



Longfield Solar Farm

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4. Consultation

4.1 Context

- 4.1.1 Consultation is integral to the preparation of Development Consent Order (DCO) applications (hereafter referred to as the 'Application') and to the Environmental Impact Assessment (EIA) process. The views of consultation bodies and the local community serve to focus the environmental studies and to identify specific issues that require further investigation, as well as to inform aspects of the design of the Scheme. Consultation is an on-going process and the publication of the Preliminary Environmental Information (PEI) Report in May 2021 formed an important part of that process.
- 4.1.2 The Scheme has a wide range of stakeholders (including landowners, statutory consultees, local communities and specialist interest groups) with differing interests that will require varied levels of consultation. Specific communication activities therefore need to be focussed to meet the needs of particular individuals and groups. This requires an understanding of the stakeholders and their interests in the Scheme.
- 4.1.3 Stakeholder engagement for the Scheme is based on the following principles:
- Early and ongoing engagement to inform and influence the design process;
 - Seeking an appropriate level of feedback in the iterative design process and ensuring that comments received are taken into consideration;
 - Building long-term relationships with key stakeholders throughout the different stages of the Scheme to help better understand their views;
 - Where possible and practicable, ensuring concerns are addressed; and
 - Ensuring appropriate statutory consultation is undertaken in compliance with requirements of the Planning Act 2008 (Ref 4-1), EIA Regulations (Ref 4-3), and associated guidance.

4.2 DCO Consultation Requirements

- 4.2.1 The DCO process sets out a number of statutory requirements regarding consultation. The Planning Act 2008 (Ref 4-1) requires applicants for DCOs to carry out formal (statutory) pre-application consultation on their proposals. There are several requirements as to how this consultation must be undertaken that are set out in the Planning Act 2008 (Ref 4-1) and related regulations:
- Section 42 requires the applicant to consult with 'prescribed persons', which includes certain consultation bodies such as the Environment Agency and Natural England, relevant statutory undertakers, relevant local authorities, those with an interest in the land, as well as those who may be affected by the Scheme and therefore able to make what is called a "relevant claim";

- b. Section 47 requires the applicant to consult with the local community on the development. Prior to this, the applicant prepares a Statement of Community Consultation (SoCC) and consults on it with the relevant local host authorities and has regard to their responses. The SoCC must set out the proposed community consultation including (pursuant to the EIA Regulations) how the preliminary environmental information will be publicised and consulted on. Once finalised, a SoCC Notice must be published in local newspapers circulating within the vicinity of the land in question and the SoCC made available for inspection by the public. The consultation must then be carried out in accordance with the final SoCC;
- c. Section 48 places a duty on the applicant to publicise the proposed application in the 'prescribed manner' in a national newspaper, The London Gazette, and local newspapers circulating within the vicinity of the land. In addition, the EIA Regulations require certain prescribed consultees to be sent a copy of the section 48 notice; and
- d. Section 49 places a duty on the applicant to have regard to any relevant responses received to the consultation and publicity that is required by Sections 42, 47 and 48.

4.3 Pre-Application Consultation

- 4.3.1 Longfield Solar Energy Farm Ltd (the Applicant) adopted a two-stage approach to pre-application consultation on the Scheme. An informal, non-statutory consultation was carried out during November / December 2020, and statutory consultation was undertaken from May through to July 2021, prior to, and following the publication of the PEI Report in May 2021. The Consultation Report submitted as part of the Application **[EN010118/APP/5.1]**, documents the pre-application and statutory consultation undertaken by the Applicant.
- 4.3.2 The issues that have been raised through consultation and how these have been considered and addressed within the design evolution of the Scheme and the EIA are set out in this ES, and the Consultation Report.
- 4.3.3 A number of meetings with statutory consultees took place to provide an introduction to the proposals, and then further engagement was undertaken following the evolution of the design, including:
 - a. The Planning Inspectorate;
 - b. Chelmsford City Council;
 - c. Braintree District Council;
 - d. National Highways;
 - e. Historic England;
 - f. Natural England;
 - g. The Environment Agency;
 - h. Terling and Fairstead Parish Council;
 - i. Boreham Parish Council;
 - j. Hatfield Peverel Parish Council, and

k. Essex County Council.

4.3.4 In addition, a project website has been set up to provide up to date information on the project: <https://www.longfieldsolarfarm.co.uk/>, and information has been provided proactively to local residents and local community groups in addition to the statutory requirement to consult.

