

CORRECTION NOTICE

THE LONGFIELD SOLAR FARM ORDER 2023

SCHEDULE 4 TO THE PLANNING ACT 2008

CORRECTION OF ERRORS IN DEVELOPMENT CONSENT DECISIONS

DATE: 20 NOVEMBER 2023

The Secretary of State received a request dated 02 August 2023 from Longfield Solar Energy Farm Limited (“the Applicant”) for the correction of errors in The Longfield Solar Farm Order 2023 (“the Order”), under section 119 of, and Schedule 4 to, the Planning Act 2008.

The Secretary of State has made the following corrections to the Order:

Corrections to the Articles

Article 14(2)(e) – Traffic regulation measures

In “suspending or amening in whole or in part any order made, or having effect as if made, under the 1984 Act.” Substitute “amening” for “amending”.

Secretary of State’s rationale:

To correct a typographical error.

Article 18(2) - Compulsory acquisition of land

In “This article is subject to article 19 (time limit for exercise of authority to acquire land compulsorily), article 20(2) (compulsory acquisition of rights), article 25 (acquisition of subsoil only), Article 26 (rights under or over streets), article 27 (temporary use of land for constructing the authorised development) and schedule 15 (protective provisions).” Amend reference to “article 25 (acquisition of subsoil only)” to “article 23 (acquisition of subsoil only)”; and amend reference to “Article 26” to “article 26”.

Secretary of State’s rationale:

To correct a typographical error.

Article 21(3) - Private Rights

In “Subject to the provisions of this article, all private rights or restrictive covenants over land of which the undertaker takes temporary possession

under this Order are suspended and unenforceable, in so far as their continuance would be inconsistent with the purpose for which temporary possession is taken, for as long itas the undertaker remains in lawful possessions of the land.” Amend “itas” with “as”.

Secretary of State’s rationale:
To correct a typographical error.

25(5)(b) - Modification of Part 1 of the Compulsory Purchase Act 1965

Deletion of “(5) In Schedule 2A (counter-notice requiring purchase of land not in notice to treat).

After (b) paragraph 29 insert –

30. “In this Schedule, references to entering on and taking possession of land do not include doing so under article 17 (protective works to buildings), article 28 (temporary use of land for constructing the authorised development) or article 29 (temporary use of land for maintaining the authorised development) of the Longfield Solar Farm Order [20**].”.

Addition in Article 25 after sub-paragraph (4) of “(5) In Schedule 2A (counter-notice requiring purchase of land not in notice to treat) after paragraph 29 insert -

PART 4. INTERPRETATION 30. “In this Schedule, references to entering on and taking possession of land do not include doing so under article 17 (protective works to buildings), article 28 (temporary use of land for constructing the authorised development) or article 29 (temporary use of land for maintaining the authorised development) of the Longfield Solar Farm Order [20**].”.

Secretary of State’s rationale:
To correct an inconsistency regarding compulsory purchase powers
To correct typographical errors

Corrections to Schedule [insert schedule number]

Schedule 2 – Part 2, 9(2)(a) – Landscape and ecological management plan

In “(2) The landscape and ecological management plan must include details of:

(a) how the plan will secure a minimum of 87% biodiversity net gain during the operation of the authorised development, calculated using The

Biodiversity Metric 4.0, published by Natural England on 20 April 2023 (or the current version of the metric if this has been superseded when the plan is submitted for approval);” substitute “(or the current version of the metric if this has been superseded when the plan is submitted for approval)” for “(or such other biodiversity metric approved by the relevant planning authority in consultation with the relevant statutory nature conservation body)”.

Secretary of State’s rationale:

To ensure consistency with biodiversity metric calculations.

Schedule 10 – Modification of compensation and compulsory purchase enactments for the creation of new rights and Imposition of new restrictive covenants

In “MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR THE CREATION OF NEW RIGHTS AND IMPOSITION OF NEW RESTRICTIVE COVENANTS” Amend “IMPOSTION” to “IMPOSITION”

Secretary of State’s rationale:

To correct typographical error.

