



OAKLANDS FARM SOLAR PARK

Applicant: Oaklands Farm Solar Ltd

Consultation Report

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Oaklands Farm Solar Park

Consultation Report

Prepared on behalf of Oaklands Farm Solar Ltd

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1. Executive Summary

1.1. Purpose of the Consultation Report

- 1.1.1. This consultation report is intended to fulfil the requirements of section 37 of the Planning Act 2008, as amended ('the 2008 Act'). This requires Oaklands Farm Solar Ltd. ('the Applicant'), a wholly owned subsidiary of BayWa r.e UK Ltd to provide a consultation report as part of its application for development consent for the Oaklands Farm Solar Park ('the Proposed Development'), and to give details of the consultation activities that have been undertaken, the responses received to consultation and how these have informed the evolution of the Proposed Development and the supporting assessments.
- 1.1.2. This report demonstrates how the Applicant has complied with sections 42, 47, 48 and 49 of the 2008 Act, and has had regard to guidance issued by the Department for Communities and Local Government (now the Department for Levelling Up, Housing and Communities) in accordance with section 50 of the 2008 Act. A Statement of Compliance has been prepared which confirms that the Applicant has complied with all relevant provisions (see Chapter 19).
- 1.1.3. Consultation is an important part of the planning and development process. The 2008 Act requires developers to publicise their proposals widely as well as consult with the local community, local authorities, statutory bodies and persons with an interest in the land potentially affected by the proposed Nationally Significant Infrastructure Project (NSIP). This process is referred to as 'pre-application consultation' and must be carried out before an application for a Development Consent Order (DCO) can be accepted by the Planning Inspectorate (PINS) on behalf of the Department for Energy Security and Net Zero (DESNZ).

1.2. Overview of consultation undertaken

- 1.2.1. This consultation report describes the consultation activities undertaken by the Applicant (Oaklands Farm Solar Ltd.) in relation to the Oaklands Farm Solar Park proposals located between the villages of Walton on Trent and Rosliston, South Derbyshire (the 'Proposed Development').
- 1.2.2. The Proposed Development falls within the definition of a NSIP under section 14(1)(a) and 15(1) and (2) of the 2008 Act as it entails the construction of a

generating station in England with a capacity of more than 50 megawatts (MW).

- 1.2.3. Informal engagement and consultation took place in the area around the proposed application site between Spring 2021 and commencement of the statutory consultation period. This informal consultation and engagement included correspondence and meetings with relevant consultees and local representatives, launching of the Proposed Development website and online information, and an introductory newsletter containing information about the proposals and forthcoming consultation, distributed to the communities within the vicinity of the site.
- 1.2.4. Informal engagement on the Statement of Community Consultation (SoCC) took place during between September and November 2021, prior to formal SoCC consultation with relevant consultees across December 2021 and January 2022.
- 1.2.5. The SoCC was then published on 7 April 2022 with section 47 notices appearing in local papers and hard copies available upon deposit from the same date.
- 1.2.6. A formal phase of statutory consultation on the proposals was then undertaken between 21 April 2022 and 6 June 2022 (a period of 46 days). The statutory consultation period included two local consultation drop in exhibitions, online virtual exhibition, local update newsletters and website updates including copies of all consultation materials and relevant documents in line with the approach confirmed in the SoCC.
- 1.2.7. Following the close of statutory consultation, an ongoing period of engagement with the local community and relevant consultees took place as feedback was considered and the proposals refined.
- 1.2.8. During this period, one of the landowners requested to remove the proposed solar panels from the land in the northern part of the site known as 'Park Farm'.
- 1.2.9. In addition to this, several other design changes were made to the Proposed Development as a result of consultation feedback and ongoing development design. Changes made at this point resulted in a reduction in the scale of the Proposed Development and the following changes to the plans were made:
 - **Substation relocation:** Substation moved to middle of site adjacent to energy storage facility/batteries to increase distance from residential properties.
 - **Removal of panels from Park Farm site:** All panels removed from the Park

Farm site, in the north part of the site, in accordance with that landowner's revised long term farm plans.

- **Cable Route Undergrounded:** 132kV cable route from site substation to Drakelow to be undergrounded for entire length (approx. 2km).
- **Cable Route confirmed:** 132kV cable – assessment of preferred route completed and route confirmed.
- **Revision to construction site access locations:** Access onto site during construction revised to include new temporary access from Walton Road through land to the north of the site and straight across Rosliston Road into the Oaklands Site.
- **Adjustments to Construction Traffic Routes:** Changes to the planned construction traffic routes to site due to the closure of the Chetwynd Bridge and anticipated late delivery of the proposed Walton bypass.
- **Removal of construction access point from Burton Road:** The previously proposed construction access off Burton Road into Park Farm has been removed therefore use of Burton Road will be restricted to LGVs and no HGVs will use this route.
- **Footpath:** Following consultation on this inclusion of permissive path to create new link to Cross Britain Way from public right of way at Catton Lane/Lads Grave in the south-east of the solar farm.
- **Proposed Development footprint/redline boundary reduction:** As a result of removing panels from the Park Farm site, the overall Proposed Development footprint and planning boundary was reduced significantly to occupy approximately 165 hectares.
- **Additional Planting confirmed:** Additional planting across the site to increase ecological benefits and reduce landscape and visual impacts.

1.2.10. In addition, further information was provided about the provision of a community benefit fund and the amount of contribution confirmed.

1.2.11. As a result of the above changes the Applicant decided to undertake additional informal targeted consultation on the design changes. This additional informal

targeted consultation was within the scope of the published SoCC and the consultation approach was agreed with the local planning authority, therefore no additional statutory notices were issued. The scope of this additional informal targeted consultation was clearly defined and covered only those elements of the proposals that had changed since the statutory consultation.

1.2.12. This additional informal targeted consultation commenced on 9 March 2023 with responses requested by 21 April 2023.

1.2.13. Since April 2023 the Applicant has considered all feedback carefully as it refined the Proposed Development.

1.2.14. Since the close of the additional informal targeted consultation, the Applicant made some further small refinements to the red-line boundary around the National Grid Drakelow Substation. These changes were minor and did not extend the Order limits outside those which formed the basis of the original statutory consultation, meaning that no further formal consultation was required, however comments were sought from interested parties. In October 2023, the Applicant therefore updated the Proposed Development website and posted letters to specific interested parties with details of the changes made. These changes were:

- The use of the existing National Grid Drakelow Substation access from Walton Road for intermittent access, during the lifetime of the Proposed Development, to the grid connection point within the substation;
- The creation of a new access to the north of Walton Road into land adjacent to the National Grid Drakelow Substation for the purpose of constructing, maintaining and decommissioning the underground electrical cable grid connection;
- The improvement of an existing farm access off Walton Road to provide an 'in only' construction access for HGVs and other construction traffic during the construction of the Proposed Development.

1.2.15. In addition, where appropriate, further engagement and correspondence has taken place with neighbours, stakeholders, landowners and community representatives on other issues of interest including construction traffic and access. As refinements were made to the access arrangements, further detail has been communicated to interested parties via the Proposed Development website, and direct meetings with

relevant stakeholders, including the local authority, technical consultees, Parish Councils and community representatives.

- 1.2.16. Ongoing engagement with host and neighbouring Parish Councils has allowed continued local community updates and dialogue as further information has become available.

1.3. Outcome of consultation

- 1.3.1. The Applicant is grateful for all feedback received through the pre-application consultation process, both formally and informally from consultees and the local community. This report and associated appendices set how and where feedback received has influenced the design of the Proposed Development.
- 1.3.2. As a result of the feedback received, and extensive technical assessments and surveys undertaken, the Applicant has refined the final Application in several areas, noted above and set out within this report.
- 1.3.3. The final Application has seen a reduction in the scale of the solar panels (such as through removal of panels from Park Farm, and adjustment of panels around Oaklands Farm), adjustments to the location of site infrastructure to minimise impacts on sensitive receptors (such as the collocation of the BESS and substation to the centre of the site, away from residential properties), significant levels of increased planting (both trees and enhancement of hedgerows) to provide additional screening and biodiversity benefits.
- 1.3.4. Construction traffic routes have been refined through the course of the pre-application phases to seek minimal impact to the local road network.
- 1.3.5. The inclusion of a permissive path also assists in improving connectivity through the site, allowing better routes for pedestrians moving between the local villages of Rosliston and Walton on Trent.
- 1.3.6. In addition, the following core benefits have been defined:
- The ability to generate a significant amount of electricity, some 138MW, from a renewable energy source, capable of powering some 35,000 homes and contributing to the urgent need for new low and zero carbon energy infrastructure in the UK and delivering a development which national policy identifies as being a Critical National Priority.

- Including an energy storage element to the development, ensuring that electricity generated by the solar arrays can be stored and released to the grid as appropriate, but also helping to improve the resilience and flexibility of the wider electricity network by allowing electricity to be imported and stored before being released when appropriate.
- Securing a biodiversity net gain of 125% in habitat units, 20% in hedgerow units and 20% in river units, through a comprehensive scheme of landscaping and biodiversity improvements around the Site.
- Creating a new permissive path through the Proposed Development which will provide connectivity across the Site and improve the connectivity of the Public Rights of Way network in the surrounding area;
- Create employment opportunities and economic activity, particularly during the construction phase when it is expected that an average of 149 jobs will be created, with an equivalent of 8 full time jobs being created during the operation of the Proposed Development.

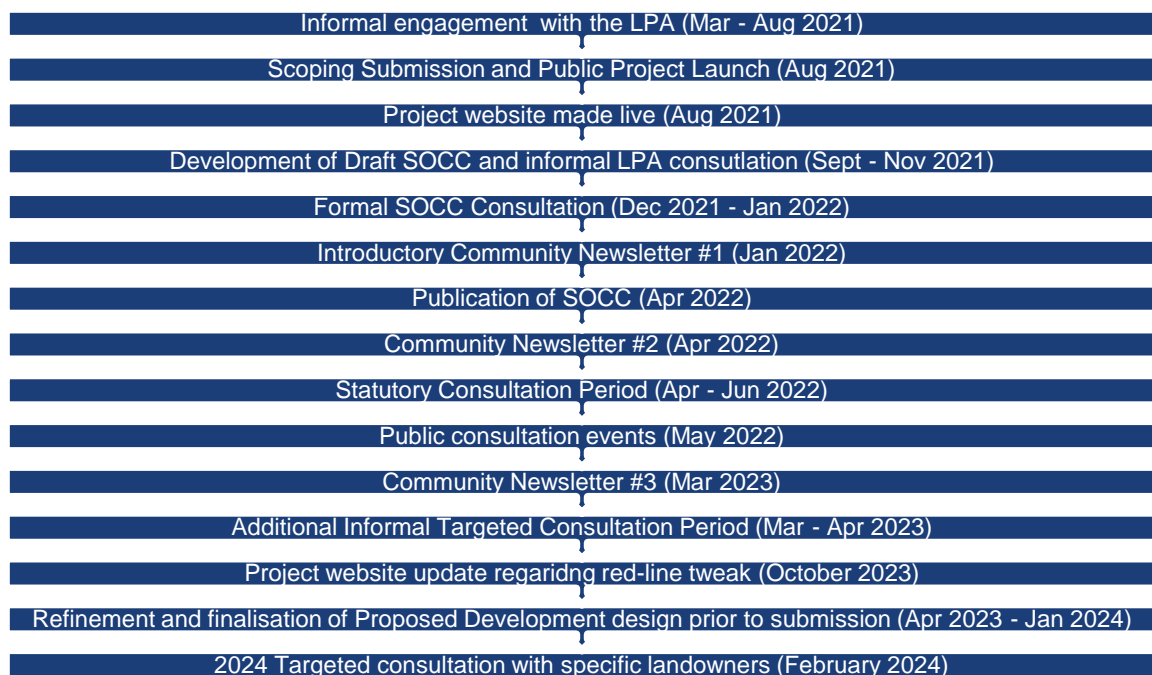
1.3.7. This Consultation Report sets out each phase of consultation activity, as well as the feedback received, and regard had by the Applicant.

