited in second half of the sentence rather than 'traffic regulation measures plan'.

A2 and A6

- It would be helpful to review matters around 'limits of deviation' in the dDCO and on the Works Plans – for example, there is no purple dashed line in respect of Work No. 8 on the Works Plans and the blue dashed line in respect of Work No. 4 appears to be a boundary/ area within which works could be located rather than setting out a 'limit of deviation' (that is, it is unclear what the works would be deviating from and to).
- A6(2) – the Design Parameters Document appears to specify maximum parameters rather than setting out any specific vertical limits of deviation.

A13(10) – add the relevant date.

A24(2) and A31(1)(a)(i) – it is common practice in DCOs (including solar DCOs), and provides clarity, to include separate schedules setting out relevant plots with specific reasons for the powers sought relating to proposed works, rather than cross referring to the BoR which is more general.

A36(2) – reference to 'National Grid' but 'National Grid' is not defined.

A41(1) – words missing or punctuation needed after the words '..tree preservation order'.

A48(2) – consider whether reference to other articles which cite compensation should be added (such as A13, A14, A19, A20, A27, A29, A30, A40 and A41).

R4 – R4(1) cites the terms 'authority' and R4(3) cites the term 'authorities'. As this is the only reference to the term 'authorities' in any of the requirements, consider if this is correct and how it relates to the definition in the last part of R1.

R6(3) – consider whether this should cite Cambridgeshire Fire and Rescue Service.

R12(1) – consider whether, as is the case for R13(1), the relevant waste authority should be included as a consultee, given reference in R12(3) to a 'site waste management plan'.

R16(1) – consider whether this should cite 'shown to be temporarily closed or managed' instead of 'shown to be closed', noting Sch 6 Parts 1 and 2.

R16(2) – consider whether this should cite 'throughout the construction, operation and decommissioning' rather than just 'operation'.

R17(1) – change two references to 'No.s' to 'Nos.'.

R18(2) – consider whether this should cite 'throughout the construction, operation and decommissioning' rather than just 'operation'.

R19(1), (2) and (3) – should refer to refer the ‘employment, skills and supply chain plan’ and to ‘outline’ rather than ‘framework’ to accurately reflect document names.

R19(2) - consider whether this should cite ‘throughout the construction, operation and decommissioning’ rather than just ‘operation’.

R20(3) – consider whether this adequately reflects that there may be more than one document submitted and approved under R20(1) (this also applies to other Rs where more than one document may be submitted and approved); and ‘outline’ rather than ‘framework’ should be cited to reflect the correct document title.

Sch 1, paragraph 1 - ‘permissive paths’ refers to ‘access and rights of way plans’ but should be ‘streets, rights of way and access plans’ to correctly reflect the name of the document.

Sch 1 paragraphs 2, 3 and 4 – these all cite ‘in the Districts of South Cambridgeshire and East Cambridgeshire of Cambridgeshire’ – consider whether this is correct noting that Work No 9 appears to be in the district of South Cambridgeshire only.

Sch 1 Work No.3A(a) – remove ‘and’; and **(c)** – add ‘and’ after semi colon.

Sch 1 Work No.3B(a) – remove ‘and’; and **(c)** – add ‘and’ after semi colon.

Schedule 1 Work No. 7 – consider whether this is correctly positioned under associated development to Work No. 1 given it also relates to Work Nos. 9 to 16.

Sch 1 Work No. 10 (c) and (d) – correct the punctuation at the end of the sentences.

Sch 5 Part 2 - add a space in ‘Roadto’ in column 3 of the second and third rows.

Sch 6 Part 1 – there is reference to ‘09A/251/14/b’ in row 3, column 3 (PRoW 251/14) though this appears to be shown as ‘10A/251/14/b’ on the Streets, Rights of Way and Access Plans (SRWAP).

Sch 6 Part 1 – column 3 information is the same for PRoW 35/40 and PRoW 224/5 – check if this is correct.

Sch 6 Part 1 – references in column 3 for PRoW 35/39 do not appear to reflect those on the SWRAP.