Schedule 13 – Documents and Plans to be certified

In “Bulls Lodge substation extension drainage strategy, Appendix 9D contained in the environment statement (document reference 6.2), 1.0 February 2022” Replace “February 2022” with “November 2021”

Secretary of State’s rationale:

To correct referencing error.

Schedule 13 – Documents and Plans to be certified

In “environmental statement volume 1:6:1 (excluding chapters 2,3,7,10,14)” Remove reference to chapter “3”.

Secretary of State’s rationale:

To correct a referencing error.

Schedule 13 – Documents and Plans to be certified

Deletion of row for “environmental statement volume 1:6.1(B) (chapter 3)”.

Secretary of State's rationale:

To correct referencing error and reflect that chapter 3 was not revised following submission.

Schedule 13 – Documents and Plans to be certified

In “environmental statement volume 2:6:.2 (excluding appendices 2A, 7A,9A,10F,13B)” Add reference to “9D” and “13C”

Secretary of State's rationale:

To correct referencing errors.

Schedule 13 – Documents and Plans to be certified

After “environmental statement volume 2: 6.2(A) (appendices 9A, 10F)” Insert new entry “environmental statement volume2: 6.2(B) (appendix 9D), 1.0, November 2021)”.

Secretary of State's rationale:

To correct referencing error.

Schedule 13 – Documents and Plans to be certified

In “environmental statement volume 2:6.2(C) (appendix 13B), 4.0, November 2022.” Substitute reference to; “C” for “B”, “4.0” for “5.0, and “November 2022” for “January 2023”.

Secretary of State's rationale:

To correct referencing errors.

Schedule 13 – Documents and Plans to be certified

After “environmental statement volume 2: 6.2(B) (appendix 13B), 5.0, January 2023.” Insert new entry “environmental statement volume 2: 6(A) (appendix 13C), 2.0, October 2022”.

Secretary of State's rationale:

To correct referencing error.

Schedule 13 – Documents and Plans to be certified

In “environmental statement volume 3: 6.3 (excluding figures 2-3, 2-5, 2-27, 2-32, 10-13 (visualisations 4 and 5 of 5) and 10-15)” Delete reference to figure 2-3 and add reference to figures 10-10-2 and 10-12.

Secretary of State’s rationale:
To correct referencing error.

Schedule 13 – Documents and Plans to be certified

Deletion of row “environmental statement volume 3: 6.3(A) (figure 2-3)”

Secretary of State’s rationale:
To correct referencing error and reflect that figure 2-3 was not revised following submission.

Schedule 13 – Documents and Plans to be certified

After “environmental statement volume 3 6.3(A) (figure 2-32)” Insert entries; “environmental statement volume 3: 6.3(A) (figure 10-10-2), 2.0, October 2022” and “environmental statement volume 3: 6.3(A) (figure 10-12), 2.0, January 2023”.

Secretary of State’s rationale:
To correct referencing errors.

Schedule 13 – Documents and Plans to be certified

In “framework construction traffic management plan, Appendix 13B contained in the environmental statement (document reference 6.2(D)), 5.0, January 2023” Substitute reference to “D” for “B”

Secretary of State’s rationale:
To correct referencing error.

Schedule 13 – Documents and Plans to be certified

In “outline landscape and ecological management plan, 7.14(E), 6.0, January 2023” Substitute reference to “E” for “D”

Secretary of State’s rationale:
To correct referencing error.

Schedule 13 – Documents and Plans to be certified

In “outline operational environmental management plan, 7.11(C), 4.0, November 2022” Substitute reference to “C” for “A”

Secretary of State’s rationale:
To correct referencing error.

Schedule 15 – Part 1, 2(a) - For the protection of electricity, gas, water and sewerage undertakers

In “in the case of an electricity undertaker, electric lines or electrical plant (as defined in the Electricity Act 1989(a), belonging to or maintained by that utility undertaker,” Insert closed bracket after “(a))”

Secretary of State’s rationale:
To correct typographical error.

Schedule 15 – Part 9, 107(1) - For the protection of Essex and Suffolk Water

In “in consequence of the execution of any such works as are referred to in paragraph 105(2)105(1).” Amend reference entry and remove “105(1)”

Secretary of State’s rationale:
To correct referencing error.