

## **Application by Longfield Solar Energy Farm Limited for an Order Granting Development Consent for the Longfield Solar Farm project.**

### **The Examining Authority's Additional Written Questions and Requests for Information (ExQ3)**

#### **Issued on 1 December 2022**

The following table sets out the Examining Authority's (ExA's) Additional Written Questions in relation to the proposed Longfield Solar Farm project. Responses are required by **Deadline 6** in the Examination Timetable, **Thursday 15 December 2022**. Please note that if this deadline is missed the ExA is not obliged to take account of your response.

Column 2 of the table indicates which Interested Parties (IPs) and Other Persons each question is directed to. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. If the answer to a question is set out in, for example, a statement of common ground (SoCG) then a cross reference to where the issue is addressed is acceptable.

Each question has a unique reference number which starts with 3 (indicating that it is from ExQ3) and then has an issue number and a question number. For example, the first question is identified as Q3.1.1. When you are answering a question, please start your answer by quoting the unique reference number. If you are responding to a small number of questions, answers in a letter will suffice.

In some areas there may be a degree of overlap between the answers to questions and it is acceptable to provide a single answer which responds to multiple questions or answer questions individually and provide cross references between multiple answers where appropriate. If you do so, please use all number references and ensure all elements are addressed.

References to the draft development consent order (dDCO) are to Version 6 of the dDCO [REP5-003].

If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact mail to: [LongfieldSolarFarm@planninginspectorate.gov.uk](mailto:LongfieldSolarFarm@planninginspectorate.gov.uk)

Responses are due by **Deadline 6 (Thursday 15 December 2022)**.

### Abbreviations used

<b>Art</b>	<i>Article</i>	<b>LIR</b>	<i>Local Impact Report</i>
<b>BDC</b>	<i>Braintree District Council</i>	<b>oCEMP</b>	<i>Outline Construction Environment Management Plan</i>
<b>CA</b>	<i>Compulsory Acquisition</i>	<b>ODP</b>	<i>Outline Design Principles</i>
<b>dDCO</b>	<i>Draft Development Consent Order</i>	<b>oLEMP</b>	<i>Outline Landscape and Ecology Management Plan</i>
<b>EA</b>	<i>Environment Agency</i>	<b>PA 2008</b>	<i>Planning Act 2008</i>
<b>EAG</b>	<i>Ecological Advisory Group</i>	<b>PPs</b>	<i>Protective Provisions</i>
<b>EIA</b>	<i>Environmental Impact Assessment</i>	<b>SoCG</b>	<i>Statement of Common Ground</i>
<b>ES</b>	<i>Environmental Statement</i>	<b>TP</b>	<i>Temporary Possession</i>
<b>ExA</b>	<i>Examining Authority</i>	<b>WFD</b>	<i>Water Framework Directive</i>
<b>HRA</b>	<i>Habitats Regulation Assessment</i>		
<b>HAs</b>	<i>Host Authorities</i>		

### **The Examination Library**

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010118/EN010118-000352-Examination%20Library%20Longfield%20Solar%20Farm.pdf>

It will be updated as the Examination progresses.

### **Citation of Questions**

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ3.1.1 – refers to question 1 in this table.



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ExQ.	Respondent:	Question:
<b>1. Air Quality</b>		
No further questions at this time.		
<b>2. Biodiversity, Ecology and the Natural Environment; Habitats Regulations Assessment</b>		
3.2.1	Applicant	<p>The Applicant is requested to update Section 4 of the oLEMP to include details of the triggers which would be used to determine whether amendments to the ecological management are required. The ExA notes the Applicant's response to ExQ2.2.4 [REP4-034] but considers that relevant information should be set out in the oLEMP, in order to demonstrate how the monitoring would be used to determine whether amendments to the ecological management are required. The Applicant's attention is drawn to triggers included in the Cleve Hill Solar Park outline Landscape and Biodiversity Management Plan by way of an example.</p> <p>The Applicant should also confirm whether the Ecological Advisory Group (EAG) would have a role in discussing and agreeing whether amendments to the ecological management are required and what these amendments would comprise. If the EAG would have such a role, the Applicant should update the oLEMP to confirm this.</p>
3.2.2	Applicant	<p>In response to ExQ 2.2.5, the Applicant indicated that the further details on the role of the EAG would be provided at Deadline 5 [REP4-034]. However, the updated oLEMP submitted at Deadline 5 [REP5-009] does not appear to include any new information in relation to the EAG. Please can the Applicant provide additional information on the make-up of the group.</p>
3.2.3	Braintree District Council	<p>The ExA notes that ES Figure 2-5 (Illustrative Concept Design/Operational Layout Overview) [REP3-041] and ES Figure 10-15 (Vegetation Removal Plan) [REP5-006] have been updated to reflect the micro-siting of the track to avoid the RPA of the veteran tree (T9). The ExA also notes that the oCEMP has been updated [REP4-014] to incorporate additional mitigation.</p> <p>Please indicate whether or not the Council considers any further mitigation is required in relation to veteran trees.</p>

