

**Public**  
**Key Decision – Yes**

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** East Park Solar Farm

**Meeting/Date:** 4<sup>th</sup> September – Overview and Scrutiny  
(Performance and Growth)  
10<sup>th</sup> September - Cabinet

**Executive Portfolio:** Executive Councillor for Planning

**Report by:** Chief Planning Officer

**Wards affected:** Great Staughton

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### **Executive Summary:**

East Park Energy is a proposed new solar farm and energy battery storage scheme that is located to the north-west of St Neots, straddling the Huntingdonshire District, Bedfordshire (Bedford Borough) and Cambridgeshire County boundaries. The scheme proposes connection to the National Grid at the existing substation at Eaton Socon.

The Scheme as proposed would be capable of generating and exporting more than 50 megawatts of renewable energy; therefore, it meets the threshold to be a solar National Significant Infrastructure Project (NSIP) rather than determined by the Local Planning Authorities.

The Applicant has an export agreement with National Grid to provide 400 megawatts of renewable energy generation via the Eaton Socon Substation to the west of St Neots. A 100MW Battery Energy Storage Facility is proposed to be co-located with the solar infrastructure to allow for energy storage at times when grid demand is lower.

As an NSIP application (for which a Development Consent Order (DCO) is required), the proposed solar farm will not be determined locally by Huntingdonshire District Council with input by the County Council. Responsibility for accepting, examining and determining NSIP applications rests with the Secretary of State (in this case the SoS for Energy Security and Net Zero). The Planning Inspectorate (PINS) carries out certain functions related to national infrastructure planning on behalf of the Secretary of State. During the consultation and examination of the NSIP all stakeholders will be invited to comment but their comments are to be submitted directed to PINS, on behalf of the SoS.

The project has been submitted to the Planning Inspectorate and is still at pre-application stage; the applicant's intention is for a round of statutory consultation to take place w/c 24th September. Non-statutory pre-application consultation took place in Autumn 2023, this included stakeholders and the local community including Cabinet Members and Ward Councillors for the three Host Authorities being invited to attend a briefing on the 13th October 2023. The applicant submitted their Environmental Impact Assessment Scoping Report to PINS on 30 October 2023.

A Memorandum of Understanding has been entered into between the three Host Authorities (HDC, Cambridge County Council and Bedford Borough Council) and we are in the final stages of agreeing a shared Planning Performance Agreement with the applicant. This collaborative joint working allows us to share resource where possible.

Due to the statutory timings associated with NSIPs and the DCO process, a short window of time is given in order for consultation documentation to be considered and responded to by specialists across the Council. As such the proposal this report seeks authorisation for is the responses to the formal consultations to be prepared with officers and authorisation delegated to the Chief Planning Officer, in consultation with the Leader and Executive Councillor for Planning.

**Recommendation(s):**

**The Cabinet is**

**RECOMMENDED**

1. delegate authority to the Chief Planning Officer, in consultation with the Leader and Executive Councillor for Planning to take all associated action necessary in the interests of the efficient and timely conduct of the Council's compliance with the East Park Solar Farm DCO procedures including but not limited to:
  - a) prepare the Council's responses to any written questions from the Examining Authority during the DCO Examinations and to submit those to the Examining Authority,
  - b) settle the content of and submit any Written Representations to the Examining Authority,
  - c) to negotiate, settle and complete any legal agreements relevant to secure the granting of a DCO pursuant to the applications,
  - d) settling and the submission of the Statement of Common Ground to the Examining Authority,
  - e) the instruction of witnesses and legal advisors throughout the Examination process if required,
  - f) the discharge of DCO requirements made under any development consent order granted by Secretary of State.

## **1. PURPOSE OF THE REPORT**

- 1.1 This report provides an overview of the East Park Energy Solar Farm Development Consent Order (DCO) application. This solar farm will cross two counties and includes three 'Host Authorities', namely Huntingdonshire District Council (HDC), Cambridgeshire County Council (CCC) and Bedford Borough Council (BBC). It sets out the background to these proposals at this stage, which is part of the pre-app stage prior to the submission of the project as a Development Consent Order (DCO) application. Due to the timing of the consultation, delegation is sought to enable the Council response to be submitted within the statutory, short timelines.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 The East Park Solar Farm is recognised as a Nationally Significant Infrastructure Project (NSIP). A statutory consultation is currently planned for late September 2024. This will be a formal consultation undertaken by the applicant that will need to comply with all statutory requirements. To avoid any undue delay to the NSIP process and Examination, it is important that the tight deadlines set out in the Examination Timetable are met. The timescale for handling an NSIP application are set out in the legislation. It is noted that PINS, as the Examining Authority, may disregard late responses, which is why officers are seeking to follow PINS guidance and get delegation in place to allow for comments to be provided in time. PINS guidance document for Local Authorities sets out the following timescales for the DCO process:

- Scoping Response (28 Days)
- Statement Of Community Consultation Response (28 Days)
- Principal Areas of Disagreement Summary Statement
- Non-Statutory and Statutory Consultation Response (Deadline For Response Provided by The Applicant)
- Adequacy Of Consultation Milestone Response
- Adequacy Of Consultation Representation (14 Days)

At the pre-examination and examination stages there are activities that are also likely to need approval, such as:

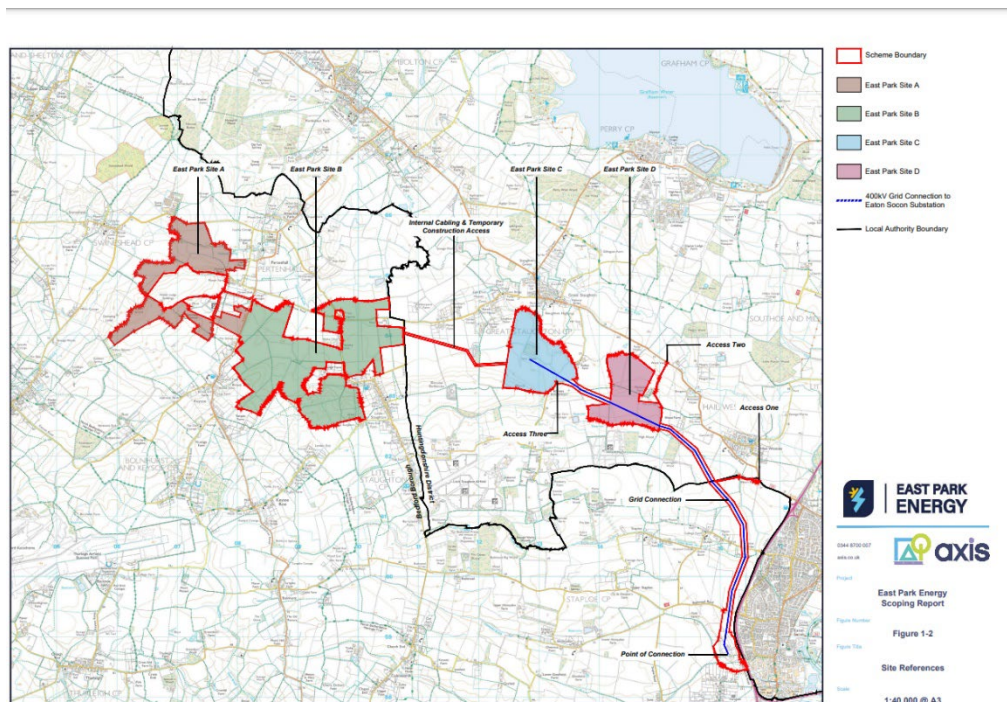
- Relevant Representation (Minimum 30 Days)
- Local Impact Report (Early in the Examination Stage)
- Written Representation (Early in the Examination Stage)
- Responses to the Examining Authority's Written Questions and Requests For Information
- Statement Of Common Ground (to be agreed, where possible, by the close of Examination – a maximum of 6 Months, or 4 Months For Fast-Track Consent Applications)
- DCO Obligation (If Appropriate)

- 2.2 Early engagement will also ensure that that broader key objectives of the Councils Corporate Plan and Place Strategy can be shared with the applicant, ensuring that opportunities are maximised for Huntingdonshire across key themes, including (but not limited to) ensuring skills

opportunities in delivery are maximised for the residents of Huntingdonshire alongside ensuring ambitious Biodiversity Net Gain is part of the scheme.

