



CLEVE HILL SOLAR PARK

Consultation Report

November 2018

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Section 37(7) of the Planning Act
2008

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CLEVE HILL
SOLAR PARK

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0. List of Abbreviations

Abbreviation	Definition
AR HMA	Arable Reversion Habitat Management Area
CTMP	Construction Traffic Management Plan.
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
GREAT	Graveney Rural Environmental Action Team
ha	Hectares
HGV	Heavy Goods Vehicle
HMSG	Habitat Management Steering Group
KCC	Kent County Council
KWT	Kent Wildlife Trust
LBMP	Outline Landscape Biodiversity Management Plan
LGV	Light Goods Vehicle
MEASS	Medway Estuary and Swale Strategy
MIDB	Medway Internal Drainage Board
MMO	Marine Management Organisation
NPPF	National Planning Policy Framework
PEIR	Preliminary Environmental Information
PRoW	Public Rights of Way
RIAA	Report to Inform Appropriate Assessment
RSPB	Royal Society for the Protection of Birds
SPA	Special Protection Area
SSSI	Special Site of Scientific Interest
WSI	Written Scheme of Investigation

1. Executive Summary

BACKGROUND

- 1.1 Cleve Hill Solar Park Ltd (the “Applicant”) is a joint venture formed by two solar industry specialists: Hive Energy Ltd and Wirsol Energy Ltd.
- 1.2 Founded in 2010 by Giles Redpath, Hive Energy has become established as one of the largest and most experienced solar PV developers in the UK, responsible for the installation of in excess of 300 MW of solar PV generating capacity across the country.
- 1.3 Wirsol Energy is a highly experienced solar park developer, constructor and operator across the UK and Australia. Wirsol has built and operates 24 solar parks across the UK.
- 1.4 The Applicant’s aim is to make the Cleve Hill Solar Park (the “Development”) one of the lowest cost generators of energy in the UK, providing enough clean, affordable energy to power over 91,000 homes.
- 1.5 The total area of the Development site is 491.2ha and can be divided into four existing broad land use types:
 - Arable Land;
 - Freshwater Grazing Marsh;
 - Flood Defences; and
 - The Existing Cleve Hill Substation.
- 1.6 In summary, the Development will comprise an array of solar photovoltaic (“PV”) modules, energy storage and associated development infrastructure. A description of the physical characteristics of the whole Development and the land-use requirements during the construction and operational phases is given in Environmental Statement (“ES”) Chapter 5: Development Description.
- 1.7 The proposed Development will be sited on approximately 491.2ha of land lying within the administrative districts of Swale Borough Council, Canterbury City Council and Kent County Council 2 km north east of Faversham and 5 km west of Whitstable on the north Kent coast.
- 1.8 The Development will connect into the wider transmission network at National Grid’s existing Cleve Hill 400kV onshore substation located immediately adjacent to the Solar Park at Cleve Hill, ME13 9EE.
- 1.9 The Applicant has endeavoured to undertake an open and meaningful pre-application consultation process with all consultees and seeks to demonstrate the consultation and engagement that has taken place throughout the pre-

application consultation and how this has influenced the final design of the Development in this Consultation Report.

PRE-APPLICATION CONSULTATION OVERVIEW

- 1.10 This Consultation Report accompanies the Development Consent Order (“DCO”) application (the “Application”) by the Applicant to the Secretary of State under section 37 of the Planning Act 2008 (the “2008 Act”). The DCO would grant powers to construct, operate and decommission the Development.
- 1.11 This Consultation Report has been prepared in accordance with Section 37(7)(c) of the 2008 Act. The report will seek to demonstrate how the Application has complied with Sections 42, 44, 47, 48 and 49 of the 2008 Act and associated legislation and guidance and sets out the extensive non-statutory informal community involvement and consultation undertaken for the Development.
- 1.12 In accordance with Sections 42, 47 and 48 of the 2008 Act, the Applicant undertook pre-application consultation on the Development ahead of submission of the Application to the Secretary of State with the following consultees:
- Prescribed bodies (in accordance with Section 42(1)(a));
 - Those with an interest in the land (in accordance with Section 42(1)(d) and as set out in Section 44);
 - Community and other organisations in the “vicinity” of the Development who may be affected both directly and indirectly by the Development (in accordance with Section 47); and
 - Wider communities and organisations (local, national and regional) in order to seek their comments on the Development proposals (in accordance with Sections 47 and 48).
- 1.13 The Applicant also consulted with local authorities in accordance with Section 43(1) of the 2008 Act. The Applicant commenced ongoing monthly meetings with the local authorities: Kent County Council, Swale Borough Council and Canterbury City Council, in February 2017.
- 1.14 Under Section 47 of the 2008 Act, the Applicant developed a draft SoCC and consulted on the contents of it with the following local authorities In October 2017:
- Swale Borough Council
 - Kent County Council
 - Canterbury City Council
- 1.15 In response to the comments received, the Applicant made changes to the SoCC as set out in Table 6.

- 1.16 The final SoCC was published on 09 November 2018 as set out in Chapter 6 of this Consultation Report.
- 1.17 Preliminary Environmental Information Report ('PEIR') published in May 2018 showed a change in the Development site boundary from the Scoping stage in response to dialogue with the Environment Agency about maintenance of the flood defences along the northern edge of the Development. The Applicant also altered the Development site boundary to add the SSSI land (Freshwater Grazing Marsh Habitat Management Area) as a result of consultation with Natural England, Kent Wildlife Trust and RSPB. This change to the site boundary caused it to enter the jurisdiction of Canterbury City Council qualifying the authority as a host 'B' authority under section. Canterbury City Council and the additional neighbouring 'A' authorities were consulted as part of the statutory Section 42 consultation from 31 May – 13 July 2018. Prior to the red line boundary change, Canterbury City Council had been treated as a 'B' authority owing to their proximity to the original red line boundary and were consulted on the draft Statement of Community Consultation (SoCC) together with the host authorities Kent County Council and Swale Borough Council.
- 1.18 Under section 42 of the 2008 Act, the Applicant consulted on the Development with the statutory bodies listed by the Planning Inspectorate under Regulation 11(1)(a) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations") in the Scoping Opinion it issued dated January 2018. In addition, the Applicant scoped in 21 non-prescribed organisations to be consulted (see Appendix 5, which details those prescribed and non-prescribed consultees). All of these consultees received the same information regarding the Development and were included in the Section 42 consultation in the same way as those prescribed under section 42. All of these parties who were included within this consultation are referred to in this Consultation Report as 'Section 42 consultees', save for the Lower Medway Internal Drainage Board who, owing to an error, were consulted after other Section 42 consultees, but were formally notified of the Section 42 consultation on 18th July 2018 and were given a consultation deadline of 30th August 2018 (allowing the statutory minimum 28 days consultation period). Although a statutory consultation deadline was provided the Applicant was also already in dialogue with the Lower Medway Internal Drainage Board regarding their response.
- 1.19 As detailed in Chapter 4 of this Consultation Report, on 30 April 2018, the Applicant notified the Planning Inspectorate of a change to the Application site boundary for the Development. This was recorded in the minutes of a meeting held on 30 April 2018 between the Applicant and the Planning Inspectorate.
- 1.20 In response to the Applicant's change to the Application site boundary for the Development, the Planning Inspectorate re-issued the list of consultation bodies notified by the Planning Inspectorate under Regulation 11(1)(a) of the EIA Regulations on 23 May 2018.

- 1.21 The Planning Inspectorate confirmed that due to the change of the red line boundary to the east, Canterbury City Council is classified as a 'B' host authority. Therefore, Folkestone and Hythe DC, Thanet DC and Dover DC are identified as 'A' authorities, neighbouring Canterbury City Council.
- 1.22 The revised Development site boundary shown in the PEIR included an area of flood defences and intertidal area beyond Mean High Water Springs (MHWS) along the northern edge of the Development. Owing to this change the Applicant consulted the Marine Management Organisation ('MMO') as a Section 42 prescribed consultee on the PEIR at the same time and in the same manner as the other Section 42 consultees as detailed in Chapter 8 of this Consultation Report. The Applicant also informed the MMO of the consultation on the SoCC in a meeting that took place on 23 May 2018, where the MMO were satisfied of the approach.
- 1.23 Two phases of community consultation were held in accordance with Section 47 of the 2008 Act, as set out in the SoCC. Community consultation occurred in two phases to enable the iterative development of the Development proposals in accordance with feedback received during the pre-application consultation process. The first phase of community consultation was held from 9 November 2017 until 22 December 2017. The second phase was held from 31 May 2018 until 13 July 2018 in parallel with consultation under sections 42 and 48 of the 2008 Act. Both phases of consultation allowed a 42-day consultation period, going beyond the 28-day statutory requirement.
- 1.24 The aforementioned activities referred to generated the following interest:
- 41 responses were received to the Section 42 consultation, of which 5 were received after the deadline of 13 July 2018;
 - 4 responses were received to the Section 42 consultation from Section 44 landowners;
 - The Applicant welcomed 494 visitors to the first phase of Section 47 community consultation events and received 364 pieces of feedback;
 - The Applicant welcomed 405 visitors to the second phase of Section 47 community consultation, which ran in parallel to the Section 42 and 48 consultation (31 May – 13 July 2018) and received 746 pieces of feedback;
 - No responses were received specifically in relation to the Section 48 notice.
- 1.25 As required under Section 48 of the 2008 Act and Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("APFP regulations"), the proposed Application was publicised in local and national newspapers and, due to the Development site including an area seaward of MHWS, a commercial fishing publication as detailed in Chapter 9 of this Consultation Report.

- 1.26 Extensive non-statutory consultation has taken place with technical consultees (see Chapter 5) to inform the environmental impact assessment ('EIA') process and to identify key Development impacts, constraints and design changes. This has included the formation of a Habitat Management Steering Group ('HMSG') which includes Kent Wildlife Trust ('KWT'), Royal Society for the Protection of Birds ('RSPB') and Natural England.
- 1.27 Ongoing and extensive consultation with the community has taken place in accordance with the SoCC since November 2017. This process has included ongoing consultation with neighbours and residents closest to the Development site as well as continuous consultation with local interest and action groups and non-statutory environmental groups such as Faversham Society, Graveney Rural Environmental Action Team ('GREAT'), The Bumblebee Conservation Trust and Kent Wildlife Trust.
- 1.28 The responses received during the pre-application consultation process raised a number of issues in relation to the Development. Key issues raised through consultation which have influenced the Development design and resulted in a change as described in Table 1. Figures 1-3 demonstrate the changes to the Development from what was presented at the scoping phase, PEIR and through to the final Development proposal as assessed and presented in the ES (document reference 6).
- 1.29 All responses to the consultation under Sections 42, 47 and 48 received before and after the consultation period have been considered by the Applicant in compliance with Section 49 of the 2008 Act. Where possible, responses have been taken into account by the Applicant in the preparation of the Application. The Applicant's responses to the all feedback is detailed in this Consultation Report as follows:
- Chapter 10: Summary of comments received to the Section 47 consultation and how the Applicant has responded;
 - Chapter 11: Summary of comments received to the Section 42 consultation and how the Applicant has responded;
 - Appendix 2: All comments received to the Section 47 consultation and how the Applicant has responded;
 - Appendix 3: All comments received to the Section 42 consultation and how the Applicant has responded.

STRATEGIC DEVELOPMENT OPTIONS AND CHANGES

Table 1: Overview of key issues raised through consultation and the Applicant's regard to comments.

Key Issue	Development Change
Scale of the Development	The Applicant has set out the reasons for the scale and location of the Development in the ES

	<p>Chapter 4 - Site Selection, Development Design and Consideration of Alternatives (document reference 6.1.4).</p> <p>The Applicant's aim is to make the Development one of the lowest cost generators of energy in the UK which will provide enough affordable and clean electricity to power over 91,000 homes. The Applicant recognises that this must be achieved through developing a scheme which seeks to minimise environmental impacts.</p> <p>In response to the comments received from the community and prescribed consultees throughout the pre-application consultation, the Applicant has reduced the overall area of solar PV modules as follows:</p> <p>Phase 1 Section 47 consultation (Winter 2017). The developable area covered by solar PV modules was proposed to be 56.5%.</p> <p>An Arable Reversion Habitat Management Area ('AR HMA') of 41ha was proposed for overwintering birds.</p> <p>Parallel Section 42 and phase two Section 47 consultation (Summer 2018). The area covered by solar PV modules was proposed to be reduced to 49.8%, owing to:</p> <ul style="list-style-type: none">- 9.2ha of solar PV modules being removed from the Development indicative plan at Cleve Hill- the Development proposals including a set back from properties at Nagden and at Warm House- the Applicant including a 5-8m distance between panels and ditches in the Development proposal <p>Application submission (November 2018). The area covered by solar PV modules was proposed to be reduced to 45.5%, owing to:</p> <ul style="list-style-type: none">- A further 4.4ha of solar PV modules being removed from the indicative plan for the
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	<p>Development at Cleve Hill (making a total area removed of 13.6ha)</p> <ul style="list-style-type: none"> - A proposed increase of the AR HMA from 41ha to 56ha - the Applicant including a 15m distance between panels and ditches across most of the site.
<p>Visual impact of the Development from surrounding properties and Graveney Village.</p>	<p>In response to comments regarding views from surrounding properties, the Applicant consulted with several near neighbours and residents throughout the community consultation, as detailed in Chapter 7. All feedback from the meetings and the feedback received from the community to the PEIR was considered. At Cleve Hill, the Applicant removed 13.6ha of solar PV modules from the proposed Development in the south east of the public right of way that crosses the south-eastern corner of the site to reduce visibility of the Development from the village of Graveney including the Cleve Hill Road area and Sandbanks Road.</p> <p>The Applicant also removed from the indicative plans for the Development modules from above the 12 m AOD contour on Graveney Hill to reduce the potential for modules to be visible above the crest of the hill, both from the areas described above, but also for the properties accessed from Cleve Hill Road, Crown Cottages and Graveney Hill Farm.</p> <p>The Applicant has proposed an extensive landscaping plan as presented in the Landscape and Biodiversity Management Plan, Technical Appendix 5.2 in the ES (6.4.5.2), which will include provision for 3.64km of native hedgerow and tree planting.</p> <p>The Applicant intends to set-back panels from Warm House by 66m compared to the original scheme, and has proposed a planted woodland to screen views from Warm House, as discussed with the owners. At Nagden the Applicant now plans to set back panels by 68m to the nearest property. Please see Figures 1-3, Chapter 1 of this Consultation Report for a detailed summary of changes to the Development as proposed.</p>

	<p>The Applicant has assessed the visual impact upon neighbouring properties as part of the ES, Chapter 7: Landscape and Visual Impact Assessment (document reference 6.1.7), this assessment on neighbouring properties is supported by the Technical Appendices, Residential Visual Amenity Assessment (document reference 6.4.7.5).</p>
<p>Visual impact of the Development from the Saxon Shore Way.</p>	<p>The Applicant has assessed the visual impact upon the Saxon Shore Way as set out in the ES, Chapter 7: Landscape and Visual Impact Assessment (document reference 6.1.7). The Applicant has consulted with the community on a series of photomontages, which includes viewpoints from the Saxon Shore Way, at its phase two Section 47 community consultation events and in the PEIR.</p> <p>To provide set-back of the solar PV modules, the Applicant has maintained a minimum buffer distance of 63m between the solar PV modules and public right of way ('PRoW') to avoid solar PV modules being directly adjacent to the Saxon Shore Way.</p>
<p>Concern for recreational loss e.g. public rights of way at the Development site.</p>	<p>The Applicant intends to keep all PRoWs across the Development site. The Applicant does not intend to close any existing PRoWs and will maintain and seek to enhance existing PRoW within the Development site.</p> <p>The Applicant has consulted on options for additional permissive pathways as part of its phase two Section 47 consultation. As a result, the Applicant has scoped in an additional permissive pathway connecting the north and south of the site to the east and so improving pathway connectivity (see Figure 3).</p>
<p>Habitat management area for birds.</p>	<p>The Applicant has worked closely with statutory and non-statutory nature conservation bodies, including establishing a HMSG to consult on the Outline Landscape and Biodiversity Management Plan ('LBMP') (document reference 6.4.5.2) and to establish an AR HMA for birds.</p>

	<p>The ES, Chapter 9: Ornithology (document reference 6.1.9) and Report to Inform Appropriate Assessment ('RIAA') (document reference 5.2) provide an assessment of the potential effects of the Development on these species, as well as the measures which will be implemented with the Development to mitigate potentially harmful impacts and provide biodiversity enhancements.</p> <p>Through consultation with the HMSG, the Applicant has increased the proposed size of the AR HMA from 41ha (as presented in the PEIR) to 56ha (as presented in the Application).</p>
<p>Habitat management within the Development area, with particular concern for species such as marsh harrier.</p>	<p>As set out above, the Applicant has worked closely with statutory and non-statutory nature conservation bodies, including establishing a HMSG to consult on an outline LBMP (document reference 6.4.5.2).</p> <p>Chapter 9, ES (document reference 6.1.9) and RIAA (document reference 5.2) provide an assessment of the potential effects of the Development on these species, as well as the measures implemented with the Development to mitigate potentially harmful impacts and provide biodiversity enhancements.</p> <p>A RIAA has been undertaken and submitted with the Application (document reference 5.2). A focus of the RIAA is the loss of functionally linked land for lapwing, golden plover, brent goose and marsh harrier.</p> <p>Water birds and marsh harrier are given a large degree of attention in the assessment because they are species associated with the adjacent European designated site. The wintering and farmland bird communities are identified as Important Ecological Features and an assessment of the potential effects on these species has been provided Chapter 9, ES (document reference 6.1.9).</p> <p>In the design of the Development, the Applicant has avoided the ditch network that runs across the site and provides habitat for marsh harrier.</p>

	<p>The Applicant has included buffer distances between the ditches and solar PV modules with the majority of large drains having a 15m buffer from bank top to the solar PV modules.</p>
<p>Concern for biodiversity loss also owing to the panel arrangement being in an east west arrangement.</p>	<p>The solar panel build area will be within regularly disturbed arable fields that are not managed as grazing land, and which offers negligible value to biodiversity (see ES Chapter 5 Development Design and ES Chapter 8 Ecology, document reference 6.1). The site will continue to provide ecological benefits for a range of protected and priority species, whilst providing additional benefits through 'embedded mitigation' to provide either no net loss or net gains in habitat of value to invertebrates, reptiles, bats, water voles, and a range of other species, which would not otherwise be available in the absence of the Development.</p> <p>This embedded mitigation is detailed in the LBMP (document reference 6.4.5.2).</p> <p>The Applicant has sought expert view from leading research institutions Lancaster University and Birmingham University on the management and response of land with an east west solar PV module layout.</p> <p>A detailed LMBP is presented in technical appendix 5.2 to the ES (document reference 6.4.5.2).</p>
<p>Concern for flood risk and protection at the Development site also regarding the Environment Agency's proposals for managed realignment.</p>	<p>The Applicant has consulted with the Environment Agency ('EA') throughout the pre-application consultation in addition to the statutory Section 42 consultation as detailed in Chapter 5 of this Consultation Report.</p> <p>Following this consultation, the EA is expected to set out a scenario for managed realignment to be between 50 and 100 years in the future as a plan B, should the Development be constructed. As acknowledged by the Environment Agency, the proposals for the Medway Estuary and Swale Strategy (MEASS) strategy are strategic and there are a number of factors to be considered and overcome for the strategy to be implementable.</p>

	<p>The majority of the Development is designed to withstand an overtopping of the existing defences taking into account future projections of sea level rise and extreme events. Only the electrical compound is designed to withstand a breach of the existing defences. It is therefore clearly in the asset owner's interest to maintain the current standard of defences, to at least the same standard that the EA currently do.</p> <p>The Applicant therefore amended the Development site boundary to include the flood defences. This was consulted on in the PEIR and at phase two Section 47 consultation.</p> <p>Subsequently a position between the EA and the Applicant was reached as shown in Appendix 26.</p>
<p>Fencing around the Development site area and security concerns at Cleve Hill.</p>	<p>The Applicant has maintained the use of deer fencing in its proposals, as shown in PEIR. In response to concerns about access at Cleve Hill, particularly in the absence of panels, the Applicant has proposed post and wire 1.2m stock proof fencing (as per other areas close to development site) at this location.</p>
<p>The area and extent of the electrical infrastructure compound and accommodation of batteries.</p>	<p>The Rochdale Envelope parameters for the energy storage facility are clearly set out in ES Chapter 5: Development Description (document reference 6.1.5).</p> <p>Two alternative scenarios are available for assessment, a battery powerpack solution, as included in the PEIR, and a containerised solution, similar to other energy storage sites recently deployed in the UK.</p> <p>There is a need to maintain flexibility but the realistic worst-case design parameters included in the chapter present a robust set of parameters such that the as-built Development will have the same magnitude effects, or effects of lesser magnitude than those included in the ES (document reference 6.1).</p>
<p>Access to the electrical compound site.</p>	<p>It was suggested in response to the PEIR by Swale Borough Council that the existing southern track at the existing Cleve Hill substation could</p>

	<p>provide a better access alternative to the proposed Development site and compound. In response the Applicant has scoped in a southern access in addition to the northern access route option as set out in Chapter 14, ES (document reference 6.1.14).</p>
<p>Concern for volume of heavy goods vehicles during the construction of the Development for the village of Graveney and concerns for structural damage to properties owing to vibration.</p>	<p>The Applicant has proposed a series of mitigation measures in the Outline Construction Traffic Management Plan (“CTMP”) to reduce congestion during the construction phase of the Development, available in the ES, technical appendix A14.1 (document reference 6.4.14.1).</p> <p>The Applicant consulted on traffic volumes at phase two Section 47 consultation and in the PEIR. The amount of construction traffic predicted to be generated by the proposed development has reduced from that identified in the PEIR.</p> <p>In response to comments from phase one and phase two Section 47 consultation about requiring more information about the traffic for the Development, the Applicant held a traffic focused workshop with community representatives on 19 September 2018.</p> <p>Chapter 14, ES (document reference 6.1.14) discusses the suitability of the proposed construction traffic route while Chapter 12 (Noise and Vibration, document reference 6.1.12) discusses the potential for construction traffic vibration.</p> <p>The Applicant proposes to undertake a detailed highway condition survey prior to construction. Any significant defects identified that are likely to exacerbate the potential for vibration from vehicles will be repaired prior to construction starting. In addition, vehicle speeds are expected to be low, particularly through sensitive areas.</p>

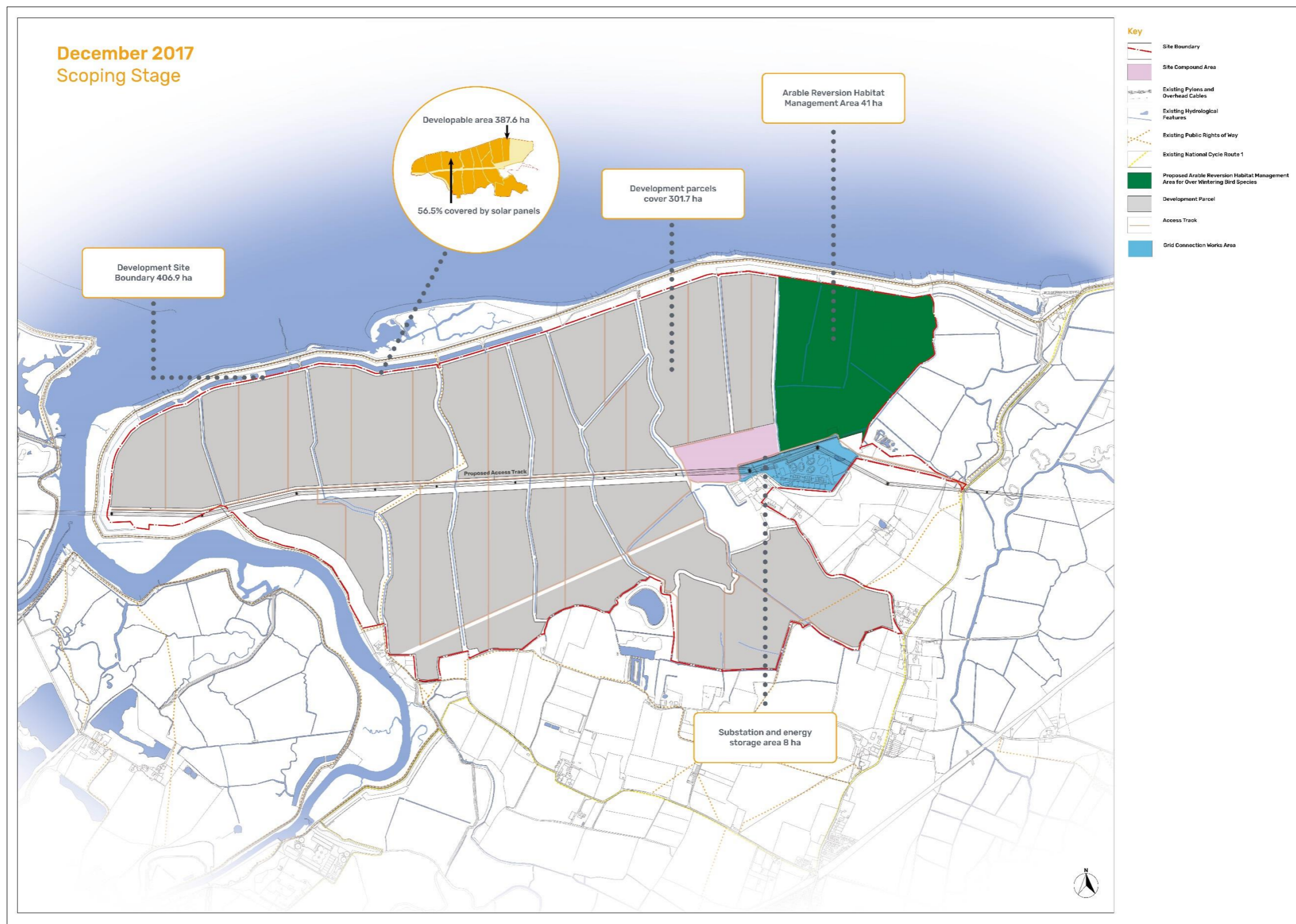


Figure 1: Overview of Development design evolution in response to consultation (Scoping, December 2017)

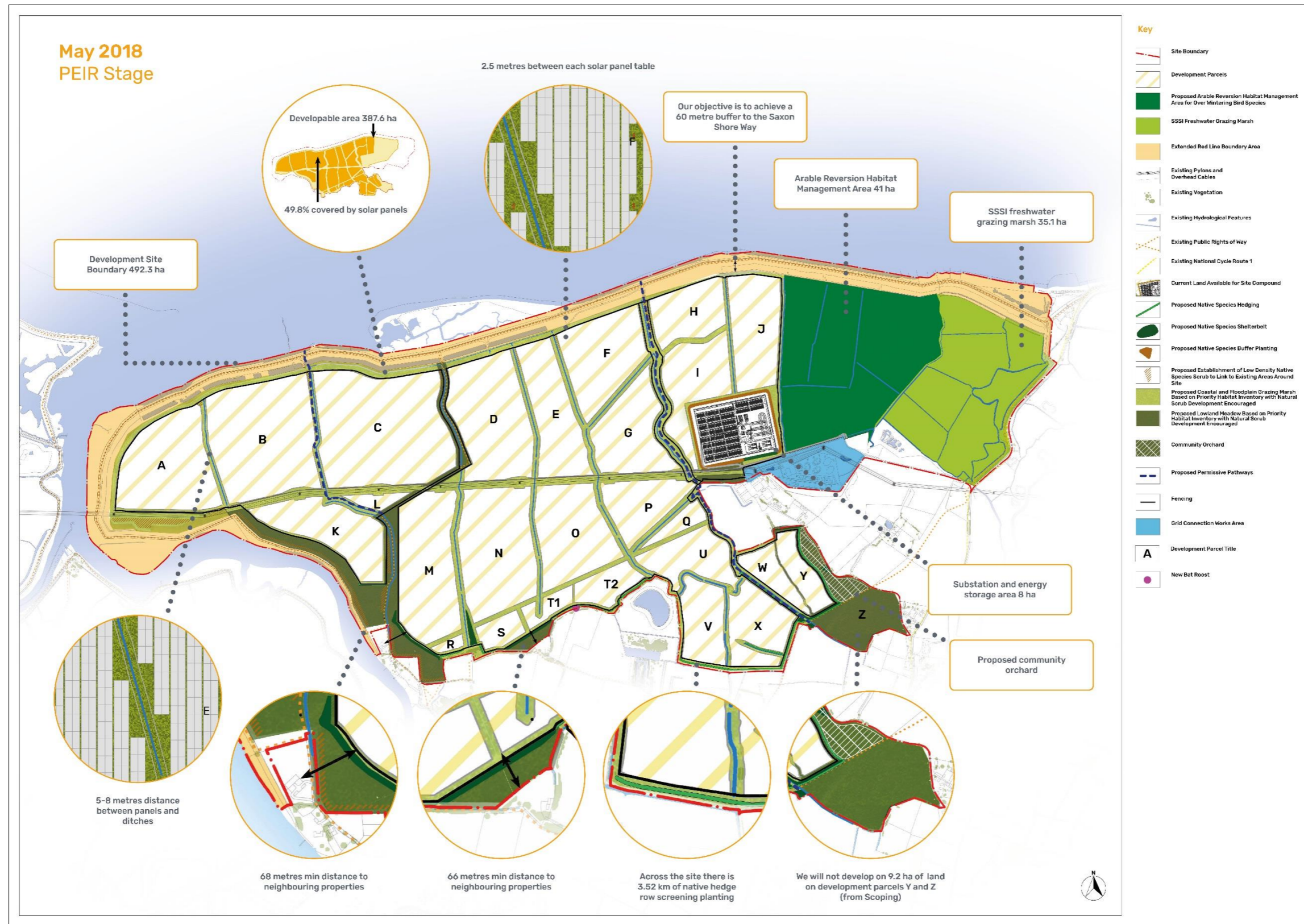


Figure 2: Overview of Development design evolution in response to consultation (PEIR, May 2018)

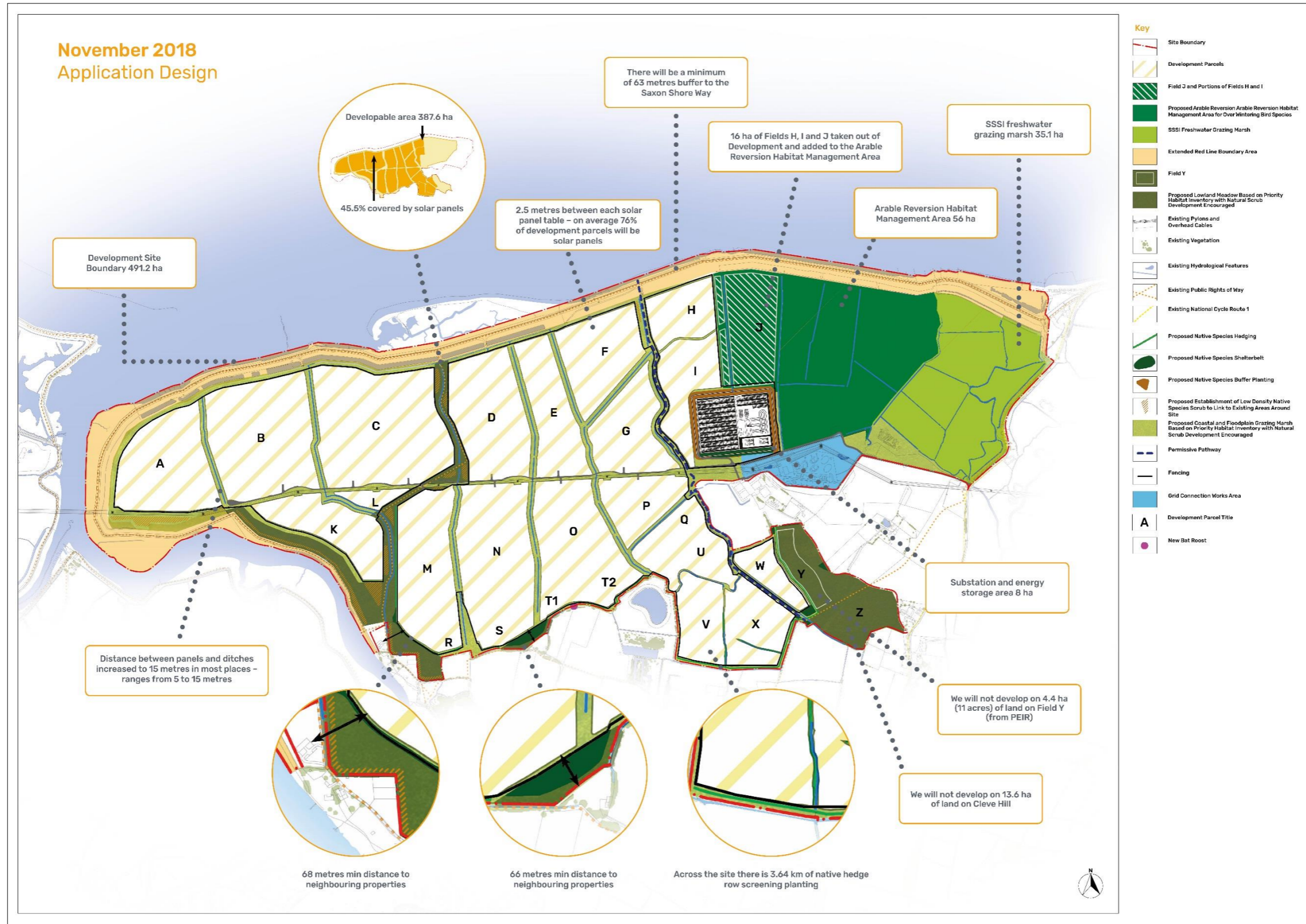


Figure 3: Overview of Development design evolution in response to consultation (Application, November 2018)

KEY STAGES OF CONSULTATION

- 1.30 Figure 4 and Table 2 summarise, in chronological order, the pre-application stages and consultation activities that have taken place up to the point of the Application submission. Further explanation of where these pre-application activities are explained in this Consultation Report is provided in Table 3.