ExQ.	Respondent:	Question:
3.2.4	Applicant	The ExA notes that the 'Legend' contained in the Illustrative Concept Design [REP3-041] contains an error in relation to the identification of individual trees (the green colouring appears to have been deleted). Please review and provide an updated document into the Examination.
3.2.5	Applicant	Can the Applicant explain whether there is a need for post-construction monitoring for invertebrates? This is not currently included in the monitoring programme outlined in Section 4.2 of the oLEMP.
3.2.6	Applicant	<p>Paragraph 2.3.18 of the oLEMP submitted at Deadline 5 [REP5-009] amends the extent of hedgerow loss from 450.6m to 830m. However, it is not clear why the extent of hedgerow loss has increased.</p> <p>Furthermore, the Applicant states that the extent of vegetation removal is limited to these extents by the Outline Design Principles (ODP) [REP4-012] which, in turn, states that vegetation loss will be restricted to the maximum extents shown on the Vegetation Removal Plan [REP5-006] and as described in ES Chapter 10 (Landscape and Visual Amenity). However, no corresponding update has been made to ES Chapter 10 (which still refers to 450.6m of hedgerow loss). The ExA also notes that the assessment presented in ES Chapter 8 (Ecology) is also based on a hedgerow loss of 450.6m.</p> <p>Please provide an explanation of the increase in maximum hedgerow loss in the oLEMP and explain how this affects the assessments carried out in ES Chapters 10 (Landscape and Visual Amenity) and 8 (Ecology).</p> <p>Please also explain why these maximum parameters are not explicitly included in the ODP.</p>
3.2.7	Host Authorities	Table 3-3 of the SoCG between the Applicant and the Host Authorities [REP5-014] indicates that discussions are ongoing in relation to additional mitigation for ecology (Ref: ECO-11). Please provide further details of any additional mitigation being sought.
3.2.8	Applicant	The ExA notes that the oLEMP submitted at Deadline 5 [REP5-006] does not include Annex A. Please provide a complete and fully consolidated version of the oLEMP.



ExQ.	Respondent:	Question:
<b>3. Compulsory Acquisition and Temporary Possession</b>		
3.3.1	Ms M Rance	<p>The ExA notes the contents of [REP5-026]. In the Applicant's CA schedule [REP4-032] (in relation to Plot numbers 2/5, 2/6 and 2/6/1) the Applicant indicates it has taken a cautious approach to identifying objectors and has therefore included these plots despite no specific objection being raised.</p> <p>Please confirm whether or not you object to the use of CA/TP powers in respect of these plots, providing reasons where applicable.</p>
3.3.2	Applicant/National Grid	<p>Please provide a further update on Protective Provisions (PPs) and identify any matters outstanding (this should take the form of an agreed position statement setting out the parties' respective positions on any unresolved matters (to be submitted at Deadline 6)).</p> <p>An updated, final joint position statement should be provided at Deadline 7.</p>
3.3.3	Network Rail/Applicant	<p>Please provide a further update on PPs and identify any matters outstanding (this should take the form of an agreed position statement setting out the parties' respective positions on any unresolved matters (to be submitted at Deadline 6)).</p> <p>An updated, final joint position statement should be provided at Deadline 7.</p>
3.3.4	UK Power Networks Limited/Applicant	<p>Please provide a further update on PPs and identify any matters outstanding (this should take the form of an agreed position statement setting out the parties' respective positions on any unresolved matters (to be submitted at Deadline 6)).</p> <p>An updated, final joint position statement should be provided at Deadline 7.</p>
3.3.5	EA/Applicant	<p>Please provide a further update on PPs and identify any matters outstanding (this should take the form of an agreed position statement setting out the parties' respective positions on any unresolved matters (to be submitted at Deadline 6)).</p> <p>An updated, final joint position statement should be provided at Deadline 7.</p>