2. Explanatory Text – Overview of Pre-Application Activity

2.1. Overview

- 2.1.1. This consultation report describes the consultation activities undertaken by the Applicant (Oaklands Farm Solar Ltd.) in relation to the Oaklands Farm Solar Park proposals located between the villages of Walton on Trent and Rosliston, South Derbyshire (the ‘Proposed Development’).
- 2.1.2. The Proposed Development falls within the definition of a NSIP under section 14(1)(a) and 15(1) and (2) of the 2008 Act as it entails the construction of a generating station in England with a capacity of more than 50 megawatts (MW).
- 2.1.3. This section of the consultation report seeks to provide a summary of the consultation undertaken for the Proposed Development. This follows advice provided by the Planning Inspectorate (PINS) in Advice Note 14: Compiling the Consultation Report, which states that the Applicant should set the scene and provide an overview of the whole pre-application stage.
- 2.1.4. Figure 1 summarises, in chronological order, the key consultation activities that have taken place since the Proposed Development’s inception in 2021.

Figure 1: Overview of key consultation activities



3. Introduction

3.1. Purpose of this report

- 3.1.1. This report details how the Applicant has complied with the provisions of the 2008 Act and associated legislation in relation to pre-application consultation for the Proposed Development.
- 3.1.2. It has been prepared pursuant to section 37(3)(c) and section 37(7) of the 2008 Act and sets out the approach taken regarding:
- Statutory consultation (to comply with sections 42, 47 and 48 of the 2008 Act) that has taken place during the preparation of the Application and how the consultation responses have been considered (pursuant to section 49 of the 2008 Act) and subsequently shaped the final form of the Application; and
 - Non-statutory 'informal' consultation that has been undertaken in relation to the Proposed Development and which has also informed the development of the project and the Application.

3.2. The Applicant

- 3.2.1. The Applicant is **Oaklands Farm Solar Limited**; a wholly owned subsidiary of BayWa r.e. UK Limited. BayWa r.e. UK Limited is 100% owned by its German parent company BayWa r.e. AG which is a €27.1 billion global business.
- 3.2.2. BayWa r.e. AG is a leading global renewable energy developer, service provider, distributor and energy solutions provider, based in 31 countries. BayWa r.e. AG has constructed 5.5 GW of renewable energy farms, while managing over 10 GW of assets.
- 3.2.3. In the UK, BayWa r.e. has an onshore wind development pipeline in excess of 400MW, and a solar pipeline of 1.275GW peak, being delivered from offices in Glasgow and Edinburgh. BayWa r.e. also has an operation services business in the UK, which is based in Milton Keynes and manages 2GW of solar and onshore wind sites across England and Scotland. BayWa r.e. is a leading global developer, service supplier, distributor and solutions provider which has brought over 5.5GW of energy online, also managing over 10.5GW of assets. The company is also an Independent Power Producer with an expanding energy trading business.

- 3.2.4. BayWa r.e. UK Ltd has extensive experience of delivering solar projects in the UK. They have already delivered 23 UK solar projects (totalling approximately 384MW) including Vine Farm (a 46MWp solar park in Cambridge) as well as Bracks Solar Farm (a 30MWp solar park in Cambridgeshire). BayWa r.e. is currently constructing Scurf Dyke Solar Farm in the East Riding of Yorkshire, which will be a 80MWp solar farm co-located with 8MW of battery energy storage system.
- 3.2.5. Further details about the applicant can be found on the applicant's website (<https://www.baywa-re.co.uk/en/company/about-baywa-re>).

3.3. The Proposed Development

- 3.3.1. The Applicant is applying to the Secretary of State for Energy Security and Net Zero for a Development Consent Order ("DCO") under section 37 of the Planning Act 2008 ("PA 2008") for the construction, operation, maintenance and decommissioning of ground mounted solar photovoltaic arrays and a Battery Energy Storage System ("BESS") on land west of the village of Rosliston and east of Walton-on-Trent in South Derbyshire.
- 3.3.2. The Oaklands Farm Solar Park Project comprises a proposed solar farm with an associated Battery Energy Storage System ('the Proposed Development').
- 3.3.3. The Proposed Development would have a generating capacity of over 50MW and would be situated on 191 hectares of land at Oaklands Farm to the south-east of Walton-on-Trent and to the west of Rosliston in south Derbyshire.
- 3.3.4. The solar farm itself, comprising photovoltaic panel arrays, a central electricity substation and Battery Energy Storage System together with access, landscaping and other works would be located on 135 hectares of agricultural land currently in use for arable production and grazing.
- 3.3.5. A high voltage underground electricity cable would then run through land at Fairfield Farm and Park Farm to the north to connect the solar farm to the national grid via an electricity substation located at the former Drakelow Power Station which sits south of Burton-upon-Trent.
- 3.3.6. The Site is in South Derbyshire and within close proximity to East Staffordshire Borough and Lichfield District.
- 3.3.7. The village of Rosliston lies on higher ground to the east. North of Park Farm is the

former coal fired Drakelow Power Station, now decommissioned and with permission (under s36 of the Electricity Act) for a new Combined Cycle Gas Turbine Power Station, Renewable Energy Centre and Solar Park. Drakelow Power Solar Farm has been developed to the north, adjacent to the Drakelow Power Station and the River Trent. A new strategic housing development is being developed by Countryside Properties to the north-east of the site, adjacent to the Drakelow Power Station.

- 3.3.8. The land within Oaklands Farm slopes down to the east to a nameless tributary of the River Trent. Several overhead power lines cross both farms, running south from Drakelow Power Station.

3.4. Early project definition, site selection and refinement

- 3.4.1. As part of a site search process in 2020 to identify suitable solar opportunities in the UK, the Applicant assessed grid capacity on the distribution and national grid networks to identify substations with available capacity. Several substations across the country were identified, and National Grid's Drakelow substation was identified as an option.
- 3.4.2. Following further assessment work, positive discussions in 2020 and 2021 with the landowners, subsequent site visits and a thorough feasibility assessment, Oaklands Farm was selected as a development opportunity to pursue.
- 3.4.3. Through engagement with National Grid it was determined that a grid connection with acceptable connection and reinforcement costs was available. The Applicant also applied for import capacity to allow for the inclusion of a battery energy storage facility on the Site, and after an assessment of available options and costs, the Applicant secured 37.5MW of import capacity as part of a revised grid connection agreement with National Grid.
- 3.4.4. In addition to a feasibility assessment, consideration of reasonable alternatives was undertaken. This included a review of various potential options, including not carrying out the Proposed Development, developing different sites within 10km of Drakelow Power Station, considering use of alternative technologies (such as onshore wind), or developing just the Oaklands Farm area only. This review assisted in the site selection process and confirmed the benefits of pursuing the Proposed Development in its current form.
- 3.4.5. A full overview of the site selection process is included in Environmental Statement

(ES) Chapter 3.

3.5. Structure of the report

- 3.5.1. This report describes the consultation process that the Applicant has followed in terms of both the non-statutory 'informal' phases of consultation and the formal consultation and publicity stages as required under sections 42, 47 and 48 of the 2008 Act. Further informal targeted consultation following the statutory consultation but prior to the application being made is also described. In each case, the report is structured chronologically in terms of i) consultation undertaken, ii) the issues raised by consultees, and iii) the action taken to address those issues.
- 3.5.2. Issues raised through feedback at each stage of consultation, including the statutory consultation responses, have been reviewed, grouped and summarised into tables of key issues (See Chapter 8 for informal consultation and Chapters 10 - 12 for statutory consultation). Due to the number of responses, these issues have been grouped where appropriate into themes. Care has been taken throughout to ensure that issues have been recorded, reviewed and analysed in the context within which they were submitted.
- 3.5.3. All feedback has been considered in detail and taken into account during the preparation of the Application.
- 3.5.4. An overview of the structure of this report is provided in Table 3.1 below.

Table 3.1: Structure of the Consultation Report

Chapter	Title	Overview
Chapters 1-3	Executive Summary and Introduction	Overview summary of the outcome of pre-application consultation and introduction to the Proposed Development.
Chapters 4 – 7	Regulatory context and approach to consultation	Approach to consultation with regard to the requirements of the 2008 Act and accompanying guidance.
Chapter 8	Approach to non-statutory	Non-statutory 'informal' consultation conducted prior to the formal sections 42, 47 and 48 consultation and publicity stages under the 2008

Chapter	Title	Overview
	consultation	Act.
Chapter 9	Approach to statutory consultation under the 2008 Act	The general approach to the statutory pre-application consultation.
Chapter 10	Statutory consultation under Section 42 of the 2008 Act	Activity undertaken to satisfy the requirements of section 42 and section 46 of the 2008 Act. In compliance with section 42: Duty to consult; including 42(1)(a) prescribed consultees, 42(1)(b) local authorities and 42(1)(d) persons with an interest in the land <i>and</i> Section 46: Duty to notify Secretary of State of proposed application (as amended by the Localism Act 2001)
Chapter 11	Statutory consultation under section 47 of the 2008 Act	Approach to section 47 consultation including development of the Statement of Community Consultation (SoCC). <i>In compliance with section 47: Duty to consult the local community</i>
Chapter 12	Statutory consultation under section 48 of the 2008 Act	Development and publication of the section 48 notice. <i>In compliance with section 48: Duty to publicise</i>
Chapter 13	Summary of responses under section 42 of the 2008 Act	On a topic-by-topic basis, summary of responses received from section 42 consultees and the regard that has been had to the responses in finalising the application. <i>In compliance with section 49: Duty to take account of responses to consultation and</i>

Chapter	Title	Overview
		publicity
Chapter 14	Summary of responses under sections 47 and 48 of the 2008 Act	On a topic-by-topic basis, summary of responses received from sections 47 and 48 consultees and the regard that has been had to the responses in finalising the application. <i>In compliance with section 49: Duty to take account of responses to consultation and publicity</i>
Chapter 15	Additional Informal Targeted Consultation and engagement	Further informal targeted consultation and engagement conducted following the statutory consultation in considering outstanding issues.
Chapter 16	Further engagement and ongoing communication	Additional activity undertaken since the closure of the additional informal targeted engagement activity.
Chapter 17	2024 Targeted Consultation	Targeted consultation activity with identified landowners
Chapter 18	Conclusion	A summary of the pre-application consultation undertaken for the Proposed Development
Chapter 19	Statement of Compliance	A full statement of compliance with the requirements of the 2008 Act.