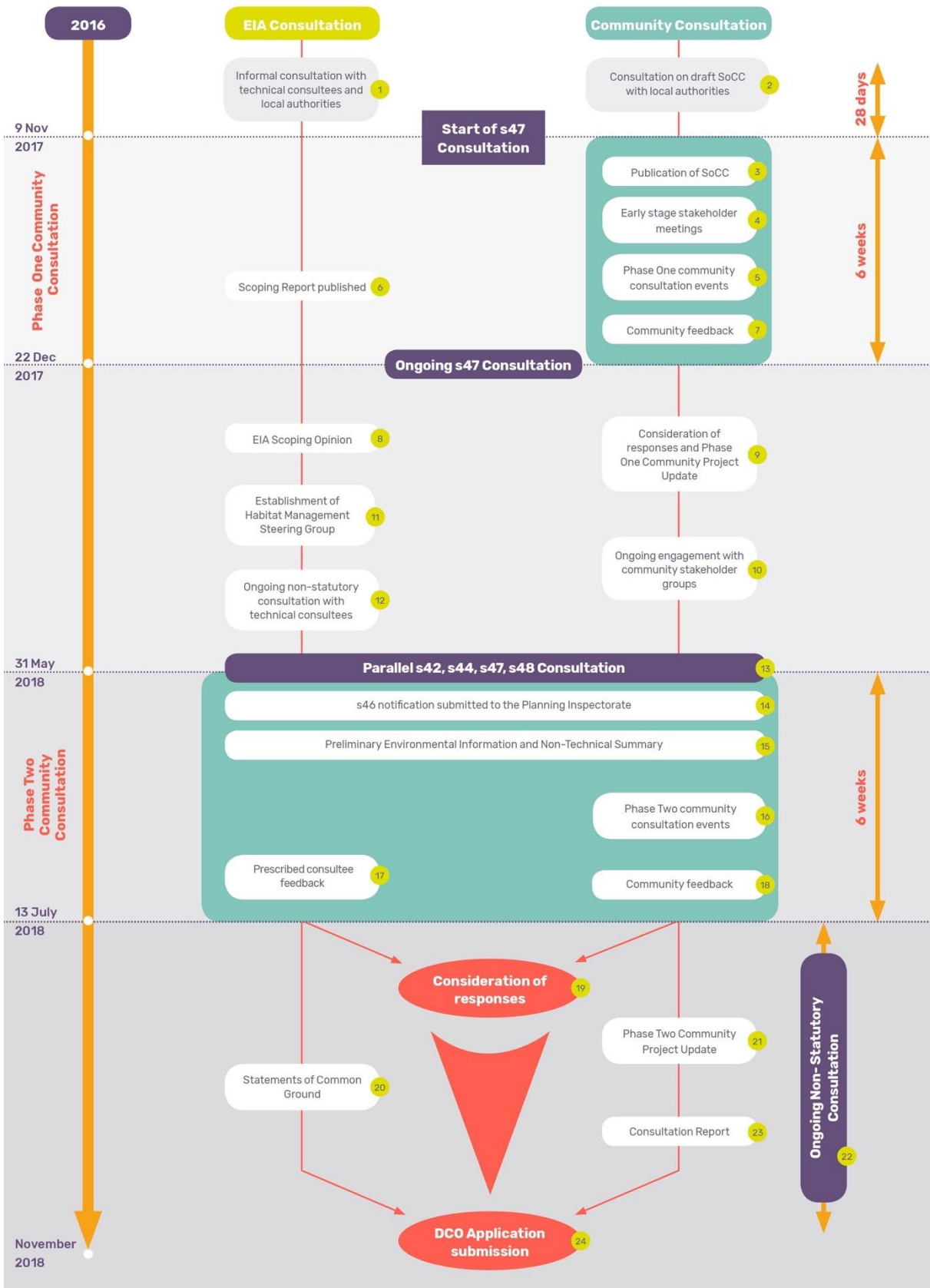


Figure 4: Overview of pre-application consultation process for Cleve Hill Solar Park

Table 2: Pre-application stages and consultation activities undertaken

Box No.	Date	Consultation Undertaken
1	2016 – onwards	<p>Informal consultation with local authorities and technical consultees</p> <p>The Applicant commenced engagement with technical consultees such as Natural England as early as 2016 with regards to the ongoing bird surveys that were undertaken between 2014 and 2018.</p> <p>The Applicant met with Kent County Council, Swale Borough Council and Canterbury City Council in April 2017 to introduce the Development and continued ongoing consultation with the local authorities throughout the pre-application consultation as detailed in Chapters 5, 7 and 10.</p>
2	02 – 31 October 2017	<p>Consultation on draft Statement of Community Consultation (SoCC) with local authorities under Section 47 of the 2008 Act</p> <p>The Applicant consulted with the Section 43(1) local authorities on the draft SoCC between 02 and 31 October 2017 as detailed in Chapter 6 of this Consultation Report.</p>
3	09 November 2017	<p>Publication of SoCC in accordance with Section 47 of the 2008 Act</p> <p>The final SoCC was publicised in accordance with Section 47 of the 2008 Act on 09 November 2017 as detailed in Chapter 6 of this Consultation Report.</p>
4	09 November 2017 – 5 December 2017	<p>Early stage stakeholder meetings</p> <p>Following publication of the SoCC but in advance of the phase one Section 47 community consultation events with the wider community, the Applicant met with the nearest neighbours to the Development to introduce the Development and listen to their initial comments and feedback at a more one to one level. Details of these meetings are detailed in Chapter 7 of this Consultation Report.</p> <p>The Applicant also commenced engagement with locally elected members and representatives including</p>

		the ward and parish councillors for Kent, Swale and Canterbury Councils and MPs through bespoke briefing information and meetings as detailed in Chapter 7 of the Consultation Report.
5	05 December – 08 December 2017	<p>Phase one section 47 community consultation events</p> <p>The Applicant held four community consultation events as part of its phase one community consultation across the consultation area for the Development between 05 and 08 December 2017 as detailed in Chapter 7 of this Consultation Report.</p> <p>The Applicant publicised the events by:</p> <ul style="list-style-type: none"> - distributing a consultation leaflet to the consultation area for the Development comprising of over 12,800 local homes and business as well as to locally elected members and MP's offices; - advertising the events across local media; - issuing posters to 35 local information points and 8 Community Access Points ('CAP sites') (listed in Appendix 28); - providing details of the events on the Development website. <p>Details of the event publicity is provided in Chapter 7 of this Consultation Report.</p> <p>The Applicant requested feedback from the community via online and offline feedback forms and written feedback to the Development communication channels between 09 November and 22 December 2017, therefore providing a 42-day response period.</p>
6	11 December 2017	<p>Scoping report published</p> <p>The Applicant provided a scoping report to the Planning Inspectorate of behalf of the Secretary of State on 11 December 2017. As part of this report, it notified the Planning Inspectorate that it intended to provide an ES in respect of Cleve Hill Solar Park pursuant to Regulation 8(1)(b) of the EIA Regulations.</p>
7	19 January 2018	Scoping opinion and receipt of Schedule 1

		The Applicant received a scoping opinion from the Secretary of State on 19 January 2018 and received the list of consultation bodies notified by the Planning Inspectorate under Regulation 11(1)(a) of the EIA Regulations.
8	09 November 2017 – 22 December 2017	<p>Feedback received to Phase 1 section 47 community consultation</p> <p>The Applicant requested feedback from the community via online and hard copy feedback forms and written feedback to the Development communication channels between 09 November and 22 December 2017, providing a 42-day response period.</p>
9	January 2018	<p>Consideration of responses and distribution of Phase One Community Project Update (Appendix 16)</p> <p>The Applicant provided the community with an interim summary of the consultation responses in the Phase One Section 47 Community Project Update (Appendix 16).</p> <p>The update report was issued to all consultees in the consultation area, made available on the Development website and distributed to the CAP sites.</p>
10	22 December 2017 – 31 May 2018	<p>Ongoing consultation with community under Section 47 of the 2008 Act</p> <p>In response to the feedback received during the early engagement and phase one Section 47 consultation events, the Applicant met with near neighbours, community groups and interested parties to discuss how this feedback was being responded to, including outlining a range of mitigation proposals. These meetings are detailed in Chapter 7 of the Consultation Report.</p>
11	21 February 2018	<p>Establishment of Habitat Management Steering Group (HMSG)</p> <p>Following the scoping opinion, the Applicant established the HMSG including Natural England, RSPB, and KWT. The HMSG was established to facilitate a dialogue regarding agreeing an AR HMA for birds as well as proposals across the Development site</p>

		for landscape and habitat management. The results of these discussions are detailed in the ES (document reference 6.1), specifically Chapters 8 (Ecology) and 9 (Ornithology) and the outline LBMP (document reference 6.4.5.2).
12	19 January – 31 May 2018	<p>Ongoing non-statutory consultation with technical consultees</p> <p>Following the scoping opinion and initial meetings, the Applicant undertook ongoing non-statutory consultation with technical consultees to respond to early comments made by consultees, which were considered and responded to in subsequent preliminary environmental information published in the PEIR as part of the statutory Section 42 consultation.</p>
13	31 May 2018	<p>Notification to the Planning Inspectorate under Section 46 of the 2008</p> <p>The Applicant notified the Secretary of State, via the Planning Inspectorate, in writing under Section 46 of the 2008 Act on 31 May 2018 that it was intending to commence consultation under section 42 of the 2008 Act on the PEIR commencing on 31 May and closing on 13 July 2018.</p> <p>Consultation documents included in this package:</p> <ul style="list-style-type: none"> • A covering letter (see Appendix 4) • Example copies of the Section 42 letters (one letter type being for prescribed consultees and the other one to landowners) (see Appendix 6) • A copy of the Cleve Hill Solar Park site plans including the proposed site boundary (see Appendix 6) • A USB device containing the full Preliminary Environmental Information Report (PEIR) including a Non-Technical Summary (NTS) • A hard copy of the notice publicised in accordance with section 48 of the 2008 Act (including details of the public consultation events and the locations where the consultation documents could be inspected free of charge) (see Appendix 17)

<p style="text-align: center;">14</p>	<p style="text-align: center;">31 May 2018</p>	<p>Publication of Preliminary Environmental Information Report (PEIR) (and Non-Technical Summary)</p> <p>The Applicant published a PEIR on 31 May 2018 to be consulted on as part of the statutory Section 42 and 47 consultation with prescribed consultees and the community, requesting responses by 13 July 2018 (providing a 42-day consultation response period).</p> <p>The Applicant undertook consultation on the PEIR from 31 May to 13 July 2018. All prescribed consultees identified under Section 42 were formally notified in writing of the commencement of statutory consultation on 31 May 2018. Section 42 consultees were also notified by email on 31 May 2018. The deadline for responding to the Section 42 consultation was 13 July 2018 (therefore 42 days in total).</p> <p>The consultation documents provided to all Section 42 consultees (listed in Appendix 5 of this Consultation Report) comprised of:</p> <ul style="list-style-type: none"> • A covering letter (see Appendix 6) • A copy of the Cleve Hill Solar Park site plans including the proposed site boundary (See Appendix 6) • A USB device containing the full PEIR including a Non-Technical Summary ('PEIR NTS') • A hard copy of the notice publicised in accordance with Section 48 of the 2008 Act (including details of the public consultation events and the locations where the consultation documents could be inspected free of charge) (see Appendix 17) <p>PEIR and PEIR NTS were made available to the community as part of the phase two Section 47 consultation via:</p> <ul style="list-style-type: none"> - the Development website; - in hard copy form at the community consultation events; - in hard copy form at the CAP sites. <p>Details of how to access the PEIR and PEIR NTS were provided via:</p> <ul style="list-style-type: none"> - the Development website;
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		<ul style="list-style-type: none"> - the consultation leaflet (Appendix 13); - the Section 48 notice; - the Development publicity notice (Appendix 19); - the Development Twitter account.
15	31 May – 13 July 2018	<p>Parallel consultation under Section 42, 44, 47 and 48 of the 2008 Act</p> <p>The Applicant commenced consultation under Section 42 on 31 May 2018 in parallel with its phase two Section 47 consultation and Section 48 consultation providing a consultation response deadline of 13 July 2018 (providing a 42-day consultation response period).</p>
16	13 June – 16 June 2018	<p>Phase two Section 47 community consultation events</p> <p>The Applicant held four community consultation events as part of its phase two community consultation across the consultation area for the Development between 13 and 16 June 2018 as detailed in Chapter 7 of this Consultation Report.</p> <p>The Applicant publicised the events by:</p> <ul style="list-style-type: none"> - distributing a consultation leaflet to the consultation area for the Development comprising of over 12,800 local homes and business as well as to locally elected members and MP's offices; - advertising the events across local media; - issuing posters to 35 local information points and 8 Community Access Points ('CAP sites'); - providing details of the events on the Development website; - Promoting the events via the Development Twitter account; - Publishing two rounds of Section 48 notices (as detailed in Chapter 9 of this Consultation Report); - Erecting Section 48 notices around the Development site (see Appendix 32).
17	31 May – 13 July 2018	<p>Responses from Section 42 prescribed consultees to Section 42 consultation</p> <p>The Applicant requested feedback from prescribed consultees in the form of written feedback to the</p>

		Development communication channels between 31 May and 13 July 2018, providing a 42-day response period.
18	31 May – 13 July 2018	<p>Responses from Section 47 community consultees to Section 47 consultation</p> <p>The Applicant requested feedback from the community via online and offline feedback forms and written feedback to the Development communication channels between 31 May and 13 July 2018, providing a 42-day response period.</p>
19	August 2018	<p>Consideration of responses and distribution of Phase Two Community Project Update (Appendix 23)</p> <p>The Applicant provided the community with a community project update (Appendix 23).</p> <p>The update report was issued to all consultees in the consultation area, made available on the Development website and distributed to the CAP sites.</p>
20	13 July 2018 - Application	<p>Preparation of Statements of Common Ground (SOCG)</p> <p>The Applicant continued ongoing dialogue with technical consultees and local authorities to develop draft or final positions of agreement or disagreement.</p>
21	13 July - Application	<p>Ongoing non-statutory consultation</p> <p>Alongside the above consultation, the Applicant continued to engage with the community and community interest groups as well as near neighbours and landowners as detailed in Chapter 13 of this Consultation Report. This included holding an issue specific meeting on transport and traffic to provide the community and its representatives an update on the Outline CTMP, traffic volumes and to discuss mitigation solutions.</p>
22	November 2018	<p>Consultation report prepared in accordance with Section 49 of the 2008 Act</p> <p>In accordance with Section 49 of the 2008 Act the Applicant prepared this Consultation Report detailing</p>

		the pre-application consultation for the Development (document number 5.1)
23	November 2018	DCO Application submission The Applicant submitted an Application for a DCO for the Development to the Planning Inspectorate.

2. Introduction

THE APPLICANT'S APPROACH TO CONSULTATION

- 2.1. The Applicant's ambition is to deliver a scheme that helps to address national and local objectives, whilst supporting the neighbouring community. The Applicant is committed to generating more renewable energy. Further the Applicant believes that the communities involved should benefit from hosting this renewable energy generation and we will strive to be a good neighbour. To make this happen, the Applicant has committed through its SoCC to work with local communities to ensure that the Development represents an inclusive and considered scheme.
- 2.2. Throughout the consultation process the Applicant has invited ideas and welcomed feedback from local stakeholders on the Development proposals and local area improvements. The outcome of this consultation and engagement is presented in this Consultation Report and reflected in the development of the proposals as explained in Chapters 10, 11 and 12.

THE PURPOSE AND STRUCTURE OF THIS CONSULTATION REPORT

- 2.3. This Consultation Report has been prepared to accompany the Application to the Secretary of State for a DCO which would grant powers to construct, operate, maintain and decommission the Development.
- 2.4. This Consultation Report details how the Applicant has complied with the provisions of the 2008 Act and other relevant legislation and guidance in Appendix 1 of this Consultation Report.
- 2.5. This Report has been prepared in accordance with Sections 37(3)(c) and (7) of the 2008 Act and details the consultation undertaken under Sections 42, 47 and 48 of the 2008 Act as well as any ongoing informal consultation and how consultation responses have been responded to by the Development.
- 2.6. Two phases of consultation under Section 47 of the 2008 Act took place, firstly between 09 November 2017 and 22 December 2017 and secondly between 31 May and 13 July 2018. During the second phase, consultation under Section 42 of the 2008 Act also took place in parallel with the Section 47 consultation and Section 48 consultation.
- 2.7. All responses and how the Applicant has had regard to these responses are detailed in Appendix 2 and 3. In chronological order of consultation activities and divided by the sections of the 2008 Act, this Consultation Report details the following:

Table 3: Structure and explanation of consultation report

Report Chapters	Overview
1. Executive Summary	Summarises the information in the Consultation Report.
2. Introduction	Introduces the structure and information presented in the Consultation Report.
3. Legislation, Guidance and Advice	Sets out how the Applicant has complied with the requirements of the 2008 Act and accompanying guidance.
4. Consultation Under EIA Regulations	Describes how the Applicant has consulted according to the EIA Regulations.
5. Ongoing Non-Statutory Engagement for EIA Survey and Topic Areas (2017-2018)	Sets out the ongoing non-statutory consultation for the EIA surveys and studies the scoping stage in 2017 to Application submission in 2018.
6. Preparation for Statutory Section 47 Consultation	Sets out how the Applicant prepared for statutory Section 47 consultation including the development and publication of the SoCC.
7. Statutory Consultation Under Section 47 Of The 2008 Act (09 November 2017 and 13 July 2018)	<p>Sets out and describes how the Applicant consulted with the community in accordance with Section 47 of the 2008 Act, including:</p> <ul style="list-style-type: none"> - Phase one Section 47 consultation (09 November to 22 December 2017); - Ongoing consultation with the community in accordance with the SoCC between 22 December 2017 and 31 May 2018; - Phase two Section 47 consultation (31 May to 13 July 2018), in parallel with Section 42 consultation on PEIR and Section 48 consultation.
8. Statutory Consultation Under Section 42 of the 2008 Act (31 May – 13 July 2018)	Sets out and describes how the Applicant consulted on PEIR with Section 42 prescribed consultees and those with an interest in the

	land in accordance with Section 42 and Section 44 of the 2008 Act.
9. Statutory Consultation Under Section 48 of the 2008 Act (31 May – 13 July 2018)	Describes the development and publication of the Section 48 notice and Section 48 consultation.
10. Section 47 Statutory Consultation: Responses Received, Issues Raised and Changes Made	The Applicant lists a summary of the responses received to the Section 47 community consultation, divided up by EIA survey and study area. The Applicant details how it has responded to the comments and if there has been a Development change.
11. Section 42 Statutory Consultation: Responses Received, Issues Raised and Changes Made	The Applicant lists a summary of the responses received to the Section 42 community consultation, divided up by EIA survey and study area. The Applicant details how it has responded to the comments and if there has been a Development change.
12. Ongoing Consultation Activities and Statements of Common Ground	The Applicant provides a summary of the further consultation conducted following 13 July 2018. The Applicant details a summary of the comments received and how the Applicant has responded. The Applicant details any statements of common ground with consultees.
13. Conclusion	Summarises the consultation undertaken by the Applicant.

3 Legislation, Guidance and Advice

CONSULTATION REPORT

- 3.1 This Consultation Report is submitted with the Application in accordance with Section 37(3)(c) of the 2008 Act.
- 3.2 Relevant responses are defined in Section 49(3) of the 2008 Act as responses received to the consultation under Section 42, 47 and 48 of the 2008 Act by the deadline published; however, the Applicant has taken account of late responses.
- 3.3 Pre-application consultation under Section 42 has taken place with:
- Prescribed bodies (statutory consultees), being those deemed prescribed by the Planning Inspectorate in the list of consultation bodies notified by the Planning Inspectorate under Regulation 11(1)(a) of the EIA Regulations
 - Non-statutory bodies treated as prescribed by the Development e.g. local nature conservation groups or member organisations with an interest in the proposals
 - Local authorities, in accordance with Section 43(1)
 - Landowners, in accordance with Section 42(d)(1)
- 3.4 Pre-application consultation under Section 47 has taken place with:
- The local community i.e. those living within the vicinity of the Development as defined in Figure 4;
 - A wide range of community groups, local nature conservation bodies, community interest groups and local business owners and tourist operators (see Table 8);
 - Local elected representatives including ward and parish councillors and members of Kent County Council, Swale Borough Council and Canterbury City Council (see Appendix 31 for full list of locally elected representatives consulted);
 - MPs for Kent and Faversham, Canterbury and Sittingbourne and Sheppey.
- 3.5 Pre-application consultation has also taken place in accordance with Section 48 of the 2008 Act through publicity of the Development, as described in Chapter 9.

RELEVANT LEGISLATION AND GUIDANCE

- 3.6 The following legislation has been complied with or considered when undertaking the pre-application consultation and when compiling the Consultation Report:
- Planning Act 2008

- The Infrastructure Planning (Environmental Impact Assessment Regulations) Regulations 2017
- The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
- Department for Communities and Local Government. Planning Act 2008: Guidance on the pre-application process (2015) ('DCLG guidance')
- The Planning Inspectorate Advice Note 3: EIA Consultation and Notification ('Advice Note 3')
- The Planning Inspectorate Advice Note 14: Compiling the Consultation Report ('Advice Note 14')
- The Conservation of Habitats and Species Regulations 2017

3.7 A table setting out how the Applicant has complied with the relevant legislation and guidance is presented in Appendix 1 of this Consultation Report.

4 Consultation under EIA Regulations

INTRODUCTION

4.1 Environmental Impact Assessment ('EIA') is process under which a development proposal is assessed for its environmental impacts before an application for consent is considered. The submission of the findings of EIA in an ES allows the body deciding the application to fully understand the environmental impact of a proposal when it makes its decision.

EIA SCOPING PHASE

- 4.2 The Applicant submitted a scoping request for the Development to the Secretary of State on 11 December 2017, and in this request notified the Secretary of State in accordance with Regulation 8(1)(b) of the EIA Regulations that the Applicant would provide an ES in respect of the Development.
- 4.3 The Planning Inspectorate, on behalf of the Secretary of State, consulted with the relevant competent authorities and key statutory stakeholders to seek comments on the scope of the proposed EIA studies. A scoping opinion was received on 19 January 2018. A scoping response was not received from one of the host authorities, Swale Borough Council, who subsequently confirmed in writing to the Planning Inspectorate on 25 January 2018 that the Council were not submitting a response.
- 4.4 Together with the scoping opinion, the Planning Inspectorate provided an updated a list of consultation bodies notified by the Planning Inspectorate under Regulation 11(1)(a) of the EIA Regulations, referred to in this Consultation Report as the Section 42 consultees.
- 4.5 The responses received to the scoping opinion and how the Applicant has responded are detailed in each chapter of the ES (document reference number 6.1).
- 4.6 The Applicant commenced ongoing non-statutory consultation with consultees early in the scoping phase as detailed in Chapter 5 of this Consultation Report.
- 4.7 As a result of the scale and nature of the Development, and its location, the Development is not considered to have the potential for significant transboundary impacts.
- 4.8 The Planning Inspectorate, on behalf of the Secretary of State, issued the Applicant with notification of the outcome of the first transboundary screening on 13th July 2018 following the Request for a Scoping Opinion and publication of the PEIR:

“Under Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations) and on the basis of the current information available from the Applicant, the Inspectorate is of the view that the Proposed Development is not likely to have a significant effect on the environment in another EEA State.”

CHANGE OF DCO APPLICATION BOUNDARY FOR CLEVE HILL SOLAR PARK

- 4.9 On 30 April 2018, the Applicant notified the Planning Inspectorate of a change to the Application boundary for the Development. This was recorded in the minutes of the meeting held on 30 April 2018.
- 4.10 This Development change was formally notified in writing by the Applicant to the Planning Inspectorate on 21 May 2018, reconfirming that in accordance with Regulation 8(1)(b) the Applicant intended to submit an ES in respect of Cleve Hill Solar Park. Initial confirmation of this was provided in the EIA Scoping Report (November 2017) in Section 1.1, paragraph 3.
- 4.11 The Applicant explained the change in the Development site boundary with two reasons:
- To allow the Applicant to seek the powers to undertake maintenance works on the flood defences throughout the lifetime of the Development in the event that the EA ceases to undertake maintenance. The EA strategy for the area under the proposed MEASS (currently under consultation) is for the ongoing maintenance of the existing flood defences for at least the next 20 years but through consultation, the EA has outlined that it would cease maintenance of the existing flood defences in the event that the Development is constructed; and
 - Land to the east of the previous Application boundary has been included to give the Applicant the ability to manage that land to be of additional benefit to biodiversity over and above the existing baseline.
- 4.12 In response to the requirements of Regulation 8(3) of the EIA Regulations, the Applicant provided to the Planning Inspectorate on 21 May 2018, the following information:
- A plan sufficient to identify the land;
 - A description of the physical characteristics of the whole development and, where relevant, of demolition works;
 - A description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.
 - A description of the aspects of the environment likely to be significantly affected by the development;

- A description of any likely significant effects of the development on the environment resulting from the expected residues and emissions and the production of waste, where relevant;
- A description of any likely significant effects of the development on the environment resulting from the use of natural resources, in particular soil, land, water and biodiversity.

4.13 In response to the Applicant's change to the Application boundary for the Development, the Planning Inspectorate, on behalf of the Secretary of State, re-issued the list of consultation bodies notified by the Planning Inspectorate under Regulation 11(1)(a) of the EIA Regulations 2017 on 23 May 2018. The additional bodies identified were:

- Marine Management Organisation (MMO)
- Ministry of Defence
- Whitstable Harbour (identified on a precautionary basis)
- Energy Assets Networks Limited (new licence holder with licence covering Great Britain – identified on a precautionary basis)
- Fulcrum Electricity Assets Limited (new licence holder with licence covering Great Britain – identified on a precautionary basis)
- Murphy Power Distribution Limited (new licence holder with licence covering Great Britain – identified on a precautionary basis)
- Vattenfall Networks Limited (new licence holder with licence covering Great Britain – identified on a precautionary basis)
- Peel Ports London Medway (Port of Sheerness Ltd)
- Folkestone and Hythe District Council
- Thanet District Council
- Dover District Council
- Royal National Lifeboat Institution

4.14 These additional bodies were scoped in by the Applicant and treated as prescribed consultees (described in this Consultation Report as Section 42 consultees), who were consulted with as part of the Section 42 consultation.

4.15 The Planning Inspectorate confirmed that due to the change of the Development boundary to the east, Canterbury City Council is classified as a 'B' host authority for the Development. Therefore, Folkestone and Hythe DC, Thanet DC and Dover DC are identified as 'A' neighbouring authorities, as the neighbours of Canterbury City Council's administrative area.

4.16 However, owing to the proximity of the original application boundary of the Development to Canterbury City Council's administrative area, Canterbury City Council had already been consulted on the draft SoCC, as detailed in Chapter 6 of this Consultation Report.

EIA CONSULTATION

- 4.17 Notice of the PEIR under Regulation 11 of the EIA Regulations was given to the Section 42 consultees together with notice under Section 48 of the 2008 on 31 May 2018. The consultation documents provided to all Section 42 consultees as listed in Appendix 5 comprised of:
- A covering letter (see Appendix 6)
 - A copy of the Cleve Hill Solar Park site plans including the proposed site boundary (See Appendix 6)
 - A USB device containing the full PEIR including a PEIR NTS
 - A hard copy of the notice publicised in accordance with Section 48 of the 2008 Act (including details of the public consultation events and the locations where the consultation documents could be inspected free of charge) (see Appendix 17)
- 4.18 In addition, both the PEIR and NTS, which included a summary of EIA matters, were available to all attendees at the phase two Section 47 consultation events. Hard copies of the PEIR NTS were available to take away from the events or could be posted to addresses. A hard copy of the PEIR was available on display at the events. The PEIR and NTS were available on the Development website and at the designated CAP sites as detailed in the SoCC.
- 4.19 Ongoing non-statutory consultation undertaken by the Applicant with technical consultees in support of the statutory Section 42 consultation is detailed in Chapter 5 of this Consultation Report.

REPORT TO INFORM APPROPRIATE ASSESSMENT ('RIAA')

- 4.20 Wherever a project that is not directly connected to, or necessary for the management of a European Site, is likely to have a significant effect on the Conservation Objectives of the site (directly, indirectly, alone or in-combination with other plans or projects) then an 'Appropriate Assessment' (AA) must be undertaken by the Competent Authority (see the Conservation of Habitats and Species Regulations 2017 ("Habitats Regulations") Regulation 63 and Regulation 28 of the Conservation of Offshore Marine Habitats and Species Regulations 2017 ("Offshore Habitats Regulations"). The AA must be carried out before consent or authorisation can be given for the project.
- 4.21 A Report to Inform Appropriate Assessment (RIAA) has been produced to inform the HRA process for the Development (document reference number 5.2). This information will enable the Secretary of State (as the Competent Authority) to determine whether there will be an adverse effect on the integrity of any European Site(s) in view of their Conservation Objectives (COs) as a result of the Development.

- 4.22 The RIAA was prepared in accordance with Advice Note Ten: Habitats Regulations Assessment Relevant to Nationally Significant Infrastructure Projects (NSIPs) (PINS, 2016), which sets out a staged process to the assessment of the effects of plans or projects on European sites. Cumulatively, these stages are referred to as the Habitat Regulations Assessment, to clearly distinguish the whole process from the second stage within it, which is referred to as the ‘appropriate assessment’. There are potentially up to four stages:
- Screening;
 - Appropriate Assessment;
 - Mitigation and alternatives; and
 - Imperative Reasons of Overriding Public Interest (IROPI).
- 4.23 Many projects do not need to progress beyond Stage 1, screening, where it can be identified that there is no causal link between a project and a European site or that the probability of a significant effect is negligible; however, where LSE cannot be discounted, the AA in Stage 2 is necessary.
- 4.24 On 24 October 2018, the Applicant provided a draft of the RIAA for Natural England to undertake a brief review. Natural England confirmed in response that “the RIAA is sufficient for the DCO submission”.
- 4.25 The application will be determined by the Secretary of State as the competent authority. It is also the responsibility of the Secretary of State to undertake any AA that may be required under the terms of the Habitats Regulations, with statutory advice provided by Natural England. Whilst the competent authority will ultimately undertake the AA, it is the responsibility of the Applicant to provide the relevant information to enable them to do so. The RIAA is intended to provide the Secretary of State with the relevant information for them to discharge their duties under the Habitats Regulations.

5 Ongoing Non-Statutory Engagement for EIA Survey and Study Areas (2016-2018)

INTRODUCTION

- 5.1 Prior to the publication of the SoCC on 9 November 2017, and as part of the ongoing engagement with consultees leading up to the statutory Section 42 consultation on the PEIR up to the point of submission, a series of discussions and meetings were held with a number of technical consultees regarding the Development.
- 5.2 The ongoing non-statutory engagement with technical consultees enabled a continuous two-way dialogue between the Applicant and consultees on Development updates and enabled the Applicant to continuously consider consultee feedback in the iterative design of the Development proposals.
- 5.3 Ahead of the scoping phase (11 December 2017 to 19 January 2018), the Applicant met with key statutory bodies including the Planning Inspectorate, Natural England and the Environment Agency to introduce the Development and discuss key issues including ornithology, flood risk and flood protection.
- 5.4 Following receipt of the scoping opinion on 19 January 2018, the Applicant continued engagement with technical consultees to discuss the opinion, the surveys and assessments undertaken as part of the EIA and Development design changes ahead of the publication of PEIR.