Sch 6 Part 2 - should refer to ‘Section A, Sheet 2’ rather than ‘Sheet 02A’.

Sch 6 Part 2 – for PRoW 251/10 add ‘Section A’ to column 3.

Sch 6 Part 2 – for PRoW 251/24, reference is made to ‘10A/251/24/a’ though this does not reflect the reference on the SRWAP (shown as 10A251/24/a).

Sch 6 Part 2 – for PRoW 251/14, reference is made to ‘09A/251/14/b’ though this does not reflect the SRWAP (shown as 10A/251/14/b).

Sch 6 Part 2 – for PRoW 35/39, reference is made to ‘06B/35/39/c’ but there does not appear to be such a reference on the SWRAP - also check if reference to ‘06B/35/39B/b’ is correct here or whether it should be ‘06B/35/39/a’.

Sch 7 Part 3 – references to CC-1 to CC-10 does not appear to reflect references on the SRWAP which are shown as CC1 to CC10.

Sch 8 Parts 1-3 - ‘traffic regulation measures plans’ should be ‘traffic regulation measures plan’ to correctly reflect the name of the document.

Sch 8 Part 1

- Second row - check if reference to ‘Six Mile Bottom Road’ is correct or if it should instead refer to ‘Brinkley Road’ – check accuracy of all road names in all schedules.
- Third column - should some reference be made to ‘20mph’ given such speed restrictions are cited in sections of ES Chapter 11 (such as in paragraph 11.7.49, 5th bullet).
- Consider whether is it correct to specify a speed range rather than a specific speed.
- Check this schedule aligns with paragraph 11.7.49 of ES Chapter 11 (and any currently missing appendix of the oCTMP).

Sch 9 – ‘Meridian Solar Farm’ is incorrectly referred to four times.

Sch 10 Part 5 and Part 6 – noting the names of these schedules, consider whether the words ‘Trees subject to...’ should be added to the relevant parts of the contents page.

Sch 10 – consider whether ‘m²’ should be defined as ‘square metres’.

Sch 13 – the EM paragraph 6.13.3 and the Land and Rights Tracker indicate that the applicant is liaising with certain statutory undertakers (one example being Network Rail) regarding bespoke protective provisions. Planning Inspectorate Advice Note Fifteen advises that applicants are encouraged to agree protective provisions with parties prior to submitting the application for development consent and where agreement has not been reached during pre-application, applicants should, as a minimum, submit with the application the standard protective provisions for all relevant parties with any amendments that the applicant is seeking annotated with full justification included within the EM. This has not been provided.

Sch 14 5(2)(a) – check whether there is a typographical error or reference to a requirement missing in ‘...20 and ;’ and regarding **(b)**, consider whether reference to ‘...any application under requirement 5 in respect of the requirements listed in paragraph (a)’ is correct.

Explanatory note – incorrectly refers to ‘Meridian Solar Farm Limited’.

Plans matters:

A general review of all plans for clarity and consistency should be undertaken. There are a number of instances where this would be particularly useful. For example:

2.3 Works Plans Section A

- Albeit within the Order limits, no works are identified for the area of land shown white on sheet 8 adjacent to Six Mile Bottom Road.
- It is unclear what powers are sought over the white land to the north/ north-east of Work No. 3B on sheet 3.
- Work No. 8 on sheet 2 - the limits of deviation do not allow for the proposed buffer to potential ancient woodland.

2.3 Works Plans Section B - consider whether there should be annotation to clarify all overlapping work numbers within and adjacent to the two pink dashed areas on sheet 6.

2.4 Land Plans Section A

- Colouring of plots does not follow the long-standing convention as recognised in Annex C of the Department for Communities and Local Government’s *Planning Act 2008 - Guidance related to procedures for the compulsory acquisition of land* (DCLG Compulsory Acquisition (CA) Guidance) (this also applies to 2.4 Land Plans Section B).
- It is unclear what powers are sought over the white land in Plot A3-006 to the south-west of Plot A3-003 on sheet 3.
- Albeit within the Order limits, no plot number is ascribed to the area of land shown white on sheet 8 adjacent to Six Mile Bottom Road.