3.5.5. The main body of this consultation report summarises the consultation process, responses received and the regard that has been had to those responses. A fuller summary of the consultation responses and the regard had by the Applicant are set out in appendices to this report as follows:

- Appendix 13.1 – section 42 responses; and
- Appendix 14.1 – section 47 and 48 responses.

- 3.5.6. Throughout this consultation report, reference is made to several other application documents, particularly the Environmental Statement (ES) (Doc ref: 6.1) and the draft DCO (Doc ref: 3.1). In reading this consultation report, due attention should be paid to the contents of these other application documents. This is particularly important in understanding how regard has been taken to the consultation responses in finalizing the application.

3.6. Next Steps

- 3.6.1. Once PINS accepts the application for examination on behalf of the Secretary of State (SoS) for the Department for Energy Security and Net Zero (DESNZ) following its 28-day acceptance period, a number of steps will be initiated. This includes the opportunity for interested parties to register to be involved in the examination process and to provide comment in the form of written representations about the Proposed Development. Registered Interested Parties will have an opportunity to take part in the examination by providing further evidence on any issues that concern them. Interested parties will also be informed of progress of the examination, including when it concludes, and will be notified of the final decision.
- 3.6.2. For information on how to register, readers are referred to the PINS website (at <http://infrastructure.independent.gov.uk>) or alternatively a copy of the registration form can be requested from the PINS helpline on 0303 444 5000.

4. Regulatory context

4.1. Consultation requirements – the consultation report

- 4.1.1. The requirement for a consultation report is set out in section 37(3)(c) of the 2008 Act where it is noted that an application for a DCO must, among other things, be accompanied by a consultation report. Section 37(7) of the 2008 Act defines the consultation report as a document giving details of:
- Activity undertaken in compliance with sections 42, 47 and 48 of the 2008 Act in relation to the proposed application;
 - Any relevant responses received to formal consultation undertaken; and
 - The account taken by the applicant of any relevant responses.
- 4.1.2. The consultation report responds to one of the key requirements set out in the 2008 Act: the statutory obligation on applicants to carry out a process of pre-application consultation. This consultation should be undertaken with statutory or prescribed bodies (under section 42 of the 2008 Act), with local communities (under Section 47 of the 2008 Act) and through the general notification of a proposed application (under section 48).

4.2. Relevant Legislation and guidance

- 4.2.1. The legislative context of these sections of the 2008 Act is further described in this consultation report as follows:
- The duty to consult under section 42 is set out in Chapter 10
 - The duty to consult under section 47 is set out in Chapter 11
 - The duty to consult under section 48 is set out in Chapter 12
- 4.2.2. Section 50 of the 2008 Act provides that the applicant must have regard to any guidance issued by the SoS. In addition, Department for Communities and Local Government (DCLG) guidance on the pre-application process for major infrastructure projects contains commentary on the content of consultation reports. PINS Advice Note 14: Compiling the Consultation Report also provides detail relating to the expected content of the Consultation Report. Where an applicant has not been able to follow this guidance, they should provide comments setting out why this is the case in the consultation report.

- 4.2.3. In developing the approach to consultation for the Proposed Development, the Applicant has given careful consideration to the specific requirements set out in the following legislation:
- The Planning Act 2008
 - The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 and 2017 (the EIA Regulations)
 - The Infrastructure Planning (Applications, Prescribed Forms and Procedures) Regulations 2009 (the APFP Regulations)
- 4.2.4. In addition, in preparing this consultation report, attention has been given to:
- DCLG guidance on pre-application consultation (March 2015)
 - PINS Advice Note 6 on the Preparation and Submission of Application Documents (October 2014)
 - PINS Advice Note 14 on the Consultation Report (April 2012)
- 4.2.5. Further information on how the Applicant has had regard to the requirements of the 2008 Act and accompanying guidance in undertaking its formal consultation activities can be found in this consultation report as follows:
- For section 42 consultation: Chapter 10
 - For section 47 consultation: Chapter 11
 - For section 48 consultation: Chapter 12

4.3. Statement of compliance

- 4.3.1. Chapters 10, 11 and 12 of this consultation report set out the activities the Applicant has undertaken under sections 42, 47 and 48 of the 2008 Act and Chapters 13 and 14 summarise the relevant responses and the regard that the Applicant has had to the responses received under sections 42, 47 and 48. Each of these chapters concludes with a Statement of Compliance confirming how the Proposed Development has adhered to relevant legislation and guidance in undertaking pre-application consultation.
- 4.3.2. Each Statement of Compliance is brought together in Chapter 19 to demonstrate that, to the best of the Applicant's knowledge and using best endeavors, all relevant requirements set out in the legislation and guidance listed above have been adhered

to in completing the pre-application process for the Proposed Development.

4.4. UK General Data Protection Regulation (UKGDPR)

4.4.1. The Applicant takes data security seriously and has a clear privacy policy published on its website ([REDACTED]).

4.4.2. The Applicant has ensured that its arrangements for data handling are compliant with the UK GDPR requirements. In line with requirements, the Applicant can identify what data it holds, where it came from, and the lawful basis for processing this data.

4.4.3. The lawful basis for the Applicant's purposes can be found in the UK GDPR Article 6 paragraph 1:

(1) Processing shall be lawful only if and to the extent that at least one of the following applies:

...

c) processing is necessary for compliance with a legal obligation to which the controller is subject;

d) processing is necessary to protect the vital interests of the data subject or another natural person.

4.4.4. In the case of the Proposed Development, there is an exemption to this for processing data (i.e. a legal obligation to consult under section 42 of the 2008 Act).

4.4.5. The Applicant is therefore compliant with these requirements, and it also ensures that:

- The data is securely, clearly, and logically stored and reviewed to ensure it is up to date; and
- Any details that are no longer required for the DCO are deleted.

4.5. The Applicant's consultation approach (general principles)

4.5.1. The Applicant is committed to honest and open engagement and seeks to ensure that communities have the chance to be involved, share their views and influence the Proposed Development in a meaningful and timely manner.

4.5.2. National Policy Statements (NPSs) establish the need for energy and renewable

energy generation. Notwithstanding this, comment was sought during the informal consultation phase about local views on the need for renewable energy to help tackle the Climate Emergency, as well as the principle of development in this location. The intention was for this information to help inform the forthcoming statutory consultation and to understand local perception of this core issue.

- 4.5.3. The Applicant's approach to consultation is based around a number of core principles. These are:
- Clarity
 - Accessibility
 - Responsiveness
- 4.5.4. The consultation approach has been developed in line with these core principles to ensure that local communities, interested parties and stakeholders have had ample opportunity to find out about, and provide their thoughts on, the proposals in a way that allows for their comments to help shape the Proposed Development.
- 4.5.5. The Applicant is committed to actively and consistently keeping those with an interest in the Proposed Development informed through regular updates about the process. To this end, as the proposals progressed, and further information was made available, Frequently Asked Questions (FAQ) documents have been produced to answer questions related to the Proposed Development. These can be found in Appendix 8.7.

4.6. Adapting to COVID-19

- 4.6.1. Development of the Statement of Community Consultation (SoCC) was undertaken at a point at which many of the COVID-19 restrictions had been relaxed to the extent that face to face meetings were possible. Therefore, consultation was undertaken via both virtual and face to face engagement and meetings throughout the statutory consultation period.
- 4.6.2. This approach was reviewed regularly in line with changing Government policy and guidance to ensure the safety of attendees at any events and meetings.
- 4.6.3. The Applicant sought to develop a consultation programme that would not have been significantly adversely affected by any change in Government guidance in this respect – a virtual public exhibition was hosted online alongside face-to-face

exhibitions. The Applicant sought to offer any agreed meetings online as well as in person, and documents and consultation materials were made available for download on the Proposed Development website (in line with latest guidance on procedural requirements for major infrastructure projects - the Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020 and PINS Advice Notes).

5. Connecting to the National Grid

5.1. Overview

- 5.1.1. The Proposed Development will connect to the National Grid at the Drakelow substation located at the former Drakelow Power Station, which lies to the north of the proposed site.
- 5.1.2. Grid routing options were considered against visual and noise impacts, environmental constraints such as waterbodies, existing trees and physical infrastructure that limited the placement of grid infrastructure. Overhead power lines characterise the landscape in this area, and it was considered that a new 132kV overhead connection on a much smaller scale (30m towers versus the existing 36-45m towers) would not create a change in this characterisation and would not introduce unacceptable visual impacts.
- 5.1.3. An entirely overhead connection was initially considered but through further technical assessment it was determined that a combination of overhead and underground sections would be preferable.
- 5.1.4. During the public exhibitions (as part of the statutory consultation process) consultees were asked to review the Preliminary Environmental Information Report (PEIR) design information and indicate a preference for an underground or overhead grid connection cable. The majority of respondents preferred a fully underground design and this was therefore taken forward to the final grid routing design.
- 5.1.5. Throughout the informal and formal consultation processes, and prior to submission of the final ES, the Applicant has engaged with National Grid and available landowners to determine an optimal grid connection design and routing including the final northern section through the National Grid Drakelow substation site to the point of connection. The point of connection has been agreed with National Grid.
- 5.1.6. Ongoing consultation and engagement with National Grid, relevant operators and technical consultees will take place through the determination process.

6. Other project consultations

6.1. Overview

- 6.1.1. The Applicant has been careful to consider the implications of other consultations affecting, and of interest to, the consultees and local community who may wish to respond to the statutory consultation on the Proposed Development.
- 6.1.2. Several other projects are located within the vicinity of the Proposed Development site, including the new housing development on the former Drakelow Power Station site to the northeast of the site (currently under construction by Countryside Properties), as well as a proposed battery energy storage development on land between Cauldwell Road and Walton Road, to the east of the site. Slightly further afield, a solar farm has been proposed on land near the village of Lullington, to the south of the proposed site.
- 6.1.3. Consideration of the timing of consultation activity, so as not to conflict with other consultations taking place in the vicinity, was factored into the development of the consultation timetable for the statutory consultation. The Applicant also liaised with the relevant local authorities to ensure that it was aware of, and could take action to minimise, any confusion that may arise from other schemes or consultation processes.
- 6.1.4. All the consultation materials were clearly identified as relating to the Oaklands Farm Solar project to avoid confusion with other projects in the area.
- 6.1.5. Consideration of the cumulative impacts of these surrounding developments has been considered as part of the environmental assessment work (covered in each of the technical chapters of the ES).