HABITAT MANAGEMENT STEERING GROUP ('HMSG')

- 5.5 In February 2018 the Applicant established a HMSG to facilitate ongoing meetings with the key nature conservation bodies: Natural England, RSPB, and Kent Wildlife Trust. The purpose of the HMSG was to discuss the habitat mitigation area for birds and to discuss land management and biodiversity mitigation and proposals. Minutes of the meetings held are provided in Appendix 33 of this Consultation Report.
- 5.6 Through the HMSG the Applicant agreed with the nature conservation bodies the following:
 - The Applicant has consulted with the HMSG to discuss the AR HMA, which the Applicant has increased from 41ha (as presented in PEIR) to 56ha;
 - The Applicant has consulted with the HMSG on the Outline Landscape and Biodiversity Management Plan ('LBMP') (document reference 6.4.5.2).

ONGOING NON-STATUTORY CONSULTATION MEETINGS

- 5.7 Table 4 sets out the ongoing discussions that the Applicant had with technical consultees ahead of the statutory Section 42 consultation.
- 5.8 Chapter 12 details the ongoing discussions the Applicant had with technical consultees post Section 42 consultation leading up to the Application submission.

Table 4: Ongoing non-statutory engagement overview 2016 and 31 May 2018

Date	Stakeholder	Key Issues Discussed
27/09/2017	Environment Agency	<ul style="list-style-type: none"> • Overview of Cleve Hill Solar Park proposals and Development history • Flood risk and hydrological work undertaken to date • Proposed Flood Risk Parameters for design • MEASS Coastal Risk Management Strategy
27/02/2018	Environment Agency	<ul style="list-style-type: none"> • MEASS consultation • Flood Modelling • Flood Protection • Scoping comments on flood risk
16/03/2018	Environment Agency	<ul style="list-style-type: none"> • Flood Protection throughout the Development's operational lifetime • Development design update in response to flooding • Partnership funding maintenance scheme • Including the Flood Defences in the DCO • MEASS
17/04/2018	Environment Agency	<ul style="list-style-type: none"> • Extent of defences to protect the site • EA position/responsibility on maintenance of flood defences • EA response to Application pre and post MEASS • Area of land to be included in DCO site
09/05/2018	Lower Medway Internal Drainage Board	<ul style="list-style-type: none"> • Main design elements that interact with ditches • H&S issues during ditch management activities • Hydrological study required

		<ul style="list-style-type: none"> • Need to secure land drainage consent
14/12/2016	Natural England	<ul style="list-style-type: none"> • Ornithology surveys undertaken to date • Ornithology mitigation measures • Non-avian ecology surveys undertaken to date • Landscape and visual considerations • Site walkover with attendees
12/12/2017	RSPB	<ul style="list-style-type: none"> • Introduction to the Development • Intention to involve RSPB in DCO process • Send details of EIA Scoping Consultation • Send ornithology data reports • Details of Anesco Development to be provided
21/02/2018	Habitat Management Steering Group	<ul style="list-style-type: none"> • AR HMA • Buffer areas • PRoW • Management of vegetation • Ditches and water levels • Additional SSSI land
18/04/2018	Habitat Management Steering Group	<ul style="list-style-type: none"> • Additional SSSI land and improvements in biodiversity management • Managing AR HMA • Managing the site for marsh harrier • Sheep grazing on site • Ditch and water level management
16/05/2018	Habitat Management Steering Group	<ul style="list-style-type: none"> • Water levels • Archaeology issues with water levels • Better management of SSSI • Birds using the site
29/11/2017	Historic England, Kent County Council Heritage	<ul style="list-style-type: none"> • Below ground archaeology interest of the site • Geotechnical Investigation • Potential Written Scheme of Investigation ('WSI') to be submitted • Full programme of works required in a phased process • Introduction to assessment of indirect effects on heritage assets
11/05/2018	Historic England, Kent County Council Heritage	<ul style="list-style-type: none"> • Changes to Development design • Summary of archaeological investigations carried out to date • Results of geoarchaeological borehole investigations

		<ul style="list-style-type: none"> • Summary of watching brief undertaken on geotechnical investigations • Watching brief during construction
30/04/2018	Kent County Council (Highways Department)	<ul style="list-style-type: none"> • Construction impacts on highways network • Sensitive receptors discussed • Lessons learnt from London Array • Highways assessments going forward
21/03/2018	Kent County Council (Rights of Way Officer)	<ul style="list-style-type: none"> • Impacts on footpaths • Mitigation for footpaths • Improvements to be made to footpaths • Potential cycle routes
23/05/2018	Marine Management Organisation	<ul style="list-style-type: none"> • Consultation with the EA explained • MMO to be kept up to date with discussions with EA • MMO to review consultation documents
Various Dates	National Grid Electricity Transmission	<ul style="list-style-type: none"> • Electrical clearance from overhead lines • Maintenance Access • Specific Development Guidance
26/02/2018	PPA Meeting with Local Planning Authorities	<ul style="list-style-type: none"> • Phase 1 Consultation Summary provided • Project update provided – PROWs, HMSG, Flood protection • Scoping Opinion and comments from consultees discussed • Forthcoming Phase 2 Consultation discussed
10/04/2018	PPA Meeting with Local Planning Authorities	<ul style="list-style-type: none"> • PEIR update • Consultation update • Delegation requirements • Memorandum of Agreement and Statement of Common Ground preparation
17/05/2018	PPA Meeting with Local Planning Authorities	<ul style="list-style-type: none"> • PEIR update on timescales and red line boundary • Summary of recent consultation activities • Planning policy in Statement of Common Ground discussed
17/09/2015	The Planning Inspectorate	<ul style="list-style-type: none"> • Introduction to the project • PINS overview of Planning Act 2008 • PINS provided overview of their team • Draft scoping report discussed • Going forward – finalise scoping report

03/05/2017	The Planning Inspectorate	<ul style="list-style-type: none"> • Background to project • Consents and permits • Programme of intended works set out
23/02/2018	The Planning Inspectorate	<ul style="list-style-type: none"> • Overview of non-statutory consultation undertaken • EIA and Scoping opinion • MEASS and Flood Risk Assessment • Consents and Licenses
26/03/2018	The Planning Inspectorate	<ul style="list-style-type: none"> • Update on outcomes of non-statutory consultee meetings • Survey updates – LV, Hydro, Phase 1 • Flooding update from EA
30/04/2018	The Planning Inspectorate	<ul style="list-style-type: none"> • Update on ongoing discussion for non-statutory consultation • Update on Statutory Consultation • Energy Storage update • Transboundary Screening • HRA
13/08/2018	The Planning Inspectorate	<ul style="list-style-type: none"> • Consultation discussion – main issues raised • Compulsory Acquisition • Draft document review – DCO, Explanatory Memorandum, book of reference • Anticipated submission date

6 Preparation for Statutory Consultation (02 October 2017 – 31 October 2017)

STATUTORY REQUIREMENTS AND GUIDANCE

- 6.1 Section 47(1) of the 2008 Act requires the Applicant to prepare a statement setting out how it proposes to consult on the proposed application with people living in ‘vicinity’ of the land to which the Development relates.
- 6.2 Section 47(2) requires that the Applicant must consult each local authority on the content of this statement, known as the SoCC.
- 6.3 In accordance with Section 47(3) of the 2008 Act, the deadline given for receipt of local authority responses to consultation on the content of the SoCC should be no less than the end of a 28-day period (commencing on the day after the day on which the local authority received the request for comments).
- 6.4 In developing the SoCC, regard must be held to the EIA Regulations and relevant guidance relating to pre-application procedure. Regulation 12 of the EIA Regulations stipulates that the SoCC must set out whether the proposal is EIA development and, if so, how the Applicant intends to publicise and consult on its PEIR.
- 6.5 PEIR was submitted as part of the formal Section 42 consultation, which took place in parallel to the phase two Section 47 community consultation between 31 May and 13 July 2018.
- 6.6 Details of the requirements regarding the SoCC from the legislation and guidance and how the Development complied with these requirements are set out in the Statement of Compliance in Appendix 1 of this Consultation Report.

DEVELOPMENT OF STATEMENT OF COMMUNITY CONSULTATION (SOCC)

- 6.7 The local authorities consulted by the Applicant on the SoCC are listed in Table 5. Section 47(2) of the 2008 Act states that before preparing the SoCC, the Applicant must consult each local authority that is within Section 43(1) about the content of the SoCC. At the time of preparing the SoCC the relevant authorities within Section 43(1) were:
- ‘B’ host authority – Swale Borough Council
 - ‘A’ host authority – Kent County Council
- 6.8 Although not classified as a host authority at the time of preparing the SoCC (October 2017), owing to the proximity of the Application boundary to Canterbury City Council’s jurisdiction, Canterbury City Council was also invited to comment on the draft SoCC.

- 6.9 The draft SoCC was sent to the local authorities on 2 October 2017 providing the statutory 28-day response period for comments giving a consultation period of 2 October 2017 to 31 October 2017.

Table 5: Local Authorities under Section 43(1) Consulted

Local Authority	Classification
Swale Borough Council	'B'
Kent County Council	'B'
Canterbury City Council	'B' ('A' authority until revised Regulation 11 list on 23 May 2018, where re-categorised as 'B' authority)
Ashford Borough Council	'A'
Maidstone Borough Council	'A'
Medway Council	'A'
Thurrock Council	'A'
London Borough of Bexley	'A'
London Borough of Bromley	'A'
East Sussex County Council	'A'
Surrey County Council	'A'
Additional 'A' authorities to Canterbury City Council added on 23 May 2018	
Folkestone and Hythe District Council	
Thanet District Council	
Dover District Council	

CONSULTATION ON DRAFT SOCC AND RESPONSES

6.10 The comments received from the local authorities and how the Applicant responded and incorporated the comments are shown in Table 6.

Table 6: Comments Received to the Draft SoCC

Date	Comment to draft SoCC	Applicant Response
	<p>Kent County Council Thank you for your email dated 2nd October 2017 providing Kent County Council (KCC) with the opportunity to comment on the draft Statement of Community Consultation (SoCC) relating to the Cleve Hill Solar Park ('Solar Park').</p> <p>Officers of the County Council have reviewed the draft SoCC and are satisfied with the proposed consultation process which is supported by a comprehensive communications plan. The comments below are set out in relation to the headings included in the draft SoCC.</p> <p>The County Council would welcome feedback on how the results of the draft SoCC consultation will be reviewed and which of KCC's suggestions have been taken into consideration by the Solar Park.</p> <p>8. Public Consultation KCC recognises that a 28-day consultation period is short for a project of this scale. It is therefore</p>	<p>The Applicant provided a response period of 42 days for each of phase one and phase two Section 47 consultation, going beyond the minimum 28-day statutory period. The Applicant also continued its engagement with the community beyond these consultation periods up until the point of Application submission. This ongoing consultation is detailed in Chapter 7 of this Consultation Report.</p> <p>The Applicant designed the consultation events to be accessible by holding the events during daytime and evening hours. In response to feedback from members of the community concerned that those who commute could not attend the events during the evening hours, the Applicant held a Saturday event at the popular location of Faversham during the phase two section 47 consultation events. All venues had disabled access.</p> <p>All consultation materials provided details of how to request the documents in alternate formats. No requests were made.</p> <p>In response to the comments made by Kent County Council an additional event at Sheppey was scoped in to the</p>

<p>important that there is an openness to accept feedback throughout the project's development and a robust commitment to action such feedback.</p> <p>Phase 1 consultation events KCC requests that a consultation event should also be held in Harty on the Isle of Sheppey, as it has been identified within the core consultation zone.</p> <p>KCC advises that the consultation events should be fully accessible and held at a variety of times during the day and week. Specifically, some sessions should continue into the evening and on occasional Saturdays. KCC advises that the Solar Park should also contact the relevant Parish Councils to see if any particular dates should be avoided.</p> <p>To ensure the consultation is accessible to all members of the community, KCC requests that the Solar Park should consider producing an easy read version of the consultation leaflet, consultation report and questionnaire. It should also be clear in the consultation material how interested parties can request alternative formats if required (e.g. braille, audio, large print etc.)</p> <p>10. How will we consult? KCC advises the Solar Park to make contact with the local voluntary and community sector so they are informed of the consultation and are able to support</p>	<p>consultation events held in December 2017 and June 2018. The phase one consultation event was held at Sheppey Evangelical Church, Leysdown ME12 4NA. Owing to the low attendance at the phase one events, the Applicant sought advice from Gordon Henderson, MP for Sittingbourne and Sheppey, who advised holding the phase two section 47 consultation event at the Ferry House Inn, Harty Ferry Road, Harty, ME12 4BQ, where the Applicant held the event on 13 June 2018.</p> <p>The Applicant contacted the community liaison officers as advised by Kent County Council. These advised using the Community Voluntary Service to inform the sector of the start of consultation. The Applicant supplied an information advert to Swale CVS advertising the launch of consultation and Phase One community consultation events.</p> <p>In response to Kent County Council's comments, the Applicant ensured that copies of the SoCC were made available at Faversham Library, Boughton-under-bean Library, Teynham Library and Sheppey Gateway. KCC libraries also helpfully displayed materials at 14 other libraries which served as Local Information Points for the wider consultation area.</p> <p>The Applicant scoped in the Gateway on the Isle of Sheppey as a CAP site.</p>
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	<p>their service users. KCC therefore recommends that Bill Ronan KCC's Community Liaison Manager for Swale (Bill.Ronan@kent.gov.uk) and Allison Allan KCC's Community Liaison Officer (Allison.Allan@kent.gov.uk) for Canterbury are contacted.</p> <p>KCC recognises that currently only one of the Council office locations is local to the core consultation zone. KCC recommends contacting KCC's Library service (AKL@kent.gov.uk) to determine if consultation materials can be displayed in libraries that fall within the core zone.</p> <p>Additionally, the Gateway on the Isle of Sheppey could be used as a location in the core consultation zone.</p>	
	<p>Swale Borough Council [Redacted] asked me to look at this whilst he was away. I canvassed the opinions of local Members and can confirm that we support the comments of Kent County Council on the SOCC, and do not have any additional points to raise.</p>	<p>Noted – no further action required.</p>
	<p>Canterbury City Council Thank you for consulting the City Council in relation to your draft SoCC.</p> <p>Canterbury City Council wishes to see the applicant undertake a full and meaningful consultation process,</p>	<p>In response to Canterbury City Council's SOCI, the Applicant ensured that its consultation made it easier for a wide range of people to be involved, increased the number of ways and frequency that people could be involved, and increased the influence that the community had on the proposals, by doing the following:</p>

<p>in line with the Council's Statement of Community Involvement:</p> <p>https://www2.canterbury.gov.uk/media/941721/CDLP-31-Statement-of-Community-Involvement-April-2007-CCC.pdf</p> <p>The Applicant made it easier for a wide range of people to be involved in the planning process by.</p> <p>The Applicant increased the number of ways and frequency that the community could be involved in the planning process.</p> <p>The Applicant has increased the influence that community involvement has on the development of the design</p>	<ul style="list-style-type: none"> • Adopting an iterative consultation process which welcomed comments and feedback throughout and responded to all inquiries relating the Development; • Making consultation events accessible by holding the events during daytime and evening hours as well as holding a Saturday event in Faversham on 16 June 2018; • Welcoming feedback and inquiries via freephone, freepost, in person and via email; • Making all project materials available to download from the project website www.clevehillsolar.com; • In response to feedback received the Applicant set up a Twitter site @clevehillsolar to provide updates via social media; • Providing a response period of 42 days (6 weeks) for each of phase one and phase two section 47 consultation, going beyond the minimum 28-day statutory period. • Chapters 7 and 10 set out how the Applicant has consulted with members of the community during the Section 47 consultation, and how their comments have influenced the Development. Throughout the consultation period the Applicant has had regard to all feedback received from members of the community (see Appendix 2).
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PUBLICATION OF SoCC

6.11 The Development SoCC was publicised in local newspapers on 09 November 2017 in accordance with Section 47(6) of the 2008 Act. Table 7 details the newspapers that were used to publicise the SoCC. Copies of the SoCC advertisement as it appeared in each of these publications are included in Appendix 10 of this Consultation Report (document reference number 5.1.1). The coverage area for these publications is shown in Figure 6.

Table 7: Publication schedule for SoCC advertisements

Newspapers	Publication Dates
Kentish Gazette (group) See Figure 6 for coverage area.	9 November 2017
Kent Messenger (series) See Figure 6 for coverage area.	9 November 2017

6.12 In addition to the above title publications supported by Appendix 10, the SoCC advertisement was also reproduced in the following publications: Faversham News, Whitstable Gazette, Herne Bay Gazette, Medway Messenger.

STATEMENT OF COMPLIANCE WITH SOCC

Table 8: Statement of compliance with SoCC

Commitment Made	Evidence of Compliance
1. Introduction	
<p>We want to listen to your views and work with you to develop our proposals for the Solar Park. This will allow us to develop our plans responsibly and in a manner that supports local community interests.</p>	<p>The Applicant commenced early consultation with the community on 09 November 2017 with the publication of its SoCC. The Applicant ran a multi-phase and iterative consultation process in order to inform the iterative design of the Development in response to feedback held at phase one and two Section 47 consultation and in response to Section 42 consultation.</p>
4. The Planning Process	
<p>Due to its proposed generation capacity being over 50 MW, the Solar Park will be classified as a Nationally Significant Energy Project (NSIP). Therefore, in order for the development to be authorised, Cleve Hill Solar Park Ltd must make an application to the Secretary of State for Business, Energy and Industrial Strategy (BEIS) for a Development Consent Order (DCO). This application will be examined by the Planning Inspectorate (PINS), the agency responsible for managing the examination process for NSIPs, who will make a recommendation to the Secretary of State (SoS).</p>	<p>The Applicant has prepared and submitted an Application to the Secretary of State with this Consultation Report forming part of the suite of Application documents.</p>
<p>To help demonstrate this to PINS, we will submit a Consultation Report alongside the Application, outlining how the consultation process has been carried out in accordance with the Planning Act 2008. This report will contain details of the consultation methodology and the</p>	<p>In accordance with Section 49 of the 2008 Act, the Applicant has prepared and submitted this Consultation Report as part of its Application submission to the Planning Inspectorate. In accordance with Section 49 of the 2008 Act, this Consultation Report sets out how the feedback</p>

<p>feedback submitted in response to the consultation. Explanation will also be provided as to how your feedback has influenced our proposals.</p>	<p>received to the consultation under Sections 47, 42 and 48 has influenced or changed the design of the Development. This is detailed in Chapters 10 and 11 of this Consultation Report with all individual comments and responses provided in Appendix 2 and 3.</p>
<p>5. What Will We Consult On?</p>	
<p>Cleve Hill Solar Park Ltd will be seeking feedback on all aspects of our plans for the Solar Park. This will involve asking local community members to give us their views about our proposals. For example, we will be seeking feedback to help develop our proposals regarding issues such as, but not limited to:</p> <ul style="list-style-type: none"> • Short term and temporary impacts during construction, such as upon wildlife and local residents. • Long term operational impacts, such as upon wildlife, landscape and views. • Benefits, such as contributing towards low carbon energy production and providing security of energy supply. 	<p>The Applicant has consulted on the Development, requesting feedback to the following information:</p> <ul style="list-style-type: none"> - Phase one Section 47 consultation leaflet, including initial design proposal and supported by a range of consultation materials as detailed in Chapter 7. Including requests for feedback via the feedback form (Appendix 14) to information about the recreational use of the Development site, preferred construction schedule, local species and habitat of importance; - Phase two Section 47 and Section 42 consultation requested responses to PEIR and PEIR NTS. In addition, the Applicant proposed a range of recreational improvements at the Development, inviting feedback to proposed permissive pathways and a community orchard; - The Applicant held a transport and traffic specific workshop on 19 September 2018 with local community representatives to request feedback to information and mitigation proposed in the Outline CTMP (document reference 6.4.14.1).
<p>The parameters of the Solar Park, known as the Project Envelope, will be discussed at community consultation events. These include the size, scale and construction</p>	<p>The Applicant provided illustrative details of the Development design including worst case Development design details in the phase one and phase two Section 47</p>

<p>methodologies of the project. More information will become available regarding these aspects as our proposals develop.</p>	<p>materials (see Appendix 14). The Applicant consulted on a worst-case candidate design for the Development in the PEIR and NTS.</p>
<p>6. Who Will We Consult?</p>	
<p>Core Consultation Zone A core consultation zone has been agreed. This zone centres on the proposed development site and extends outwards to include the nearest villages of Graveney, Goodnestone, Harty (Sheppey) and Oare, as well as the built-up area of Faversham and the majority of Seasalter. Properties within the core consultation zone will directly receive our consultation materials, such as leaflets and newsletters.</p>	<p>The Applicant consulted with over 12,800 properties and local businesses that fell within the core consultation zone. Details of the consultation activities including the direct delivery of consultation materials and newsletters are included in Chapter 7 of this Consultation Report.</p>
<p>Wider Consultation Area Cleve Hill Solar Park Ltd recognises that there may be some interested individuals or parties that do not live within the agreed core consultation zone. We are committed to ensuring that these people are still aware of the Solar Park proposals and their opportunities to get involved. Means such as media advertising will be used to notify residents within the wider local area of our consultation. Informative consultation materials will also be available to view and collect from identified community access points outside of our core consultation zone.</p>	<p>The Applicant undertook the consultation activities with the wider consultation zone set out in the SoCC as detailed and explained in Chapter 7 of this Consultation Report, including:</p> <ul style="list-style-type: none"> - Face to face stakeholder meetings - Hosting hard copy information across CAP sites - Advertising project and event information across local media - Making available a project website and twitter account
<p>We will be visiting areas within the consultation zone throughout the development of the proposals to meet with communities, provide information and listen to feedback on the proposals.</p>	<p>The Applicant met with near neighbours, residents and community groups throughout the pre-application consultation as detailed in Chapter 7 of this Consultation Report.</p>

	<p>The Applicant held two rounds of community consultation events that were held throughout the consultation zones: Faversham, Graveney, Sheppey and Seasalter.</p>
<p>Throughout the development of our proposals for the Solar Park, we will continue to work with local planning authorities to identify any relevant community groups, business organisations and area committees who should be consulted. As well as the community consultation, we will be discussing the project with a range of statutory consultees, including:</p> <ul style="list-style-type: none"> • Owners, tenants and occupiers of the land included within the Application • Environmental groups, including: Natural England, Environment Agency, Kent Wildlife Trust etc. • Interest groups and organisations • Local authorities and parish councils 	<p>The Applicant met with the local authorities regularly as detailed in Chapter 5, to discuss the Development and provide consultation updates.</p> <p>Consultation with owners, tenants and occupiers of the land under Section 44 of the 2008 Act is detailed in Chapter 8.</p> <p>Section 42 consultation with statutory bodies including nature conservation bodies is detailed in Chapter 8 of this Consultation Report.</p> <p>In support of the statutory Section 42 consultation, the Applicant undertook ongoing non-statutory consultation with technical consultees as detailed in Chapter 5 of this Consultation Report.</p> <p>As explained in Chapter 5, the Applicant established a HMSG including Natural England, RSPB and Kent Wildlife Trust.</p> <p>The Applicant met with various community groups to introduce the Development proposals and receive feedback as detailed in Chapter 7 of this Consultation Report.</p>

	<p>The Applicant undertook ongoing consultation with local authorities, locally elected representatives (being MPs, ward councillors and cabinet members) and parish councils across the consultation zone through bespoke briefing meetings, project updates and as part of wider consultation with Section 47 consultees as detailed in Chapter 7.</p>
<p>7. Environmental Information</p>	
<p>Cleve Hill Solar Park Ltd will undertake an Environmental Impact Assessment (EIA) for the Solar Park. The methodology and scope of the EIA will be agreed with the relevant regulatory and environmental bodies, the SoS, and your local planning authority.</p>	<p>ES The application includes a full ES (document reference 6.1).</p>

The following reports (listed below) will be consulted on as part of the EIA process and as the Application is prepared:

Scoping Report – The Scoping Report will present the Project Envelope, and will be informed by desk-based research on the proposed development site’s existing environment. The report will describe the processes we will undertake to assess any potential impacts to this existing environment. Feedback on this document from the local planning authorities and statutory consultees will result in a Scoping Opinion. A copy of the Scoping Report and Scoping Opinion will be made available for public inspection.

Preliminary Environmental Information Report (PEIR) - The PEIR will build upon the findings from the previous scoping documents and the feedback received through consultation. It will incorporate findings of the surveys and environmental assessments that have been carried out. This will enable consultees to develop an informed view of the potential impacts the Solar Park may have on the local environment. In our second phase of consultation, we will be seeking feedback on the findings of the PEIR.

ES– The ES will advance the content of the PEIR and continue to incorporate the responses from the consultation and results of the surveys undertaken. It will also describe any changes to the project and any

The Applicant submitted a scoping report on 11 December 2017 to the Secretary of State. The scoping report and subsequently the scoping opinion received on 19 January 2018 were available to view on the Planning Inspectorate’s website:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/cleve-hill-solar-park/>

The Applicant made available the PEIR and PEI NTS in the following ways:

- Directly mailed and emailed to all Section 42 consultees
- Downloadable via the project website www.clevehillsolar.com
- In hard copy format at all of phase two Section 47 community consultation events
- In hard copy at all CAP sites
- On USB/CD-ROM upon request

The Applicant has made available ES (document reference number 6.1) and ES Non-Technical Summary (‘ES NTS’) on the Development website. The documents are also be available to view on the Planning Inspectorate’s website:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/cleve-hill-solar-park/>

mitigation measures that need to be implemented. The ES will form part of the Application for submission. Copies of these reports will be made available as we conduct the public consultation.

8. Public Consultation	
<p>The consultation process for the Solar Park will be held over two phases.</p>	<p>The Applicant held two phases of Section 47 consultation and two rounds of consultation events:</p> <ul style="list-style-type: none"> • Phase one consultation: 09 November – 22 December 2017. • Phase two consultation: 31 May – 13 July 2018.
<p>Phase One Public Consultation Phase One of the public consultation is proposed to begin in Autumn 2017 and will last for at least 28 days. This non-statutory consultation phase will formally introduce community members to our proposals for the Solar Park. We will seek to gather local knowledge to help develop and refine our proposals.</p>	<p>The Applicant commenced phase one Section 47 consultation with the publication of the SoCC on 09 November 2017. The phase one consultation ran from 09 November until 22 December 2017 (therefore exceeding the 28 days statutory minimum period for consultation). The Applicant sought to gather feedback to the Development proposals through a feedback form available online or in hard copy and held consultation events between 05 and 08 December 2017.</p>
<p>Phase One consultation will include a round of community consultation events, which are open to all interested members of the public. Attendees will have the opportunity to view informative materials on the project, discuss the proposals with members of the team and provide their feedback on the proposals. Details of the first round of events are below.</p>	<p>The Applicant held four consultation events between 05 and 08 December 2017 as detailed in Chapter 7.</p>
<p>Phase Two Public Consultation Phase Two of our public consultation is proposed to take place in Spring 2018 and run for at least 28 days. This statutory consultation, in accordance with Section 47 of the Planning Act, will allow us to update you on our project plans, including how the feedback we received in Phase One has influenced our proposals for</p>	<p>The Applicant commenced phase two Section 47 consultation in parallel to Section 42 consultation and the publication of PEIR on 31 May 2018. The consultation ran from 31 May until 13 July 2018 (exceeding the 28 days statutory consultation).</p>

<p>the Solar Park. At this stage, we will also be able to consult on our PEIR, as described in Section 7 of this document. More specific details of Phase Two consultation will be publicised through the appropriate channels listed in Section 10.</p>	<p>The Applicant publicised the phase two through a consultation leaflet, online and offline media and via its CAP sites and local information points as detailed in Chapter 7.</p>
<p>Ongoing Consultation Any interested parties are welcome to get in touch with us ahead of the consultation process formally opening. Our contact details are listed at the end of this SoCC. From now until our application is submitted, we will consider the feedback and comments we receive on an ongoing basis, and incorporate within our proposals where possible.</p>	<p>As detailed in Appendix 2, all ongoing consultation responses were recorded and responded to as part of the ongoing Section 47 consultation.</p>
<p>You will also have the opportunity to formally comment on our proposals for the Solar Park when the Application is submitted to PINS. Guidance on the process can be found on the PINS website at: http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice</p>	<p>At the point of Application submission, the Applicant has circulated a project newsletter across the core consultation zone and online to inform the community as to how they can make representations to the Planning Inspectorate should the Application be accepted.</p>

<p>Consultation Reporting</p> <p>As part of our consultation process, we will publish a Consultation Report that:</p> <ul style="list-style-type: none"> • Describes our consultation process • Explains how we have satisfied and adhered to legal requirements • Details how we have worked with your local planning authorities to ensure our consultation is suitable for your area • Provides a summary of the feedback and consultation responses we have received • Responds to the feedback we have received, including explaining how it has influenced our proposals 	<p>The Applicant has prepared and submitted this Consultation Report in accordance with Section 37(3)(c) and (7) of the 2008 Act.</p>
<p>Phase One Event Details</p>	
<p>We will be hosting our Phase One community consultation events on the following dates:</p> <ul style="list-style-type: none"> • Tuesday 5 December from 5pm to 8pm, at Sheppey Evangelical Church, Warden Bay Road, Leysdown ME12 4NA 	<p>The Applicant held the phase one consultation events as publicised.</p>

<ul style="list-style-type: none"> • Wednesday 6 December from 11:30am to 7:30pm, at Faversham Assembly Rooms, 66 Preston St, Faversham ME13 8PG • Thursday 7 December from 1.30pm to 8pm, at Graveney Village Hall, Graveney, Faversham ME13 9DN • Friday 8 December from 12.30pm to 4.30pm, at Sealsalter Christian Centre, Faversham Road, Whitstable, Kent, CT5 4AX 	
9. Consultation Timeline	
SoCC Publication (Q4 2017) Phase One Consultation Events (Q4 2017) PEIR Publication (Q1/Q2 2018) Phase Two Consultation Events (Q1/Q2 2018) DCO Submission (Q3 2018)	The consultation timeline did not change substantially throughout the pre-application consultation. Regular project updates and newsletters provided the community with the latest consultation timeline updates.
10. How Will We Consult?	
Face-to-Face Consultation events will be held, offering you the opportunity to discuss our proposals with us and provide your feedback.	As detailed in Chapter 7, the Applicant held two rounds of consultation events, one in December 2017 and another in June 2018.
Stakeholder meetings and briefing sessions may be arranged with your local Parish councils and with key local stakeholder groups.	As detailed in Chapter 7, the Applicant held numerous meetings with the community, elected members and local groups throughout the consultation zone.
Literature Stakeholder briefing packs will be provided to elected members at the start of the consultation to introduce the scheme and inform them of how their constituents will be engaged with during the process.	The Applicant issued briefing packs to elected members listed in Appendix 31 on 07 November.

<p>Consultation leaflets will be distributed to all properties within the core consultation zone and will be available at key locations in the wider consultation zone. Leaflets will provide information on the proposals and details of how the local community can have their say.</p>	<p>The Applicant distributed consultation leaflets ahead of each consultation phase to 12,800 properties and local businesses throughout the core consultation zone and made these available online and at the CAP sites.</p>
<p>Newsletters will be available online and regularly distributed within the core consultation zone to update residents on the plans and proposals.</p>	<p>The Applicant published the following series of project updates during the Section 47 consultation:</p> <ul style="list-style-type: none"> • Phase One Community Consultation Leaflet • Phase One Community Project Update • Community Newsletter • Phase Two Community Consultation Leaflet • Phase Two Community Project Update
<p>Open Communication A Freephone information line is available for interested parties to call to ask questions and provide feedback: 0800 328 2850</p>	<p>The Applicant manages a Freephone information line (since 09 November 2017).</p>
<p>A project email address is also open for questions and comments: info@clevehillsolar.com</p>	<p>The Applicant manages a project email address throughout the pre-application consultation (since 09 November 2017).</p>
<p>Publicly Available Information A dedicated project website is live for you to find out more information and provide your feedback: www.clevehillsolar.com</p>	<p>The Applicant manages and frequently updates a project website throughout the pre-application consultation (since 09 November 2017).</p>
<p>Local media publications will publish adverts to inform local communities of our consultation.</p>	<p>The Applicant published the following adverts during the Section 47 consultation:</p> <ul style="list-style-type: none"> • Advertisement of the Publication of the SoCC • Advertisement of Phase One community consultation events

	<ul style="list-style-type: none"> • Advertisement of Section 48 notice • Advertisement of Phase Two community consultation events
Local Authority Contacts	
<p>Hard copies of this document and our future consultation leaflets will be available to you at the following public buildings and libraries:</p> <ul style="list-style-type: none"> • Faversham Library, Newton Road, Faversham, Kent, ME13 8DY • Boughton-under-Blean Library, Village Hall, Bull Lane, Boughton-under-Blean, Faversham, Kent ME13 9AH • Teynham Library, 131 London Road Teynham, Sittingbourne Kent • ME9 9QJ • Sheppey Gateway, 38-42 High Street, Sheerness, Kent, ME12 1NL • Swale Borough Council, Alexander Centre, Faversham ME13 8NY • Swale Borough Council, Swale House, East St, Sittingbourne, • ME10 3HT • Kent County Council, County Hall, Maidstone, Kent, ME14 1XQ • Canterbury City Council, Military Road, Canterbury, CT1 1YW 	<p>The Applicant displayed hard copy consultation materials during phase one and phase two consultation at the CAP sites listed.</p>
Contact us	
<p>Should you require this document in large print, audio or braille then please contact us at the details provided.</p>	<p>No requests we received by the Applicant.</p>

DCO APPLICATION BOUNDARY CHANGE

- 6.13 In response to the Applicant's change to the Application boundary for the Development (as detailed in Chapter 4 of this Consultation Report), the Planning Inspectorate re-issued the list of consultation bodies notified by the Planning Inspectorate under Regulation 11(1)(a) of the EIA Regulations on 23 May 2018.
- 6.14 Due to the extension of the red line boundary to the east, Canterbury City Council was identified as a 'B' host authority by the Planning Inspectorate.
- 6.15 The additional local authorities identified as neighbouring 'A' authorities to Canterbury City Council were:
- Folkestone and Hythe District Council
 - Thanet District Council
 - Dover District Council
- 6.16 As part of the formal consultation under Section 42 which commenced on 31 May 2018, the additional local authorities were informed of their revised status's and inclusion as prescribed consultees under Regulation 11(1)(a) of the EIA Regulations.
- 6.17 As detailed, Canterbury City Council had been treated as a host authority since the consultation on the draft SoCC in October 2017.
- 6.18 The new 'A' authorities were informed of the consultation on the draft Statement of Community Consultation (SoCC) with the host authorities at the time: Kent County Council, Swale Borough Council and Canterbury City Council.