2.4 Land Plans Section B – check if there is an unnumbered blue plot to the north of Plot B3-033 on sheet 4 or whether this is part of Plot B3-033.

2.8 Indicative and Illustrative Layout Plans and Sections

- Section A shows illustrative layouts of the proposed battery energy storage system but not of the proposed substations – consider including this information.
- Section B shows pylons of 46.4m and 47.3m in height, though the Design Parameters Document suggests some would be up to 65m – consider including details of such pylons.

2.11 Waterbodies in a River Basin Management Plan – regarding the note on sheet 5 of Section A and sheet 1 of Section B, clarify on the plans whether the correct or incorrect route is shown for the watercourse.

Other document matters/ observations:

3.2 Explanatory Memorandum (EM)

- Paragraphs 1.3.7 and 1.3.8 do not appear to accurately reflect what is shown in the dDCO (for example, Work Nos. 11, 12, 13 and 15 are not identified in the dDCO as ‘associated development’).
- Paragraph 3.1.7 states that the Construction Traffic Management Plan (CTMP) would fall under R15 of the dDCO, though R14 of the dDCO relates to a CTMP – check accuracy of all cross referencing in the EM.
- Paragraph 4.1.1 should also refer to s14(1)(b).
- Paragraph 5.2.15 does not appear to correctly explain A6(2) as it appears in the dDCO.
- Paragraph 5.6.11 refers to ‘within or overhanging’ within A40 of the dDCO, though A40 cites the term ‘near’.
- Paragraphs 5.6.12 and 6.10.1 do not appear to accurately reflect what is shown in Sch 10, Parts 1 to 3 of the dDCO (for example, ‘important’ hedgerows are not identified in the schedule).
- Paragraph 6.2.6 does not explain why permissive paths would be accessible for 364 days rather than every day of the year.
- Check all articles and schedules of the dDCO are accurately described and justified.

4.1 Statement of Reasons (SoR)

- Paragraph 7.2.4 suggests Article 8 of the Human Rights Act 1998 would not be engaged, though the BoR identifies some garden land affected by the CA of rights – it would be helpful for further clarification on the matter.
- There are numerous ‘unknown’ interests in the BoR, though the SoR does not appear to explain how the applicant has undertaken diligent enquiry/ due diligence.
- The Illustrative Environmental Masterplan identifies that considerable areas of land in Developable Area B would remain as agricultural land. It would be helpful to explain/ clarify the reason the compulsory acquisition of this land would be required as per s122(2)(a) and/ or (b) of the Planning Act 2008.

4.2 Funding Statement – noting section 2.2 which only provides an overall cost estimate range, DCLG CA Guidance paragraph 17 advises that as much information as possible should be provided about the resource implications of both acquiring the land and implementing the project for which the land is required - section 2.2 should therefore clearly separate out estimated development costs and estimated compensation costs.

4.3 Book of Reference (BoR)

- Paragraph 2.1.4, second bullet point – reference made to the protection of a ‘new tunnel’ – consider whether this is correct.
- Table 1 – descriptions used do not appear to match with BoR parts 1-3 or the key on the Land Plans (Sections A and B) as suggested (just one example being Class 5 in the table states it is for ‘Temporary use for the authorised development’ and ‘Temporary possession and use of...’ whereas the Land Plans and Parts 1-3 of the BoR cite ‘Temporary Access for Construction’).
- Consider whether it should be noted in the BoR (and SoR and Land Plans) that plots for CA of land and rights would also be subject to Temporary Possession (TP).

- Paragraph 2.1.6, first bullet refers to A22, though should be A21.

4.4 Land Rights Tracker – it is unclear whether the blue shading of table boxes and ‘N/A’ entries mean either ‘completed’ or ‘not required’ as per the relevant table headings.

5.2 Habitats Regulations Assessment Screening Report - it is unclear whether Table 7 is missing or whether Table 6 includes the information cited in Table 6 and 7 on the contents page and Table 8 should thus be named Table 7.