### 3. EAST PARK PROPOSALS

- 3.1 East Park Energy is a proposed new solar farm and energy battery storage scheme that is located to the north-west of St Neots, straddling the Huntingdonshire District, Bedfordshire (Bedford Borough) and Cambridgeshire County boundaries. The scheme proposes connection to the National Grid at the existing substation at Eaton Socon. The plan below indicates the proposal with the black line marking the Council boundaries with land to the east and north of the line being within HDC, and land to the west and south lying within BBC. The site is in the Great Staughton Ward with Great Staughton and Hail Weston parishes falling within the HDC administrative area.



- 3.2 The Applicant has an export agreement with National Grid to provide 400 megawatts of renewable energy generation via the Eaton Socon Substation to the west of St Neots. A 100MW Battery Energy Storage Facility is proposed to be co-located with the solar infrastructure to allow for energy storage at times when grid demand is lower.
- 3.3 As the scheme would be capable of generating and exporting more than 50 megawatts of renewable energy it meets the threshold to be a solar NSIP rather than determined by the Local Planning Authorities. As an NSIP application the proposed solar farm will not be determined by Huntingdonshire District Council with input by the County Council as responsibility for accepting and examining the NSIP applications rests with the Secretary of State (for Energy Security and Net Zero). The Planning Inspectorate (PINS) carries out certain functions related to national infrastructure planning on behalf of the Secretary of State.

## 4. CONSULTATION

- 4.1 The project has been submitted to the Planning Inspectorate and is still at pre-application stage; the applicant's intention is for a round of statutory consultation to take place w/c 24th September.
- 4.2 As an NSIP proposal, the East Park Energy Solar Farm Project has already undertaken pre-application consultations in Autumn 2023 with stakeholders and the local community at the non-statutory consultation stage including Cabinet Members and the Ward Cllr being invited to attend a briefing on the 13<sup>th</sup> October. This has taken place alongside pre-application discussions on technical matters with key specialisms within the three Host Authorities, to help inform their proposal prior to the submission of their application to PINS and further to the Scoping Opinion adopted by PINS.
- 4.3 Once East Park Energy submits their DCO application to PINS for the solar farm project, currently programmed for Q1 of 2025, the project will move into the 'acceptance' stage. If their application is accepted for examination by PINS, the Council should be notified of this, including whether the Secretary of State will appoint a single Examining Inspector, or a panel of up to five Examining Inspectors (known as the Examining Authority (ExA)) to examine the application. The Examination is carried out in public.
- 4.4 Following notification of the above, the local authorities will then be notified of the preliminary meeting to discuss procedural matters. After which an Examination timetable should be set, including tight deadlines for when information needs to be submitted to PINS. At the pre-examination stage, local authorities are encouraged to continue to engage with the developer. Agreement on any remaining issues should be sought and/or negotiations continued. There may also be the need to continue negotiation in respect of any compulsory acquisition affecting any local 'host' authority's land holdings or interests. Reaching agreement on as many issues as possible in advance of the examination is likely to lead to a more focused and expedient examination process for all participants.
- 4.5 During the Examination, the local authorities will:
- Respond to the Examining Authority's (ExA's) written questions which are normally based on an initial assessment of the application, (including the principal issues of the proposed scheme), and the representations received from interested parties;
  - Prepare and submit to PINS a Local Impact Report (LIR), setting out the likely impacts of the proposed scheme on the Huntingdonshire area by using local knowledge and robust evidence, and set out the relevant local planning policy framework and guidance;
  - Prepare and submit to the Planning Inspectorate a Statement of Common Ground (SOCG), a joint written statement between the applicant and the Council and/or other parties or Host Authorities, setting out matters that they agree or disagree on; and

- Represent the Council and make oral representation at the issue specific hearing(s) and if necessary the open floor hearing(s). The subject of the hearings is based on specific elements / issues of the application that are raised during the NSIP process.
- There is also provision in the Planning Act 2008 (as amended) for the applicant to apply for other consents, for example Compulsory Purchase Order (CPO) and drainage consents, deemed by a DCO.

4.6 Local Authorities are statutory consultees in the NSIP process and it should be noted that the views of the local community, including Town and Parish Councils have to be submitted as Relevant Representations directly to PINS and that HDC, as a Host Authority, cannot respond on behalf of individual parties.

## **5. COMMENTS OF OVERVIEW & SCRUTINY**

5.1 The comments of the relevant Overview and Scrutiny Panel will be forwarded to Cabinet prior to its consideration of the report.