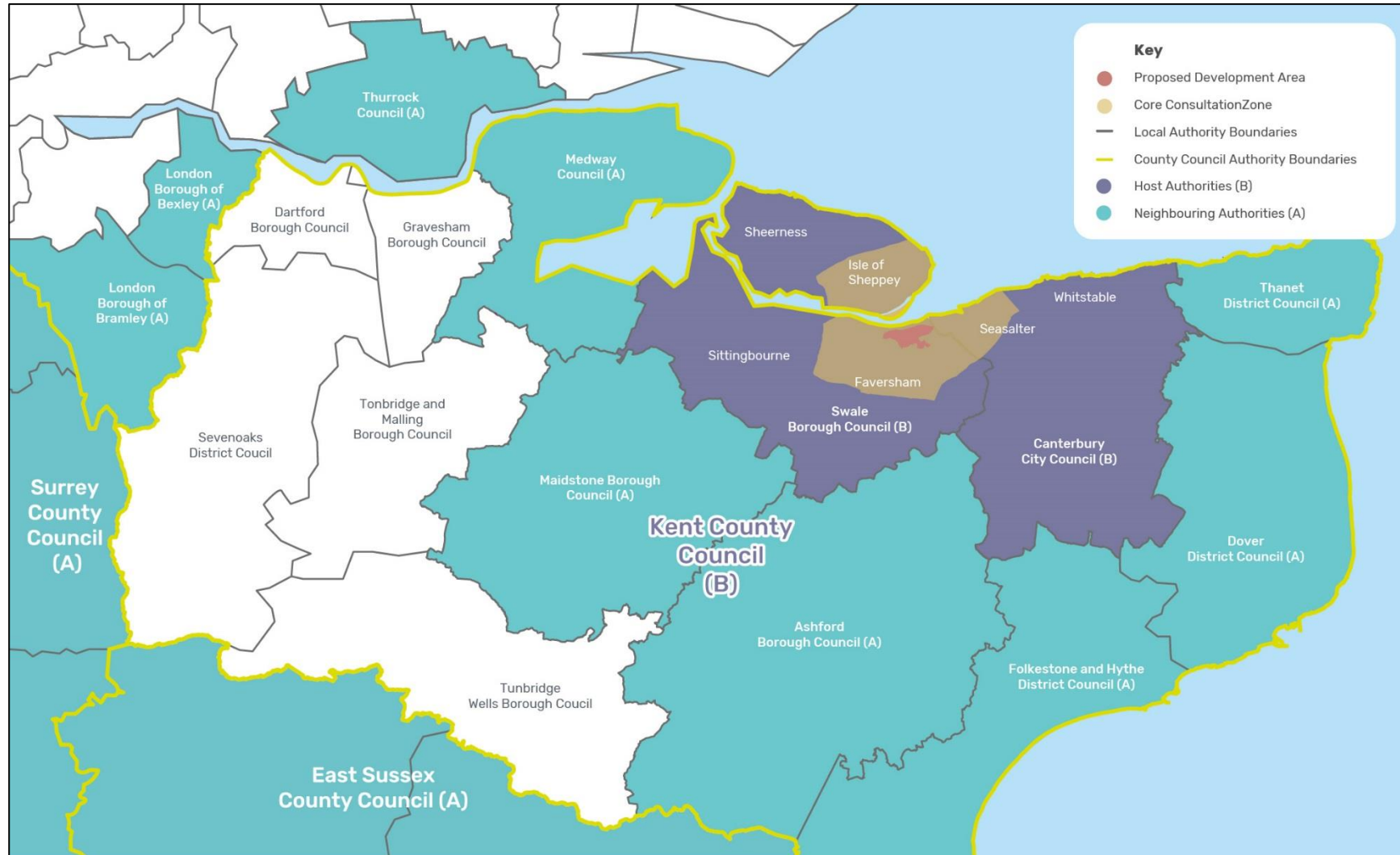


Figure 5: Local Authorities consulted for the Development

7 Statutory Consultation under Section 47 of the 2008 Act - (09 November 2017 – 13 July 2018)

INTRODUCTION

- 7.1 In continuation from Chapter 6, this chapter of the Consultation Report sets out the consultation activities undertaken by the Applicant with the people living in the vicinity of the land ('the community') to which the Development relates under Section 47 of the 2008 Act.
- 7.2 As required under Section 47(7) of the 2008 Act, the Applicant carried out statutory consultation in accordance with the proposals set out in the SoCC. A summary of how the Applicant complied with Section 47(7) of the 2008 Act through commitments placed in the SoCC is detailed in Appendix 1. This chapter sets out the Section 47 statutory consultation undertaken in line with the commitments set out in the SoCC covering the period from 9 November 2017 until 13 July 2018. This period includes:
- Phase one consultation initiated by the publication of the SoCC on 09 November 2017. The Applicant held four phase one community consultation events between 05 and 08 December 2017. The Applicant held a briefing meeting with locally elected representatives on 06 November 2017 and held early meetings with a number of near neighbours and residents. The Applicant invited comments to the early stage proposals between 09 November and 22 December 2017;
 - The Applicant maintained ongoing consultation with local groups, near neighbours, residents and elected members between 22 December 2017 and 31 May 2018;
 - Phase two consultation commenced on 31 May 2018 in parallel to the start of Section 42 consultation and Section 48 consultation. The Applicant held four phase two community consultation events between 13 and 16 June 2018. The Applicant invited comments to the PEIR and PEIR NTS between 31 May and 13 July 2018;
 - The Applicant considered late responses beyond 13 July 2018, up until the point of Application submission.
- 7.3 Regulation 12 of the EIA Regulations states that under Section 47 of the 2008 Act, the SoCC needs to state whether the proposal is EIA development and how preliminary environmental information will be consulted on. The PEIR and a PEIR NTS were made available for community consultees to comment on as part of the phase two Section 47 consultation.
- 7.4 All ongoing community involvement beyond the phase two Section 47 consultation (i.e. after 13 July 2018) that took place up to the point of the DCO Application submission is detailed in Chapter 13 of this Consultation Report.

SECTION 47 COMMUNITY CONSULTATION AREA

- 7.5 Section 47(1) of the 2008 Act requires the Applicant to prepare a statement setting out how it proposes to consult on the proposed application with people living in 'vicinity' of the land to which the Development relates.
- 7.6 A core consultation zone and a wider consultation area were identified for the Development and presented in the draft SoCC for the local authorities to comment on. All local authorities were satisfied with the proposed consultation area (see Figure 3).
- 7.7 The core consultation zone for the Development was identified by:
- Using a zone of theoretical visibility to assess the areas in the 'vicinity' of the land which may experience a degree of visual impact from the Development;
 - Using natural and human geographical boundaries, for example using Junction 7 of the M2 as the most southerly point for the core consultation zone, and the most northerly point being the south of Leysdown-on-Sea;
 - Including areas of access options, which covered the Head Hill Road, Seasalter Road and Faversham Road
- 7.8 The wider consultation area for the Development included coverage of the host local authorities, with all neighbouring 'A' authorities being kept informed of the proposals as part of the Applicant's project updates.
- 7.9 Throughout the core consultation area, which included over 12,800 local homes and businesses, the following consultation activities took place:
- Direct mailings of consultation materials and newsletters
 - Two rounds of community consultation events
 - Displaying hard copy Development information available across 8 CAP sites (listed in the SoCC and listed in Appendix 9)
 - Advertising across 35 local information points (listed in Appendix 28)
 - Holding ongoing near neighbour and stakeholder meetings
 - Placing site notices
 - Displaying all consultation materials on the Development website
 - Providing consultation updates via Twitter
- 7.10 Throughout the wider consultation area, the following consultation activities took place:
- Advertising across media channels covering the core and wider consultation area
 - Engaging with the wider Kent media as well as regional and national media through press releases and radio, TV and interviews

- Making hard copy Development information available at 8 CAP sites
- Advertising across 35 local information points
- Holding stakeholder meetings throughout the wider consultation area such as meetings with Canterbury Greenpeace Group, Canterbury Green Party, and with Rosie Duffield MP.
- Using online and social media techniques: dedicated Development website and Twitter account.

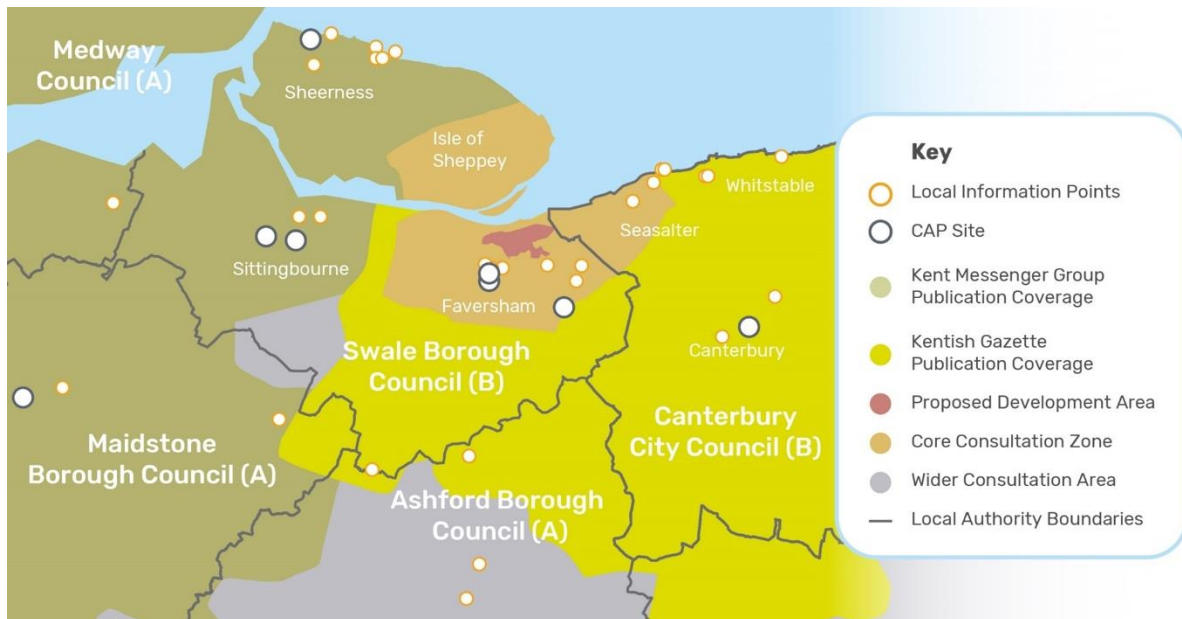


Figure 6: Consultation Coverage Map

ADDITIONAL COMMUNITY CONSULTEES AND GROUPS

7.11 In addition to the 12,800 properties and local businesses consulted within the core consultation zone, the Applicant identified additional local community groups, local nature conservation bodies, interest groups and harder to reach groups such as holiday parks. These consultees were identified through early suggestions from the local authorities, interest expressed at the Applicant's phase one community consultation and through consultation with local nature conservation bodies and interest groups. These additional Section 47 consultees are listed in Table 9.

Table 9: Additional Section 47 consultees

Section 47 Consultees
Kent Wildlife Trust
RSPB
The Shipwright's Arms
Alberta Holiday Park
Country View Park
Seasalter Sailing Club
Swale Footpaths Group
Kent Ornithological Society
British Trust for Conservation Volunteers - The Tree Warden Scheme
The Kent Bat Group
All Saints Church, Graveney
Oare Marshes Nature Reserve
Lees Court Estate
Hollowshore Fisheries
Oare Gunpowder Works Country Park
The Ferry House Inn, Harty
The Church of St Thomas the Apostle
Visit Kent
Explore Kent
Long Distance Walkers Association
Kent Biodiversity Partnership
Medway Swale Estuary Partnership
Swale Friends of the Earth
Faversham Society
Faversham Society Archaeological Research Group
Sparrow Court
Edward Vinson Limited
Kent Downs and Marshes & East Kent Leader Programme
Long Distance Walkers Association Kent
Seasalter Chalet Owners Association
Local Footpath Officer for Graveney and Goodnestone Ramblers
Kent Ramblers

Future Faversham
Sustrans
Freewheel Pub
Bumblebee Conservation Trust
Jan Pritchard, Barn Owl Trust
Forest of Blean Rotary Club
Canterbury District Green Party
Graveney and Goodnestone Parish Footpaths Warden
Canterbury Greenpeace Group
Apiary Manager, Whitstable & Herne Bay Beekeepers
Faversham Health Walks, Faversham Footpaths Group, Faversham U3A Walking Group
Graveney Rural Environmental Action Team
Kentish Stour Countryside Partnership
Faversham Lib Dems
National Farmers Union
Faversham Creek Trust
Open Spaces Society
Ramblers
Swale Green Party
Campaign to Protect Rural England (CPRE) Kent

UNDERTAKING CONSULTATION UNDER SECTION 47 OF THE 2008 ACT

7.12 Statutory consultation under Section 47 ran as two phases of community consultation events:

- Phase one community consultation: 09 November until 22 December 2017 (allowing 42 days);
- Phase two consultation: 31 May until 13 July 2018 (allowing 42 days).

7.13 The Applicant continued ongoing consultation between the consultation phases to enable comments to be received and considered as part of an iterative consultation process that fed into an iterative design response for the Development, demonstrating how consultation had been taken into consideration in the design of the Development.

7.14 The Applicant undertook the following consultation activities as set out in the SoCC:

- Briefing meetings – the Applicant visited local community groups, environmental groups, local authorities and their locally elected representatives to present information about the Development, answer key questions and receive feedback;

- Stakeholder meetings – the Applicant met with sensitive stakeholders and interest groups including local residents and near neighbours on several occasions to discuss the Development and receive feedback;
- Consultation events – the Applicant hosted two phases of consultation events: from Tuesday 5 December 2017 until Friday 8 December 2017 and from Wednesday 13 June 2018 until Saturday 16 June 2018;
- Literature – the Applicant published and distributed a range of literature to the consultation area and key stakeholders including: stakeholder briefing packs, consultation leaflets and newsletters;
- Communication lines – a Freephone information line, Development email address, FREEPOST address and Twitter account were available for interested parties to ask questions and provide feedback;
- Development website – provided the latest development updates and all consultation materials and Development information;
- Media and advertising – local media engagement and advertisements at each phase of consultation informed the wider consultation area of the Development;
- Local information points – upon publication of community consultation leaflets and newsletters, the Applicant delivered hard copies to local information points for members of the community to read or collect;
- CAP sites – the Applicant provided hard copies of the consultation materials at public locations across the consultation area for people who wished to view hard copies of the Development information at any time during the consultation periods;

Table 10: List of Community Access Points (CAP Site)

Venue	Opening Hours
Kent County Council, County Hall, Maidstone, ME14 1XQ	Monday-Friday 9am-5pm
Canterbury City Council, Military Road, CT1 1YW	Monday-Friday 9am-5pm
Swale Borough Council, Swale House, East St, Sittingbourne, Kent, ME10 3HT	Monday-Thursday 8.45am-5pm, Friday 8.45am-4.30pm
Swale Borough Council, Alexander Centre, 15-17 Preston Street, Faversham, Kent, ME13 8NZ	Monday-Friday 9am-5pm
Swale Borough Council, Sheppey Gateway, 38-42 High Street, Sheerness, Kent, ME12 1NL	Monday-Friday 9am-6pm, Saturday 9am-5pm
Faversham Library, Newton Rd, Faversham ME13 8DY	Monday-Friday 9am-6pm, Saturday 9am-5pm

Teynham Library, 131 London Rd, Teynham, Sittingbourne ME9 9QJ	Monday 2pm-5pm, Tuesday 9.30am-12pm, Wednesday 2pm-5pm, Thursday 9.30am-12pm, Saturday 9am-1pm
Boughton-under-Blean Library, School Lane, Faversham ME13 9AW	Tuesday 10am-4pm, Friday 2pm-4pm, Saturday 9am-12pm.

ONGOING COMMUNITY INVOLVEMENT

Elected Member Briefing Meetings and Engagement

7.15 Ahead of the publication of the SoCC (on 09 November 2017), a meeting with Kent, Swale and Canterbury Councillors was held on 06 November 2017 at Graveney Village Hall. The meeting was held to introduce the elected members to the Development ahead of the wider community consultation starting with the publication of the SoCC. In support of the meeting a briefing pack was sent to all elected members and MPs (see Appendix 31 for list). See Appendix 11 for a copy of the briefing pack.

7.16 Subsequent elected member meetings to update Councillors on the Development took place on:

- 6 November 2017
- 22 February 2018
- 19 September 2018

7.17 All elected members received copies of all consultation materials for the Development, sent via post and email to the locally elected representatives as listed in Appendix 31.

7.18 List of parishes in each local authority invited to meetings:

- Graveney with Goodnestone Parish Council
- Faversham Town Council
- Leysdown Parish Council
- Hernhill Parish Council
- Boughton under Blean Parish Council

MP Meetings and Engagement

7.19 The Applicant engaged with MPs across the Development consultation area as follows:

- A copy of the Briefing Pack with a covering letter inviting each MP to a meeting, was sent to Helen Whately MP, Gordon Henderson MP and Rosie Duffield MP on 7 November 2017;
- A meeting was held with Helen Whately MP on 5 December 2017;
- A member of Rosie Duffield MP's office attended the community consultation event in Seasalter on Friday 8 December 2017;
- A consultation response was received from Helen Whately MP on 22 December 2017 (see Appendix 2);
- A copy of the Phase One: Community Development Update was sent to Helen Whately MP, Gordon Henderson MP and Rosie Duffield MP on 26 January 2018;
- A meeting was held with Rosie Duffield MP on 7 February 2018;
- A meeting was held with Helen Whately MP on 20 February 2018;
- A letter was sent to Gordon Henderson MP on 6 April 2018 asking for a suggested venue for the Phase Two community consultation event. A response was received on 18 April 2018;
- A copy of the May 2018 Community Newsletter with a covering letter was sent to Helen Whately MP, Gordon Henderson MP and Rosie Duffield MP on 1 May 2018;
- A copy of the Phase Two Community Consultation Leaflet with a covering letter was sent Helen Whately MP, Gordon Henderson MP and Rosie Duffield MP on 25 May 2018;
- On 5 May 2018 an email was sent to Helen Whately MP, Rosie Duffield MP and Gordon Henderson MP providing some specific information regarding the energy storage element of the Development design;
- A copy of the Phase Two Community Development Update with a covering letter was sent Helen Whately MP, Gordon Henderson MP and Rosie Duffield MP on 25 May 2018;
- A meeting was held with Helen Whately MP on 4 September 2018; and
- A meeting was held with Rosie Duffield MP on Wednesday 3 October 2018.

Near Neighbour Meetings

- 7.20 The Applicant commenced early engagement with sensitive stakeholders and interest groups as part of the ongoing community involvement for the Development. This included:
- inviting the nearest neighbours to the Development site boundary to meetings with the Applicant at their property;
 - responding to requests for meetings with residents in Graveney and across the consultation area by holding meetings with residents at their properties;
 - providing presentations to community interest, member and action groups including: Faversham Society, Canterbury Greenpeace and GREAT.
 - Meeting with local business owners including neighbouring fruit farmers and holiday parks.

- 7.21 The Applicant visited these groups on several occasions as the plans for the Development evolved.
- 7.22 Table 11 shows the meetings held throughout the pre-application consultation period and as part of the Section 47 consultation and commitment to consult with sensitive stakeholders as stated in the SoCC.

Table 11: Schedule of near neighbour meetings

Stakeholder	Meeting No. 1	Meeting No. 2	Meeting No. 3
1 Crown Cottages	23/11/2017	26/02/2018	
3 Nagden Cottages	29/11/2018	21/03//2018	
Warm House	04/12/2018	27/02/2018	04/07/2018
4 Nagden Cottages	04/12/2018	27/02/2018	
Denley Hall/Old Office	24/11/2017	07/03/2018	
Cedar Croft	27/02/2018		
Fairview	27/02/2018		
Christmas Cottage	04/12/2018	08/03/2018	
Old Chapel House	04/12/2018	08/03/2018	
Windyridge	04/12/2018	08/03/2018	
Baywreath	04/12/2018	08/03/2018	
Sparrow Court, Broom Street	08/03/2018		
2 New Houses, Broom Street	15/03/2018		
1 New Houses, Broom Street	08/03/2018		
Nagden Barn	04/12/2018		
Graveney Hill Farm	22/03/2018		

- 7.23 Key comments raised by near neighbours at each meeting stage are shown in Chapter 10 of this Consultation Report, including the Applicant's response as to how these comments were addressed.

Community Group Meetings

- 7.24 As part of the ongoing community involvement for the Development, the Applicant met with several community groups and local stakeholders. Table 12 lists the meetings held with these groups.

Table 12: Schedule of meetings with community groups.

Stakeholder	Meeting No.1	Meeting No.2
Graveney Rural Environmental Action Team (GREAT)	09/05/2018	
CPRE Kent	22/03/2018	
Brogdale Collections Tour	16/04/2018	
(Con-call) The Orchard Project	24/04/2018	
Faversham Society	15/03/2018	04/07/2018
Canterbury Greenpeace	15/03/2018	
Alberta Holiday Park	16/04/2018	
Edward Vinson Ltd	06/12/2017	

SECTION 47 COMMUNITY CONSULTATION EVENTS

Phase One Section 47 Consultation Events

- 7.25 The first phase of community consultation commenced on 9 November 2017 with a response deadline of 22 December 2018.
- 7.26 In compliance with the SoCC the first phase of consultation events took place between 05 and 08 December 2017 as detailed in Table 13. Four sites were selected at key locations throughout the consultation area.

Table 13: Attendance at Phase One Community Consultation Events

Event Details	Attendees
Tuesday 05/ December 2017 from 5pm to 8pm, at Sheppey Evangelical Church, Warden Bay Road, Leysdown ME12 4NA	8
Wednesday 6 December 2017 from 11.30am to 7.30pm, at Faversham Assembly Rooms, 66 Preston Street, Faversham ME13 8PG	248
Thursday 7 December 2017 from 1.30pm to 8pm, at Graveney Village Hall, Graveney, Faversham ME13 9DN	150
Friday 8 December 2017 from 12.30pm to 4.30pm, at Seasalter Christian Centre, Faversham Road, Whitstable CT5 4AX	88
Total attendees	494



Figure 7: Photograph of Community Consultation Event at Faversham Assembly Rooms on Wednesday 6 December 2017

7.27 The following Development information was available at the events on display, to take away and was available on the Development website:

- SoCC (copies to take away) (shown in Appendix 9)
- Consultation leaflet (copies to take away) (shown in Appendix 13)
- Feedback form (copies to take, feedback form also available online) (shown in Appendix 14)
- Consultation event display boards (shown in Appendix 14)
- Non-technical Development fact sheets (copies to take away) (shown in Appendix 14)
- Stakeholder briefing pack (copies to take away) (shown in Appendix 11)

7.28 Large boards showing the Development site area were provided at the consultation events for attendees to annotate with comments. All comments are recorded in Appendix 15. Photographs of the boards are also shown in Appendix 15.

- 7.29 The Applicant’s team across the relevant disciplines, including consultants from key environmental disciplines, were on hand to explain the Development and answer questions from members of the local community attending the events.
- 7.30 As set out in Table 13, 494 people attended the first phase community consultation events.
- 7.31 289 feedback forms were completed in response to the first phase community consultation events. The feedback from these feedback forms is summarised in Chapter 10 and all full responses are recorded and responded to in Appendix 2.
- 7.32 48 written responses were received ahead of the deadline of 22 December 2017. These are recorded and responded to in Appendix 2.

Phase one Section 47 event publicity

- 7.33 In addition to the SoCC publicity on 09 November, the consultation events were publicised the following ways:
- A consultation leaflet (see Appendix 13) was issued to the 12,800 properties and local businesses across the consultation area on 20 November 2017, two weeks ahead of the events;
 - Local notices were sent to 35 local information points across the consultation area (see Appendix 28);
 - The notice was also displayed at the 8 CAP sites across the consultation area;
 - A digital version of this notice was displayed by Playing in Faversham website and Facebook page (www.playinginfaersham.com)(see Appendix 12);
 - The consultation event details were posted on the Development website;
 - Adverts were placed across local media (Advert shown in Appendix 12); and
 - A press release was issued to the media.

Table 14: Advertising schedule for the phase one Section 47 community consultation events

Newspapers	Publication dates
Kentish Gazette (group)	23 November 2017

Table 15: Features and editorial stories regarding the Development’s phase one Section 47 community consultation events

News Outlet	Date
Kent Online	9 November 2017
Faversham News	9 November 2017, 14 December 2017

The Guardian	9 November 2017
BBC South East	9 November 2017
ITV Meridian	9 November 2017
Kentish Gazette	9 November 2017
Herne Bay Gazette	9 November 2017
BBC Online	9 November 2017
The Daily Mail	10 November 2017
The Times	11 November 2017
KMTV	9 November 2017, 5 December 2017
BBC Radio Kent	11 December 2017

7.34 In addition to the above title publication in Table 14 supported by Appendix 12, the phase one Section 47 community consultation advertisement was also reproduced in the following publications which the Applicant does not have copies of; Faversham News, Whitstable Gazette, Herne Bay Gazette.

7.35 The coverage area of the Kent newspapers is shown in Appendix 28. The coverage area demonstrates that the publicity activities were carried out in an area that covered and exceeded the consultation area for the Development ensuring that all interested parties were notified about the events.

Phase Two Section 47 Consultation Events

7.36 In response to comments received to the phase one Section 47 consultation events, a Saturday event was included in the phase two Section 47 consultation events to enable commuters arriving home in the late evening during the week to attend during the weekend. The venue for the weekend was chosen as Faversham, which was the most attended event during the phase one Section 47 consultation events.

7.37 The phase two Section 47 consultation events took place between 13 and 16 June 2018 as shown in Table 16.

Table 16: Attendance for the phase two Section 47 community consultation events

Event Details	Attendees
Wednesday 13 June 2018 from 4.30pm to 7.30pm, at Ferry House Inn, Harty Ferry Road, Harty, ME12 4BQ	1
Thursday 14 June 2018 from 1.30pm to 8pm, at Graveney Village Hall, Graveney, Faversham, ME13 9DN	109
Friday 15 June 2018 from 11am to 4pm, at Seasalter Christian Centre, Seasalter, Faversham Road, Whitstable, CT5 4AX	61

Saturday 16 June 2018 from 11am to 5.30pm, at Faversham Guildhall, 8 Market Place, Faversham ME13 7AG	234
Total attendees	405

7.38 The following Development information was available at the events on display, to take away and was available on the Development website:

- SoCC (copies to take away) (shown in Appendix 9)
- Phase Two Community Consultation Leaflet (copies to take away) (shown in Appendix 20)
- Feedback form (copies to take, feedback form also available online) (shown in Appendix 21)
- Consultation event display boards (shown in Appendix 21)
- Photomontages showing visualisations of the proposals from various viewpoints
- PEIR
- PEIR NTS
- Non-technical Development fact sheets (copies to take away) (shown in Appendix 21)
- Section 48 notice (copies to take away) (shown in Appendix 17)

7.39 The following hard copy Development information was available to read or take away at the CAP sites:

- The PEIR
- PEIR NTS (copies to take away)
- Community consultation leaflet (copies to take away)
- Feedback form (copies to take away)
- Section 48 notice (copies to take away)

7.40 Large boards showing the Development site plan were provided at the consultation events for attendees to annotate with comments. All comments are recorded in Appendix 22. Photographs of the boards are shown in Appendix 22.

7.41 The Applicant team across the relevant disciplines were on hand to explain the Development and answer questions from members of the local community attending the events.



Figure 8: Photograph of Community Consultation Event at Graveney Village Hall on Thursday 14 June 2018

7.42 405 people attended the phase two community consultation events.

7.43 273 feedback forms were completed in response to the phase two community consultation events. The comments from these feedback forms is summarised in Chapter 10 and shown in full in Appendix 2 together with how the feedback influenced the Development proposals and how the Applicant responded.

Phase two Section 47 consultation event publicity

7.44 The consultation events were publicised in the following ways:

- A community newsletter (see Appendix 24) was issued to the 12,800 properties and local businesses across the consultation area on 8 May 2018, three weeks before the beginning of the consultation period and five weeks before the consultation events;
- A community consultation leaflet (see Appendix 20) was issued to the 12,800 properties and local businesses across the consultation area on 25 May 2018;

- Local notices were sent to 35 local information points across the consultation area (see Poster in Appendix 20);
- The notice was also displayed at the 8 CAP sites across the consultation area;
- A digital version of this notice was displayed by Playing in Faversham website and Facebook page (www.playinginfaersham.com) (see Appendix 19);
- The consultation event details were posted on the Development website;
- The consultation event details were advertised on the Development Twitter page;
- The consultation event details were publicised in Section 48 notices published in local and national media (see Appendix 18);
- Section 48 notices were erected around the Development area (see Appendix 32);
- Adverts were placed in the local media as shown in Table 17 (Advert shown in Appendix 19);
- A press release was issued to the media (See Appendix 19).

Table 17: Advertising schedule for phase two Section 47 community consultation events.

Newspaper	Publication dates
Kentish Gazette (group) including: <ul style="list-style-type: none"> • Main edition • Faversham News • Herne Bay Gazette • Whitstable Gazette 	31 May and 14 June
Kent Messenger (series) including: <ul style="list-style-type: none"> • KM main edition • KM Sittingbourne • KM Weald • KM Malling • Medway Messenger main edition • Medway Messenger Sittingbourne edition 	31 May and 14 June

Table 18: Features and editorial stories regarding the phase two Section 47 community consultation.

News Outlet	Date
KMTV	31 May 2018
Faversham news	7 June 2018
Herne Bay Gazette	7 June 2018
Kentish Gazette	7 June 2018
Kent Online	31 May 2018, 11 June 2018

- 7.45 An alternative copy of the feedback form for the Development was created and distributed by the local action group, GREAT. In total 354 anonymous copies of this alternative feedback form were received comprising of a tick box of statements. Owing to the forms being anonymous, it could not be confirmed if the 354 copies were duplicates or from different individuals. However, the Applicant has treated them as individual responses.
- 7.46 A summary of the feedback from these alternative feedback forms is shown in Chapter 10 with a full record and response provided in Appendix 2 together with the Applicant's response to the feedback received.
- 7.47 141 written responses to the phase two Section 47 consultation and PEIR were received ahead of the consultation deadline of 13 July 2018. Nine late responses were received. All comments were taken into consideration by the Applicant. The comments received are summarised in Chapter 10 and shown in full in Appendix 2 together with how the feedback influenced the Development proposals and how the Applicant responded to the feedback received.

STATEMENT OF COMPLIANCE WITH FORMAL CONSULTATION UNDER SECTION 47

- 7.48 In summary, the Applicant fully complied with Section 47 of the 2008 Act because:
- The Applicant consulted on the SoCC with all relevant local authorities as defined within Section 43(1) of the 2008 Act, giving them each at least 28 days to respond (see Table 6);
 - The Applicant advertised the SoCC in the publications listed in Table 7;
 - The Applicant commenced statutory consultation with the community through the publication of its SoCC on 09 November 2017 and in accordance with the SoCC (see Table 8);
 - The Applicant consulted with the community i.e. those persons defined under Section 47 of the 2008 Act as living in the vicinity of the land where the Development is over a core and wider consultation area;
 - In addition to those living within the consultation area for the Development, the Applicant identified and engaged with over 50 local community groups

and groups and held briefing meetings and engaged with locally elected representatives;

- The Applicant held two phases of community consultation and two rounds of community consultation events to enable the iterative design of the Development in response to the consultation;
- The Applicant welcomed close to 500 people at its first phase events and over 400 people at its second phase events;
- The Applicant purposely ran the phase two Section 47 consultation in parallel to Section 42 consultation to invite responses from the community to the PEIR and PEIR NTS; and
- A total response period of 42 days was provided for each phase of Section 47 consultation.