7. Consultation under the EIA Regulations

7.1. Scoping

- 7.1.1. Extensive non-statutory consultation was undertaken across 2021 and 2022, prior to the statutory consultation period. This consultation took place around and in conjunction with key milestones under the EIA regulations, such as the Applicant's request for a Scoping Opinion.
- 7.1.2. The Applicant notified the Secretary of State (via PINS) of its intention to undertake an EIA and provide an Environmental Statement (ES) (Document 6.1) in respect of the Proposed Development on 14 April 2022.
- 7.1.3. In accordance with Regulation 6(1)(b) of the 2009 EIA Regulations, a request for a scoping opinion was submitted to PINS in August 2021 (Appendix 2.1 of ES, Document 6.1). Following consultation with relevant bodies, PINS provided a Scoping Opinion in September 2021. The Scoping Opinion is available on the PINS website and in Appendix 2.2 of the ES (Document 6.1).
- 7.1.4. The comments raised in the Scoping Opinion are outlined in the relevant technical chapters of the ES. Within each ES chapter, detail is provided on where the comment has been addressed within the ES or other submission documents.

8. Non-Statutory consultation

8.1. Overview and introduction

- 8.1.1. This chapter of the consultation report sets out the non-statutory consultation that the Applicant has engaged in prior to undertaking formal consultation activities as prescribed by the 2008 Act.
- 8.1.2. Non-statutory engagement with consultees also continued following statutory consultation and this is summarised in Chapters 15 and 16 of this consultation report.

8.2. Guidance

- 8.2.1. DCLG guidance¹ at paragraph 19 recognises that early involvement of local communities, local authorities and statutory consultees can bring about significant benefits for all parties, for example by helping the applicant identify and resolve issues at the earliest stage; enabling members of the public to influence proposed projects; helping local people understand the potential nature and local impact of the proposed project; and enabling potential mitigating measures to be considered.
- 8.2.2. It also notes, at paragraph 29, that applicants will often need detailed technical input from expert bodies to assist with identifying and mitigating the social, environmental, design and economic impacts of projects, and other important matters. Technical expert input will often be needed in advance of formal compliance with the pre-application requirements. Early engagement with these bodies can help avoid unnecessary delays and the costs of having to make changes at later stages of the process.

8.3. Scope of non-statutory consultation

- 8.3.1. Non-statutory consultation was based around engagement leading up to and following the submission of the request for a Scoping Opinion. The scope of engagement during this informal phase was therefore based around the principle of the Proposed Development in this location and sought feedback on the range and extent of environmental assessments and surveys proposed to inform the EIA process including the PEIR, which was consulted upon during the statutory

¹ Planning Act 2008: Guidance on the pre-application process (March 2015)

consultation.

- 8.3.2. Engagement with the local community mirrored consultation with technical consultees and focused on introducing the Proposed Development, seeking feedback on the proposals in principle, and understanding the preferred means of communication in advance of the statutory consultation.
- 8.3.3. From the outset, the Applicant has sought to identify and engage with all relevant stakeholders to develop and refine the proposals through the pre-application process. A full stakeholder list was developed and continues to be revised to ensure relevant contacts and organisations are kept informed on the progress of the Proposed Development and have the opportunity to feed into the development proposals.
- 8.3.4. A stakeholder mapping exercise was undertaken in 2021, which identified relevant section 42 and section 47 stakeholders, individuals and organisations within the local areas including:
- Local and national politicians;
 - Local authority officers;
 - Regulators and statutory consultees;
 - Businesses and business groups;
 - Media;
 - Education (such as local schools);
 - Neighbouring communities;
 - Religious groups; and
 - Special interest groups (including voluntary sector umbrella groups and hard to reach/seldom heard groups and organisations).
- 8.3.5. The key stakeholder list is included in Appendix 8.1.

8.4. Non-statutory meetings and engagement with technical consultees

- 8.4.1. Engagement with relevant technical consultees has taken place throughout the informal consultation period. These meetings, correspondence and engagement have all assisted in: refining the Proposed Development through the early stages of the scheme development; defining scoping parameters; and preparation of the PEIR

documents.

- 8.4.2. Engagement with the host local authorities, South Derbyshire District Council (SDDC) and Derbyshire County Council (DCC), has included regular meetings with relevant officers in the form of “Teams” meetings scheduled on a fortnightly basis and held whenever necessary throughout the pre-application process, commencing in May 2021. This has allowed for ongoing, regular liaison on core issues and enabled both the Applicant, and the local authorities to keep each other updated on progress, and to address issues as they arise.
- 8.4.3. A summary table of the meetings undertaken with the host local authorities is set out in Table 8.1 below.
- 8.4.4. In addition to regular meetings with the host local authorities, other meetings and correspondence with relevant technical consultees have taken place across the informal consultation period. Where appropriate, these are set out in the relevant chapters of the ES (Document 6.1).

Table 8.1: Meetings and engagement held with the LPA and technical stakeholders during informal engagement phase

Date	Organisation	Type	Summary
18/05/2021	Steffan Saunders (SS), SDDC	Meeting	Introductory meeting to establish lines of communication. Key contacts identified.
24/05/2021	Kevin Exley (KE), SDCC	Meeting	Confirmation that KE is first contact for EIA team. Discussed key contacts for landscape and heritage at the LPA.
27/05/2021	Steve Buffery, Derbyshire County Council and Richard Sandbach (Policy and Monitoring)	Meeting	Introductory meeting to discuss ways of working and approach to further engagement.

Date	Organisation	Type	Summary
30/06/2021	Derbyshire County and South Derbyshire District Council	Meeting	Provision of DCO overview presentation. Discussion of co-ordination between SDDC and DCC for the DCO process. Discussion of resourcing and delegated powers.
08/07/2021	Richard Hunt and Ben Jenkinson, Environmental Services Team, PINS	Meeting	Discussed timetable and requirements for submitting Scoping Glint and Glare was highlighted as a key issue on Cleve Hill and Little Crow projects, where additional information was requested by ExA (may be needed even if scoped out of ES). Requested site size in ha.
22/07/2021	First technical meeting with DCC and SDDC	Meeting	Discussion mainly on Landscape and Visual Impact Assessment (LVIA). Participants provided comments, including drawing attention to LCA for Derbyshire, a tranquility study for Derbyshire, and suggesting additional viewpoints. Agreement for the LPA to share list of cumulative schemes.
02/08/2021	Written response from Gary Ellis RE LVIA methodology	Scoping	Written response as discussed at 22/07 meeting. Included plan of additional viewpoints.

Date	Organisation	Type	Summary
07/09/2021	Draft Scoping response from SDDC	Scoping	KE circulated draft response to Scoping that will be submitted to PINS once finalised.
09/09/2021	Scoping meeting with LPA	Scoping	Comments in relation to HRA - need more justification for SAC impacts. Happy that drainage effects can be reduced to zero. No specific comments on archaeology.
23/09/2021	Meeting with National Forest	Meeting	<p>Planning Manager and Green Infrastructure Planning Officer in attendance from National Forest Overview of Site/Proposals provided.</p> <p>Requirements for solar schemes done on site-by-site basis - Local Plan not written with Solar in mind. National Forest working towards 33% woodland cover in the area (started at 6% increased to 22% in 20 years). Highlighted importance of east-west connectivity through site. 15m wide is minimum for connectivity.</p>
30/09/2021	LPA call - SoCC	Meeting	Overview of content of SoCC and approach to

Date	Organisation	Type	Summary
			consultation.
14/10/2021	PINS Inception mtg	Meeting	Project update provided to PINS, and clarifications on Scoping discussed.
28/10/2021	LPA call	Meeting	Catch up meeting. DCC are starting a renewable energy capacity study for the County.
11/11/2021	LPA Call - SoCG/PPA	SOCCG Discussion	Introduced the SoCG template. Discuss delegation of powers within SDDC, and possibility of PPA.
17/11/2021	LPA Call - HRA	Meeting	Discuss LPA comments on the draft Shadow HRA.
09/12/2021	LPA Call - PPA	Meeting	Discussion of draft PPA that was shared with SDDC on 7 December. LPAs open to confirming a PPA.
20/01/2022	LPA Call - PPA	Meeting	Update meeting. Reminded LPAs that Statement of Community Consultation responses are due by 31st January
07/02/2022	LPA Joint Working Note	Note	Overview of potential joint working between SDDC and DCC in the Pre-app/Examination process.
07/02/2022	LPA Call - PPA	Meeting	Project update provided. PPA Discussion on possible joint working between SDDC and DCC.

Date	Organisation	Type	Summary
22/02/2022	Jenny Blair (SDDC) email	Email	Confirmed cumulative schemes.
17/03/2022	LPA Call	Meeting	Set out timetable for PEIR consultation (with caveat that final decision to be made after 24th March). Public exhibitions on 6/7 May.
14/04/2022	LPA Call	Meeting	<p>PEIR. LUC set out key points – highlighted viewpoints VP5 and VP10 in order to seek feedback, LPAs to check approach to assessments (cross-referencing to Scoping).</p> <p>Timetable. Confirmation of consultation timetable. Will now start to draft SoCG.</p> <p>DCC update. Update on new contacts at LPA and approach to responding to consultation</p> <p>SDDC update. Host authorities to meet up once resource in place at SDDC, to discuss split responsibilities. Pick back up discussion on PPA once everyone in place.</p>

- 8.4.5. Further consultation has also taken place with technical officers within the LPA's throughout the pre-application period in connection with the EIA process and statutory consultation as outlined in Chapter 10 of this report.