5.6 Planning statement

- Tables 2-1 and 7-1 have formatting errors.
- formatting error between paragraphs 5.3.14 and 5.3.15.
- Noting paragraph 2.10.47 of the National Policy Statement for Renewable Energy (EN-3) (NPS EN-3), if overplanting of solar panels is proposed, consider setting out the degree to which this would occur with appropriate justification.
- Consider addressing NPS EN-1 paragraph 2.10.9 in terms of hectares of land required per megawatt of output.

Environmental Statement (ES) – general - several chapters and appendices are missing front covers and others include incorrect titles and/ or document reference numbers on front covers (with implications for correct cross referencing in dDCO Sch 11 relating to certified documents). Linked contents pages would also be advised to allow ease of navigation for large documents. A general review of all documents to ensure consistent naming conventions are used within chapters and associated appendices and figures, table numbering, page numbering and the legibility of plans is needed.

6.3 ES Chapter 3: The Scheme - the stated parameters are inconsistent across documents. Examples include: the maximum height of the pylons is stated in ES Chapter 3 as 66m, whereas within the Design Parameters Document and ES Chapter 7 it is assumed as 65m; and the maximum height of the battery energy storage system (BESS) is identified as 20m in the Design Parameters Document, 15m in ES Chapter 3 and 23m above existing ground levels in ES Chapter 7.

6.5 ES Chapter 5: EIA Methodology - not all shortlisted projects identified in ES Appendix 5.2 appear on ES Figure 5.1.

6.6.A5 Preliminary Ecological Appraisal Report (unredacted) – the figures which follow Appendix E are duplicates of previous figures.

6.7 ES Chapter 7: Landscape and Visual Impact (and appendices)

- There are variations in the number of receptors/ viewpoints (VP)/ Accurate Visual Representations (AVR) in some of the text and some of the tables.
- There are variations between VP references in some of the effects tables in this chapter and ES Chapter 19.
- There are instances of incorrect use of effects terms in some tables, for example ‘moderate neutral’.
- The naming of some ES figure documents make it difficult to locate figures, for example ‘6.7 ES Chapter 7 Landscape and Visual Impact Figures – Part 10’ contains Figures 7.11 and 7.12.
- Some of the AVRs are spread over more than one appendix part, making visual comparisons difficult.
- It would be helpful if the AVR methodology was included as a separate appendix.
- Not all photography in the appendices is annotated, which for example, makes it difficult to ascertain the Order limit extents; and some photography numbering/ referencing within the appendices appears to be incorrect (for example on the sheets for winter VPs 28 and 32).
- There is some inconsistency between AVR locations shown on Figure 12 and actual AVR locations, for example for AVR 61ii.

- Figure 12 appears cluttered particularly around Developable Area C and this, along with the low-quality definition base map, makes it difficult to read and understand specific viewpoint types and locations. In addition, a separate figure to show only AVR locations would be helpful.

6.8a ES Chapter 8a: Cultural Heritage (Archaeology) - the ES indicates that trial trenching has been completed of between 75 and 88% of the Developable Areas, but that the report is being completed and will be submitted post-DCO submission. The applicant should ensure that the results of trial trenching are taken into account in the ES supporting any future application.

6.8.A7 ES Appendix 8.7: Trial Trench Evaluation Written Scheme of Investigation Developable Areas A to C – page numbering errors and Section 5 is potentially missing.

6.9.A2 ES Appendix 9.2: Scoping Opinion Responses – although asked to consult with a relevant mineral planning authority with regards to Mineral Safeguarding Areas, whilst a Mineral Safeguarding Assessment and Phase 1 Desk Study Assessment are provided, it is not clear whether CCC was consulted.

6.10 ES Chapter 10: Soils and Agriculture - paragraph 10.7.13 states that the effect on Grade 3a agricultural land for areas identified for hard infrastructure across the proposed development during the construction phase would be minor adverse and not significant, whereas Table 10.3 states a minor adverse effect for Grade 3a land as a result of hard infrastructure would be significant.