8 Statutory Consultation under Section 42 of the 2008 Act (31 May – 13 July 2018)

INTRODUCTION

8.1 This chapter of the Consultation Report details the statutory consultation under Section 42 of the 2008 Act ('Section 42 consultation') and provides an overview of the formal consultation activities that took place during the formal consultation period commencing 31 May 2018 and closing on 13 July 2018.

STATUTORY REQUIREMENTS AND GUIDANCE

8.2 Section 42 of the 2008 Act requires that the Applicant must consult the following groups of stakeholders about the proposed Application:

- a) Such persons as may be prescribed;
- b) The Marine Management Organisation (MMO);
- c) Each local authority that is within Section 43;
- d) The Greater London Authority if the land is in Greater London; and
- e) Each person who is within one or more of the categories set out in Section 44.

8.3 In relation to section 42(1)(a) the Applicant consulted all persons listed as a prescribed consultee notified by the Secretary of State under Regulation 11(1)(a) of the EIA Regulations referred to in this Consultation Report as the 'Section 42 consultees' and listed in Appendix 5.

8.4 In addition to the prescribed consultees identified by the Planning Inspectorate, the Applicant included a further 21 non-prescribed organisations to be consulted as Section 42 consultees (see Appendix 5, which details those prescribed and non-prescribed consultees). All of these Section 42 consultees received the same Development information and were included in the same way in the Section 42 consultation as the Section 42 consultees identified by the Secretary of State.

8.5 Owing to the change in Development site boundary, the Applicant re-submitted notification to the Secretary of State via the Planning Inspectorate under Regulation 8(1)(b) that the Applicant intended to submit an ES in respect of Cleve Hill Solar Park on 21 May 2018. Initial confirmation of this was provided in the EIA Scoping Report (November 2017) in Section 1.1, paragraph 3.

8.6 In response to the Applicant's change to the Application boundary for the Development, the Secretary of State re-issued the list of consultation bodies notified by the Planning Inspectorate under Regulation 11(1)(a) of the EIA Regulations on 23 May 2018.

- 8.7 in response to dialogue with the Environment Agency about the future maintenance of the flood defences along the northern edge of the Development boundary the PEIR, published in May 2018, showed a change in the red line boundary to scope in the flood defences and an area of the intertidal area to the north of the site. Due to this, under Section 42(1) (aa) of the 2008 Act, given the likelihood of effects on the waters adjacent to England as specified under Section 42(2)(a), the MMO were included in the Regulation 11 list dated 23 May 2018 by the Planning Inspectorate and the Applicant consulted the MMO as a Section 42 consultee.
- 8.8 In relation to Section 42(1)(b), the local authorities under the definitions set out in Section 43 of the 2008 Act were consulted. Owing to a change of the DCO site boundary as described in Chapters 1 and 6, the list of local authorities was updated by the Planning Inspectorate in the updated Regulation 11 prescribed consultee (Section 42 consultees) list ahead of the commencement of the Section 42 consultation.
- 8.9 Section 42(1)(c) of the 2008 Act is not relevant to the Development as no land element of the Development is within Greater London.
- 8.10 For the purposes of Section 42(1)(d), a person is within Section 44 of the 2008 Act if the Applicant knows that the person is an owner, lessee, tenant or occupier of the land; is interested in the land or has power to sell and convey the land; or is entitled to make a relevant claim if the order sought by the proposed application were to be made and fully implemented.
- 8.11 The relevant persons defined under Section 44 of the 2008 Act were consulted as part of the Section 42 consultation between 31 May 2018 and 13 July 2018. The list of land interests is presented in the Book of Reference (document reference number 4.3). In parallel to the Section 42 consultation, those consultees identified under Section 44 were engaged by the Applicant's land agents, Gateley Hamer, through requests for responses to a landowner questionnaire and request to meet.
- 8.12 Section 45(1) of the 2008 Act states that the Applicant, when consulting a stakeholder under Section 42, must provide notification of the deadline for responses to the consultation. Section 45(2) states that such a deadline must not be less than 28 days. The Applicant gave Section 42 consultees a period of 42 days (from 31 May to 13 July 2018) for consultation responses.

PRELIMINARY ENVIRONMENTAL INFORMATION

- 8.13 The PEIR and PEIR NTS were produced as the statutory consultation documents for the Section 42 consultation with the Section 42 consultees (and also made available for the parallel phase two Section 47 statutory consultation).

8.14 The PEIR comprised of the information specified in Part 1 of Schedule 4 of the EIA Regulations, which has been compiled by the Applicant and is reasonably required to assess the environmental effects of the Development.

8.15 PEIR NTS was produced, recognising that some Section 42 consultees may wish to view a more easily digestible document.

IDENTIFYING SECTION 42 CONSULTTEES

8.16 Appendix 5 lists the Section 42 consultees for the Development.

8.17 Owing to the change in Development site boundary, the following additional bodies identified by the Secretary of State in his 23 May 2018 Regulation 11 list:

- MMO
- Ministry of Defence
- Whitstable Harbour (identified on a precautionary basis)
- Energy Assets Networks Limited (new licence holder with licence covering Great Britain – identified on a precautionary basis)
- Fulcrum Electricity Assets Limited (new licence holder with licence covering Great Britain – identified on a precautionary basis)
- Murphy Power Distribution Limited (new licence holder with licence covering Great Britain – identified on a precautionary basis)
- Vattenfall Networks Limited (new licence holder with licence covering Great Britain – identified on a precautionary basis)
- Peel Ports London Medway (Port of Sheerness Ltd)
- Folkestone and Hythe District Council
- Thanet District Council
- Dover District Council

8.18 Plus, one non-statutory consultee:

- Royal National Lifeboat Institution

8.19 The Applicant consulted all new Section 42 consultees and all of bodies listed in Appendix 5 of this Consultation Report.

8.20 In addition, the Applicant scoped in 21 additional non-prescribed consultees as Section 42 consultees owing to their interest in the Development.

IDENTIFYING SECTION 44 CONSULTTEES

8.21 Owing to the change in Development site boundary as set out in Chapter 4 of this Consultation Report, the Applicant to was required under Section 42(1)(d) to consult with the relevant persons defined under Section 44 of the 2008 Act.

- 8.22 The Applicant sought to identify the section 42(1)(d) consultees by diligent inquiry before the statutory consultation commenced. The list of land interests is presented in the Book of Reference (document reference 4.3) (hereafter referred to in this Consultation Report as 'Section 44 consultees').
- 8.23 Where owners, lessees, tenants or occupiers were unknown, the Applicant placed notices detailing the consultation at the relevant locations around the Development site area. These notices were installed on 31 May and removed on 13 July 2018, therefore being on display for a 42-day (six-week) period.
- 8.24 An example of the notice and a map showing the locations where the notices were placed in included in Appendix 32 of this Consultation Report. During the consultation period, the signs were checked on a weekly basis, with photographs taken on each visit. If a notice was damaged or missing it was replaced during these visits.
- 8.25 All persons consulted with under section 42(1)(d) are listed in the Book of Reference (document reference number 4.3), which is up to date at the time of submitting the application for a DCO. It is noted that the list of section 42(1)(d) consultees is subject to change over time, as a result of changes in land ownership.
- 8.26 The Applicant consulted with landowners as part of the Section 42 consultation between 31 May 2018 and 13 July 2018. The Applicant informed the Section 44 consultees of the consultation by issuing the following package of correspondence on 30 May 2018:
- Section 44 cover letter, informing Section 44 consultees of the Section 42 consultation (please see a copy in Appendix 6);
 - An electronic copy of the PEIR;
 - An electronic copy of the PEIR NTS;
 - Copy of the Section 48 Notice.
- 8.27 In parallel to the Section 42 consultation with Section 44 consultees, the Applicant also issued Landownership Interest Questionnaires to Section 44 consultees.
- 8.28 In total the Applicant received four responses from Section 44 consultees to the Section 42 consultation. These are detailed in Appendix 3 and summarised in Chapter 11 of this Consultation Report.

IDENTIFYING SECTION 43 LOCAL AUTHORITIES

- 8.29 Owing to the change in Development site boundary as detailed in Chapter 4 of this Consultation Report, the following additional local authorities were identified

by the Planning Inspectorate in their updated List of consultation bodies under Regulation 11(1)(a) of the EIA Regulations 2017:

- Canterbury City Council – being reclassified as a ‘B’ host authority
- Folkestone and Hythe District Council - neighboring ‘A’ authority
- Thanet District Council - neighboring ‘A’ authority
- Dover District Council - neighboring ‘A’ authority

8.30 As part of the formal consultation under Section 42, the additional local authorities were informed of the Development site boundary change as part of the consultation correspondence. The new ‘A’ authorities were also informed of the consultation on the draft SoCC with the host authorities at the time: Kent County Council and Swale Borough Council, plus Canterbury City Council. Please see Table 5 of this Consultation Report.

DUTY TO NOTIFY THE PLANNING INSPECTORATE OF THE PROPOSED APPLICATION UNDER SECTION 46 OF THE 2008 ACT

8.31 Prior to commencing Section 42 consultation, the Applicant notified the Secretary of State of its intention to submit an application for development consent for the Development under Section 46 of the 2008 Act. The notification was sent to the Planning Inspectorate electronically on 31 May 2018 and in hard copy on 30 May 2018, including the following attachments:

- Section 46 cover letter (please see a copy in Appendix 4);
- An electronic and USB copy of PEIR;
- An electronic and USB copy of the PEIR NTS;
- Copy of Section 48 Notice;
- Copy of Section 42 letter to Section 42 consultees.

8.32 The Planning Inspectorate on behalf of the Secretary of State acknowledged receipt of the notification on 31 May 2018.

UNDERTAKING SECTION 42 CONSULTATION

8.33 All Section 42 consultees were written to and notified by email of the commencement of the Section 42 consultation on 31 May 2018. The following documents were provided to all Section 42 consultees via email and via post on 31 May 2018:

- Section 42 cover letter (please see a copy in Appendix 6);
- An electronic and USB copy of the PEIR;
- An electronic and USB copy of the PEIR NTS;
- Copy of Section 48 Notice.

- 8.34 The PEIR constituted the Section 42 consultation document under Section 45(3) of the 2008 Act.
- 8.35 With the Section 42 consultation period commencing on 31 May 2018 and ending on 13 July 2018, this provided a response period of 42 days (therefore exceeding the minimum 28-day statutory period set out in Section 45(2) of the 2008 Act).
- 8.36 A reminder email to all Section 42 consultees for responses was sent on 12 July 2018 (see Appendix 6).
- 8.37 Following the Section 42 consultation, it was recognised that the Lower Medway Internal Drainage Board (LMIDB) had not been consulted. Therefore, under Section 42, the LMIDB were formally notified of the consultation and PEIR on 18 July 2018 and a consultation deadline of 30th August 2018 granted (allowing the statutory 28 days consultation period). A statutory consultation deadline was provided, rather than the 42-day period given to other Section 42 consultees as the Applicant was already in dialogue with LMIDB regarding their response.
- 8.38 In total 46 responses were received from Section 42 consultees by the deadline of 13 July 2018. Six late responses were received, which the Applicant still had regard to. All comments received are recorded in Appendix 3 with the Applicant's response. An overview of the Section 42 feedback and Applicant's response is provided in Chapter 11.

STATEMENT OF COMPLIANCE WITH FORMAL CONSULTATION UNDER SECTION 42

- 8.39 In summary, the Applicant fully complied with Sections 42, 44, 45 and 46 of the 2008 Act:
- The Applicant consulted with such persons as may be prescribed (Sections 42(1)(a) – (d)) and relevant to the Development, including landowners under Section 44;
 - A number of additional non-prescribed consultees were scoped in as Section 42 consultees;
 - Notification of the Development under Section 46 was provided to the Secretary of State on 30 May 2018; and
 - A total response period of 42 days was provided for Section 42 consultation, exceeding the statutory period of 28 days.

9 Statutory Consultation under Section 48 of the 2008 Act (31 May – 13 July 2018)

INTRODUCTION

9.1 This chapter details how the Applicant has complied with Section 48 of the 2008 Act (duty to publicise).

STATUTORY REQUIREMENTS AND GUIDANCE

9.2 Section 48 of the 2008 Act requires the Applicant to publicise the proposed Application in the prescribed manner. A deadline for receipt of comments to the publicity must also be provided.

9.3 Regulation 4 of the APFP Regulations sets out what the publicity under Section 48 of the 2008 Act should entail, which essentially is the publication of a notice in given publications, with requirements on the contents of such notice. Specifically, Regulation 4 requires an applicant to publish the notice for two successive weeks in one or more local newspapers and once in a national newspaper, once in Lloyd's List, the London Gazette and (if applicable) a fishing trade journal.

9.4 Table 19 specifies the publications and timing of the Section 48 notice publication. Owing to the change of the Application boundary in the PEIR the Development site boundary fell beyond Mean High Water. Therefore, the Development was also publicised in Fishing News on 31 May 2018.

9.5 Paragraph 41 of the DCLG Guidance notes that publicity under Section 48 is an integral part of the community consultation process and where possible the advertisements in local newspapers should coincide with the beginning of consultation with communities under Section 47. The Applicant complied with this guidance.

9.6 For the Development, Section 48 publicity took place in parallel with the phase two Section 47 community consultation and Section 42 consultation with the publication of PEIR. The parallel consultation process provided the same response times for the Section 47, 42 and 48 consultations, i.e. 31 May to 13 July 2018.

9.7 Evidence of compliance with the relevant legislation is provided in Appendix 1.

PUBLICATION OF NOTICE

9.8 The Section 48 notice (available in Appendix 17) publicising the Development and advertising the intention to apply for a DCO was placed in the publications listed in Table 19 (specified dates varied due to different publication dates).

- 9.9 All consultees identified under Section 42 of the 2008 Act were provide with a copy of the Section 48 notice as required by Regulation 11 of the EIA Regulations.
- 9.10 Copies of the advertisements and notices, as placed, are provided at Appendix 18.

Table 19: Publication schedule of Section 48 notice

Publication	1 st Insertion	2 nd Insertion
Sheerness Times Guardian and Sittingbourne News Extra Guardian	23 May 2018	30 May 2018
Kentish Gazette (group) including Faversham News	24 May 2018	31 May 2018
Fishing News	31 May 2018	
Lloyd's List	31 May 2018	
The Guardian	31 May 2018	
London Gazette	31 May 2018	

- 9.11 In addition to the publications in Table 19 supported by Appendix 18, the Section 48 notice was also reproduced in the following publications which the Applicant does not have copies of; Whitstable Gazette, Herne Bay Gazette.
- 9.12 The Section 48 notice outlined required information under Regulation 4(4) of the APFP Regulations.
- 9.13 The Applicant erected Section 48 notices around the Development site area. The notice and map of locations for the notices are shown in Appendix 32. The Applicant checked the locations of the Section 48 notices, replacing any that had been removed.

STATEMENT OF COMPLIANCE WITH FORMAL CONSULTATION UNDER SECTION 48

- 9.14 In summary, the Applicant fully complied with Section 48 of the 2008 Act:
- The Applicant publicised the Development in two consecutive notices in the publications listed in Table 19;
 - The Applicant held the Section 48 consultation in parallel with the Section 42 consultation and phase two Section 47 consultation, notifying consultees of PEIR and where the consultation documents could be reviewed;
 - The Applicant placed Section 48 notices around the Development site area.

10 Section 47 Statutory Consultation: Responses Received, Issues Raised and Changes Made

INTRODUCTION

10.1 This chapter of the Consultation Report sets out how the Applicant has complied with its duty under Section 49 of the 2008 Act to take account of consultation responses received under Section 47 of the 2008 Act.

SECTION 47 CONSULTATION

10.2 Section 47 consultation was held between 09 November 2017 and 13 July 2018, which included:

- A phase one consultation, inviting consultation responses to early stage Development proposals between 09 November 2017 and 22 December 2017;
- A period of ongoing consultation from December 2017 to May 2018, with the Applicant carrying out consultation activities as stated in the SoCC;
- A phase two consultation, inviting consultation responses to a PEIR and PEIR NTS between 31 May 2018 and 13 July 2018.

10.3 In total, 1153 responses were received to the Section 47 consultation between 09 November and 31 May 2018. Responses have been received via online and hard copy consultation feedback forms, written responses, calls and emails received to the Applicant's communication channels, feedback recorded at meetings with Section 47 consultees. Of these 1153 responses, 354 anonymous responses were received in an alternative feedback form as explained in Section 7.45.

10.4 A list of all the individual responses received to the Section 47, including how the Applicant has had regard to these responses in the Development are included in Appendix 2.

10.5 This chapter summaries the feedback received to the Section 47 consultation and how the Applicant has had regard to the feedback made in the iterative design of the Development and key Development changes that have been made.

Phase One Consultation (09 November 2017 – 22 December 2017) Responses

10.6 In response to phase one Section 47 consultation, the Applicant received:

- 289 completed feedback forms
- 48 pieces of feedback via letters, emails or phone calls

- 10.7 The key issues arising from feedback received during this period and how the Applicant has had regard to this is outlined in Table 20.
- 10.8 The Applicant sought to receive responses to a range of questions regarding the early stage Development proposals and to receive opinions regarding the development of renewable energy such as solar power. A copy of the feedback form is shown in Appendix 14.
- 10.9 The feedback form also included free-form spaces for consultees to provide more detailed information. All individual feedback responses received and including how the Applicant has had regard to these responses are included in Appendix 2.
- 10.10 In summary:
- 82% of respondents were local residents.
 - 78% of those who had attended the consultation events filled in a feedback form.
 - 80% of respondents found the consultation events informative.
 - The Applicant appreciated that respondents wished to see more information given the early stage nature of the proposals at phase one Section 47 consultation, with 25% of respondents requesting further information.
 - 95% of respondents agreed that the UK needs more renewable energy with 90% agreeing that storing renewable energy is an important part of renewable energy generation.
 - Ecology and bird life and visual impact of the Development were the most important issues to respondents.
 - Respondents most wished to see landscape and biodiversity management improvements on site and enhancements to PRoWs, as well as other suggestions that are responded to in Appendix 2.

Phase One Consultation Feedback Analysis

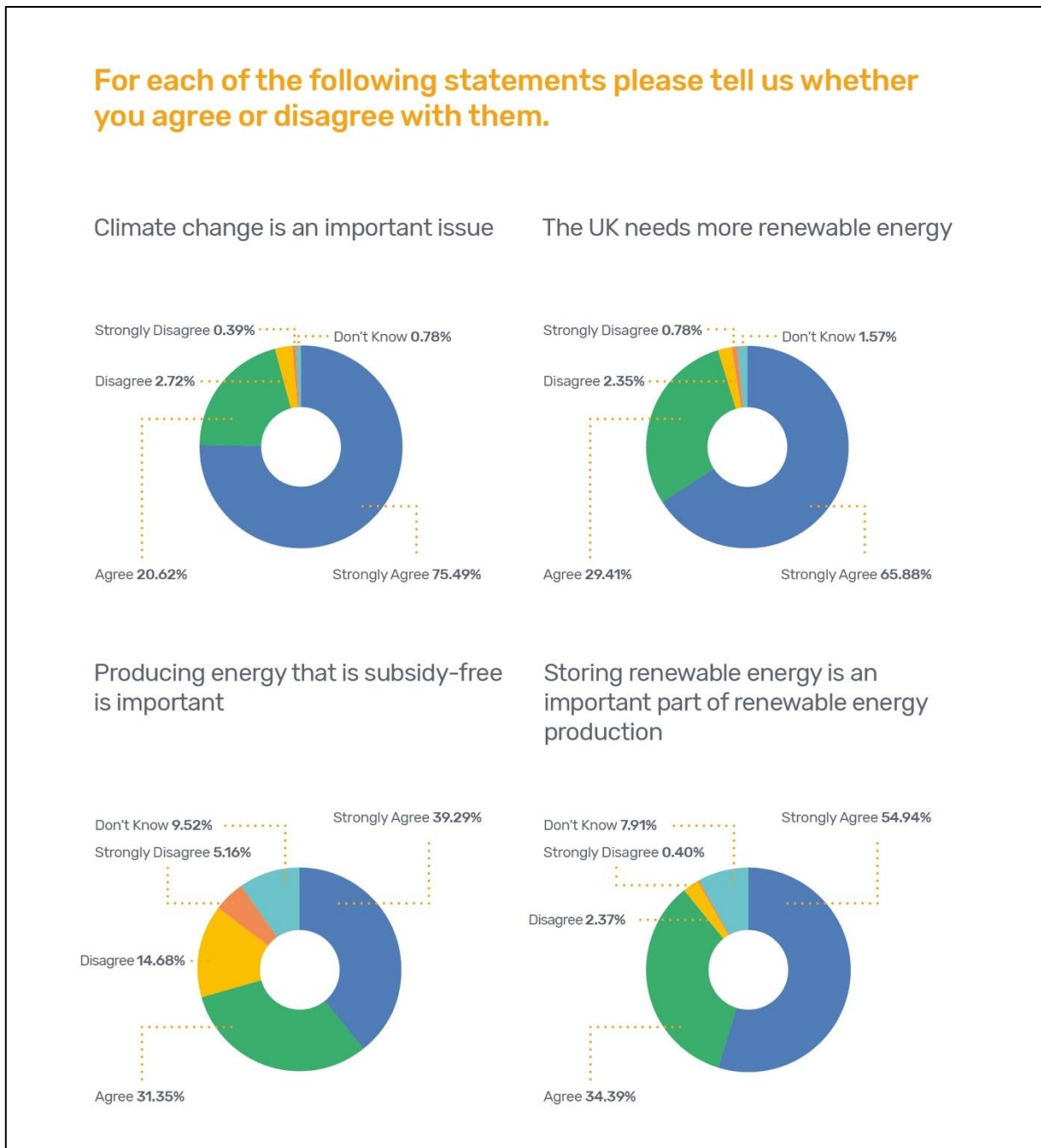


Figure 9: Section C 'Renewable energy generation': Responses to four statements relating to energy generation.

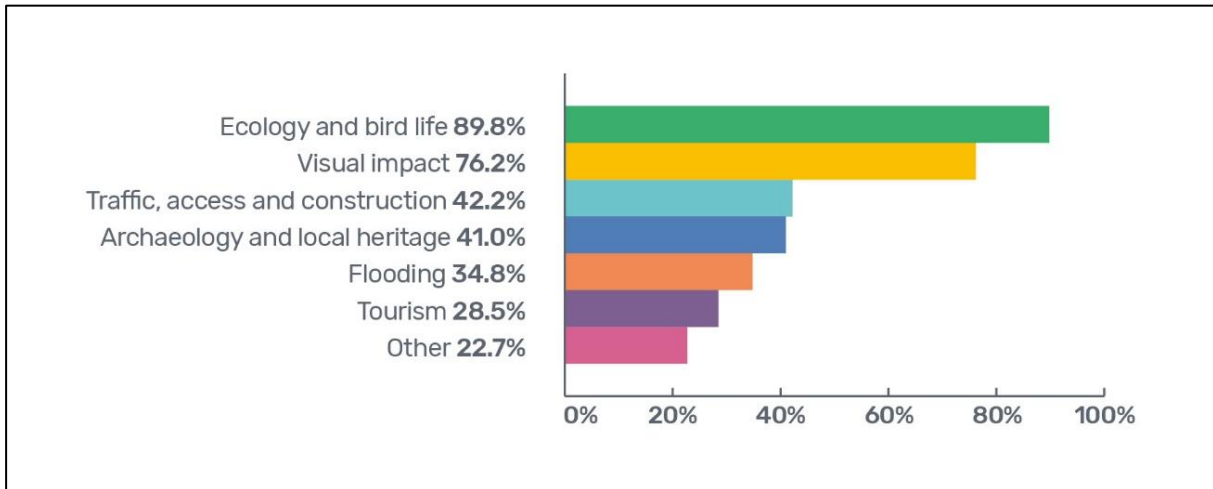


Figure 10: Section D 'Project-specific feedback': 'Which aspect of the Development is most important to you? (tick all the apply)

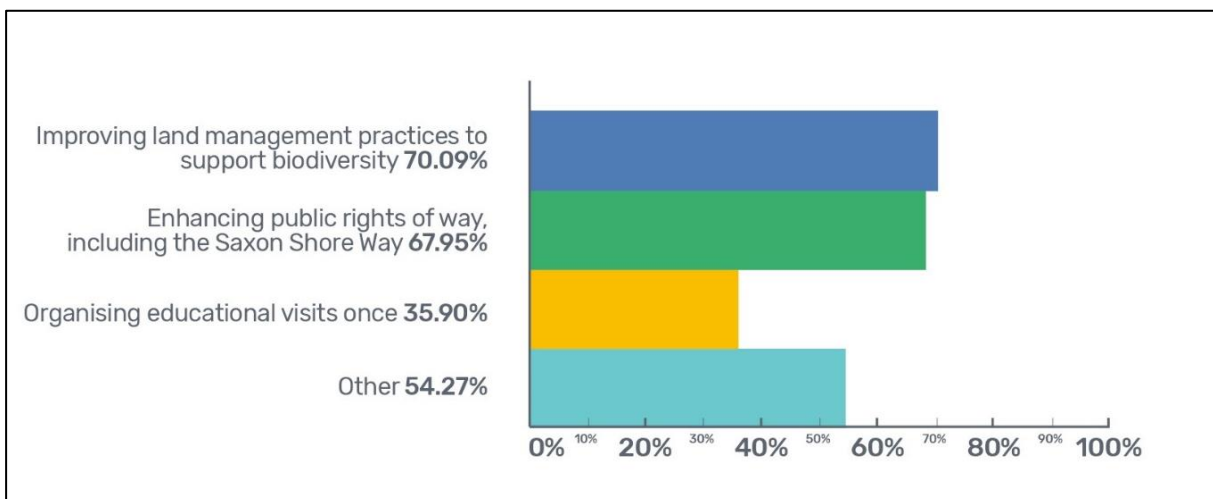


Figure 11: Section D 'Project-specific feedback': 'Please indicate if any of the following initiatives would be of interest to you or provide any further suggestions'

10.11 A summary of the free form and written responses received to the phase one Section 47 consultation together with how the Applicant responded is provided in Table 20.

10.12 A Development Change is defined by a change to the Development design or a change to the assessment methodology or action taken in response to the comment.

Table 20: Phase One Section 47 consultation key comments and Applicant responses

EIA Topic Area: Consultation		
Comments	Development Change?	Applicant Response
The consultation deadline of 22 December was too short.	No	The Applicant provided a consultation period of 42 days, which exceeds the statutory minimum of 28 days.
Will the views of the public be listened to?	No	<p>As set out in the SoCC, the Applicant is committed to undertaking an iterative design process for the Development in response to consultation.</p> <p>The Applicant has responded to all feedback received during consultation on the Development in accordance with Section 49, and provided a summary in Chapter 10 of this Consultation Report and has responded to all comments in Appendix 2.</p>
EIA Topic Area: Site Selection, Development Design and Consideration of Alternatives		
Comments	Development Change?	Applicant Response
Solar panels should be placed on industrial units and rooftops.	No	Noted. The Applicant supports all forms of renewable energy generation.
Concern for the site location and suggested using alternative sites.	No	Chapter 4, ES (document reference number 6.1.4) sets out the site selection process for the Development. The Development area was selected through an extensive site search exercise. The south of England was of particular interest due to the higher levels of solar irradiation experienced relative to other parts of

		the UK. To date, no other sites have been identified in the south of England in such close proximity to the 400 kV National Grid Electricity Transmission (NGET) network with the ability to accommodate similar generation capacity to the Development (>350 MWp) and with the other positive characteristics to facilitate solar PV development.
Agricultural land should not be used for this development.	No	Approximately 95% of the land within the Development where development could take place is classified as Grade 3b, which is not best and most versatile agricultural land, i.e., it is of lower agricultural quality.
EIA Topic Area: Development Description		
Comments	Development Change?	Applicant Response
Would like more information regarding the maintenance and decommissioning plans for the site.	No	The Applicant will be required to provide a decommissioning plan as a requirement of the Development Consent Order, should it be granted. Please see Chapter 5, ES (Chapter 6.1.5) to see details of decommissioning and maintenance.
Size of the site is too large.	Yes	<p>In response to the comments received from the community and prescribed consultees to the phase one Section 47 consultation, the Applicant reduced the overall area of proposed solar PV modules as subsequently consulted on in PEIR:</p> <p>Phase 1 Section 47 consultation (Winter 2017). The area covered by solar PV modules was 56.5%. An Arable Reversion Habitat Management Area (AR HMA) of 41ha was proposed.</p> <p>Parallel Section 42 and Phase 2 Section 47 consultation (Summer 2018). The area covered by solar PV modules was reduced to 49.8%, owing to:</p>

		<ul style="list-style-type: none"> - 9.2ha of solar PV modules removed at Cleve Hill - Set back from properties at Nagden and at Warm House - 5-8m distance between panels and ditches <p>Following comments to PEIR (31 May - 13 July 2018), the area covered by solar PV modules was reduced to 45.5%, owing to:</p> <ul style="list-style-type: none"> - A further 4.4ha of solar PV modules removed at Cleve Hill (making a total area removed of 13.6ha) - An increase of the AR HMA from 41ha to 56ha - 15m distance between panels and ditches across most of the site.
EIA Topic Area: Landscape and Visual Impact Assessment		
Comments	Development Change?	Applicant Response
Concerned about the visual impact of the site, particularly due to the scale of the proposed development being a large area.	Yes	<p>In response to the feedback received to the phase one Section 47 consultation and responses from near neighbours and residents regarding set back, panel reduction and screening, the Applicant modified the Development design as shown in Figures 1-3, Chapter 1.</p> <p>Key changes to mitigate visual impact of the Development as presented in subsequent PEIR included:</p> <ul style="list-style-type: none"> - The removal from the indicative plan of 9.2ha of solar PV modules from development parcels Z and a portion of Y on the elevated ground at Cleve Hill to reduce views from neighbouring properties and the village of Graveney. (This was increased to 13.6ha of solar PV modules removed from the Development indicative design in total following comments to PEIR);

		<ul style="list-style-type: none"> - A minimum of 68m of setback to neighbouring properties at Nagden including a screening plan of proposed lowland hedgerow; - A minimum of 66m of set back and a proposed woodland area (as agreed with the owners) at Warm House; - A minimum buffer distance from the Saxon Shore Way of 63m; - Across the Development, the Applicant proposed 3.52km of native hedgerow planting for screening (which was increased to 3.64km in the final Application).
Particular viewing points which respondents wished to know more about the impact of, these included: Faversham Creek, Victory Wood, Seasalter Road, Thanet Way, Ham Marshes, Wraik Hill, Sheppey, Hollowshore, Monkshill and Oare Marshes.	Yes	<p>A Landscape and Visual Impact Assessment (LVIA) has been undertaken for the Development as included in Chapter 7, ES (document reference number 6.1.7). The viewpoints used for the LVIA were consulted on and agreed with the local planning authorities: Kent, Swale and Canterbury Councils.</p> <p>The LVIA included viewpoints and photomontages from these agreed viewpoints were consulted on in PEIR and at phase two Section 47 consultation events.</p>
Concerned about the potential visual impact at Cleve Hill, which is a more elevated part of the proposed development area and is visible from a number of households in the area and All Saints Church.	Yes	<p>As shown and summarised in Figures 1-3, Chapter 1 of this Consultation Report, a range of mitigation has been included in the final design of the Development.</p> <p>Following feedback received to the phase one Section 47 consultation, the Applicant removed 9.2 ha of solar PV modules at Cleve Hill from the Development indicative design to reduce views from neighbouring properties and the village of Graveney. This design change was presented in the PEIR.</p>

		Following comments from phase two Section 47 consultation and Section 42 consultation, the Applicant further removed 4.4ha of solar PV modules from the indicative design of field Y, meaning a total reduction of panels at Cleve Hill of 13.6ha.
Wished to find out more about the potential for set-back and screening in certain areas of the proposed development area.	Yes	<p>Following the comments received from phase one Section 47 consultation and the ongoing dialogue with near neighbours and residents, the Applicant presented a series of set back and screening proposals consulted on as part of the Outline Landscape and Biodiversity Management Plan ('LBMP') appended to the PEIR.</p> <p>Further details can be found in the final Outline LBMP in technical appendix 5.2, ES (document reference 6.4.5.2). Also, see Figures 1-3 of Chapter 1 of this Consultation Report for an overview of the set back and screening changes from phase one Section 47 consultation to the final Application.</p>
Concerned about the impact of the development upon views from the Saxon Shore Way.	No	<p>A LVIA has been undertaken for the Development as included in Chapter 7, ES (document reference number 6.1.7). The viewpoints used for the LVIA were consulted on and agreed with the local planning authorities: Kent, Swale and Canterbury Councils and included viewpoints along the Saxon Shore Way.</p> <p>The Applicant has maintained in its indicative design a minimum buffer distance from the Saxon Shore Way of 63m.</p>
Wished to know more information about the specific height of the panels and how this would impact the visual amenity in the area.	Yes	As part of the LVIA, photomontages of the solar PV modules were shown at phase two Section 47 consultation and in the PEIR at various viewpoints. These viewpoints considered the worst-case solar PV module heights with a maximum panel height of 3.9m. This is now in the ES.