8.5. Non-statutory consultation with landowners

- 8.5.1. Under section 42 of the 2008 Act, the Applicant is required to consult all those with an interest in land to which the application relates including owners, lessees, tenants, occupiers and those able to sell or release the land.
- 8.5.2. In order to correctly identify potentially affected parties, consultation with landowners has been ongoing since 2020 and throughout the progression of the Proposed Development, principally through the Applicant's land agent, Dalcour McLaren.
- 8.5.3. During the early stages of the non-statutory consultation process, the Applicant sought to identify all relevant affected or partially affected landowners in advance of the statutory consultation period commencing.
- 8.5.4. Engagement with landowners and neighbouring landowners or occupiers prior to statutory consultation focused on ensuring they were provided with relevant information about the proposals, confirming contact details and preferences, and liaising with relevant landowners over access for surveys.
- 8.5.5. Landowners and other interested parties were identified initially through title searches with the Land Registry. Where ownership could not be determined, site visits were conducted by Dalcour McLaren. The site visits involved identifying and visiting potential landowner residences and discussions with neighbours and other local residents to try to identify landowners. Contact was also made with landowners via telephone, email and letter.
- 8.5.6. All landowners and neighbouring landowners and occupiers also received the informal consultation newsletter (see section 8.7 below).
- 8.5.7. The following engagement with landowners was undertaken:

Table 8.2: Engagement and correspondence with landowners

Date	Type	Note
23/08/2021	Letter	Landowner questionnaire (LOQ) issued at the same time as an access licence in order to check that the proprietor details from HMLR are correct.
06/10/2021	Letter	LOQ reminder letter

Date	Type	Note
08/02/2022	Letter	Landowner Information Questionnaire (LIQ) issued
April 2022	Letter	Survey licences issued (on multiple dates where required)
April 2022	Letter	Heads of terms issued (on multiple dates where required)

8.5.8. Throughout the non-statutory consultation period, the Applicant has undertaken ongoing engagement with landowners. Further details about engagement with landowners during the statutory consultation under section 42 is included in Chapter 10 of this report.

8.6. Non-statutory consultation with local communities

- 8.6.1. In line with the Applicant's approach to consultation, consistent engagement with representatives of the local communities within which the Proposed Development lies has taken place since the plans were made public in 2021.
- 8.6.2. Information was provided to and meetings sought with local parish councils as well as community representatives and other organisations alongside meetings with technical consultees and the host local authorities.
- 8.6.3. Early engagement was undertaken across the second half of 2021 and early 2022. This engagement centered around introducing the Applicant and the Proposed Development to key community stakeholders.
- 8.6.4. During this period, the intention was to inform local communities about the DCO process, advise them of the statutory and non-statutory consultation on the Proposed Development and establish lines of communication mechanisms (such as the Freephone number, and project email address). This early engagement also served to help answer any early questions about the proposals and explain the consultation and planning processes involved.
- 8.6.5. The engagement undertaken at this time also included distribution of a community newsletter (see Appendix 8.6) inviting residents to find out more about the proposals via the information contained online and to provide early feedback via a feedback

form hosted on the Proposed Development website.

8.7. Public project launch

- 8.7.1. In August 2021, the Applicant made a public announcement to launch the Proposed Development and introduce the proposals to the local community. The project launch was timed to coincide with the submission of the formal request for a Scoping Opinion from PINS and was also designed to provide advance notification to those consultees who would shortly be consulted by PINS in relation to the scoping request.
- 8.7.2. The launch included the production of a press release and the Proposed Development website being made live containing core information about the Proposed Development. Points of contact were also made live at this point, including the Freephone number, Freepost address and dedicated project email address.
- 8.7.3. Letters to stakeholders, consultees and landowners were also issued on 20th August 2021. The letters provided information about the Proposed Development, the EIA Scoping process, the planning process and the forthcoming consultation. Recipients of the letter were offered a meeting to discuss the proposals, or to ask any questions about the plans. The letter can be found in Appendix 8.2, together with a list of recipients in Appendix 8.3.
- 8.7.4. A press release was issued on 2 September 2021 setting out an overview of the proposals and introducing the Proposed Development. A copy of the press release and resulting coverage can be found in Appendix 8.4.
- 8.7.5. The project website (<https://www.baywa-re.co.uk/en/solar/oaklands-solar-farm>) was made live to coincide with the submission of the Scoping request and contained core project information, alongside details of the planning requirements and the forthcoming consultation process.
- 8.7.6. At the outset, the website also contained a FAQ section, which covered key issues and responses. As is noted later in this chapter, a more detailed FAQ document was developed and hosted on the project website as more questions were received and information added. The FAQs continued to evolve over the course of the pre-application period as more information was available and further understanding of the key questions was gained.
- 8.7.7. The following meetings with community organisations and representatives were held during this initial engagement:

Table 8.3: Meetings held with community organisations and representatives during informal engagement phase

Stakeholder	Date	Issues discussed
Walton on Trent Parish Council (Meeting open to the public)	28.09.2021	Introduction to the Proposed Development. Explanation of the initial proposals and principle of development. Discussion about the planning and consultation timeline. Responses provided to common questions.
Site neighbours	28.09.2021	Introduction to the Proposed Development. Explanation of the initial proposals and principle of development. Discussion about the planning and consultation timeline. Responses provided to common questions. Discussions relevant to site neighbours' specific properties.
Rosliston Parish Council	13.10.2021	Introduction to the Proposed Development. Explanation of the initial proposals and principle of development. Discussion about the planning and consultation timeline. Responses provided to common questions.
Cllr Melanie Bridgen (Ward Member) and Steffan Saunders (Head of Planning), South Derbyshire District Council	13.10.2021	Introduction to the Proposed Development. Explanation of the initial proposals and principle of development. Discussion about the planning and consultation timeline. Responses provided to common questions.
Cllr Stuart Swann (Electoral Division Member) Derbyshire County Council	02.11.2021	Introduction to the Proposed Development. Explanation of the initial proposals and principle of development. Discussion about the planning and consultation timeline. Responses provided to common questions.
Drakelow Parish Meeting (Public Meeting)	23.11.2021	Introduction to the Proposed Development. Explanation of the initial proposals and principle of development. Discussion about the planning and consultation timeline. Responses provided to common questions.

- 8.7.8. A presentation was developed for use at these early meetings, which contained information about the Applicant, a summary of the Proposed Development, an overview of the planning and consultation process, as well as information about early thinking on the delivery of community benefit.
- 8.7.9. Whilst tweaked slightly for each meeting, the core presentation slides used were made available for download on the Proposed Development website to allow any interested parties that attended the meetings, or those that couldn't, to access and review them as required. The presentation slides are available to view in Appendix 8.5.

8.8. Broader informal consultation

- 8.8.1. Following the initial project launch and engagement with community stakeholders outlined above, a newsletter was prepared and issued to all residences within the vicinity of the site. The newsletter was issued via post on 10 January 2022. It was also issued to stakeholders and relevant consultees for information via post and email and made available on the Proposed Development website.
- 8.8.2. This newsletter contained an overview of the proposals, a site plan identifying the Proposed Development site, answers to several FAQs (see paragraph 8.8.4 below), as well as information about the planning process and the approach to consultation. All established contact details and means of communication with the project team were included.
- 8.8.3. A copy of the newsletter is contained in Appendix 8.6.
- 8.8.4. A detailed FAQ document was also developed for this stage of informal consultation. This document expanded on the initial FAQs included on the Proposed Development website when it launched in August 2021 and was refined throughout the second half of 2021 and early 2022 to include issues and questions that were raised by local residents and stakeholders. The FAQ document was made available on the Proposed Development website initially in October 2021, before being updated in December 2021 and January 2022 and is available to view in Appendix 8.7. Further FAQ updates were made during the statutory consultation period (see Chapter 11).

8.9. Engagement with Hard-to-Reach groups

- 8.9.1. Engagement with those that do not normally engage with planning consultations has

been an ambition of the Applicant throughout the informal consultation period.

- 8.9.2. The Applicant sought to achieve this through both direct outreach to hard-to-reach representatives and groups in the area², and also through designing the consultation and engagement approach to make it as accessible as possible for all members of society to find out about and contribute to the consultation.
- 8.9.3. Building local relationships through meeting with community representatives (such as parish councils and local authority Councillors) helped to spread information via 'word of mouth' and by seeking to use existing channels of communication (such as parish council social media accounts and community hub Facebook groups). This was effective in helping to spread information about the proposals and the consultation process (see Appendix 8.8 for an example of this).
- 8.9.4. Requesting feedback from community representatives during early meetings helped shape the approach to consultation and engagement with a broad spread of the local community. For example, feedback on appropriate means of communicating, as well as suitable community venues to hold consultation events, was provided during the early, informal engagement with parish councils. Requests for information about relevant, local, seldom heard or hard to reach representatives or groups were also made to the local authorities as part of the informal engagement on the SoCC (see Chapter 11) to ensure that contact databases were robust.
- 8.9.5. In addition, direct outreach to schools, places of worship, and bodies representing seldom heard or harder to reach groups (such as Age UK) was undertaken in January 2022. Copies of the newsletter (contained in Appendix 8.6) were issued via post and email on 10 January 2022, along with a tailored covering letter offering to discuss the proposals and provide a presentation to the group's members. The letter (included in Appendix 8.9) also asked for feedback directly on how best to shape the consultation approach to ensure accessibility to each group's members.

8.10. Methods to provide feedback

- 8.10.1. In addition to allowing stakeholders and local residents to learn more about the Applicant and the Proposed Development, the early engagement through meetings,

² These are identified in Appendix 8.1. Groups and representatives contacted were identified through initial desk based research, which was then reviewed and tested through engagement with the local authority and relevant parish councils.

newsletters and online updates sought to gather written comments from participants, which contributed towards evidence gathering to help shape the early proposals.

- 8.10.2. To this end, the newsletter issued in January 2022 highlighted a request for early feedback and comments via a variety of channels. The newsletter also asked for feedback on the early plans available on the Proposed Development website via an online feedback form, which was made live for the duration of January 2022 to April 2022.
- 8.10.3. The online feedback form was designed to help the project team understand initial thoughts, comments or queries about the Proposed Development in general, views on the use of solar energy in the UK and early thoughts on how community benefit could be best achieved . The form asked the following questions:
- Do you support the use of solar energy to generate electricity in the UK?
 - Please explain why you support/ do not support use of solar energy as part of the UK energy mix?
 - Do you have any initial views on the principle of developing a solar energy scheme in this location?
 - Are there any key local considerations we should be taking into account as we develop these proposals?
 - Do you have any suggestions for how we may be able to deliver community benefit through contributions to a Community Benefit Fund, or other local initiatives? If we did develop a Community Benefit Fund, do you have any thoughts on how this could be organised?
 - Do you have any other general comments?
- 8.10.4. The online feedback form was live until March 2022.
- 8.10.5. In addition to the feedback form, comments and queries could also be submitted to the project team via the following channels, which were set up at the outset of the early engagement during the Scoping process in August 2022:
- Freephone consultation number (0800 6990081), which was made available from 9am to 5pm during weekdays. Outside of these hours a message facility was available for voicemails to be left, and responded to at the earliest opportunity, to ensure information was readily available and queries and concerns addressed; and

- Dedicated consultation email address (info.oaklands-solarfarm@bayware.co.uk), whereby feedback, comments and questions could be sent directly to the project team.

8.11. Feedback and key issues raised during non-statutory consultation

8.11.1. The majority of feedback and queries received during informal consultation and engagement related to the principle of development on this site and the planning and consultation processes. Common queries and questions were noted and used to inform updates to the Frequently Asked Questions document, which was made available on the Proposed Development website. The table below summarises the most common issues raised and the Applicant's response to these issues³.