ExQ.	Respondent:	Question:
3.3.6	Essex CC/Applicant	<p>Please provide a further update on PPs and identify any matters outstanding (this should take the form of an agreed position statement setting out the parties' respective positions on any unresolved matters (to be submitted at Deadline 6)).</p> <p>An updated, final joint position statement should be provided at Deadline 7.</p>
3.3.7	Essex and Suffolk Water	<p>Please provide a further update on PPs and identify any matters outstanding (this should take the form of an agreed position statement setting out the parties' respective positions on any unresolved matters (to be submitted at Deadline 6)).</p> <p>An updated, final joint position statement should be provided at Deadline 7.</p>
3.3.8	Applicant/ Relevant Highway Authority	Please provide a certificate of completion for the adoption of the section of road formerly contained in Plot 1/1a which has been removed from the order land or state when this will be submitted into the Examination.
<b>4. Battery Storage Technology</b>		
No further questions at this time.		
<b>5. Draft Development Consent Order</b>		
3.5.1	Host Authorities	<p>The ExA notes that the SoCG between the Applicant and the Host Authorities provided at Deadline 5 indicates a number of matters are still under discussion between the Applicant and the host authorities in relation to the drafting of the dDCO.</p> <p>Please provide details of any proposed amendments to the dDCO together with a reasoned justification.</p>
<b>6. General Matters</b>		
3.6.1	Applicant	Further to the Applicant's response to ExQ1.6.8 [REP1b-042] regarding the potential for cumulative or in combination effects from the Proposed Development together with the proposed East Anglia GREEN project, the ExA notes that new information has now been published regarding East Anglia GREEN (the EIA Scoping Report, November 2022). Can the Applicant confirm whether there is any change to its response to ExQ1.6.8 in light of this new information?



ExQ.	Respondent:	Question:
3.6.2	Host Authorities	The ExA notes the draft section 106 agreement submitted at Deadline 5 [REP5-005]. Please provide a policy justification for the obligation set out in Schedule 1, explain why the HAs consider it is necessary and how it would make the Proposed Development acceptable in planning terms.
3.6.3	Applicant	The ExA notes there are some errors in ES Appendix 2A [APP-054] in relation to the Concept Design Parameters and a number of the Outline Design Principles have subsequently been updated during the Examination. Please can the Applicant review this document and update accordingly.
<b>7. Historic Environment</b>		
3.7.1	Boreham Conservation Society	Further to ExQ2.7.1 and the ExA's Rule 17 request for further information dated 18 November 2022, please can Boreham Conservation Society specify the two listed buildings being referred to in its RR [RR-009], the settings of which it considers would be compromised by the proposal.
<b>8. Landscape and Visual Effects</b>		
3.8.1	Host Authorities	<p>The ExA notes the comments from the Host Authorities in their respective LIRs in relation to Glint and Glare and the Applicant's response to the matters raised at Deadline 2 [REP2-029].</p> <p>The ExA also understands that the HAs have subsequently commissioned an independent review of the Applicant's Glint and Glare report, the outcome of which it was indicated would be submitted into the Examination at Deadline 5.</p> <p>The Host Authorities are requested to provide an update on the independent review and identify any outstanding concerns/comments in relation to Glint and Glare at Deadline 6.</p>
<b>9. Land Use, Agriculture and Socio-economics</b>		
No further questions at this time.		
<b>10. Noise and vibration</b>		
No further questions at this time.		
<b>11. Water Environment</b>		
3.11.1	Environment Agency	Further to ExQ 2.11.1 and the ExA's Rule 17 request for further information dated 18 November 2022 (which sought additional information from the EA on whether or not it agreed that the Water Framework



ExQ.	Respondent:	Question:
		Directive (WFD) information provided in the application appropriately demonstrates the Proposed Development's compliance with the requirements of the WFD), please can the EA provide a response.
3.11.2	Host Authorities	Table 3-4 of the SoCG between the Applicant and the Host Authorities indicates that discussions are ongoing in relation to additional mitigation in relation to the Water Environment (Ref: WAT-11). Please provide further details of any additional mitigation being sought.
<b>12. Transport and Traffic</b>		
3.12.1	Braintree DC	Please state whether or not the Council considers the Proposed Development would comply with BDC Policy LLP42. If not, please explain.

END