		In response to comments, an illustrative version of the solar PV module arrangement was shown in the consultation leaflet and banners at the phase two Section 47 consultation events.
There should be significant set-back from immediate properties.	Yes	<p>Key changes to mitigate visual impact of the Development from neighbouring properties following consultation and as presented in subsequent PEIR included:</p> <ul style="list-style-type: none"> - The removal of 9.2ha of solar PV modules from the indicative plan for development parcels Z and a portion of Y on the elevated ground at Cleve Hill to reduce views from neighbouring properties and the village of Graveney. (This was increased to 13.6ha of solar PV modules removed in total with the total removal of development parcel Field Y following comments to PEIR); - A minimum of 68m of setback to neighbouring properties at Nagden including a screening plan of proposed lowland hedgerow; - A minimum of 66m of set back and a proposed woodland area (as agreed with the owners) at Warm House; - A minimum buffer distance from the Saxon Shore Way of 63m; - Across the Development, the Applicant proposed 3.52km of native hedgerow planting for screening (which was increased to 3.64km in the final Application).
EIA Topic Area: Ecology		
Comments	Development Change?	Applicant Response
Emphasised the importance of the area for species protection of flora, invertebrates and mammals.	Yes	The Applicant has undertaken a full EIA for the Development and has communicated this with the community and through the PEIR at Section 42 and phase two Section 47 consultation and its submission of the ES (document reference 6.1).

		<p>The Applicant established a HMSG with local representation from KWT in order to discuss appropriate habitat mitigation, land management and biodiversity improvements with Natural England, RSPB and KWT.</p> <p>This has resulted in an agreed AR HMA for birds of 56ha, which has increased from 41ha between scoping and Application submission.</p>
<p>The Development should not negatively impact upon Ecology and biodiversity in the area.</p>	<p>Yes</p>	<p>Following phase one Section 47 consultation and in preparation of PEIR, the Applicant worked with leading research institutions to develop an Outline LBMP, which was presented with the PEIR. An updated outline has been submitted with the Application (document reference number 6.4.5.2).</p> <p>The Outline LBMP shows net gains in either area of habitat created or quality of habitat will provide an increased holding capacity for a range of species throughout the trophic chain.</p> <p>Consultation with KWT, RSPB and Natural England and others has taken place to ensure that net gains for biodiversity within the core study area through enhancements is achieved. Enhancements are included through 'Embedded Mitigation', the details of which are included in Appendix 5.2 of the Outline LBMP (document reference number 6.4.5.2).</p>
<p>Emphasis upon wildlife is too large in comparison to the emphasis placed upon the impact on humans.</p>	<p>Yes</p>	<p>The Applicant recognises the importance of the surrounding Development site area to those who live or recreationally use the area.</p> <p>In response to feedback received at phase one Section 47 regarding the importance of public rights of way on and around the Development</p>

		site, the Applicant suggested an additional permissive pathway and addition of a community orchard as presented at phase two Section 47 consultation.
Encouraged the Applicant to improve conditions for pollinators, particularly bees.	Yes	The Applicant has consulted with the Bumblebee Conservation Trust and has agreed measures to improve conditions for pollinators such as planting high pollen plant species including white clover. Please see the outline LBMP (document reference number 6.4.5.2) for further information.
EIA Topic Area: Ornithology		
Comments	Development Change?	Applicant Response
Concerned about the potential impact which the development would have upon ornithology, both local and migratory, which used the site and the adjacent areas.	Yes	<p>Surveys were undertaken over a period between January 2014 and April 2018, with reporting in 2018 as set out in Chapter 9 of the ES (document reference 6.1.9).</p> <p>Chapter 9, ES (document reference 6.1.9) and the RIAA (document reference 5.3) assess there to be no significant effects from the full extent of the Development on birds, including the qualifying interest features of the designated sites.</p> <p>As mentioned above, through the HMSG, the Applicant has canvassed views from local and statutory nature stakeholders.</p> <p>This has resulted in an agreed AR HMA for birds of 56ha, which has increased from 41ha between scoping and Application submission.</p>
It is of paramount importance that the local salt marshes, Site of Special Scientific Interest (SSSI)	Yes	Through consultation with the HMSG, feedback was provided to the Applicant that inclusion of the SSSI site to the east of the AR HMA

<p>and conservation areas which surround the site are respected, and do not experience any negative impacts from the development and its proximity to them.</p>		<p>would be beneficial to include within the Development site boundary, linking together with the AR HMA.</p> <p>The additional area included in the Development at PEIR, which comprises part of The Swale SPA/SSSI/Ramsar site, will not contain any new development structures; they are included to facilitate ongoing maintenance of the sea wall and to bring biodiversity benefits through more appropriate management of the freshwater grazing marsh in the east of the site.</p>
<p>The proposed habitat mitigation area is not large enough.</p>	<p>Yes</p>	<p>As mentioned above, the Applicant has used the HMSG to ensure that it obtains views from the relevant parties on habitats issues. One result of this consultation via the HMSG is the enlargement of the proposed size of the AR HMA to 56ha, as set out above.</p>
<p>EIA Topic Area: Hydrology, Hydrogeology, Flood Risk and Ground Conditions</p>		
<p>Comments</p>	<p>Development Change?</p>	<p>Applicant Response</p>
<p>Concerned about the potential for flooding in the site area and wished to know more about how the Applicant intended to protect against the potential for flooding, and if this meant that panels would have to be higher off the ground.</p>	<p>Yes</p>	<p>The Applicant has undertaken extensive flood modelling for the Development site area resulting in varying heights the panel structures are from off the ground being between (1.2 – 2.1m) off of the ground). The site infrastructure is designed to remain above and function to a 1:1000 year plus climate change wave overtopping scenario. Only the electrical compound is designed to withstand a breach of the existing defences.</p> <p>The subsequent PEIR and ES provided a candidate design and details of the flood modelling and flood risk assessment.</p>

		A full flood risk assessment is provided as an appendix to Chapter 10 of the ES (document references 6.1.10 and 6.4.10.1).
Current sea wall maintenance in the area is poor and suggested that the Applicant should work to improve these defences as part of their development.	No	<p>The Applicant has consulted with the EA throughout the pre-application consultation in addition to the statutory Section 42 consultation as detailed in Chapter 5 of this Consultation Report, particularly since the publication of the consultation draft of the MEASS.</p> <p>As agreed with the EA, the asset owner for the Development will assume responsibility for continued maintenance of the defences in this area.</p> <p>Given that the existing defences provide a level of protection up to the 1:1000-year flood event, there is no anticipated requirement for the defences to be raised beyond their current height.</p>
The ongoing Environment Agency consultation on Medway Estuary and Swale Strategy was raised by a number of respondents who were concerned that the flood plan strategy was not compatible with the plans for the Development.	Yes	<p>The Applicant has consulted with the EA throughout the pre-application consultation in addition to the statutory Section 42 consultation as detailed in Chapter 5 of this Consultation Report.</p> <p>The MEASS is expected to set out a "Plan B" scenario should the Development be constructed, which is likely to shift the expected timescales for managed realignment to between 50 and 100 years in the future. The EA acknowledges that the MEASS proposals are strategic and not detailed. There are a number of factors to be considered and overcome for the strategy to be implementable.</p> <p>The majority of the Development is designed to withstand an overtopping of the existing defences taking into account future projections of sea level rise and extreme events. Only the electrical compound is designed to withstand a breach of the existing defences.</p>

		<p>It is therefore clearly in the asset owner's interest to maintain the current standard of defences, to at least the same standard that the EA currently do.</p> <p>The Applicant therefore increased the Development site boundary to include the flood defences as shown in Figures 1-3, Chapter 1. This was consulted on in the PEIR.</p> <p>Subsequently a position between the EA and the Applicant has been reached as included in Appendix 26.</p>
EIA Topic Area: Cultural Heritage and Archaeology		
Comments	Development Change?	Applicant Response
<p>Interested in the potential for discovery of items of interest relating to:</p> <ul style="list-style-type: none"> • The Graveney boat • Nagden bumps • Battle of Graveney Marshes • Roman civilisation • The Bronze Age • Saxon settlements 	No	<p>The Applicant has assessed the impact of the Development on cultural heritage and archaeology in the ES, Chapter 11: Cultural Heritage and Archaeology, (document reference number 6.1.11).</p> <p>An outline WSI has been prepared for the application, with a final WSI being required to be provided under the DCO requirements in accordance with the outline for agreement with KCC prior to works commencing. This will set out proposed archaeological mitigation and to ensure significant remains (if encountered) can be appropriately dealt with (both in the field and in post-excavation reporting). See ES, Technical Appendices: Outline Written Scheme of Investigation (document reference number 6.4.11.4).</p> <p>The Graveney Boat discovery did not take place on the Development site but on the neighbouring Graveney Marshes 870m east to the site. Please see Chapter 11, ES (document reference 6.1.11).</p>

Geophysical scanning should be undertaken and local archaeology groups should be consulted.	No	An outline WSI has been prepared, with a final WSI to be provided for agreement with KCC. This will set out proposed archaeological mitigation and to ensure significant remains (if encountered) can be appropriately dealt with (both in the field and in post-excavation reporting). See ES, Technical Appendices: Outline Written Scheme of Investigation (document reference number 6.4.11.4).
The landscape character of the marshes and adjoining land in the area should be preserved as part of its local heritage.	No	The Applicant has assessed the impact of the Development on cultural heritage and archaeology in the ES, Chapter 11: Cultural Heritage and Archaeology, Section 11.5.2.3 (document reference number 6.1.11). This concludes no significant effects on these receptors. ES, Chapter 7: Landscape and Visual Impact Assessment (document reference number 6.1.7) considers the existing open nature and characteristics of the site.
EIA Topic Area: Socioeconomics, Tourism, Recreation and Land Use		
Comments	Development Change?	Applicant Response
Highlighted the importance of PRow which run alongside and through the proposed site.	Yes	The importance of the PRow to the communities across the consultation area is fully recognised by the Applicant who proposed additional permissive pathways across the site which were consulted on at stage two Section 47 consultation. As a result of feedback received, a single permissive pathway is included in the final Development which is at the east of the site connecting the southern and northern boundary.

<p>Concerned about the impact which the development would have upon the popularity of the area to walkers and bird watchers.</p>	<p>No</p>	<p>The Applicant has sought to continue to provide PRoWs at the Development site by committing to keeping the existing PRoWs and by adding an additional permissive pathway. The Applicant has consulted with RSPB and KWT throughout the pre-application process for the Development in order to maintain the amenity of the site for walkers and bird watchers.</p> <p>In response to comments from RSPB and KWT as part of the HMSG, the Applicant has scoped in an area of 35.1ha of SSSI freshwater grazing marsh in the Development site boundary to be able to better manage this area for birds and wildlife.</p>
<p>Concerned about the impact which the site would have upon visitors to Graveney, Faversham and Seasalter.</p>	<p>No</p>	<p>The Applicant provided details of the impacts on tourism in Chapter 13 of the PEIR consulted on a phase two Section 47 consultation and Section 42 consultation.</p> <p>Full details of the impacts on tourism are provided in Chapter 13, ES (document reference 6.1.13). No likely significant effects are assessed on tourism.</p>
<p>Suggested possible improvements to tourism in the area through eco-tourism, or improvements of signage, pathways, cycleways and biodiversity.</p>	<p>Yes</p>	<p>The Applicant proposed additional permissive pathways across the site which were consulted on at stage two Section 47 consultation. The Applicant also proposed a community orchard in the PEIR and at phase two Section 47 consultation in response to feedback received at phase one Section 47 consultation. As a result of feedback received, an additional permissive pathway is included in the final Development which is at the east of the site connecting the southern and northern boundary.</p> <p>Feedback was strong opposing proposal for a community orchard in the Development owing to security and management concerns.</p>

<p>This Development does not offer any community benefit to the local area.</p>	<p>Yes</p>	<p>The Applicant has maintained throughout the pre-application consultation that a community benefit fund would not be available for the Development. The Development is subsidy free and so this does not allow the economic flexibility to include a community benefit fund as has been seen for offshore and onshore wind farms.</p> <p>The Applicant has sought to provide local benefits in the form of additional recreational provision at the site, including proposals for additional permissive pathways and a community orchard as detailed above.</p>
<p>EIA Topic Area: Access and Traffic</p>		
<p>Comments</p>	<p>Development Change?</p>	<p>Applicant Response</p>
<p>Wished to know more about the Construction Traffic Management Plan.</p>	<p>Yes</p>	<p>The Applicant submitted an outline CTMP with the PEIR as part of the phase two Section 47 and Section 42 consultation.</p> <p>The Applicant further hosted a traffic and transport specific workshop to listen to and invite comments to the mitigation proposals set out in the outline CTMP on 19 September 2018. A final outline CTMP is set out in document reference number 6.1.14.1. This will form the basis of a final CTMP, which, under the draft DCO, would require approval from KCC prior to commencement of construction.</p>
<p>Concerned about traffic increasing congestion on roads which they view as already inadequate and dangerous.</p>	<p>Yes</p>	<p>The Applicant provided traffic volumes for consultation in the PEIR. The amount of construction traffic predicted to be generated by the proposed Development has reduced from that identified in the PEIR. Predicted traffic volumes are discussed within Chapter 14, ES (document reference number 6.1.14), with no significant effects being assessed following implementation of mitigation.</p>

		<p>In response to comments received throughout the Section 47 and Section 42 consultation, the Applicant has developed an outline CTMP which takes into consideration concern over congestion and traffic numbers for deliveries during the construction phase of the Development.</p> <p>For example, core working hours are proposed to be between 07.00 until 19.00, Monday to Friday and 07.00 until 13.00 on a Saturday (unless in exceptional circumstances where need arises to protect plant, personnel or the environment). In addition to this, a start-up and close down period for up to an hour before and after the core working hours is proposed. This does not include the operation of plant or machinery likely to cause a disturbance.</p> <p>All construction traffic movements will be within the core working hours.</p> <p>It is proposed that the project will not accept HGV deliveries to site or let HGVs leave the site between the hours of 08.30 to 09.30 and 15.00 to 16.00 to avoid Graveney Primary School start/finish times.</p>
<p>Expressed a preference for whichever construction method would cause the least amount of disruption for residents and wildlife.</p>	<p>No</p>	<p>Noted. The Applicant has considered all feedback received in the development of its outline CTMP to reduce the amount of disruption for residents and the surrounding environment.</p> <p>Chapter 14, ES (document reference number 6.1.14). sets out the assessment of potential transport related environmental effects associated with the construction of the proposed solar park. It identifies no significant residual environmental effects resulting from the proposed construction traffic.</p>

There was a slight preference for a shorter, more intensive construction period from those who declared a preference, at 54%.	Yes	The Applicant has sought to reduce the construction period and has presented two scenarios as set out in Chapter 14, ES (6.1.14), with the worst case now being a maximum 24 month construction period for the solar PV module installation and electrical infrastructure with an additional 6 month installation period for the possible energy storage element, which could also be achieved concurrently to the 24 month construction period to the PV module and electrical infrastructure construction.
Ensure that the Development consider transportation via transport other than road, such as sea, helicopter and railway.	No	Please see the alternatives considered in the site selection and alternatives Chapter 4 of the ES (document reference 6.1.4).
Close neighbours to the site stated that they previously experienced structural damage and noise disruption from construction traffic.	No	The Applicant cannot comment on other schemes. The Applicant proposes that a detailed highway condition survey be undertaken both before and after construction of the proposed development. If the condition of the road surface or verges has deteriorated as a result of the proposed construction traffic, the Development will undertake remedial works to ensure the condition of the highway is as it was prior to construction. The methodology and assessment of the highway condition surveys will be agreed and undertaken in consultation with Kent County Council Highways.
EIA Topic Area: Miscellaneous Issues		
Comments	Development Change?	Applicant Response
Impact on property prices.	No	The Applicant recognises concerns from the owners of surrounding properties regarding impacts on house prices.

		The Applicant has consulted with the owners of surrounding properties and has discussed that there is no current evidence to suggest that property prices are impacted by solar developments.
Wished to know more about how the park would be secured.	Yes	<p>The Applicant has maintained the use of deer fencing in its proposals, as subsequently shown in the PEIR and ES.</p> <p>In response to concerns about safety at Cleve Hill, following phase two Section 47 consultation, the Applicant has proposed post and wire 1.2m stock proof fencing (as per other areas close to development site) at this location.</p>

Ongoing Statutory Consultation (22 December 2017 – 31 May 2018)

- 10.13 Between the close of phase one Section 47 consultation (22 December 2017) and the start of phase two Section 47 consultation (31 May 2018) 46 responses were received via the Applicant's information lines.
- 10.14 As part of the ongoing statutory consultation in this period, feedback continued to be received and fed into the Development design.
- 10.15 This included a number of meetings with key stakeholders as outlined in Chapter 7.
- 10.16 The key issues arising from feedback received during this period and how the Applicant has had regard to this is outlined in Table 21 with all responses detailed in Appendix 2.

Table 21: Ongoing Section 47 consultation feedback

Meetings Held Between 22 December 2017 and 31 May 2018	
Key Comments	Applicant's Response
EIA Process and Methodology	
More information on the independence of the Environmental Impact Assessments undertaken	<p>The Applicant explained in face-to-face meetings and at community consultation events the standards to which all Environmental Impact Assessments undertaken by the Applicant are kept.</p> <p>Where there is either uncertainty in the conclusions of an assessment, or where there is subjectivity, this is stated in the ES (document reference 6.1). The authors are appropriately qualified professionals, and often methods involve the use of professional judgement, which is a necessary and integral part of forecasting effects and assessing their significance against criteria.</p>
Site Selection, Development Design and Consideration Of Alternatives	
Evidence of consideration of alternative sites, such as the Isle of Grain	The ES, Chapter 4, Site Selection, Development Design and Consideration of Alternatives (document reference 6.1.4) presents the alternative sites considered.
Consultation	
Short time period for consultation responses during Phase One community consultation	In order to provide more time for responses, a consultation period of 42 days was provided, which exceeds the minimum statutory 28 days required by the 2008 Act.
Feedback forms for phase two should provide opportunity to object	The feedback form for the Phase Two community consultation included the question 'What are your views on Cleve Hill Solar Park?' (see Chapter 10 of this Consultation Report for the breakdown of responses to this question) as well as providing free form sections for all comments.
What is the rationale behind the near neighbours which the Applicant has met?	The Applicant communicated how to get in contact with the Applicant team across its consultation literature sent to the 12,800 properties and local businesses across the core consultation zone and across its advertising and online content and Twitter.

	<p>The Applicant sent bespoke letters to all near neighbours, being those properties identified along the boundary of the Development site.</p> <p>In response to the Applicant's leaflets and newsletters sent throughout the consultation area, requests from other properties were received and the Applicant met with these residents. The Applicant met with many residents on several occasions. All meetings are detailed in Chapter 7 of this Consultation Report.</p>
Development Description	
<p>Concerns about the scale of the site</p>	<p>The Applicant has set out the reasons for the scale and location of the development in the ES Chapter 4, Site Selection, Development Design and Consideration of Alternatives (document reference 6.1.4).</p> <p>The Applicant has held a number of meetings and received detailed feedback from consultees regarding the size of the scheme and how this can be mitigated. In response the Applicant has made a number of Development design changes to reduce, remove or screen the solar panels. This Development change is shown in Figure 1, Chapter 1 of this Consultation Report.</p> <p>In summary these include:</p> <ul style="list-style-type: none"> - Removing from the indicative design 13.6ha of solar PV modules at Cleve Hill - Increasing the AR HMA from 41ha to 56ha - Setting back the proposed location of panels at Nagden and at Warm House - Establishing a minimum 63m buffer distance from the solar PV modules to the Saxon Shore Way - Creating 15m wide buffers across the drainage ditch network. <p>As a result, the proportion of the developable area of the site with solar PV modules has decreased from phase one Section 47 consultation to the final Application from 56.5% to 45.5%.</p>

<p>Residents were concerned about what the implications of the east-west layout</p>	<p>The east-west layout design is presented in the ES, Chapter 5: Development Description (document reference 6.1.5).</p> <p>The design presented in this chapter is the design that has been assessed in ES Chapters 7: Landscape and Visual Impact Assessment (document reference 6.1.7) Chapter 8: Ecology (document reference 6.1.8) Chapter 9: Ornithology (document reference 6.1.9) and Chapter 10: Hydrology, Hydrogeology, Flood Risk and Ground Conditions (document reference 6.1.10).</p> <p>The Applicant has worked with leading research institutes Lancaster University and Birmingham University, to study the effects of an east west layout on land management and biodiversity. The Applicant consulted on a draft outline LBMP in the PEIR and provides a final outline LBMP with the ES (document reference 6.4.5.2). A final LBMP, in line with the outline LBMP, will be required to be approved under the requirements of the DCO.</p> <p>Consultation with KWT, RSPB and Natural England and others has taken place to ensure that net gains for biodiversity within the core study area through enhancements is achieved. Enhancements are included through 'Embedded Mitigation', the details of which are included in the final outline LBMP with the ES (document reference 6.4.5.2).</p>
<p>More information on the type of fencing</p>	<p>The Applicant has consistently cited throughout the pre-application consultation of the Development the use of 2m height deer fencing which is proposed as a more 'natural' looking fence solution comprised of wooden posts and stock netting.</p> <p>In response to access concerns raised by residents at Cleve Hill, the Applicant proposes to install a post and wire fence.</p>
<p>More information on energy storage</p>	<p>The Rochdale Envelope parameters for the energy storage facility are clearly set out in ES Chapter 5: Development Description (document reference 6.1.5).</p>

	<p>Two alternative scenarios are available for assessment, a battery powerpack solution, as included in the PEIR, and a containerised solution, similar to other energy storage sites recently deployed in the UK.</p> <p>There is a need to maintain flexibility but the realistic worst-case design parameters included in the chapter present a robust set of parameters such that the as-built Development will have the same magnitude effects, or effects of lesser magnitude than those included in the ES (document reference 6.1).</p>
Landscape And Visual Impact Assessment	
Generally supportive of the set-back proposals, although this was qualified as not being support for the Development	Noted by the Applicant. Details of the landscaping and set back are provided in the outline LBMP (document reference 6.4.5.2).
Having a CGI or 3d model to visualise what the site will look like	<p>The Applicant produced photomontages of the viewpoints included in the LVIA at a current, 1 year and 10-year time period. These were consulted on at phase two Section 47 consultation and in the PEIR as part of the Section 42 consultation. See the LVIA, Chapter 7, ES (document reference 6.1.7).</p> <p>Photomontages at the current, 1 year and 10-year time periods were also produced for residential property clusters at Warm House and Nagden as part of the Residential Visual Amenity Assessment (document reference 6.4.7.5).</p> <p>All these photomontages were presented as part of the PEIR and were available to view online, in hard copy at the designated CAP sites, and in person at one of the community consultation events.</p>
Residents were generally supportive of screening proposals	Noted by the Applicant. Details of the landscaping and set back are provided in Figure 3, Chapter 1 of this Consultation Report.

<p>The removal of panels at Cleve Hill was supported</p>	<p>Noted by the Applicant. In response to further consultation feedback to the phase two Section 47 consultation and Section 42 consultation, the Applicant removed a further 4.4ha of solar PV modules, totalling 13.6ha of solar PV modules removed at Cleve Hill.</p>
<p>Residents still felt the visual impact was too great</p>	<p>The Applicant has assessed the visual impact upon neighbouring properties as part of the ES, Chapter 7: Landscape and Visual Impact Assessment (document reference 6.1.7), this assessment on neighbouring properties is supported by the Technical Appendices, Residential Visual Amenity Assessment (document reference 6.4.7.5).</p> <p>In response to the concerns the Applicant removed a further 4.4ha of solar PV modules from the indicative design, totalling 13.6ha of solar PV modules removed at Cleve Hill. The Applicant also amended the indicative design to set-back panels from Warm House by 66m and Nagden by 68m, and introduced 3.64km of native hedge row screening to mitigate the potential visual impact of the development.</p>
<p>Residents wanted more information on the type of planting which would be used for screening</p>	<p>The Applicant's Outline Landscape and Biodiversity Management Plan is presented with the ES (document reference 6.4.5.2).</p>
<p>Ecology</p>	
<p>Strong concerns for environmental protections and interest in potential habitat improvements</p>	<p>The Applicant has worked closely with statutory and non-statutory environmental groups to develop the design of the Development in order to mitigate any impact upon important ecological features and where possible to improve biodiversity on site.</p> <p>Land of value to wildlife will be retained and where required, mitigation has been proposed to ensure that there are net gains for wildlife, as detailed within the outline LBMP, (document reference 6.4.5.2).</p> <p>Biodiversity enhancements are included through 'Embedded Mitigation', the details of which are included in the outline LBMP, (document reference 6.4.5.2).</p>

Ornithology	
<p>Concern for the impact upon the adjacent nature reserves and overwintering birds</p>	<p>The Applicant has recognised the importance of the bird populations associated with The Swale SPA/SSSI/Ramsar Site.</p> <p>The Applicant has worked closely with statutory and non-statutory environmental groups to develop the design of the Development in order to mitigate any indirect effect upon the adjacent sites. This has resulted in a final AR HMA of 56ha.</p> <p>Feedback from the HMSG includes that the SSSI adjoining the AR HMA should be included with the site boundary so that the Applicant has an opportunity to positively influence the management of that area. See Figure 1, Chapter 1 of this Consultation Report.</p> <p>The ES, Chapter 9: Ornithology (document reference 6.1.9) and Habitats Regulation Assessment (document reference 5.2) provide an assessment of the potential effects of the Development on these species, as well as the measures implemented with the Development to mitigate any impacts and provide biodiversity enhancements.</p>
<p>Concerns over the independence of the bird surveys</p>	<p>The Applicant has used surveyors who are highly skilled ornithologists with many hundreds of hours of flight activity survey experience.</p>
Hydrology, Hydrogeology, Flood Risk and Ground Conditions	
<p>Respondents were aware of the flood risk to the area and stated that they agree with the managed retreat approach</p>	<p>The Applicant has consulted with the EA throughout the pre-application consultation in addition to the statutory Section 42 consultation as detailed in Chapter 5 of this Consultation Report.</p> <p>The EA's MEASS strategy has set out a "Plan B" scenario should the Development be constructed, which is likely to shift the expected timescales for managed realignment to between 50 and 100 years in the future. However, the EA acknowledges that the MEASS proposals have always been strategic and not detailed. There are a number of factors to be considered and overcome for the strategy to be implementable.</p>

	The Applicant has agreed a position paper with the EA as shown in Appendix 26.
Noise and Vibration	
Concern for noise pollution from construction	<p>Construction is expected to be undertaken block by block (as per the blocks shown in Figure 3, see ES Chapter 12 (Noise and Vibration, document reference 6.1.12)), most of which will be complete within 3 to 4 weeks each. Piling operations will be avoided in fields A - I (see Figure 3) during winter months to avoid potential impacts on birds. The assessment of piling operations includes both manoeuvring equipment, and active piling. As a conservative assumption, for the purpose of assessing piling impacts on human receptors, it is assumed that 4 pilers could operate at the same time for 50 % of the working day (i.e. actively piling for 6 hours per day).</p> <p>Core working hours are set out in ES, Chapter 5 Development Description (document reference 6.1.5) while the timing of construction vehicle movements is discussed within ES Chapter 14: Access and Traffic (document reference 6.1.14).</p> <p>Core working hours are proposed to be between 07.00 until 19.00, Monday to Friday and 07.00 until 13.00 on a Saturday (unless in exceptional circumstances where need arises to protect plant, personnel or the environment).</p> <p>In addition to this, a start-up and close down period for up to an hour before and after the core working hours is proposed. This does not include the operation of plant or machinery likely to cause a disturbance.</p>
Concern for the operational noise from the Development	The Applicant has avoided potential noise impacts relating to the Development by designing out potential noise pollution experienced by receptors. This will be done by placing transformers away from the nearest receptors, and surrounding the energy storage facility and substation compound with a bund.

	<p>The ES, Chapter 12: Noise and Vibration (document reference 6.1.12) sets out the predicted noise levels and outlines the mitigation proposals.</p> <p>Noise during the operational phase of the development is assessed in the ES, Chapter 12: Noise and Vibration Section 12.6.2 (document reference 6.1.12).</p> <p>The predicted noise levels assume that all equipment associated with the Development could operate at the same time, at 100% capacity, during both daytime and night-time periods.</p> <p>Therefore, in practice the noise emission levels are likely to be lower than those presented in this assessment. Noise at receptor locations will be required to be lower than the limits set out in the Chapter.</p>
<p>Concern for noise pollution specifically from the energy storage</p>	<p>The energy storage facility and substation will be surrounded by a bund, which will provide acoustic screening to reduce impacts from these noise sources. The bund is located around the entire substation/energy storage area. Depending on the final equipment selected for installation, additional screening may be specified, in order to ensure the noise limits specified in the Application are not exceeded.</p> <p>Assessment of the noise and vibration from transformers, inverters and the energy storage are undertaken in the ES, Chapter 12: Noise and Vibration Section 12.6.2 (document reference 6.1.12). The predicted noise levels amount to a low effect at the nearest receptors which is not significant in EIA terms.</p>
Socioeconomics, Tourism, Recreation and Land Use	
<p>There was support for increased permissive pathways through the site</p>	<p>The Applicant noted this support. In the final proposed layout, the Applicant has included the creation of a substantial, new, permissive footpath across the site, facilitating a "round walk" from Seasalter Road (see Figure 3).</p>
Access and Traffic	

<p>Residents felt that London Array did not do enough to repair the roads after construction</p>	<p>The Applicant has welcomed feedback and experiences from the construction of the London Array substation.</p> <p>The Applicant has proposed a number of mitigation measures in relation to construction traffic movements that are detailed within the outline Construction Traffic Management Plan (document reference 6.4.14.1).</p> <p>Contained in this, the Applicant has proposed to carry out a road condition assessment prior to construction in order to ensure the road is in good condition at the start and end of construction. These measures will be secured under the DCO via a requirement for a final Construction Traffic Management Plan, in line with the outline, to be approved by KCC prior to commencement of construction.</p>
<p>Miscellaneous Issues</p>	
<p>Disturbance from lighting during construction and operation</p>	<p>Visible lighting, which will only switch on when activated by sensors for security purposes, will be deployed around the electrical compound and at the transformers. The lighting will likely be fixed to the plant itself rather than being stand alone. No areas of the Development are proposed to be permanently lit.</p>
<p>Leeching from electrical infrastructure</p>	<p>No leeching is anticipated from any electrical infrastructure on the site. A Phase 1 Preliminary Site Assessment has been undertaken as presented in the ES, Technical Appendix 10.3 (document reference 6.4.10.3). This identifies potential contaminants of concern and provides recommendations for further investigations.</p> <p>Major Accidents and Disasters are covered in the ES Chapter 17: Miscellaneous Issues, section 17.7 (document reference 6.1.17) and specifically the potential for the Development to cause major accidents or disasters is covered in section 17.7.2. No risk of major incidents is identified in any development phase.</p>
<p>Concern for open areas of lowland meadow attracting traveller communities</p>	<p>A post and wire fence will be placed along the Development site boundary at Cleve Hill for additional security.</p>

Phase Two Consultation (31 May 2018 – 13 July 2018) Responses

- 10.17 During the phase two Section 47 community consultation period, 273 completed feedback forms were received in person at our consultation events, online, or via the post and 141 pieces of feedback via letters, emails or phone calls were received to the information lines.
- 10.18 The key issues arising from feedback received during this period and how the Applicant has had regard to this is outlined in Table 22.
- 10.19 The format of the feedback form included questions regarding relationship to the area, our consultation process, how we generate our electricity and Development-specific feedback. The full feedback form is reproduced in Appendix 21.
- 10.20 Feedback forms also included free-form spaces for consultees to provide qualitative data. All individual feedback responses received, including how the Development has had regard to these responses are included in Appendix 2.
- 10.21 In summary:
- 84% of respondents were local residents
 - 40% of those who had attended the consultation events filled in a feedback form, which shows a significantly lower percentage of the community attending the consultation events before providing feedback
 - 53% of respondents found the consultation events informative
 - 42% of respondents felt that the events were not informative. In order to address this, the Applicant has:
 - Held a transport and traffic focused workshop on 19 September 2018, providing more detailed traffic information and presenting a summary of the outline CTMP;
 - Issued a Project Update Leaflet following the phase two Section 47 consultation to inform the community how key comments were being addressed and providing updated Development information;
 - Responded to all comments received to the phase two Section 47 consultation and PEIR as detailed in Appendix 2;
 - Kept all communication lines open to encourage and respond to ongoing enquiries.
 - Ecology and bird life and visual impact of the Development were the most important issues to respondents as with phase one Section 47 consultation with recreation and local amenity becoming an important issue in response to the phase two Section 47 consultation, with 66% of respondents naming this a key issue.
 - Respondents most wished to see additional pathways at the Development site.