Table 8.4: Key issues and queries raised during the informal consultation period

Issue/query raised	Applicant response (and set out in subsequent FAQ document)
Development proposals - what does the development consist of?	<p>Oaklands Farm Solar Ltd is in the early development stages of a large-scale solar project, known as Oaklands Solar Farm, in South Derbyshire, on land west of the village of Rosliston, and east of Walton on Trent.</p> <p>The proposals comprise a solar farm plus energy storage covering 540 acres over two separate parcels of land, connected to the national electricity network by a new overhead cable. The expected generating capacity of the Proposed Development at this stage is 163 megawatts of solar power, and 37.5 megawatts of energy storage capacity.</p> <p>The solar farm would comprise rows of solar panels mounted on metal frames (tables) secured into the ground via simple piled metal stanchions approximately 2.5m high. Energy storage would comprise batteries and electrical components housed in 15 to 20 steel shipping containers approximately 3 metres high, covering about 2 acres of the site. The layout will be designed to protect public footpaths and landscaping measures will include enhancing and improving the network of hedgerows around and within the site.</p>
About the Applicant – who is BayWa r.e.?	Oaklands Farm Solar Limited is a wholly owned subsidiary of BayWa r.e. UK Ltd (BayWa). BayWa is a global developer of large-scale renewable energy projects.

³ Note that some of the responses provided at the time of writing should be considered in the context of the stage of development of the Proposed Development. Some details were subsequently altered as the design of the Application developed through subsequent stages of consultation.

Issue/query raised	Applicant response (and set out in subsequent FAQ document)
	<p>BayWa is focused on solar projects throughout the UK & Ireland and onshore wind in Scotland and Ireland. The company has delivered 625 solar projects worldwide totalling approximately 1900MW, including 31 solar projects in the UK totalling approximately 536MW.</p> <p>You can find out more about BayWa by visiting: [REDACTED].</p>
<p>Site location – where is the site?</p>	<p>The site lies to the southeast of Walton-on-Trent, and mainly comprises land within the Oaklands Farm and Park Farm land-holdings, which are currently used for arable cropping and grazing.</p> <p>Land within and between the two farms along with land to the north has been identified as a suitable corridor for locating the cable required to connect the solar panels with the on-site substation and onto the Drakelow National Grid Substation.</p> <p>The site is in South Derbyshire and within proximity to East Staffordshire and Lichfield Districts.</p> <p>The site lies on open, agricultural land interspersed and surrounded by a network of hedgerows.</p>
<p>Panel coverage - how much of the site will be covered with panels? Where will the panels be located?</p>	<p>We are proposing to site panels in just certain parts of the site. The remaining areas will be free of panels in order to identify a suitable route for the cable, which will connect at Drakelow Power Station to the north.</p>
<p>Site selection – why has BayWa r.e. chosen this site? There are better sites elsewhere.</p>	<p>One of the key drivers for siting renewable energy projects is being close to a suitable connection point to export power to the National Grid. As a decommissioned Power Station the substation at Drakelow offers this. A search for a suitable area of land, including brownfield and agricultural sites, within a 10km radius of Drakelow identified that the Oaklands Farm Solar Park site provided a viable opportunity to deliver a renewable energy development.</p>
<p>Impacts on the local environment and biodiversity – concern that the Application will have a detrimental impact on the local wildlife and ecology.</p>	<p>A well-designed solar farm provides many opportunities for local ecological and biodiversity improvement particularly on land that has previously been intensively farmed. Potential biodiversity enhancements include reinforcement of existing and planting new hedgerows, planting of native grasses and wildflowers within and around the solar farm itself.</p>
<p>Impacts to existing footpaths and rights of way – concern at the</p>	<p>There may be some temporary diversions during construction, however, existing rights of way will remain accessible during operation.</p>

Issue/query raised	Applicant response (and set out in subsequent FAQ document)
impact to public access across the site.	
Flood risk considerations – concern that the proposals will cause an increase in flood risk and water runoff	Solar panels are mounted on frames which are driven into the ground on spikes. No concrete bases are required for the panels, meaning that dispersal of rainwater can continue into the ground ⁴ . As part of the application, we will need to demonstrate that we have undertaken extensive assessment of drainage and flood risk and put in place any mitigation measures to ensure that there is no net increase in water runoff from the site.
Visual amenity (from local residential properties) – concern at the visual effects from local houses	Visibility of the site from surrounding areas will be a key design consideration. At 2.5 m height the panels are relatively low lying therefore much of the site won't be visible from local residential areas. Enhancing the hedgerows throughout the site will also improve screening from local roads and villages.
When the panels reach the end of their life, will the land be deemed 'brownfield' making it easier to build on in future?	No. The planning approval will require the site to be fully decommissioned and returned to agricultural use at the end of the project life.
Traffic and transport considerations through Walton on Trent and Rosliston	<p>During construction, heavy goods traffic will not be permitted through either Walton on Trent or Rosliston. Once installed, solar farms require very little maintenance and minimal traffic during operation.</p> <p>As can be seen on the plan below, construction routes approach from the south and the north, and avoid the local villages.</p> <p>One abnormal load delivery is being considered to travel through Coton in the Elms, but this is subject to further survey work and assessment.</p> <p>All construction traffic will be subject to a Construction and Environmental Management Plan (CEMP) that will be agreed with the local authorities. This will agree specific points, such as delivery times, restrictions, and routes to ensure that construction traffic does not have a detrimental impact to the local road network.</p>

⁴ Following informal and statutory consultation, and as a result of further assessments, the Applicant has since confirmed that some concrete bases are proposed for the panels located on top of the public water pipe within the site.

Issue/query raised	Applicant response (and set out in subsequent FAQ document)
Land use and concern at loss of high-quality agricultural land	<p>The proposed project mainly comprises land within the Oaklands Farm and Park Farm land-holdings, which is currently used for arable cropping and grazing.</p> <p>A detailed Agricultural Land Classification (ALC) study has been carried out showing that there are a range of grades of land quality across the site area, which will be considered as part of the proposals.</p> <p>One of the benefits of solar farms is that once constructed, the site can still be used for livestock grazing (such as sheep), and there are often significant improvements to local biodiversity through enhancement and active management of site boundaries.</p>
Local community benefits – how will the community benefit from the Proposed Development?	<p>This scheme represents an important contribution to meeting the UK's legally binding target under the Climate Change Act 2008 to achieve a 'net zero' carbon account by 2050.</p> <p>Like other renewable energies, solar power represents a 'clean' source of renewable energy as it doesn't release any harmful emissions or pollutants. More information about solar technology can be found [redacted].</p> <p>Solar energy is also one of the cheapest forms of new renewable power generation in the UK, and consequently can contribute to controlling consumer's energy bills into the future.</p> <p>In addition, there a number of potential additional, more local benefits, including:</p> <p>Local jobs and investment - we are committed to using local labour wherever we can throughout the construction and ongoing operational life of the project.</p> <p>Potential biodiversity enhancements including reinforcement of existing hedgerows and the planting of new hedgerows, planting of native grasses and species within the solar farm itself, and wildflower meadows will be planted throughout the solar farm where appropriate.</p> <p>Continued agricultural use within the site through grazing of sheep between the rows of solar panels, thereby using the land for both energy generation and agriculture during the operational phase of the solar farm. The land will be returned to its previous use after the life of the project, and often soils benefit from a sustained period without intensive agricultural use.</p> <p>Annual Community benefit Contribution, which will be discussed and agreed with the local community and relevant organisations</p>

Issue/query raised	Applicant response (and set out in subsequent FAQ document)
	<p>through the consultation process. Feedback is welcome on how this is managed.</p> <p>Through the consultation process, we are also keen to hear about any other potential local benefits that we could facilitate or deliver directly. We look forward to sharing more information about this soon and receiving your suggestions.</p>

8.12. Ongoing communications and feedback

- 8.12.1. Continued informal discussions assisted in keeping stakeholders updated and informed on the Proposed Development and upcoming approach to statutory consultation. Discussions also assisted in informing the development of the Statement of Community Consultation (SoCC), which is detailed further in Chapter 11.
- 8.12.2. The project team also kept in touch with local residents throughout the period leading up to statutory consultation through the provision of the consultation freephone number and dedicated project email address to ensure that there was always a line of communication available directly with the project team.

8.13. Overview of non-statutory consultation and influence on the Proposed Development

- 8.13.1. The non-statutory consultation process allowed the Applicant to introduce the Proposed Development to relevant stakeholders and the local community and to understand initial thoughts and concerns about the early proposals and principle of development.
- 8.13.2. As the design of the Proposed Development had not been fully confirmed at this stage, detailed feedback was not possible, however responses, queries and comments on several key issues helped refine the proposals prior to presentation at the subsequent statutory consultation.
- 8.13.3. Information about related key topics, such as use of agricultural land, visual impact, noise, construction traffic and access, as well as consultation approach and ongoing communication were raised and considered in more detail as a result of the informal engagement undertaken.

- 8.13.4. Ongoing engagement with the local authority and relevant consultees through the Scoping process, coupled with introductory conversations and feedback from host and neighbouring parish councils, political representatives and near neighbours informed the development of the proposals.

9. Approach to statutory consultation under the 2008 Act

9.1. Overview and introduction

- 9.1.1. This chapter of the consultation report sets out the approach taken to formal consultation and publicity under sections 42, 47 and 48 of the 2008 Act for the Proposed Development.
- 9.1.2. The activities undertaken under sections 42, 47 and 48 are provided in detail in chapters 10, 11 and 12 respectively. Together these chapters seek to provide the information required under section 37(7)(a) of the 2008 Act and the relevant parts of the DCLG guidance on pre-application consultation.

9.2. Approach to statutory consultation

- 9.2.1. The Applicant has sought from the outset to undertake a single stage of statutory consultation on the Proposed Development following early informal engagement with consultees, stakeholders and the local communities.
- 9.2.2. As a result of the defined project parameters and refinements made during the informal engagement prior to statutory consultation, a single phase of statutory consultation was undertaken.
- 9.2.3. Non-statutory consultation took place from August 2021, through to Spring 2022. The statutory consultation took place during April and May 2022.

10. Formal consultation under section 42 of the 2008 Act

10.1. Overview and introduction

- 10.1.1. This chapter of the consultation report sets out the activities undertaken by the Applicant to comply with its duty to consult under section 42 of the 2008 Act. It seeks to provide the information relevant to formal section 42 consultation as required under section 37(7)(a) of the 2008 Act and the relevant parts of the DCLG guidance (March 2015) and PINS Advice Note 14 on pre-application consultation.
- 10.1.2. This chapter concludes with a statement of compliance summarising the regard that the Applicant has had to relevant legislation and guidance in carrying out its duties under section 42.

