



Mallard Pass

Solar Farm

Mallard Pass Solar Farm

Covering Letter

November 2022

PINS Ref: EN010127

Document Ref: EN010127/APP/1.1

Revision P0

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations
2009 - Reg 5 (2)(q)

Mallard Pass Solar Farm Limited
111 Park Street
London
W1K 7JF

24 November 2022

The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Planning Act 2008 – Application for a Development Consent Order for Mallard Pass Solar Farm

Application Ref: EN01027

On behalf of Mallard Pass Solar Farm Limited (the Applicant), I am pleased to enclose an application for a Development Consent Order (DCO) (the Application) pursuant to section 37 of the Planning Act 2008 (PA 2008) for the proposed Mallard Pass Solar Farm (the Proposed Development).

1.1 Subject of the Application

1.1.1 The Application is for a DCO to construct, operate, maintain and decommission a solar photovoltaic (PV) array electricity generating facility and export connection to the National Grid.

1.1.2 The Application is required because the Proposed Development is classified as a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(a) and 15(1) and (2) of the PA 2008, as an onshore generating station in England with a capacity exceeding 50 megawatts (MW). As such, the decision on whether to grant development consent will be made by the Secretary of State for Business, Energy and Industrial Strategy (Secretary of State). The NSIP and associated development are formally described in Schedule 1 of the draft DCO **[EN010127/APP/3.1]**.

1.2 Application fee and documentation

1.2.1 A fee of £7488.00 has been submitted by BACS transfer to the account of the Planning Inspectorate (PINS).

1.2.2 The Application is submitted via a SharePoint system, which has been set up for file transfer of the application documents. This was agreed with the Planning Inspectorate.



Write to us at:

FREEPOST MALLARD
PASS SOLAR FARM



Email us at:

info@MallardPassSolar.co.uk



Call our Freephone information line:

0808 196 8717



Visit our website at:

1.2.3 A GIS shapefile showing the Order limits for the Proposed Development was issued to the Planning Inspectorates via email 11 November 2022.

1.2.4 A Section 55 Checklist **[EN010127/APP/1.4]** that has been completed by the Applicant has been included with the Application to assist with the Planning Inspectorate's compliance check of the Application.

1.3 Application formalities

1.3.1 This Application is made in the form required by Section 37(3)(b) of the PA 2008 and the application documents comply with the requirements in Section 37 of the PA 2008 and those set out in:

- a) The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations)
- b) The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)
- c) The Department for Communities and Local Government's (DCLG, although now called the Department for Levelling Up, Housing and Communities) 'Planning Act 2008: Nationally significant infrastructure projects – Application form guidance' (June 2013)
- d) The Planning Inspectorate's 'Advice Note Six: Preparation and submission of application documents' (August 2022).

1.3.2 It has been confirmed to the Planning Inspectorate on 24/11/2022 that the Application will be published (with any necessary redactions and minus any confidential documents) on the Planning Inspectorate's webpage as soon as possible after submission of the application.

1.4 The Proposed Development description

1.4.1 A non-technical description of the Proposed Development is included in the Guide to the Application **[EN010127/APP/1.2]**. A more detailed technical description of the Proposed Development is included in Chapter 5 of the Environmental Statement (ES) **[EN010127/APP/6.1]**.

1.5 Need for the Project

1.5.1 The Proposed Development provides for up to 350MW (DC) of clean energy at a time when the need for renewable energy has never been clearer. The Application is accompanied by a Statement of Need **[EN010127/APP/7.1]** which provides further detail on the need for the Mallard Pass Solar Farm in the context of rising energy bills, energy security concerns and the urgency of action necessary to achieve Net Zero by 2050. The Statement of Need concludes:

"In summary: the meaningful and timely contributions offered by the Proposed Development to UK decarbonisation and security of supply, while helping lower bills for consumers throughout its operational life, will be critical on the path to Net Zero. Without the Proposed Development, a significant and vital opportunity to



Write to us at:

FREEPOST MALLARD
PASS SOLAR FARM



Email us at:

info@MallardPassSolar.co.uk



Call our Freephone information line:

0800 196 8717



Visit our website at:

develop a large-scale low-carbon generation scheme will have been passed over, increasing materially the risk that future Carbon Budgets and Net Zero 2050 will not be achieved.”

1.6 Consent Flexibility

1.6.1 The Proposed Development comprises a solar PV array electricity generating facility and export connection to the National Grid. Solar PV is rapidly evolving and as a result, the draft DCO **[EN010127/APP/3.1]** and supporting works plans **[EN010127/APP/2.2]** propose a degree of flexibility to allow the latest technology to be utilised at the time of construction. The exact design details of the Proposed Development cannot be confirmed until the tendering process for the design of the Proposed Development has been completed and the detailed design in accordance with the Project Principles, Design Guidance and Parameters has been approved by the local planning authorities. The Design and Access Statement **[EN010127/APP/7.3]** therefore, sets out the design parameters within which the Proposed Development is proposed to be constructed and operated. The environmental impact assessment undertaken in support of the Proposed Development has considered and reflected the flexibility sought in the draft DCO. The Design Guidance and Parameters set out the basis on which the assessment set out in the Environmental Statement has been undertaken and secures the key design mitigation measures referenced in the Environmental Statement.