Non-statutory consultation

4.3.5 The Applicant held an initial round of non-statutory public consultation on its proposals between 2 November 2020 and 14 December 2020. Through the non-statutory consultation, feedback was sought on early proposals for Longfield Solar Farm, the approach to EIA, and the Applicant's approach to consultation.

4.3.6 Due to the COVID 19 pandemic, the consultation took place remotely. It included a range of techniques to assist the dissemination of information whilst giving the opportunity for members of the public to provide feedback. These included issuing a booklet and consultation questionnaire to local addresses by post, a virtual exhibition, webinars and one-to-one meetings held by telephone and online.

4.3.7 In total, 246 responses were received to the non-statutory consultation. This included responses from a range of statutory consultees and stakeholder groups, including: Braintree District Council, Chelmsford City Council, Boreham Parish Council, Hatfield Peverel Parish Council, Little Waltham Parish Council, Anglian Water and Highways England.

4.3.8 Key themes raised in responses to the consultation included:

- a. Support for the principle of new solar energy generation;
- b. Concern about the overall scale of development and potential loss of agricultural land;
- c. A preference for the grid connection option close to the existing Bulls Lodge substation;
- d. Concern about Heavy Goods Vehicle (HGV) accesses off Boreham Road and Waltham Road;
- e. A desire for all cables associated with the scheme to be buried underground; and
- f. Requests for more information about landscape and visual impact, ecology and local job creation.

4.3.9 The Applicant has had due regard to all of the comments raised through the non-statutory consultation in preparing proposals for statutory consultation, and more generally in developing the Scheme. This has included restricting development north of the River Ter and removing overhead cables, the option to connect to the National Grid near Fairstead, and HGV accesses on Boreham Road and Waltham Road.

4.3.10 The Applicant issued a newsletter to the local community in the vicinity of the Scheme in March 2021 to set out how comments from the non-statutory consultation had been addressed. The Applicant also met with Terling and

Fairstead Parish Council, Boreham Parish Council, and Hatfield Peverel Parish Council at this time to discuss how comments received had been addressed.

- 4.3.11 Comments from the non-statutory consultation influenced the ongoing evolution of the Scheme design. The iterative process of designing the Scheme, including the way that consultation feedback and EIA informed design, is set out in detail in **Chapter 3: Alternatives and Design Evolution**, of this ES [EN010118/APP/6.1], and the Design Statement [EN010118/APP/7.3].

Scoping Consultation

- 4.3.12 The EIA Scoping Report was developed following initial consultation with a number of statutory consultees and was informed by experience of working on a number of other solar farm projects. The EIA Scoping Report was submitted to the Planning Inspectorate on 5 November 2020. The Planning Inspectorate reviewed and consulted on the EIA Scoping Report and adopted (on behalf of the Secretary of State) **Appendix 1B: EIA Scoping Opinion** of the ES [EN010118/APP/6.2], on 16 December 2020 (the Scoping Opinion) which included the formal responses received by the Planning Inspectorate from consultees. Key issues raised in the Scoping Opinion are set out within each technical chapter of this ES, and a response provided which identifies how and where any comments have been addressed within the ES. All issues have been considered during the EIA process. Following the adoption of the Scoping Opinion, consultation was undertaken with relevant statutory consultees in the preparation of the PEI Report, and have been considered in the preparation of this ES (including where required by the Scoping Opinion).
- 4.3.13 The pre-application consultation undertaken by the Applicant is documented within the Consultation Report, submitted with the Application. The Consultation Report includes a section on EIA related consultation as recommended within the Planning Inspectorate Advice Note (Advice Note 14: Compiling the Consultation Report (Ref 4-2)) on the preparation of consultation reports.

4.4 Public Statutory Consultation

- 4.4.1 The PEI Report was published in May 2021 prior to the statutory consultation and included details of a number of aspects of the Scheme. The PEI Report was a snapshot of the Applicant's assessment activity at that time. The PEI Report was formed from ongoing engagement with local authorities during and following the consultation period.
- 4.4.2 In accordance with Section 47(1) of the Planning Act 2008 (Ref 4-1) for a Nationally Significant Infrastructure Project (NSIP), the Applicant prepared a SoCC in consultation with Essex County Council, Braintree District Council, and Chelmsford City Council, hereafter referred to as 'the Host Authorities' (see section 4.2 above). This included how the Applicant would consult with the local community about the Scheme.
- 4.4.3 The approach to public consultation set out in the SoCC included:

- a. Issuing a consultation booklet, questionnaire and freepost envelope to all addresses within a core consultation zone;
 - b. Hosting a virtual exhibition on the project website;
 - c. Holding webinars to offer the opportunity to ask questions about the proposals;
 - d. Inviting local residents to book one-to-one telephone meetings to discuss the project;
 - e. Making consultation documents available to access via the applicants' website; and
 - f. Publicising the consultation through the media, online and through liaison with stakeholders.
- 4.4.4 The Applicant conducted a period of statutory consultation on the Scheme from May 2021 until July 2021.
- 4.4.5 The purpose of the consultation was to seek the views of statutory consultees and the public on the Scheme; the potential short and long-term impacts of the Scheme during construction, operations, and decommissioning; the contribution the Scheme could make to the local community; and the PEI Report.
- 4.4.6 All consultation activity has been undertaken in accordance with the government's COVID-19 guidance and regulations in place at the time. Where permitted by this guidance, the Applicant held additional, in-person, engagement in the local area during the consultation period.
- 4.4.7 In addition to consultation with the local community, consultation has also been undertaken with prescribed consultation bodies as well as affected landowners, in accordance with Sections 42 and 48 of the Planning Act 2008 (Ref 4-1) and Regulation 13 of the EIA Regulations (Ref 4-3).

4.5 Targeted statutory consultation

- 4.5.1 Following the statutory consultation set out in section 4.4, the Applicant made a number of minor changes to the Order limits having regard to feedback from the consultation, and in light of further work on the Scheme's design and environmental impacts.
- 4.5.2 These changes, broadly speaking, added land required for parts of the proposal, which the Applicant had previously planned to bring forward under local planning mechanisms, into the Order limits. During design development work, it was established that this land should be included to the Scheme boundary so that the necessary consent or powers can be included in the Scheme's application. This will ensure the Applicant obtains the appropriate powers for access and to make highway improvements.
- 4.5.3 These changes did not affect the outcome of the environmental impact assessment, as set out in the Preliminary Environmental Information Report published during the statutory consultation.

4.5.4 The Applicant wrote to affected consultees under Section 42.1(a), (b) and (d) of the Planning Act 2008 to notify them of the changes and invite comment for a 28-day period between 26 October 2021 and 23 November 2021.

4.5.5 Following this period, the Applicant became aware of a formatting error in the Scheme boundary plan issued as part of the targeted consultation. It therefore reissued the plan to the same consultees and provided a 28-day period for responses between 11 January and 8 February 2022.

4.6 Consultation Responses

4.6.1 All responses received during consultation have been carefully considered and the Applicant has had due regard to them in the development of the Scheme in accordance with Section 49 of the Planning Act 2008 (Ref 4-1). Details of any responses received during consultation and the regard had to those responses are included in the Consultation Report. Responses are sorted by theme in the Consultation Report, setting out the regard had to the responses by the Applicant, as well as whether they have led to a change in matters such as siting, route, design, form, or scale of the Scheme itself, or to mitigation or compensatory measures proposed, or have led to no change.

4.6.2 The matters raised by the consultees included:

- a. Proposals of this kind are usually located in sparsely populated environments and not close to villages;
- b. The PEI Report does not provide a full analysis of alternative sites;
- c. The Applicant should provide further independent assessment as to the quality of the agricultural land within the Scheme;
- d. Concerns around the visual impact of the Scheme must be mitigated against; and
- e. The extension of Bull's Lodge substation in relation to the strategic proposals within the Chelmsford Local Plan such as the new Chelmsford Garden Village.

4.6.3 The Applicant has responded to all comments in the Scoping Opinion and from statutory consultation. These responses are tabulated upfront in each technical chapter, along with a concise response and/or a cross reference to where the issue is discussed in the ES.

4.6.4 In addition to this, the Application is accompanied by a Statement of Need **[EN010118/APP/7.1]** that sets out the Applicant's justification for a Scheme of this scale in this location.

4.6.5 The Consultation Report demonstrates how the Applicant has complied with the consultation requirements of the Planning Act 2008 (Ref 4-1) and EIA Regulations (Ref 4-3) and the regard had by the Applicant to the consultation responses, and will be considered by the Secretary of State (SoS) when determining whether to accept the application, and then in examining the application.

4.7 References

- Ref 4-1 HMSO (2008) The Planning Act 2008
- Ref 4-2 Planning Inspectorate (2012) Advice Note 14: Compiling the consultation reports.
- Ref 4-3 Her Majesty's Stationery Office (HMSO) (2011) The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended by The Town and Country Planning and Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2018).