10.2. Legislative context: Duty to consult under Section 42

- 10.2.1. Section 42 of the 2008 Act requires the Applicant to consult the following about the proposed application:
- a. Such persons as may be prescribed;
 - b. Each local authority that is within section 43 of the Act;
 - c. The Greater London Authority if the land is in Greater London; and
 - d. Each person who is within one or more categories set out in section 44 of the Act.
- 10.2.2. For the purposes of section 42(a), the persons prescribed are those listed in column 1 of the table in Schedule 1 of the APFP Regulations (as amended).
- 10.2.3. With regard to section 42(b), local authorities are defined as those within which the land to which the proposed application relates is located (section 43(1)). It also includes those local authorities that share a boundary with that authority (section 43(2)). This is referred to in more detail in section 10.5.
- 10.2.4. For the purposes of section 42(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 (Category 1, section 44(1)); interested in the land or has power to sell and convey the land or release the land (Category 2, section 44(2)); or is entitled to make a

relevant claim if the order sought by the proposed application were to be made and fully implemented (Category 3, section 44(4)). This is referred to in more detail in section 10.6.

- 10.2.5. There is a duty on the applicant, when consulting a person under section 42, to notify them of the deadline for receipt of comments to the consultation (section 45(1)). This must be a minimum of 28 days, commencing on the day after the day on which the person receives the consultation documents (Section 45(2)). Consultation documents must be supplied to the person by the applicant for the purposes of the consultation (section 45(3)).
- 10.2.6. DCLG guidance (2015) at paragraph 26 notes that in addition, applicants may wish to strengthen their case by seeking the views of other people who are not statutory consultees, but who may be significantly affected by the project.

10.3. Defining section 42 consultees

- 10.3.1. The following sections describe how the prescribed bodies, local authorities and significantly affected persons to be consulted under section 42 of the 2008 Act were identified. It then sets out the approach taken to formal consultation for the Proposed Development under section 42.

10.4. Prescribed consultation bodies

- 10.4.1. The list of prescribed consultation bodies notified by PINS under Regulation 11 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017) were consulted under section 42 as part of the pre-application process. Prescribed consultees for the Proposed Development were also confirmed in the Appendix of the PINS response to the Scoping Opinion.⁵
- 10.4.2. Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 also sets out required prescribed consultees and these were also consulted as part of this process.
- 10.4.3. Prescribed bodies cover the main regulatory bodies including the ‘technical’ bodies with specific expertise and/or regulatory responsibility for a given discipline.
- 10.4.4. A list of all prescribed bodies consulted under section 42 is included in Appendix

⁵ [EN010122-000046-Oaklands Farm Solar Park - Scoping Opinion.pdf \(planninginspectorate.gov.uk\)](#)

10.1.

10.5. Local authorities

10.5.1. Section 42(1)(b) of the 2008 Act states that applicants must consult all local authorities which fall within one of the categories detailed in section 43 as follows:

- ‘A’ is a neighbouring local authority (s43(3)) that shares a boundary with a unitary council or lower-tier district council within whose area development is situated.
- ‘B’ is either a unitary council or a lower-tier district council in which the development is situated – a host authority.
- ‘C’ is an upper-tier county council in which the development is situated – a host authority.
- ‘D’ is either a unitary council or an upper tier county council which shares a boundary with a host ‘C’ authority – a neighbouring authority (s43(3))

10.5.2. Table 10.1 shows all local authorities that were consulted under section 43. The following maps (Figure 2 and Figure 3) show how these authorities were identified.

Table 10.1: Local authorities consulted under section 43

Authority type	Level	Authority Name
A Authority	Borough/District	Amber Valley Borough Council
A Authority	Borough/District	Derbyshire Dales District Council
A Authority	Borough/District	East Staffordshire Borough Council
A Authority	Borough/District	Erewash Borough Council
A Authority	Borough/District	Lichfield District Council
A Authority	Borough/District	North West Leicestershire District Council
A Authority (Unitary)	Borough/District	Derby City Council
B Authority - Host	Borough/District	South Derbyshire District Council

Authority type	Level	Authority Name
C Authority	County	Derbyshire County Council
D Authority	Unitary	Barnsley Metropolitan Borough Council
D Authority	County	Cheshire East Council
D Authority	County	Kirklees Metropolitan Council
D Authority	County	Leicestershire County Council
D Authority	Unitary	Oldham Metropolitan Borough Council
D Authority	National Park	Peak District National Park
D Authority	Unitary	Rotherham Metropolitan Borough Council
D Authority	County	Sheffield City Council
D Authority	County	Staffordshire County Council
D Authority	Unitary	Stockport Metropolitan Borough Council
D Authority	Unitary	Tameside Metropolitan Borough Council
D Authority	County	Nottinghamshire County Council

Figure 2: County Council Map

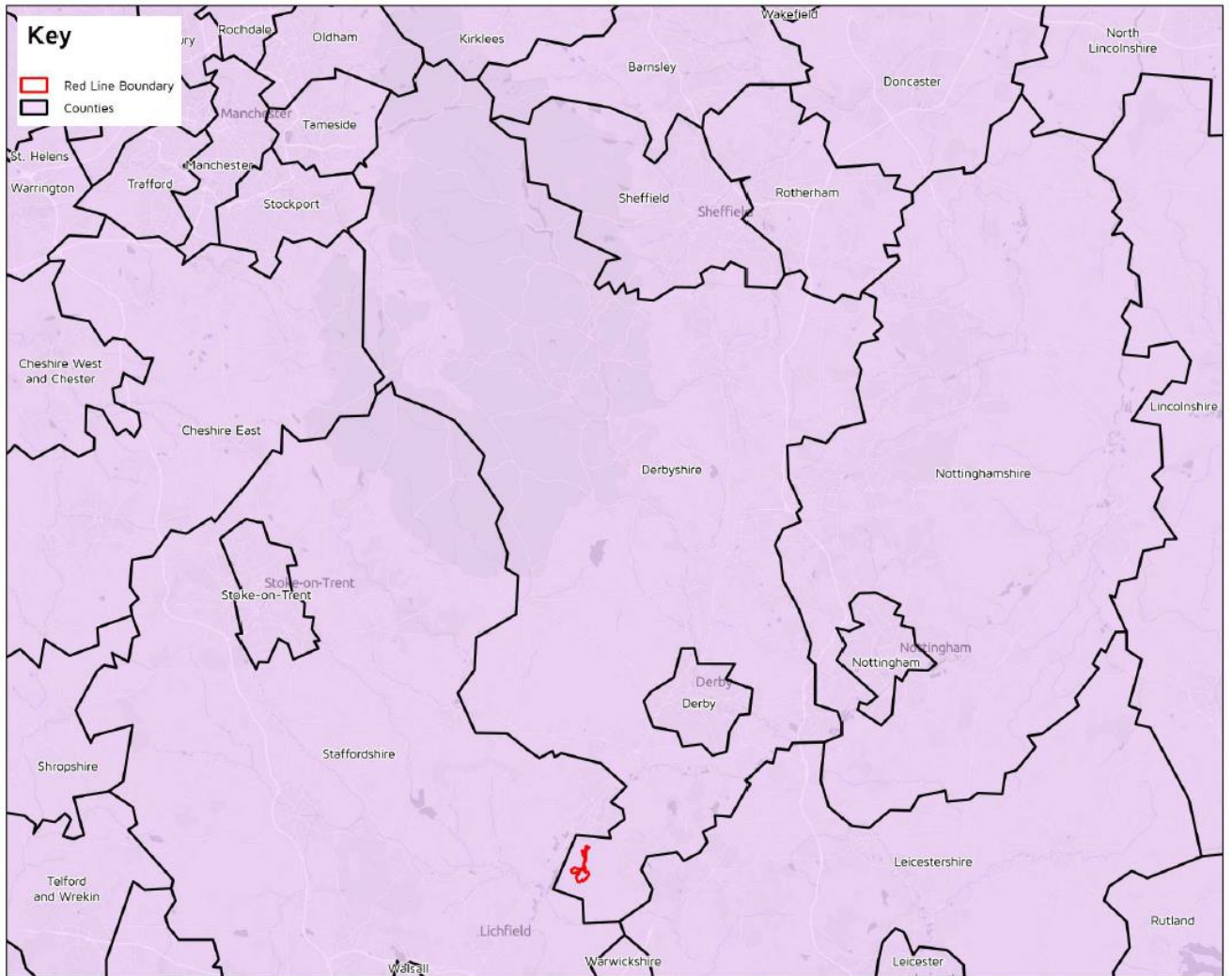
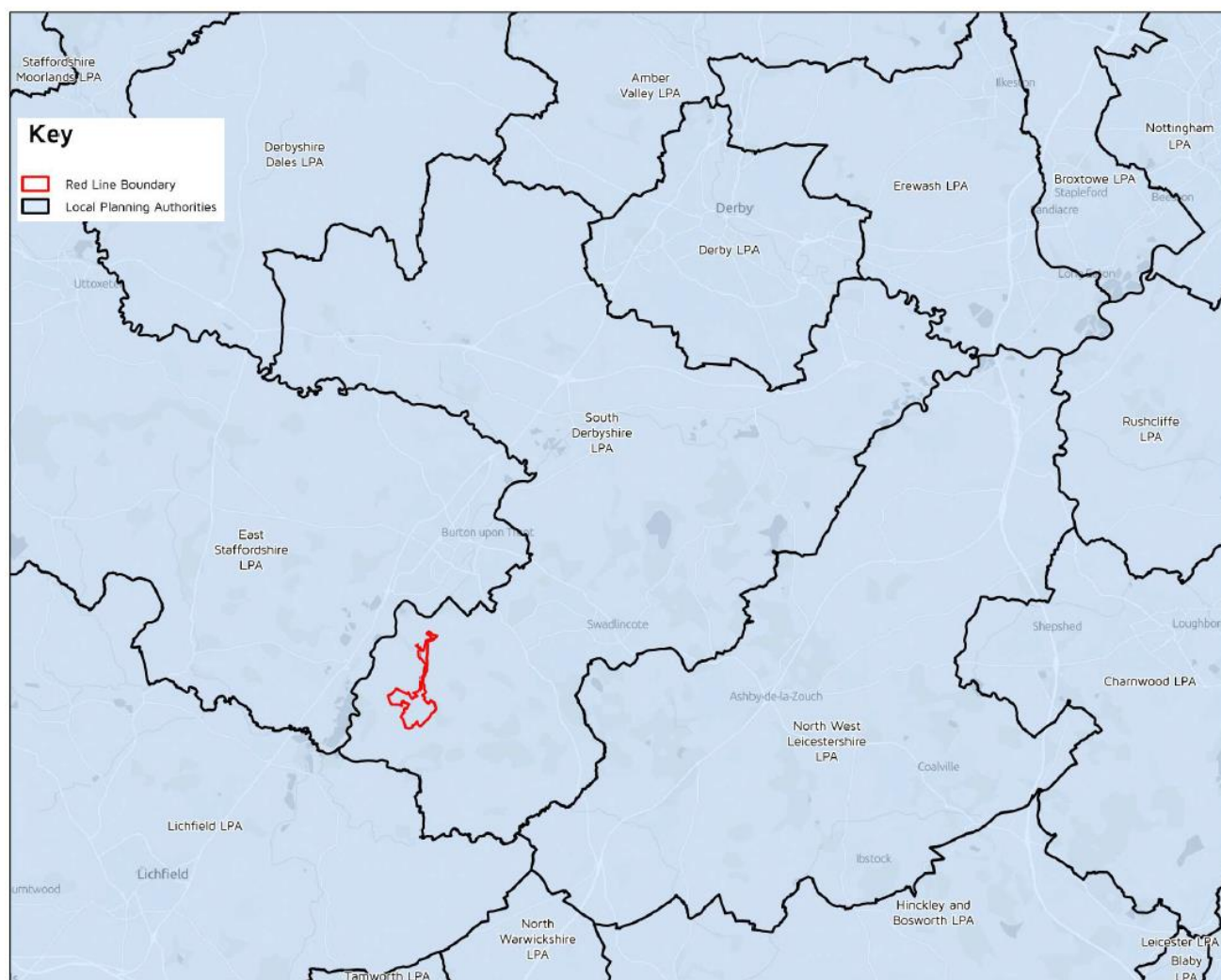