6.14 ES Chapter 14: Socio-economics and Population

- Temporary rights of way diversions are referred to throughout (such as in paragraph 14.7.108 relating to 254/19), but it is unclear where diversions are shown on a plan or secured in the dDCO.
- Table 14.2 explains the scoping out of effects on private property, though the BoR identifies some plots in the northern parts of the grid connection corridor which include garden land – it would be useful for further justification/ clarification on this matter.
- There appears to be some inconsistency with the significance of effect terms, noting that paragraph 14.4.98 refers to ‘major and moderate’ whereas, for example, Tables 14.7 and 14.24 refer to ‘moderate’, ‘large’ or ‘very large’.

6.19 ES Chapter 19: Summary of Significant Residual Effects –Table 19.1 in respect of ‘Visual’ includes duplicate references to some VPs under ‘operation’, such as VPs 21, 23, 24, 30 and 44; and Table 19.2 in respect of ‘Visual’ does not differentiate between Year 1 and Year 15 operational effect as it does in ES Chapter 7.

6.20 ES Chapter 20: Non-technical Summary (NTS)

- Page 57 refers to ‘CN’ instead of ‘GCN’.
- Figure 3 identifies two local wildlife sites (LWS) within the Order limits (as does 6.2 ES Figure 2.1 (Figures 6.2.F1.1-3)) but no other documents appear to identify any LWSs (it may be that whilst LWSs are shown these may actually be County Wildlife Sites at an incorrect scale).
- The NTS does not explain the alternative programme dates for the Gate 1 grid connection offer nor the summary of effects associated with this timeframe.

7.4 Biodiversity Net Gain (BNG) Report

- Consider explaining for clarity how the land take figures (164.8ha lifetime and 5ha temporary) in the executive summary and paragraph 1.7.1 have been arrived at.
- Consider including relevant policies of NPS EN-1 in the policy section.
- Consider explaining why paragraph 1.8.1 indicates that management and monitoring would occur over 30 years when NPS EN-1 paragraph 5.4.45 expects this to be over the lifetime of the proposed development (in this case 40 years).

7.5 Design Parameters Document – consider whether all relevant design parameters have been included (for example: gantry heights in respect of sealing end compounds; and a variation in maximum pylon heights depending on whether near to A11/ A14 or elsewhere along the proposed grid connection route).

7.6 Illustrative Environmental Masterplan – this would benefit from an overview sheet plan.

7.7.2 Outline Site Waste Management Plan – error at paragraph 4.1.5.

7.9 Outline Decommissioning Environmental Management Plan – page iii is partially illegible.

7.12 Outline Public Rights of Way Management Plan – paragraph 5.2.3 suggests proposed permissive paths are shown on the SRWAP but this does not appear to be the case.

Consultees identified on a precautionary basis

A number of discrepancies are noted in respect of Appendix G: List of Section 42 Consultees (Doc 5.1.7) to the Consultation Report (Doc 5.1). For example, the Secretary of State for Defence is stated to have not been consulted; however, a response from the Ministry of Defence is included in Appendix H (Doc 5.1.8). Similarly, NATS En-Route Safeguarding are not identified in Appendix G, but a response is included in Appendix H. The Relevant AONB Board is stated to have been consulted in Appendix G; however, no specific AONB Board is identified. It is unclear if a relevant AONB Board has been consulted. A general review of the Consultation Report and accompanying appendices for clarity and consistency should be undertaken in this regard.

The Planning Inspectorate has identified the following parties based on a precautionary interpretation of the APFP regulations that were not consulted by the applicant under s42, and the Consultation Report (Doc 5.1) does not explain why the bodies have not been consulted. The applicant may wish to consult these bodies, where the relevance and circumstances tests are met, or ensure there is an explanation given as to why these bodies were not consulted in the consultation report accompanying any future application:

- Haddenham Level Drainage Commissioners
- Suffolk Police and Crime Commissioner
- Suffolk Fire and Rescue Service
- National Highways Historical Railways Estate
- Royal Mail Group
- Homes England

The applicant should pay close attention to the advice set out in this letter and act on it accordingly. If you have any queries please contact us.

Yours faithfully

Spencer Barrowman

Case Manager

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