- In response to earlier comments that a community orchard could provide local benefit, the Applicant consulted on this option however 66% of respondents opposed supporting this option.
- 62% of respondents strongly objected to the proposals for the Development.

Phase Two Consultation Feedback Analysis

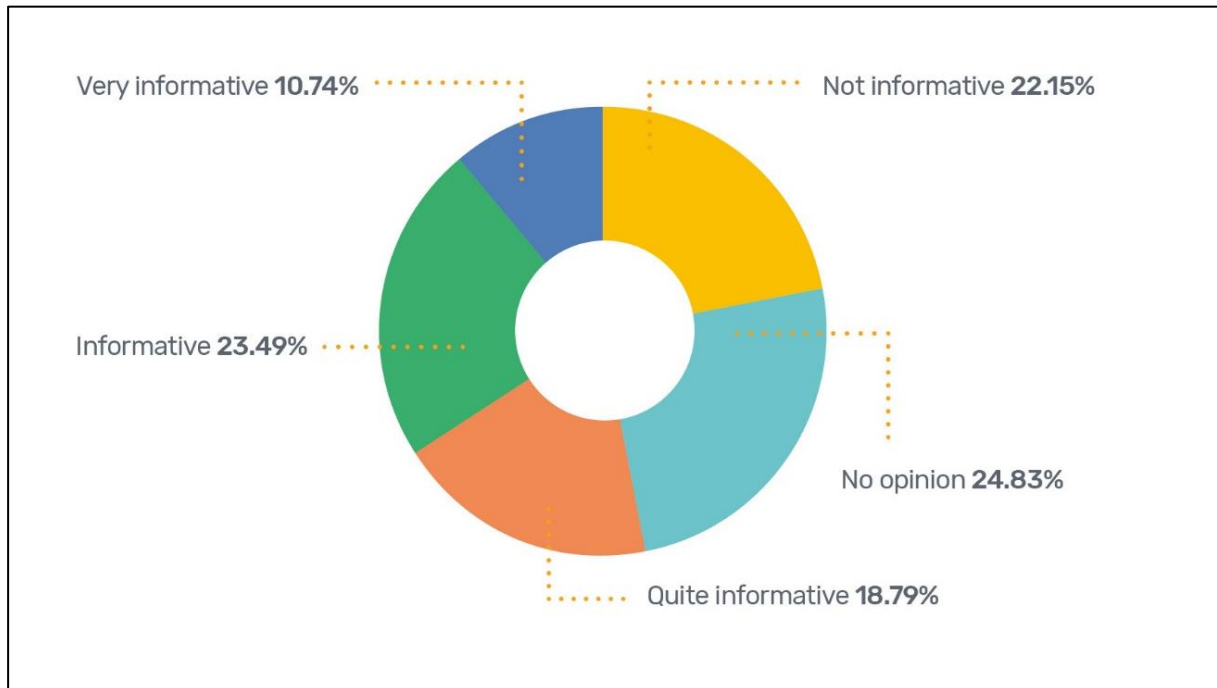


Figure 12: Section B ‘Our consultation process’: ‘How did you find the consultation event?’

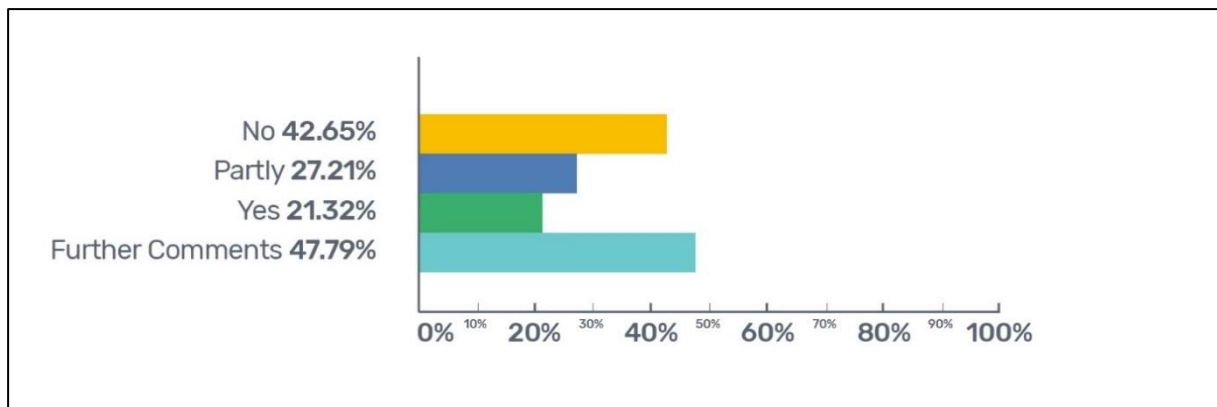
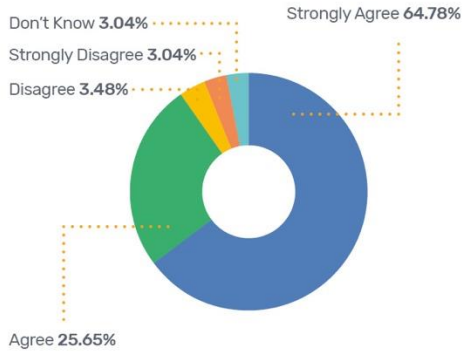


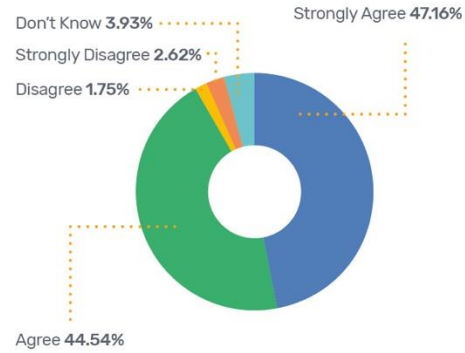
Figure 13: Section B ‘Our consultation process’: ‘Were your questions answered satisfactorily by the team?’

For each of the following statements please tell us whether you agree or disagree with them.

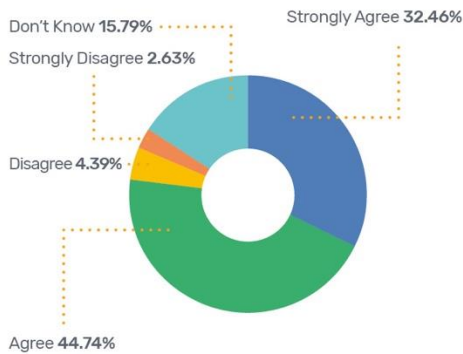
Climate change is an important issue



The UK needs more renewable energy



Storing renewable energy is an important part of renewable energy production



Producing energy that is subsidy-free is important

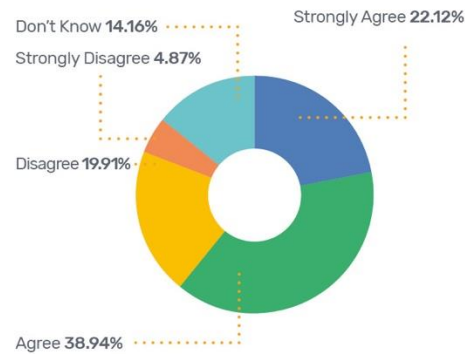


Figure 14: Section C 'Renewable energy generation': Breakdown of responses to four statements relating to renewable energy generation.

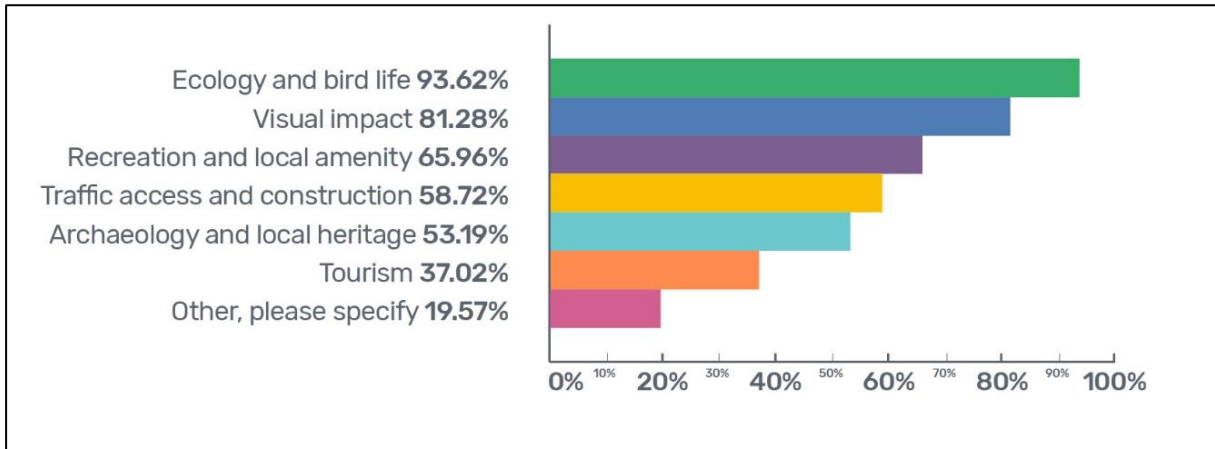


Figure 15: Section D 'Project specific feedback': 'Which aspect of the Development is most important you?'

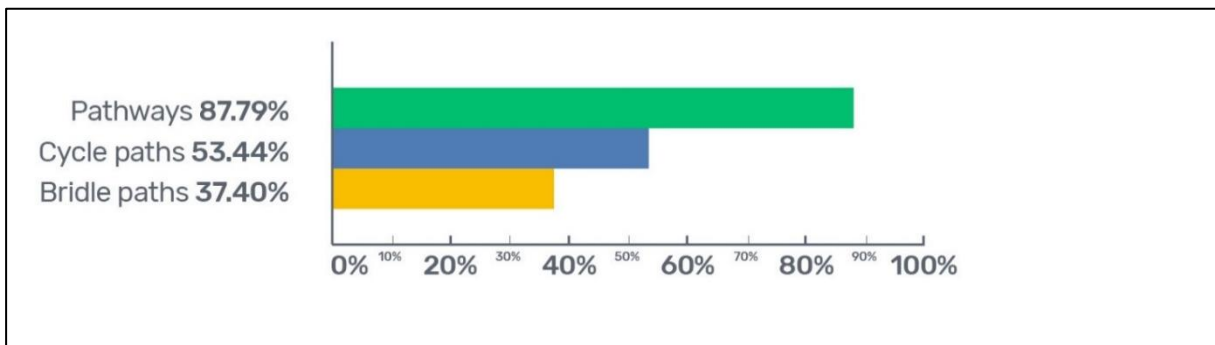


Figure 16: Section D 'Project-specific feedback': 'What would you like to see more of in the area of the site?'

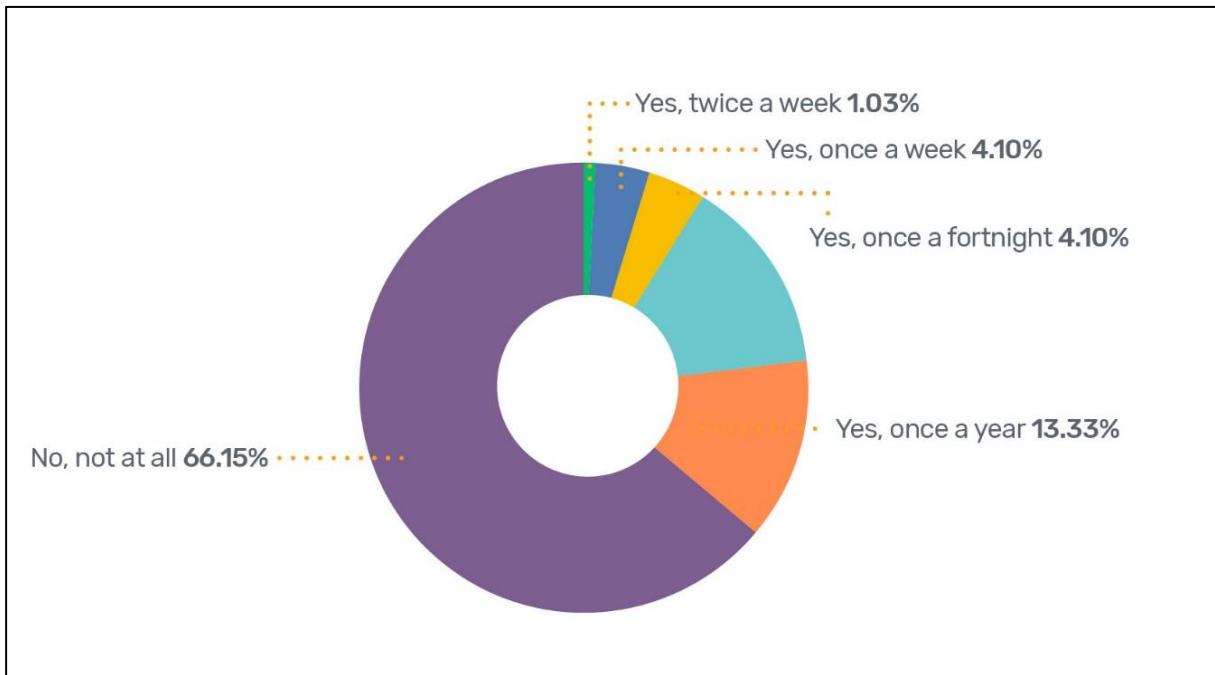


Figure 17: Section D ‘Project-specific feedback’: ‘Would you be interested in visiting and supporting a community orchard at Cleve Hill Solar Park?’

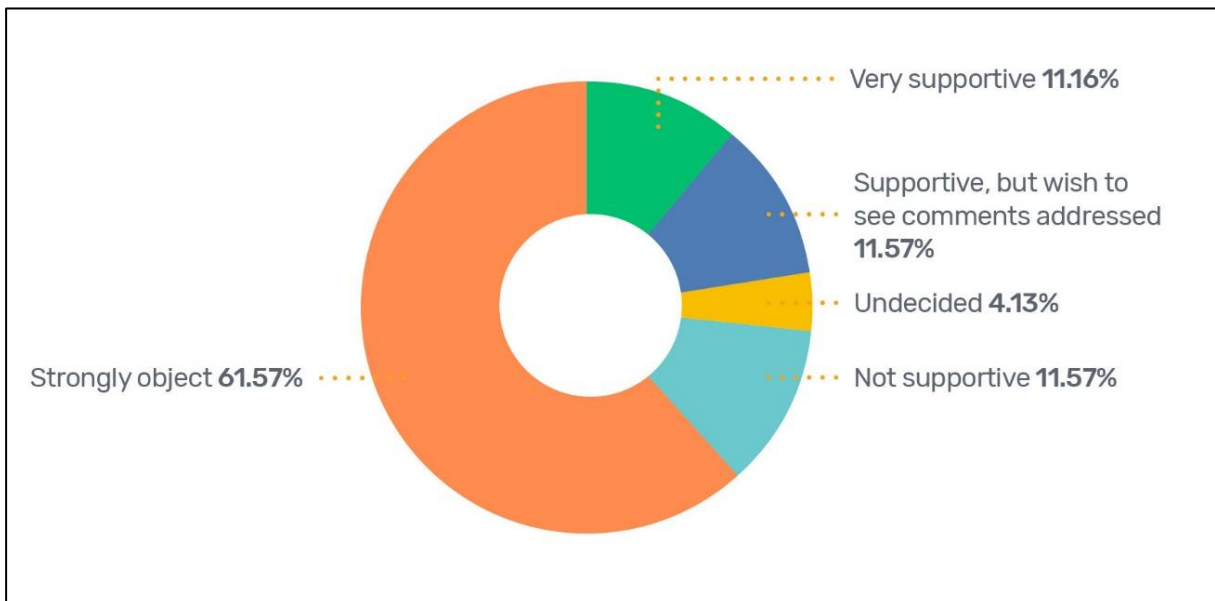


Figure 18: Section D ‘Project-specific feedback’: ‘What are your views on Cleve Hill Solar Park?’

10.22 A summary of the free form and written responses received to the phase one Section 47 consultation together with how the Applicant responded is provided in Table 22.

Table 22: Phase two Section 47 community consultation summary of comments and responses

EIA Topic Area: Consultation		
Comments	Development Change?	Applicant Response
The consultation period was too short.	No	The Applicant provided a consultation period of 42 days, which exceeds the statutory minimum of 28 days.
The PEIR was too large and detailed to digest for a lot of people. Conversely, some respondents commented that the PEIR NTS left out too much of the technical information in the PEIR.	No	<p>The Applicant recognised that some consultees would wish to read and comment on the detail within the PEIR, which is why it was provided in full at the community consultation events, at the Community Access Points and online on the Development website.</p> <p>However, the Applicant also recognised that some consultees would not have the time or inclination to digest and comment on the full PEIR, and therefore its content was summarised in the NTS of the PEIR, a number of topic-specific factsheets, and the large-format displays used at the community consultation events.</p> <p>As set out in the EIA Regulations, “preliminary environmental information” means information which is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development). The PEIR provided by the Applicant has discharged that duty.</p>

Indicative illustrations used in consultation materials were misrepresentative.	No	<p>The information presented in the consultation documents has provided detailed information on the proposals and has been consistent with what has been presented in the Scoping Report and PEIR.</p> <p>The Applicant received comments stating that certain simplified schematics have been misleading as they have not been drawn to scale. Across the literature the Applicant has been clear which figures have been drawn for illustrative purposes and have clearly labelled and annotated these figures.</p>
EIA Topic Area: Site Selection, Development Design and Consideration of Alternatives		
Comments	Development Change?	Applicant Response
This site should not be used as it is greenfield.	No	The Development site land is privately owned arable land that has been classified as 95% Grade 3b - which is not best and most versatile agricultural land, i.e., it is of lower agricultural quality. The Applicant has set out the reasons for the location of the development in the ES Chapter 4 - Site Selection, Development Design and Consideration of Alternatives (document reference 6.1.4).
EIA Topic Area: Development Description		
Comments	Development Change?	Applicant Response
The size of the site is too large.	Yes	The Applicant has set out the reasons for the scale and location of the development in the ES Chapter 4 - Site Selection, Development Design and Consideration of Alternatives (document reference 6.1.4).

		<p>The ES Chapter 4: Site Selection, Development Design and Consideration of Alternatives (document reference 6.1.4) presents the alternative sites considered.</p> <p>The Applicant has held a number of meetings and received detailed feedback from consultees regarding the size of the scheme and how this can be mitigated. In response the Applicant has made a number of Development design changes to reduce, remove or screen the solar panels. This Development change is shown in Figure 1, Chapter 1 of this Consultation Report.</p> <p>In summary these include:</p> <ul style="list-style-type: none"> - Removing 13.6ha of solar PV modules at Cleve Hill - Increasing the AR HMA from 41ha to 56ha - Setting back panels at Nagden and at Warm House - Establishing a minimum 63m buffer distance from the solar PV modules to the Saxon Shore Way - Creating 15m wide buffers across the drainage ditch network. <p>As a result, the proportion of the developable area of the site with solar PV modules has decreased from phase one Section 47 consultation to the final Application from 56.5% to 45.5%.</p>
<p>Concerned about the energy storage element of the development and wished for more information on this part of the proposed development.</p>	<p>Yes</p>	<p>To expand on the information provided in the PEIR regarding the energy storage, the Applicant provided further details of the energy storage element of the Development in the Community Project Update leaflet following the phase 2 consultation (see Appendix 23).</p> <p>The Rochdale Envelope parameters for the energy storage facility are clearly set out in ES Chapter 5: Development Description (document reference 6.1.5).</p>

		<p>Two alternative scenarios are available for assessment, a battery powerpack solution, as included in the PEIR, and a containerised solution, similar to other energy storage sites recently deployed in the UK.</p> <p>There is a need to maintain flexibility but the realistic worst-case design parameters included in the chapter present a robust set of parameters such that the as-built Development will have the same magnitude effects, or effects of lesser magnitude than those included in the ES (document reference 6.1).</p>
EIA Topic Area: Landscape and Visual Impact Assessment		
Comments	Development Change?	Applicant Response
<p>Concerned about the visual impact of the site due to its scale and also regarding the upper-most height of the solar panels which will be approximately 4 metres high.</p>	<p>Yes</p>	<p>In response to early comments the Applicant removed 9.2ha of solar PV modules from Cleve Hill as presented in the indicative design in the PEIR. The Applicant also set-back panels from Warm House by a minimum of 66m and at Nagden by a minimum of 68m, to mitigate the potential visual impact of the development as shown in outline LBMP, which accompanied PEIR and a final outline version is included with the ES (document reference 6.4.5.2).</p> <p>Within the outline LBMP appended to the at PEIR, the Applicant included 3.52km of native hedgerow and tree planting, which was increased to 3.64km in the outline LBMP appended to the ES (document reference 6.4.5.2).</p> <p>Following further comments from local residents at Cleve Hill and comments received to the Section 42 consultation, the Applicant removed a further 4.4ha of solar PV modules from the indicative design at field Y, therefore removing a total of 13.6ha of solar PV modules from the ground at Cleve Hill.</p>

		<p>The Applicant has assessed the visual impact upon neighbouring properties as part of the ES, Chapter 7: Landscape and Visual Impact Assessment (document reference 6.1.7). This assessment on neighbouring properties is supported by the Technical Appendices, Residential Visual Amenity Assessment (document reference 6.4.7.5).</p> <p>The top height of solar PV modules, as shown the ES Chapter 5: Development Description (document reference 6.1.5), is proposed to be between 2.1 – 3.9m high.</p>
Would like to see visualisations of the PRow which runs through the site.	Yes	In response to the comments received, the Applicant has included a photomontage at this viewpoint (see viewpoint 22, Volume 3 – LVIA visuals, document reference 6.3).
Visual impact from the Saxon Shore Way.	No	The Applicant has consistently maintained a buffer distance of at least 63m from the edge of the panels to the Saxon Shore Way. In some parts of the site this is as wide as 100m.
EIA Topic Area: Ecology		
Comments	Development Change?	Applicant Response
The soil beneath the panels will be barren and lead to desertification owing to the east-west panel arrangement and density of panels.	No	<p>The east-west layout design is presented in the ES, Chapter 5: Development Description (document reference 6.1.5).</p> <p>The design presented in this chapter is the design that has been assessed in ES Chapters 7: Landscape and Visual Impact Assessment (document reference 6.1.7) Chapter 8: Ecology (document reference 6.1.8) Chapter 9: Ornithology (document reference 6.1.9) and Chapter 10: Hydrology, Hydrogeology, Flood Risk and Ground Conditions (document reference 6.1.10).</p>

		<p>The Applicant has worked with leading research institutes, Lancaster University and Birmingham University, to study the effects of an east west layout on land management and biodiversity. The Applicant consulted on an Outline LBMP in the PEIR and provides an updated outline LBMP with the ES (document reference 6.4.5.2).</p> <p>Consultation with KWT, RSPB and Natural England and others has taken place to ensure that net gains for biodiversity within the core study area through enhancements is achieved. Enhancements are included through 'Embedded Mitigation', the details of which are included in the final LBMP with the ES (document reference 6.4.5.2).</p>
Impact which construction would have upon wildlife in the area.	No	<p>Mitigation for disturbance to wildlife is considered within Section 8.9 of Chapter 8, ES (document reference 6.1.8). No significant effects are assessed.</p> <p>Construction would not occur across the whole site at one time, and would be phased. Given the size of the site, this will leave large areas undisturbed at any one time.</p>
EIA Topic Area: Ornithology		
Comments	Development Change?	Applicant Response
Concern for adjacent protected areas: including SPA, SSSI, and RAMSAR sites.	Yes	<p>Feedback from the HMSG includes that the SSSI adjoining the AR HMA should be included with the site boundary so that the Applicant has an opportunity to positively influence the management of that area. See Figures 1-3, Chapter 1 of this Consultation Report.</p> <p>The additional areas included in the Development since the PEIR, which comprise part of The Swale SPA/SSSI/Ramsar site, will not contain any new</p>

		development structures; they are included to facilitate ongoing maintenance of the sea wall and to bring biodiversity benefits through more appropriate management of the freshwater grazing marsh in the east of the site.
Birds could mistake solar panels for water.	No	Chapter 9, ES (document reference 6.1.9) assesses the potential effect of collision to birds; Natural England guidance states that there is no scientific evidence of collision risk associated with solar PV arrays. As such, the ES concluded that it there is not likely to be an adverse effect of the Development on birds as a result of collision.
Habitat Mitigation Area proposed is not sufficient.	Yes	The AR HMA has been increased in agreement with Natural England from 41ha to 56ha as shown in Figures 1-3, Chapter 1 of this Consultation Report.
A change in habitat owing to the Development will create fragmentation and loss of functionality of the habitat.	No	The Applicant has undertaken a RIAA, which is submitted with the Application (document reference 5.2). A focus of the RIAA is the loss of functionally linked land for lapwing, golden plover, brent goose and marsh harrier. This concludes that there are no likely significant effects from fragmentation of habitats.
The loss of habitat for marsh harriers and birds of prey.	Yes	<p>The Chapter 9, ES (document reference 6.1.9) and HRA (document reference 5.2) provide an assessment of the potential effects of the Development on species including marsh harrier, as well as the measures implemented with the Development to mitigate potentially harmful impacts and provide biodiversity enhancements. No significant effects were assessed as being likely from the Development.</p> <p>The area developed for solar PV modules has been reduced since the PEIR, allowing for more areas to be dedicated to habitat enhancements for birds and other wildlife; these include larger areas of lowland grassland meadow between arrays, as described in Chapter 4 (Site Selection, Development Design and Consideration of Alternatives), ES (document reference 6.1.4), which will provide enhanced foraging resources for marsh harriers.</p>

		The Applicant has also increased the proposed buffer distance from most ditches to 15m.
EIA Topic Area: Hydrology, Hydrogeology, Flood Risk and Ground Conditions		
Comments	Development Change?	Applicant Response
The impact of the east-west orientation of the solar panels on soil conditions and vegetation beneath the panels.	No	The solar panels will not prevent soil from absorbing rainwater as the panels will not be placed directly on the ground (see ES Chapter 10: Hydrology, Hydrogeology, Flood Risk and Ground Conditions (document reference 6.1.10)). The same area of soil will be available for infiltration. Theoretically the introduction of solar PV modules will increase the run off rates due to the presence of the impermeable PV modules that rainfall can directly fall on, however once rainfall has fallen off the PV panel any flow will be able to spread and flow along the ground under the PV panels. Given the flat nature of the Development site it is likely that rain falling on each row of solar panels would flow evenly into the rain-shadow of the row below, so as to mobilise the same percentage of the ground for infiltration as was available before the panels were installed.
Concerned that management of flood defences could be undertaken by Cleve Hill Solar Park rather than the EA.	No	The majority of the Development is designed to withstand an overtopping of the existing defences taking into account future projections of sea level rise and extreme events. Only the electrical compound is designed to withstand a breach of the existing defences. It is therefore clearly in the asset owner's interest to maintain the current standard of defences, to at least the same standard that the EA currently do.
Do not wish for the Development to prevent the EA from undertaking	Yes	See response to phase one Section 47 consultation, Table 20 and position paper with the EA in Appendix 26.

their plans for the area under the MEASS.		
EIA Topic Area: Cultural Heritage and Archaeology		
Comments	Development Change?	Applicant Response
Would have a negative impact upon the Saxon Shore Way which has local historic value.	Yes	<p>It is reported in the ES, Chapter 7 (document reference number 6.1.7) that the site is within Graveney Marshes AHLV and that there are effects on users of the Saxon Shore Way and other public rights of way. These are reported in the ES, Chapter 7 and supporting Appendices A7.1-A7.7.</p> <p>To help mitigate effects on the Saxon Shore Way, the Applicant has established a minimum buffer distance in the indicative Development plans between the PV panels and Saxon Shore Way of 63m. The Applicant removed from the indicative plans panels proposed to be located on the sloping land north of Nagden to reduce visibility from Nagden and from the Saxon Shore Way on both sides of Faversham Creek.</p>
EIA Topic Area: Noise and Vibration		
Comments	Development Change?	Applicant Response
Concerned about noise from construction traffic.	No	<p>The peak number of Heavy Goods Vehicles is 80 two-way movements per day, which is expected to last for around 4 weeks, starting in week 27 of the construction programme (see ES Chapter 14: Access and Traffic (document reference 6.1.14)). The noise assessment is based on the change in noise level, using the existing levels of traffic and the expected peak movements during construction. As a worst case, this is predicted to result in a 2 dB increase in noise levels from Seasalter Road during periods of peak traffic</p>

		<p>movements, which is considered a minor impact (see ES Chapter 12 (Noise and Vibration, document reference 6.1.12)).</p>
<p>Noise pollution from transformers, distribution units, energy storage facilities and construction of the solar park.</p>	No	<p>Operational noise from the Development will be dependent on the noise level of the plant / equipment installed. ES Chapter 6, ES (document reference 6.1.12) has assessed the worst-case candidate design, resulting in the highest noise levels at the nearest properties, concluding that there are no likely significant effects from this worst case. Going forward, operational noise from the development will be a key consideration in the final design, particularly the substation and energy storage, however noise from these areas will be limited to the noise limits set out in ES Chapter 12, ES (document reference 6.1.12).</p> <p>The energy storage facility and substation will be surrounded by a bund, which will provide acoustic screening to reduce impacts from these noise sources. The bund is proposed to be located around the entire substation / energy storage area. Depending on the final equipment selected for installation, additional screening may be specified, in order to ensure the noise limits specified in this document are not exceeded.</p>
<p>Concerned about the piling of mounting structures.</p>	No	<p>Construction is expected to be undertaken block by block (as per the blocks shown in Figure 3, see ES Chapter 12 (Noise and Vibration, document reference 6.1.12)), most of which will be complete within 3 to 4 weeks each. Piling operations will be avoided in blocks A - I during winter months to avoid impacts on birds. The assessment of piling operations includes both manoeuvring equipment, and active piling. As a conservative assumption, for the purpose of assessing piling impacts on human receptors, it is assumed that 4 pilers could operate at the same time for 50 % of the working day (i.e. actively piling for 6 hours per day).</p>
<p>EIA Topic Area: Socioeconomics, Tourism, Recreation and Land Use</p>		

Comments	Development Change?	Applicant Response
Respondents highlighted the importance that they place on the PROW that run alongside and through the proposed site, particularly the Saxon Shore Way where respondents' comments that the views would be ruined.	No	The opinion that it would ruin the view is subjective. ES Chapter 7, LVIA (document reference 6.1.7) sets out the assessed visual impacts on users of the footpath network around the site.
Support for increased pathways through the site, although concerns about the views which people would experience on these pathways.	Yes	The Applicant consulted on additional permissive pathways at phase two Section 47 consultation and in the PEIR. Based on comments received, in the final proposed layout the Applicant has included the creation of a substantial, new, permissive path across the site, facilitating a "round walk" from Seasalter Road (see Figure 3).
There was a strong rejection of the proposals for a community orchard on the site on the grounds of security and up-keep.	Yes	Noted. The Applicant has decided not to continue with the proposal for a community orchard as part of the Development.
Objection to the Development and its impact on tourism from:	No	There is currently no strong evidence to suggest the Development would have a significant negative impact on local tourism. There could however be some local expenditure benefits associated with construction workforce. The recreation assessment finds that there will be a neutral impact on the number of walkers using the site as the new route opened up through the site is likely

<p>Cyclists, ramblers, bird watchers, businesses, historians, artists, writers, runners.</p>		<p>to attract new walkers or provide an alternative for existing walkers, that is anticipated to offset negative impacts on existing routes associated with a change in the view.</p> <p>Full details of the impacts on tourism are provided in ES Chapter 13, (document reference 6.1.13). No likely significant effects are assessed on tourism.</p>
<p>No local benefit to this Development.</p>	<p>Yes</p>	<p>The Applicant has maintained throughout the pre-application consultation that a community benefit fund would not be available for the Development. The Development is subsidy free and so this does not allow the economic flexibility to include a community benefit fund as has been seen for offshore and onshore wind farms.</p> <p>The Applicant has sought to provide local benefits in the form of additional recreational provision at the site, including proposals for additional permissive pathways and a community orchard as detailed above.</p> <p>There will be some economic benefit captured locally, particularly during the construction period in hotels, local retailers. There is also the possibility of supply chain benefits at a sub-regional level. However, it is not possible to assess the precise scale of these locally at this stage.</p>
<p>EIA Topic Area: Access and Traffic</p>		
<p>Comments</p>	<p>Development Change?</p>	<p>Applicant Response</p>
<p>It is important to keep people informed and to manage the construction traffic sensitively.</p>	<p>Yes</p>	<p>The Applicant has set out a range of mitigation proposals including communication in its outline CTMP (document reference number 6.4.14.1), which will be implemented via inclusion in a final CTMP to be approved by the KCC prior to commencement of construction.</p>

<p>Would like to see more detailed traffic numbers.</p>	<p>Yes</p>	<p>Following the phase two consultation, the Applicant held a transport and traffic workshop on September 19 attended by locally elected representatives and representatives of the GREAT action group. The purpose of this workshop was to provide a presentation of more detailed and updated traffic numbers.</p> <p>The Applicant has strived to reduce traffic movements to 80 two-way movements per day at the peak of construction as presented in Chapter 14, ES (document reference 6.1.14).</p>
<p>Construction traffic should avoid peak times and seasons.</p>	<p>Yes</p>	<p>Core working hours are proposed to be between 07.00 until 19.00, Monday to Friday and 07.00 until 13.00 on a Saturday (unless in exceptional circumstances where need arises to protect plant, personnel or the environment). In addition to this, a start-up and close down period for up to an hour before and after the core working hours is proposed. This does not include the operation of plant or machinery likely to cause a disturbance.</p> <p>All construction traffic movements will be within the core working hours.</p> <p>It is proposed that the project will not accept HGV deliveries to site or let HGVs leave the site between the hours of 08.30 to 09.30 and 15.00 to 16.00 to avoid Graveney Primary School start/finish times. (see ES Chapter 14: Access and Traffic (document reference 6.1.14)).</p>

Phase Two Consultation Alternative Feedback Forms

10.23 In addition to the Development's feedback forms provided and replied to during the Phase Two consultation period, 354 alternative feedback forms were received via Freepost. These alternative feedback forms provided a different set of tick box comments providing arguments against the Development for responders to mark. The alternative feedback form was produced and circulated by the GREAT group. The alternative feedback form can be viewed in Appendix 2.