1.7 Habitats Regulations Assessment

1.7.1 The Application includes a Shadow Habitats Regulations Assessment (HRA) Report in Appendix 7.5 to the Environmental Statement **[EN010127/APP/6.2]**, as required by Regulation 5(2)(g) of the APFP Regulations. The HRA Report identifies all relevant European sites potentially affected by the Proposed Development and sets out the screening undertaken for the purposes of the Habitats Regulations. Where likely significant effects could not be ruled out, those effects have been further assessed by the HRA Report. The HRA Report provides sufficient information for the Secretary of State to undertake an appropriate assessment to determine whether the Proposed Development would have an adverse effect on the integrity of any European site. The Applicant's appropriate assessment, set out in the HRA Report, concludes that there will be no adverse effects on the integrity of European sites as a result of the Proposed Development.

1.7.2 The HRA Report has been prepared in accordance with the Planning Inspectorate's 'Advice Note 10: Habitats Regulations Assessments' and Regulation 5(2)(g) of the APFP Regulations.

1.8 Compulsory Acquisition

1.8.1 The land over which the Applicant is seeking powers of compulsory acquisition of land, rights and interests and powers of temporary possession in the draft DCO for the purposes of the Proposed Development is listed in the Book of Reference **[EN010127/APP/4.3]**. The Statement of Reasons **[EN010127/APP/4.1]** also provides details of the powers sought and negotiations to date.



Write to us at:

FREEPOST MALLARD
PASS SOLAR FARM



Email us at:

info@MallardPassSolar.co.uk

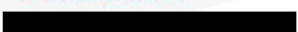


Call our Freephone information line:

0800 196 8717



Visit our website at:



- 1.8.2 The Book of Reference **[EN010127/APP/4.3]** has been prepared and is submitted in compliance with Regulation 5(2)(d) of the APFP Regulations, and in accordance with the Department for Communities and Local Government guidance 'Planning Act 2008: Guidance related to procedures for compulsory acquisition of land' (September 2013).
- 1.8.3 Details of the adequacy of the funding for compensation are provided in the Funding Statement **[EN010127/APP/4.2]**. The Statement of Reasons and Funding Statement are submitted in compliance with Regulation 5(2)(h) of the APFP Regulations.
- 1.9 Other consents
- 1.8.1 A summary of other consents and licences likely to be required in addition to those being requested as part of the draft DCO is provided in the application document Consents and Licences Required under Other Legislation **[EN010127/APP/3.3]**.
- 1.10 Pre-application consultation
- 1.10.1 The Applicant has had careful regard to the pre-application consultation requirements of the PA 2008, the guidance on pre-application consultation, issued by the DCLG and PINS, and its pre-application discussions held with PINS, as required by section 50(3) of the PA 2008.
- 1.10.2 As required by section 37(3)(c) of the PA 2008, the Application is accompanied by a Consultation Report **[EN010127/APP/5.1]**, which provides details of the Applicant's compliance with sections 42, 46, 47, 48 and 49 of the PA 2008, the APFP Regulations, the EIA Regulations, and the relevant guidance.
- 1.11 Other matters
- 1.11.1 As required under Regulation 5(3) of the APFP Regulations, all plans, drawings or sections provided under Regulation 5(2) are no larger than A0 size, are drawn to an identified scale (not smaller than 1:2500) and, in the case of plans, show the direction of north. The exception to this is that some figures that accompany the Environmental Statement **[EN010127/APP/6.3]** vary in scale due to the large size of the Proposed Development. Context would be lost for the plans provided in the Environmental Statement if they were to conform to the scale requirements required under Regulation 5(2). This was agreed with the Planning Inspectorate on 28 October 2022. These plans are no larger than A0 size and show the direction north.
- 1.11.2 In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retains all responses to the consultation carried out under Part 5 of the PA 2008 and can make them available at the request of the Planning Inspectorate and/or the Secretary of State.
- 1.11.3 The Badger Survey Report that accompanies the Environmental Statement **[EN010127/APP/6.3]** contains confidential information and therefore a redacted version is also provided.



Write to us at:

FREEPOST MALLARD
PASS SOLAR FARM



Email us at:

info@MallardPassSolar.co.uk



Call our Freephone information line:

0800 196 8717



Visit our website at:

1.11.4 The Applicant has identified statutory/ non-statutory sites or features of nature conservation, these are referenced in the Statutory and Non-Statutory Nature Conservation Designations Plan is provided in Environmental Statement Volume 3 – Figure 7.1 **[EN010127/APP/6.3]**. In regard to site of geological importance, it is confirmed that there are no Regionally Important Geological and Geomorphological Sites (RIGS) located within the Order Limits, as shown in Figure 6.2 (Non-Statutory Landscape Sites) of the Environmental Statement **[EN010127/APP/6.3]**.

1.11.5 The Applicant will keep all application documents under review and will endeavour to provide updates (where it considers it necessary to do so) during the examination of the Application considering questions and comments received from the Examining Authority and Interested Parties.

We look forward to hearing from you in relation to a formal acceptance of this Application. If we can be of any assistance, please do not hesitate to contact us using the details provided below.

Yours sincerely,



Sarah Price
Mallard Pass Solar Farm Ltd

0808 196 8717
info@MallardPassSolar.co.uk



Write to us at:

FREEPOST MALLARD
PASS SOLAR FARM



Email us at:

info@MallardPassSolar.co.uk



Call our Freephone information line:

0808 196 8717



Visit our website at:

