Braintree District Council

Written Summary of Comments made During ISH1 (DCO) - 27/09/2022

Longfield Solar Farm [PINS Ref: EN010118]

1. **Written Summary of Comments made by Tim Havers ('TH') (Planning Lead for BDC)**

   Agenda Item 3 'Main Discussion Points' – *Article 43 – Timescale for Deemed Consent*

1.1   TH identified that BDC do have concerns over the 8 week time period (noting that it has been raised from 6 weeks). Where the LPA is required to consult externally in particular, 8 weeks is not likely to be long enough particularly for more complex matters where a re-consultation may be required following the original re-consultation. TH advised that discussions are ongoing with the Applicant on this topic and that both the question of a 13 week time period (relating potentially to some of the more complex requirements) and the possibility of a Memorandum of Understanding are being discussed. TH could not identify any specific requirements where an extension may be needed at this stage as the DCO process is a new one for the LPA and is in this respect a relatively unknown quantity.

1.2   TH explained that BDC's concerns are that (if the DCO is granted) the LPA would want some reassurance that the 8 week period could or would be extended in circumstances where this was necessary as often happens with condition discharge applications for major planning applications. TH confirmed that he understood that the proposed mechanism as set out in the dDCO for extending the 8 week time limit would require the agreement of both parties.

   Agenda Item 3 'Main Discussion Points' - *Schedule 2 - Requirements*

1.3   TH confirmed to the Inspector that rather than adding an additional requirement to cover a Biodiversity Enhancement Strategy (BES) that BDC are in agreement that this could instead be covered by including the BES in the Landscape and Ecology Management Plan (LEMP). TH advised that BDC's main concern was that ensuring there was certainty that a BES would be submitted by the Applicant and that requiring it to be included as part of the

LEMP (as opposed to as a new requirement in its own right) would address this point.