10.24 All alternative feedback forms received were anonymous, omitting any respondent data. The alternative feedback form requested tick box responses to the following statements:

- Loss of Graveney Marshes
- Negative impact on Saxon Shore Way
- Detrimental impact on wildlife
- Loss of agricultural land
- Loss of natural habitat
- Fragmentation of bird nesting and breeding habitat
- Loss of biodiversity
- Loss of natural landscape
- Noise pollution from the equipment
- Potential impact on tourism and leisure activities
- Potential change to the flood strategy
- Impact on house prices
- Increased traffic through village during installation
- Damage to roads and verges
- Loss of important heritage and archaeology area; (Graveney Boat was found in Graveney Marshes and the last gun battle of WWII was also here)

10.25 Across the majority of feedback forms all boxes were ticked. 92% of respondents strongly objected to the Development.

10.26 The Applicant has provided full responses to these points in Appendix 2 of this Consultation Report. The Applicant notes that the issues listed are addressed throughout Tables 20 – 22 in this Consultation Report.

11 Section 42 Statutory Consultation: Responses Received, Issues Raised and Changes Made

INTRODUCTION

11.1 In response to the Section 42 consultation with Section 42 consultees and Section 44 consultees, a total of 46 comments were received on the PEIR. The complete comments together with the Applicant's responses are detailed in Appendix 3 of this Consultation Report.

SECTION 42 CONSULTEE COMMENTS

SITE SELECTION

11.2 Consultees who responded with substantive comment relating to site selection included:

- Canterbury City Council
- CPRE Kent
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Faversham Footpaths Group
- Ramblers
- Swale Green Party
- The Faversham Society
- Kent Wildlife Trust

11.3 Key themes that were raised by consultees included:

- Consideration of alternative sites, including:
 - alternative scales of solar development
 - alternative electricity generating technologies
 - alternative brownfield sites
- Requests for further justification of the scale of the Development.

Applicant Response

11.4 Comments received in respect of the site selection have been addressed through the provision of additional detail relating to the issues raised in Chapter 4: Site Selection, Development Design and Consideration of Alternatives of the ES.

11.5 The Application is also accompanied by a Needs Statement (Application document reference 7.3) which comprehensively sets out the justification for the scale, and the location of the Development.

DEVELOPMENT DESCRIPTION

11.6 Consultees who responded with substantive comments relating to Project Description included:

- Canterbury City Council
- CPRE Kent
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Health and Safety Executive
- Kent Police
- Kent Wildlife Trust
- Maritime and Coastguard Agency
- National Grid
- Public Health England
- Ramblers
- SGN
- Southern Water
- Swale Borough Council
- Swale Green Party
- The Faversham Society

11.7 Key themes that were raised by consultees included:

- The effect of the design (i.e., east – west facing solar PV modules) on environmental receptors
- Comparisons between east – west facing arrays and south facing arrays
- The flexibility sought through the Rochdale Envelope approach
- Landscaping
- Areas of the site where it is preferred that solar PV modules are not placed
- Sheep grazing
- Security during operation
- Maintenance of flood defences
- Regard to existing infrastructure onsite (e.g., overhead power lines)
- The details of the energy storage facility
- Local benefits
- Decommissioning

Applicant Response

11.8 The comments received in respect of the Development Description have been addressed through the provision of additional detail relating to the issues raised in the ES.

11.9 Where suggestions relating to design have been made, these have been considered and incorporated where practicable. Two examples of this are the removal of solar PV modules from Field Y in the indicative design, and the proposed incorporation of a potential southern access route utilising a greater length of the existing Cleve Hill Substation access road.

11.10 Where concerns have been raised in respect of the effect of the Development design on environmental receptors, these have been addressed in the relevant technical chapters.

11.11 Specific comments relating to the east – west design of the Development and other comments in relation to design choices have been addressed through providing the clarity on the limits of the Development in the outline Design

Principles document (Document Reference 7.1), a candidate design with more specific details in Chapter 5: Development Description, and an explanation of the reasons for design decisions in Chapter 4: Site Selection, Development Design and Consideration of Alternatives of the ES.

LEGISLATION AND PLANNING

11.12 Consultees who responded with substantive comments relating to legislation and planning included:

- Canterbury City Council
- Environment Agency
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Swale Borough Council
- Swale Green Party
- The Faversham Society

11.13 Key themes that were raised by consultees included:

- Presentation of planning policy in Chapter 6 of the PEIR
- Additional policies to be considered
- National Planning Practice Guide (NPPG)
- The treatment of solar PV in the context of National Policy Statements (NPS)
- The weight of the Development Plan

Applicant Response

11.14 The comments received in respect of legislation and planning policy have been addressed through the inclusion of policies highlighted, and through provision of additional detail relating to the issues raised in the ES.

11.15 A Planning Statement accompanies the Application in addition to the summary of policy contained in the PEIR and updated for the ES (Document Reference 7.4). The planning statement assesses the Development against national planning policy, the development plan and other material considerations.

ECOLOGY

11.16 Consultees who responded with substantive comments relating to ecology included:

- Canterbury City Council
- CPRE Kent
- Environment Agency
- Faversham Footpath Groups
- Swale Friends of the Earth
- The Faversham Society
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Kent County Council
- Kent Wildlife Trust
- Swale Green Party

11.17 Key themes that were raised by consultees included:

- Loss of habitat
- Ecological surveys
- Wildlife using the site
- Grassland habitat beneath solar panels
- Sheep grazing
- Ditches

Applicant Response

11.18 The comments received in respect of ecology have been addressed through the provision of additional detail in the ES relating to the issues raised during consultation on the PEIR.

11.19 A comprehensive outline landscape and biodiversity management plan (outline LBMP) accompanies the Application (document reference 6.4.5.2) and sets out proposed measures for the implementation, establishment and management of a range of habitats across the operational Development.

11.20 Following the adoption of these measures, it has been assessed in the EIA presented in the ES, as summarised in section 8.9 of Chapter 8, Ecology (Document Reference 6.1.8) that the Development will have an overall beneficial effect on biodiversity across the Development site relative to the arable agricultural baseline.

11.21 Land management measures are proposed to continue an agricultural use onsite through sheep grazing, and the measures set out how this can be undertaken in harmony with the biodiversity aims.

11.22 It is expected (following the results of the Micro-climate and Vegetation Study included in the PEIR and ES as Technical Appendix A5.3) that there will be vegetation growing beneath the solar arrays, and there will certainly be vegetation growing between the arrays and around the edges, adjacent to ditches and field edges. This will represent additional, more favourable habitats than are currently available as part of the arable baseline.

11.23 Mitigation measures are proposed where protected species may be encountered to avoid the potential for legal offences to occur. This includes the provision of mammal friendly fencing and culverts.

ORNITHOLOGY

11.24 Consultees who responded with substantive comments relating to ornithology included:

- CPRE Kent
- Faversham Footpath Groups
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Kent County Council
- Swale Green Party
- Kent Ornithology Society
- Kent Wildlife Trust
- Natural England
- RSPB
- Swale Friends of the Earth
- The Faversham Society

11.25 Key themes that were raised by consultees included:

- The Swale designations
- Loss of foraging and nesting habitat
- Loss of functionally linked land
- Queries on assessment methodology used
- Disturbance during construction and decommissioning phase
- Habitat management area
- Mitigation and enhancement measures

Applicant Response

11.26 The comments received in respect of ornithology have been addressed through the provision of additional detail relating to the issues raised in the ES.

11.27 Consultation has been ongoing with the HMSG throughout the development of mitigation and enhancement proposals.

11.28 It has been recognised throughout the pre-application phase that the development will require mitigation in order to ensure there are no adverse effects on the integrity of the Swale SPA and Ramsar site. Following PEIR consultation, additional areas (Field J and parts of Fields H and I) have been added to the habitat management proposals in order to increase the functional area of the arable reversion habitat management area available to overwintering bird species to 56 ha (from approximately 41 ha at PEIR stage). This change has been made in direct response to concerns raised during consultation by the HMSG as well as other stakeholders.

11.29 In addition, the minimum buffer proposed from ditches to solar array infrastructure has been increased in the indicative plans across most of the Development site from minimum 5 m at PEIR to minimum 15 m on most ditches at Application stage. This gives sufficient confidence that marsh harrier can continue to forage around the ditches onsite, and also increases the amount of suitable habitat for this to take place.

11.30 The removal of panels from the indicative design of the sloping areas of the site in the south east at Cleve Hill will also create larger areas of new lowland grassland meadow habitat which will be of additional benefit to birds.

11.31 During construction, mitigation is now proposed to remove or reduce effects on the designated interests of the Swale SPA, this focusses in particular on construction noise from piling activities, and proposes controls in the closest areas to the most sensitive areas of the SPA at different times of year (breeding and wintering season). This is set out in an outline Construction Noise Management Plan which accompanies the noise chapter (ES Technical Appendix A12.10).

11.32 A Report to Inform an Appropriate Assessment accompanies the DCO Application (Document Reference 5.2) and sets out the likely significant effects of the Development on the designated interests of the Swale SPA and Ramsar sites.

HYDROLOGY

11.33 Consultees who responded with substantive comments relating to hydrology included:

- Canterbury City Council
- CPRE Kent
- Environment Agency
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Kent County Council
- Marine Management Organisation
- Swale Green Party
- The Faversham Society

11.34 Key themes that were raised by consultees included:

- Flood risk
 - Coast Flooding
 - Surface Water Flooding
- Drainage
- The EA's MEASS
- Soils
- Flood defence maintenance

Applicant Response

11.35 The comments received in respect of hydrology, hydrogeology, ground conditions and flood risk have been addressed through the provision of additional detail relating to the issues raised in the ES.

11.36 The Development's potential impact on surface water drainage, soils and infiltration was a key theme. In this regard, the ongoing design changes reducing the area of the Development site under solar panels serves to reduce the area subject to runoff, however, notwithstanding this, the hydrology chapter of the ES makes clear that under the land use of a solar park, with an increased period of

vegetation cover over the majority of the site year round, and reduced fertilizer and pesticide use relative to the arable baseline, there are adequate measures in place to give confidence that water quality in the vicinity of the Development will improve as a result of the Development. The same area of ground will be available during operation for water to infiltrate. The Development is therefore very unlikely to result in an increased risk of surface water flooding relative to the baseline.

11.37 Coastal flood risk, and in particular the interaction of the Development with the MEASS were addressed in the PEIR through the Applicant's proposed inclusion of the flood defences within the Development site, and the power to maintain them in the draft Application. Dialogue with the EA and the MMO has continued, and will continue post-submission to ensure the effect of the presence of the Development is reflected in the final MEASS, and that the Applicant has the ability to undertake the necessary maintenance of the defences to protect the Development.

ARCHAEOLOGY AND CULTURAL HERITAGE

11.38 Consultees who responded with substantive comments relating to archaeology and cultural heritage included:

- Canterbury City Council
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Historic England
- Kent County Council
- Swale Borough Council
- The Faversham Society

11.39 Key themes that were raised by consultees included:

- Assessment of heritage assets in Canterbury district
- Assessment of conservation areas
- Assessment of listed buildings
- Assessment of non-designated heritage assets
- NPPF assessment of heritage effects
- WWII features on and around the site
- Historic landscape character

Applicant Response

11.40 The comments received in respect of archaeology and cultural heritage have been addressed through the provision of additional detail relating to the issues raised in the ES.

11.41 A Heritage Statement (Document Reference 7.7) also accompanies the Application which provides an assessment of harm to heritage assets (including non-designated) in the context of NPPF.

- 11.42 The assessment of effects in the ES has been undertaken on the basis of the revised project design. In particular, the removal of infrastructure from the indicative design for all of the sloping land within the site in the south east (Field Y and Field Z), provides increased support for the conclusions of the assessment in respect of effects on listed buildings in the area, and the Graveney Church Conservation Area.
- 11.43 Non-designated assets have been included in the assessment as requested and where they have the potential to be subject to significant effects.
- 11.44 An Outline Written Scheme of Investigation (WSI) accompanies ES Chapter 11: Cultural Heritage and Archaeology, (Outline WSI document reference number 6.4.11.4), which sets out a proposed scheme of archaeological investigation to be carried out prior to and during construction. This includes works specifically targeted to the WWII pill box in the south of the Development site, and the WWII aeroplane crash site.

NOISE

- 11.45 Consultees who responded with substantive comments relating to noise included:
- Canterbury City Council
 - Graveney with Goodnestone Parish Council
 - GREAT Graveney
 - Kent Wildlife Trust
 - Natural England
 - Royal Society for the Protection of Birds
 - Swale Borough Council
 - The Faversham Society
- 11.46 Key themes that were raised by consultees included:
- Assessment methodology
 - Piling operations
 - Road noise
 - Mitigation measures
 - Noise impacts on SPA designation / birds
 - Energy storage facility noise

Applicant Response

- 11.47 The comments received in respect of noise have been addressed through the provision of additional detail relating to the issues raised in the ES.
- 11.48 Further detail was requested by the HMSG in respect of piling operations and this has been provided in the form of an Outline Special Protection Area Construction Noise Management Plan, Technical Appendix A12.10 (document reference 6.4.12.10). Additional mitigation measures to control noise levels at

the most sensitive areas of the Swale SPA at different times of year have been proposed to protect birds.

11.49 Similarly, the noise levels predicted at sensitive receptors from other pieces of equipment including the energy storage facility have been re-presented, with mitigation measures set out clearly to demonstrate how noise levels will be controlled to meet the limits set out.

SOCIO ECONOMICS, TOURISM, RECREATION AND LAND USE

11.50 Consultees who responded with substantive comments relating to socio economics included:

- Faversham Footpath Groups
- Swale Borough Council
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Swale Friends of the Earth
- Swale Green Party
- Swale Footpath Groups
- The Faversham Society

11.51 Key themes that were raised by consultees included:

- Visual intrusion on footpath users
- Negative impacts on tourism
- Requests for further information on the degree to which CHSP will benefit the local economy
- Requests for further information on potential permissive footpaths

Applicant Response

11.52 The comments received in respect of socio economics have been addressed through the provision of further detail relation to the issues raised in the ES.

11.53 The visual effects on the footpaths within and around the Development site have been assessed and the results presented in ES Chapter 7: Landscape and Visual Impact Assessment (document reference 6.1.7).

11.54 Proposals for a community orchard were discounted following negative responses received during section 42 consultation. Other proposals have been put forward such as planning gain related to All Saints Church, Graveney and the Applicant will continue to welcome further suggestions for local benefits. The wider benefits in terms of production of cheap, renewable energy, opportunities for local contractors during construction, and payment of business rates into the local area are highlighted in the Consultation Report and other documentation accompanying the Application.

11.55 Following a review and consideration of the consultation responses, a single permissive footpath has been included in the Development design, linking the

Saxon Shore Way, ZR 484 with Graveney via the ZR 488 footpath which crosses the south east of the Development site.

ACCESS AND TRAFFIC

11.56 Consultees who responded with substantive comments relating to access and traffic included:

- Canterbury City Council
- CPRE Kent
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Highways England
- Kent County Council
- Kent Police
- Kent Wildlife Trust
- Ramblers
- Swale Friends of the Earth
- Swale Borough Council
- The Faversham Society

11.57 Key themes that were raised by consultees included:

- Working hours
- HGV movements
- Length of construction phase
- Construction traffic route
- Suitability of existing roads
- Road safety
- Construction traffic management plan
- Highway condition
- Public rights of way
- Alternative access within the site via the existing access road to the south of Cleve Hill Substation.

Applicant Response

11.58 The comments received in respect of access and transport have been addressed through the provision of additional detail relating to the issues raised in the ES.

11.59 Further detail on the construction programme has been produced since the PEIR was drafted, and the traffic volumes predicted have reduced as a result of the availability of additional information, with, for example, 80 two-way heavy goods vehicle movements per day assessed in the ES (see Chapter 14: Access and Traffic (document reference 6.1.14)), compared to 150 assessed in the PEIR.

- 11.60 The working hours for the project, the delivery times (particularly in relation to sensitive receptors) and the length of time of the construction period is also presented with a greater degree of certainty in the ES.
- 11.61 Consultation responses relating to the condition of existing roads and the access route proposed have been addressed through updates to the Outline Construction Traffic Management Plan which accompanies the application.
- 11.62 There is no reasonable alternative to accessing the Development during construction other than by road (see paragraph 4.4.2.1 of ES Chapter 4 (Site Selection, Development Design and Consideration of Alternatives (document reference 6.1.4)). Therefore, the focus has been on ensuring that the assessment of impacts is detailed and thorough, and that a comprehensive outline CTMP, and later final CTMP, are developed through consultation with key stakeholders to mitigate the impacts of construction traffic.
- 11.63 The peak number of HGVs per day is also limited to 80 two-way trips (40 vehicles) throughout construction in the Application to ensure the assessment is accurate.

CLIMATE CHANGE IMPACT ASSESSMENT

- 11.64 Consultees who responded with substantive comments relating to climate change included:
- Canterbury City Council
 - CPRE Kent
 - Graveney with Goodnestone Parish Council
 - GREAT Graveney
 - Kent Wildlife Trust
- 11.65 Key themes that were raised by consultees included:
- Flood risk
 - Microclimate
 - CO₂ payback (including energy storage infrastructure)

Applicant Response

- 11.66 Comments received in respect of climate change have been addressed through the provision of additional detail relating to the issues raised in the ES.
- 11.67 Comments dealing with increasing flood risk in respect of climate change are dealt with in the Hydrology chapter of the ES. The ES Chapter 17 (Miscellaneous Issues (document reference 6.1.17) provides an assessment of risks raised by consultees on the project being vulnerable to accident or disaster, concluding that there was no such significant risk.

11.68 Comments on microclimates are addressed in the hydrology and ecology chapters of the ES.

11.69 The CO₂ calculations have been updated including for the impact of the energy storage facility.

AIR QUALITY

11.70 Consultees who responded with substantive comments relating to air quality included:

- Canterbury City Council
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Swale Borough Council
- The Faversham Society

11.71 Key themes that were raised by consultees included:

- Air quality along the access route
- Air quality during construction

Applicant Response

11.72 The comments received in respect of air quality have been addressed through the provision of additional detail relating to the issues raised in the ES.

11.73 The assessment of air quality has been updated to reflect reduction to the traffic volumes predicted during construction.

MISCELLANEOUS ISSUES

11.74 Consultees who responded with substantive comments relating to air quality included:

- Canterbury City Council
- Graveney with Goodnestone Parish Council
- GREAT Graveney
- Swale Borough Council
- The Faversham Society
- Health and Safety Executive

11.75 Key themes that were raised by consultees included:

- Hours of working
- Site lighting
- Security
- Glint and Glare
- Health and wellbeing of residents
- Emergency planning / Major incidents

- Hazardous substances

Applicant Response

- 11.76 The comments received in respect of miscellaneous issues have been addressed through the provision of additional detail relating to the issues raised in the ES. This includes further clarity on security, working hours and onsite lighting (construction and operation).
- 11.77 The health impact assessment has been updated to reflect the availability of additional information from other assessments, including an updated section on EMFs.
- 11.78 The glint and glare assessment has been updated to reflect layout amendments and to add in footpaths as a receptor.
- 11.79 The Development is not expected to include hazardous substances in quantities that could require notification (e.g., fuels). Batteries are not covered by the Planning (Hazardous Substances) Regulations 2015.

SECTION 44 CONSULTEE COMMENTS

- 11.80 In response to the Section 42 consultation carried out with Section 44 consultees under Section 42(1)(d) of the 2008 Act, four responses were received from landowners to the PEIR.
- 11.81 Full comments received and how the Applicant has responded is set out in Appendix 3.
- 11.82 The Applicant continued discussions with Section 44 consultees regarding their land interests and in order to seek agreement with landowners to secure the land use powers it needs by agreement with the parties that own and occupy the land which the Development would affect. To that end, the Applicant has initiated and engaged in negotiations with the affected parties, as detailed in Chapter 13 of this Consultation Report.

SECTION 48 COMMENTS

- 11.83 No specific responses were received to the Section 48 notice

12 Ongoing Consultation Activities and Statements of Common Ground

INTRODUCTION

12.1 The Applicant continued discussions with a number of consultees to respond to the comments raised in response to the Section 42 consultation on PEIR and as part of the ongoing discussions with consultees to reach positions of agreement or understanding.

12.2 In summary, following the close of the Section 42 consultation on 13 July 2018 and the Application submission, the Applicant sought to:

- Agree a statement of common ground with Natural England, agreeing the final AR HMA of 56ha;
- Agree a common position with the Environment Agency regarding the EA's MEASS strategy and the Applicant's clarification that it will assume maintenance of the flood defences should the Development be constructed;
- Agree the removal from the indicative design of all solar PV modules from field Y in response to comments received from the community and Swale Borough Council;
- Scope in a southern access route to the electrical compound for the Development in addition to the originally proposed northern access, as suggested by Swale Borough Council;
- Provide additional clarity and consult on mitigation measures set out in the Outline CTMP (document reference 6.4.14.1) with the community and elected members, in a focus meeting held on 19 September 2018;
- Agree with the MMO the appropriate approach for regulation and licencing of rights and abilities to undertake maintenance of the existing flood defences at Cleve Hill seaward of Mean High Water Springs to be included in the draft DCO included with the application. These would either be:
 - **Exemption** – In the draft DCO, the Applicant would seek to replicate the EA's exemption from requiring a marine licence for flood defence works seaward of MHWS enabling maintenance works to be undertaken by CHSPL in the same way that the EA does currently.
 - **Deemed Marine Licence** – the Applicant would include a deemed marine licence in the draft Application with associated conditions which would regulate flood defence maintenance works seaward of MHWS.

During the Examination phase, the Applicant in consultation with the relevant consultees and the Examining Authority will decide which of the above routes is most appropriate.

- Maintain dialogue with both the Planning Inspectorate and local authorities regarding the preparation of the Application and submission timescale.

Table 23: Ongoing meetings with stakeholders undertaken between 13 July and application submission.

Date	Stakeholder	Key Issues Discussed
23/07/2018	Environment Agency	<ul style="list-style-type: none"> • Section 42 responses received and design responses considered • Environment Agency's current maintenance activities • Securing defences long term • Definition of maintenance activities agreed • Definition of emergency works agreed
18/07/2018	Lower Medway Internal Drainage Board	<ul style="list-style-type: none"> • Section 42 response to PEIR (following late consultation) (see Appendix 3)
21/08/2018	Habitat Management Steering Group	<ul style="list-style-type: none"> • Site visit to fields F, H, J and the AR HMA • Increased buffers to drains were well received • Fence lines around panels • Marsh harrier and their use of new habitat areas
23/07/2018	Natural England	<ul style="list-style-type: none"> • Discuss Natural England's Section 42 response • Inclusion of SSSI in mitigation • Marsh harrier impacts
03/09/2018	Natural England	<ul style="list-style-type: none"> • Geese surveys • Aims of the AR HMA • Fertilizer usage • AR HMA capacity for geese, lapwing and golden plover
24/10/2018	Natural England	<ul style="list-style-type: none"> • Submission of RIAA and SoCG for comments
06/09/2018	Historic England	<ul style="list-style-type: none"> • Changes to project design • Indirect Impacts – viewpoints in context of listed buildings and conservation area • Direct Impacts – construction impacts on archaeology • Considered heritage gains as part of the proposal

18/09/2018	Kent County Council (Highways Officers)	<ul style="list-style-type: none"> • Presentation of updated predicted traffic volumes and CTMP
27/09/2018	Maritime Management Organisation	<ul style="list-style-type: none"> • Marine licence exemption for the Development
22/10/2018	Maritime Management Organisation	<ul style="list-style-type: none"> • Response from MMO setting out possible options for Deemed Marine Licence and exemption
Various Dates	National Grid Electricity Transmission	<ul style="list-style-type: none"> • Electrical clearance from overhead lines • Maintenance Access • Specific development guidance
24/07/2018	PPA Meeting with Local Planning Authorities	<ul style="list-style-type: none"> • Consultation Summary • Ecology issues related to PEIR discussed • Flood risk assessment and drainage issues discussed • Statement of Common Ground template and policies discussed
19/09/2018	PPA Meeting with Local Planning Authorities	<ul style="list-style-type: none"> • Project Status Update • Consultation Update – Mini SoCG - Consultation • SoCG – Planning Policy • Ongoing/Further PPA requirements
13/08/2018	The Planning Inspectorate	<ul style="list-style-type: none"> • Consultation discussion – main issues raised • Compulsory Acquisition • Draft document review – DCO, Explanatory Memorandum, book of reference • Anticipated submission date
24/10/2018	The Planning Inspectorate	<ul style="list-style-type: none"> • Final project development • Ongoing consultation and elected members traffic workshop update • Preparation for submission – revised submission timeline
03/10/2018	Bumblebee Conservation Trust	<ul style="list-style-type: none"> • Potential for future inclusion in steering group • Discussed the use of cattle instead of sheep for vegetation management purposes in certain areas • Species composition within grassland/wildflower meadows

		<ul style="list-style-type: none"> Discussed the use of emergent flowering plants within new ditch habitat
19/09/2018	Transport workshop with community	<ul style="list-style-type: none"> Presentation of predicted traffic volumes and CTMP Inviting comments to the CTMP and mitigation proposed Lessons learnt from existing Cleve Hill onshore substation construction

ONGOING COMMUNITY RESPONSES

12.3 The Applicant received 16 responses from the community following 13 July 2018, which have been recorded and responded to in Appendix 2.

ONGOING LANDOWNER NEGOTIATIONS

12.4 The Applicant has already secured agreements for the majority of the land by negotiated agreement in anticipation of the Development being delivered. The rights needed for the main site for the Development are secured via an Option Agreement entered into by the Applicant and Messrs. Goodman representing the significant majority of the land rights required for the project. The agreement reflects the Applicant's intention to agree by private treaty all rights in land required for the Scheme, and to only rely on Compulsory Acquisition powers as a last resort.

12.5 The remaining rights are predominantly required to provide access to the flood defences, and to enable any works to maintain the defences to be undertaken (works currently undertaken as the responsibility of the EA). The Applicant has engaged frequently with those parties identified as holding an interest in land affected by the Scheme before, during and after the period of Statutory Consultation.

12.6 The Applicant has sought to engage with all landowners in negotiations for the acquisition or use, by agreed private treaty, of the land required for the Scheme. Negotiations with some landowners are already reasonably well progressed, whilst others are currently still on-going.

12.7 As at 31 October 2018, Heads of Terms have been drafted and submitted to Faversham Oyster Fishery Company, Kent Wildfowling & Conservation Association, the Seasalter Chalet Owners Association, Messrs. Henderson and Messrs. Attwood. Agreement has been reached with Messrs. Goodman for the main site. The Applicant is in negotiations regarding a crossing agreement with Blue Transmission London Array Limited (in relation to the Scheme's interface with on shore London Array cables). Protective Provisions for inclusion in the

draft DCO have been provided to London Array Limited, Blue Transmission London Array Limited and National Grid. This is all recorded as part of the Statement of Reasons (document number 4.1).

- 12.8 The Applicant has met with the Crown Estate and is in the process of agreeing the rights required for the Development.
- 12.9 The Applicant remains open to acquiring all land interests in and rights over land required for the Development by agreement; however, unless requested by the landowner, it is not generally pursuing the freehold transfer of/grant of rights over land prior to the DCO being made. This approach reflects the view of many land owners who do not wish to sell land (or contract to do so) until the consenting process for the Scheme is completed.
- 12.10 It is anticipated that agreements will be completed by the close of Examination.
- 12.11 The Applicant has continued diligent inquiries as per section 44(1) of the Planning Act 2008 to identify if any new parties had taken an interest in land that would be affected by the Scheme, and who would therefore not have been identified and consulted earlier in the process.

ONGOING AREAS OF AGREEMENT

Natural England

- 12.12 Subsequent to its latest meeting with Natural England on 03 September 2018, the Applicant issued the following package of documents to Natural England on 24 October 2018:
- Draft Statement of Common Ground
 - Draft Report to Inform an Appropriate Assessment (RIAA)
 - Draft Outline SPA Construction Noise Management Plan (SPA CNMP)
 - Draft Letter of No Impediment Request
- 12.13 On 05 November 2018, Natural England confirmed in writing its agreement with what is included in the RIAA.
- 12.14 Natural England further confirmed on 08 November that it agrees, in principle, with the size of the arable reversion habitat management area ('AR HMA') based on the calculations presented in the RIAA. Natural England acknowledged the detailed discussion that had taken place to reach this position. In their correspondence, Natural England confirms a detailed response to the mitigation will be provided once the ES is reviewed in full. Please see DCO Document Reference 7.6.
- 12.15 The Applicant wrote to Natural England on 19 October 2018 requesting a letter of no impediment regarding species licensing for the Development, which was

responded to by Natural England on 09 November 2018 who confirmed that the surveys undertaken are sufficient to enable an assessment of the impacts of the proposal on protected species, and that sufficient information has been provided on mitigation measures.

Environment Agency

- 12.16 On 29 August 2018, the Applicant agreed a position paper with the Environment Agency regarding maintenance and emergency works to the flood defences, following on from earlier consultation with the Environment Agency regarding the Development proposals which resulted in the Applicant extending the Development site boundary to include the flood defences and the inclusion of powers and rights in the DCO to enable to the Applicant to undertake maintenance works to the defences. This position was shared with the MMO. Please see the position statement in Appendix 26.
- 12.17 Following an update email to the Environment Agency on 08 November 2018, the Environment Agency confirmed on 09 November that it did not foresee any impediment to the future grant of an Environmental Permit in respect of flood defence maintenance. Please see Appendix 26.

Marine Management Organisation (MMO)

- 12.18 Following consultation with the MMO, most recently on 27 September 2018, it has been agreed that two options for obtaining the necessary rights and abilities to undertake maintenance of the existing flood defences at Cleve Hill seaward of Mean High Water Springs will be included in the DCO application. Please see Appendix 26.
- 12.19 During the Examination phase, the Applicant in consultation with the relevant consultees and the Examining Authority will decide which of the above routes is most appropriate.

13 Conclusion

CONCLUDING REMARKS

- 13.1 The Applicant has carried out comprehensive pre-application consultation on the Cleve Hill Solar Park pursuant to the 2008 Act. The consultation has met and exceeded the requirements of the 2008 Act and has taken into account the relevant advice and guidance published by the Planning Inspectorate and UK Government.
- 13.2 The Applicant undertook an iterative consultation process including two rounds of Section 47 consultation, with phase two purposely coinciding with the statutory Section 42 on PEIR and Section 48 consultation. This reflected the level of interest and desire from stakeholders to engage in the process and the iterative nature of the design development. It is this design development in response to consultation that has been clearly set out in Figures 1-3 highlighting the key Development changes.
- 13.3 Consultation responses to each round of consultation have been carefully documented and considered as part of the on-going development of the Development, with stakeholders having a clear influence on the proposals. Early engagement with stakeholders enabled them to view and comment on plans while they were still fluid, and in subsequent consultations to observe how their feedback had influenced proposals.
- 13.4 Throughout the consultation period, the Applicant has actively sought and considered feedback from stakeholders on its approach to consultation to ensure that the consultation was as effective as possible and took on board comments where possible as documented in this Consultation Report. The design changes that have taken place have been well received by the community and stakeholders.
- 13.5 Whilst the Applicant has received a higher level of objection in its phase two Section 47 consultation, it has sought to address the comments and concerns raised in the final Development design where possible and to respond to all comments raised in the Consultation Report.



CLEVE HILL
SOLAR PARK



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