## **6. KEY IMPACTS / RISKS**

6.1 The key impact from not carefully considering the solar farm proposals could be significant negative impacts on ecology, landscape and heritage and that views of Huntingdonshire communities are not heard. With that in mind, and given the defined timescales of the DCO it is important that any formal response of HDC is submitted within the defined DCO timescales. It cannot be assumed that PINs would grant any extension of time.

6.2 In the event of tight timescales that do not allow for the formal cycle of meetings delegations are sought now to ensure prompt responses to future consultations.

## **7. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

7.1 Subject to Cabinet approval of the recommendations in this report, the Council will continue to work with the East Park applicants, Bedford Borough Council and Cambridgeshire County Council and respond to submissions as required by PINS.

## **8. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

(See [corporate-plan.pdf \(huntingdonshire.gov.uk\)](http://www.huntingdonshire.gov.uk/corporate-plan.pdf))

8.1 This will help to deliver across a range of the Council's Corporate Plan priorities specifically Creating a better Huntingdonshire for future generations by:

- Forward-thinking economic growth – 32. Continue to update the Local plan.
- Forward-thinking economic growth - 36. Influence delivery of infrastructure including East West Rail, A428, A141 Strategic Outline Business Case and future Transport Strategies
- Lowering carbon emissions – 44. Support community projects and plans that reduce carbon emissions.
- Lowering carbon emissions – 45. Deliver Biodiversity for All (2023-2025) to enable community action and support green skills development.

## **9. LEGAL IMPLICATIONS**

- 9.1 There are no significant implications for this priority, other than the financial and resource implications required to support this project, which has the potential to include significant legal advice. Part 6 of the Planning Act 2008 sets out the legal requirements regarding Development Consent Order applications.

## **10.RESOURCE IMPLICATIONS**

- 10.1 A Memorandum of Understanding has been entered into between the three Host Authorities and we are in the final stages of agreeing a shared Planning Performance Agreement with the applicant in order to share resource where possible with some income received for non-statutory elements of the DCO process. However, for the formal statutory processes HDC will not be reimbursed for the additional resource
- 10.2 This NSIP is in addition to the requirement to determine planning applications within their statutory timelines and work to support the development of the new Local Plan. . A number of specialist officers across the Council are engaging in this process. As a NSIP this resource is considered necessary and is programmed and monitored within Planning Services and the wider Council. Specialist officer input will increase as the NSIP progresses, and through the DCO examination. Resource will need to be carefully planned for and balanced against other areas of statutory work including the determination of planning application and progress of the Local Plan.
- 10.3 There may be future budget implications for resource and or legal support through the formal DCO process.

## **11.HEALTH, ENVIRONMENT, CLIMATE CHANGE AND POLICY IMPLICATIONS**

- 11.1 As the NSIP progress, specialist officers will consider all appropriate implications for our current and future communities and businesses in responding appropriately and proportionately to the application.
- 11.2 Through the consultation process East Park will be strongly encouraged to maximise opportunities for environmental enhancements, to maximise biodiversity net gain and inclusion of PROW enhancements where

possible, which will contribute to environmental and ecology improvements while improving health and wellbeing of residents.

## **12. REASONS FOR THE RECOMMENDED DECISIONS**

- 12.1 Delegation is recommended to meet the requirements for responses to the East Park DCO process as set out by PINS as the Examining Authority.

## **13. LIST OF APPENDICES INCLUDED**

- 13.1 None appended.

## **14. BACKGROUND PAPERS**

- Planning Act 2008 (as amended); [Planning Act 2008 \(legislation.gov.uk\)](http://legislation.gov.uk)
- Planning Inspectorate (PINS) National Significant Infrastructure Project (NSIP) Guidance and Advice Notes; [Nationally Significant Infrastructure Projects: Advice pages - GOV.UK \(www.gov.uk\)](http://www.gov.uk) of particular note is [Nationally Significant Infrastructure Projects: Advice for Local Authorities - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- NSIP Energy Policy Statements; [National Policy Statements for energy infrastructure - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- East Park Energy Solar Farm Project website; [Home - East Park Energy](#)
- PINS Project Page for East park Energy Solar Farm NSIP Project; [East Park Energy - Project information \(planninginspectorate.gov.uk\)](http://planninginspectorate.gov.uk)

## **15. CONTACT OFFICER**

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