Figure 3: Local Planning Authorities Map



10.6. Section 44 persons (landowners)

- 10.6.1. Under section 42 of the 2008 Act, the Applicant is required to consult all those with an interest in land to which the application relates including (but not limited to) owners, lessees, tenants, occupiers and those able to sell or release the land.
- 10.6.2. Consultation with landowners has been ongoing throughout the preparation of the Application, principally through the Applicant's land agent, Dalcour McLaren. The identification of potentially affected parties has been an on-going process since 2021.
- 10.6.3. As noted in Chapter 8, landowners and other interested parties were identified initially through title searches with the Land Registry. Where ownership could not be determined, site visits were conducted by Dalcour McLaren. The site visits involved identifying and visiting potential landowner residences and discussions with neighbors and other local residents to try to identify landowners. Contact was also

made with landowners via telephone, email and letter.

- 10.6.4. Where landowners remained unknown or where persons with rights of access over affected access ways were unknown, site notices were erected where possible in a suitable visible location (for example gateways or nearby telegraph poles). A copy of a site notice is included in Appendix 10.2.
- 10.6.5. The combination of the above land referencing activities produced a list of interests for the statutory consultation under section 42 of the 2008 Act. Letters to these contacts were issued on 20 April 2022. A copy of this letter can be found in Appendix 10.3.
- 10.6.6. The Book of Reference (Document 4.3) contains a full overview of the relevant landowners and interests related to the Application. Section 44 stakeholders are also listed in Appendix 10.1.
- 10.6.7. **Part One Claimants (Category 3: section 44(4) and section 44(6)(b)):** Based on environmental information available at the point of statutory consultation (April 2022), and the position of the red line boundary at that point, it has been concluded that there would be no part 1 claims substantiated. Therefore, the Applicant did not include any parties in the scope for land referencing in this regard and in the formal section 42 consultation. The same was true of the additional targeted informal consultation, which followed statutory consultation on the PEIR.
- 10.6.8. The Noise Chapter of the Environmental Statement (Chapter 11) affirms this position, and so no claimants were identified.
- 10.6.9. Due to the nature of the Proposed Development, and as a result of the confirmed mitigation measures that have been put in place it was concluded that there would be no significant increase in noise levels perceived at any nearby residential receptors.
- 10.6.10. In relation to the other six physical factors under part 1 (LCA 1973): Vibration, Artificial Lighting, Dust, Smoke, Fumes and Discharge of Liquids and Solids; it was concluded that no property will be able to substantiate a claim for a reduction in value of their property due to these other factors as a result of the Proposed Development being operational.

10.7. Notifying PINS under section 46

- 10.7.1. As required under section 46 of the 2008 Act, the Applicant complied with the duty to notify the Secretary of State of the proposed application. The Applicant supplied the Secretary of State (via PINS) with such information in relation to the proposed application as would be supplied to the consultees for the purpose of complying with section 42. This was provided prior to commencing the consultation under section 42.
- 10.7.2. The section 46 notification was issued by email to PINS on 14 April 2022. A copy of the section 48 notice was attached to the email. The letter contained a link to the Proposed Development website, which contained:
- The PEIR;
 - A Non-Technical Summary (“NTS”) of the PEIR;
 - Plans showing the location of Oaklands Farm Solar Park;
 - Community Consultation Leaflet;
 - Feedback Form; and
 - Additional documents including a Consultation Summary Document and the Statement of Community Consultation (which are included for information purposes).
- 10.7.3. A download link for the PEIR was also included in the covering email. A copy of the notification letter is contained in Appendix 10.4. A copy of the acknowledgement of receipt from PINS is included in Appendix 10.5.

10.8. Consultation undertaken in accordance with section 42 of the 2008 Act

- 10.8.1. As noted above, under section 42 of the 2008 Act, applicants are required to consult with prescribed bodies, each local authority that is within section 43, and each person who is within one or more categories set out in section 44 (landowners) for a period of at least 28 days after the day on which the documents are received.
- 10.8.2. Consultation under section 42 ran from 21 April 2022 and 6 June 2022 (a period of 46 days).
- 10.8.3. A letter was issued by post to all identified section 42 consultees on 14 April 2022 informing them of the consultation, the process for providing feedback and setting out the timetable for responses to be received by (as noted under section 45 of the 2008 Act). Details about how to obtain further information was also included.

- 10.8.4. A copy of the section 48 notice was enclosed with the letters. The letters contained a link to the Proposed Development website, which contained:
- The PEIR;
 - A non-technical summary (“NTS“) of the PEIR;
 - Plans showing the location of Oaklands Farm Solar Park;
 - Community Consultation Leaflet;
 - Feedback Form; and
 - Additional documents including a Consultation Summary Document and the Statement of Community Consultation (which are included for information purposes).
- 10.8.5. The letters noted that a USB device with all relevant documentation was also available upon request.
- 10.8.6. The letters, alongside a copy of the section 48 notice were also issued via email on 20 April 2022. A copy of the section 42 letter is included in Appendix 10.6.
- 10.8.7. **Preliminary Environmental Information Report (PEIR):** The PEIR was prepared for the purposes of presenting the likely environmental effects of the Proposed Development based on the environmental and social data collated at the time as part of the EIA process. This was the principal source of information consulted upon under section 42 and formed the basis of all consultation materials and information.
- 10.8.8. The information contained within the PEIR, which had an accompanying non-technical summary document, was issued to section 42 consultees to provide them with an opportunity to understand the likely environmental impacts of the Proposed Development and to provide feedback on these points. Copies of the PEIR chapters, the non-technical summary document and associated plans are available to view on the Proposed Development website.
- 10.8.9. The PEIR contained information on the key topics outlined in the chapter list below:

Table 10.2: PEIR Chapter list

Chapter	Topic
1	Introduction

Chapter	Topic
2	The Environmental Impact Assessment and Methodology
3	Site Selection and Design Strategy
4	Project Description
5	Landscape and Visual
6	Ecology
7	Historic Environment
8	Water Resources and Flood Risk
9	Ground Conditions
10	Transport and Access
11	Noise
12	Socioeconomics
13	Climate Change
14	Glint and Glare
15	Other Issues
16	Summary of Effects

10.9. Feedback mechanisms

10.9.1. The Applicant had a range of feedback mechanisms in place throughout the consultation and these were detailed in the section 42 notification letters. Consultees were able to provide feedback in the following ways:

(a) By completing a feedback form - available online via the Proposed Development website (<https://www.baywa-re.co.uk/en/solar/oaklands-solar-farm>). Hard copies were also available upon request, using the project contact details.

(b) By emailing: info.oaklands-solarfarm@baywa-re.co.uk

(c) In writing to: FREEPOST TC CONSULTATION (no further address or stamp required)

10.9.2. The dedicated consultation freephone number was also available throughout the consultation process for interested parties to seek clarification about the process.

10.10. Meetings and engagement with relevant section 42 consultees

10.10.1. All meetings and engagement held with statutory consultees and prescribed bodies in relation to technical matters included within the ES are detailed within the relevant chapters of the ES. Additional meetings were also held with the following stakeholders and consultees:

Table 10.3: Meetings and engagement with relevant section 42 stakeholders

Date	Stakeholder	Type	Note
12/05/2022	Derbyshire County Council and South Derbyshire District Council	Meeting	<p>Project Update – overview of progress of S42 consultation. Reminder that consultation closes on 6th June. Public exhibitions were held on 6th and 7th May.</p> <p>LPA Update - DCC and SDDC have discussed joint working on the PEIR response – seeking member approval for approach. DCC and SDDC have consulted local members as well. SDDC Cllr raising fencing and impact on wildlife, BMV land drains, and narrow roads. Collating these as well as technical input.</p> <p>PEIR – Request for drawings of each individual site access, including visibility splays.</p>
19/05/2024	Countryside Properties (Dracan Village)	Email	General project update in the context of s42 consultation. Update on Walton Bypass (due for completion Christmas 2023). Update on current Dracan Village construction progress (due to continue beyond Spring 2024).
24/05/2024	Derbyshire County Council and South	Meeting	Meeting to discuss the Councils' review of the LVIA as included within the PEIR.

Date	Stakeholder	Type	Note
	Derbyshire District Council		<p>Meeting held outside usual meeting slot due to availability of GE and EW.</p> <p>GE reviewed the LVIA, and considers it honest, acknowledging that there will be impacts. Site of this size is relatively well screened, and the major impacts will be at the site and the immediate vicinity. Visuals and the judgements are fair. GE could argue over some judgements but nothing that changes the overall picture.</p> <p>Key point raised is potential for more to be done on mitigation, including off-site screening.</p>
26/05/2024	Derbyshire County Council and South Derbyshire District Council	Meeting	<p>Meeting to hear the Councils' initial comments on the PEIR.</p> <p>RS summarised main comments from LVIA, Heritage, Highways, Flooding and general comments (no noise comments at time of meeting)</p> <p>JB highlighted that a few councillors had responded to internal consultation. BMV raised.</p>
27/05/2024	National Grid	Email	Express wish for further consultation owing to proximity of some assets near Project site. These include substations, overhead lines, and associated cable fibre.
06/06/2024	Derbyshire County Council and South Derbyshire District Council	Meeting	Run through main points that were picked up in joint response from authority, sent after the meeting. Joint response saved on sharepoint
06/06/2024	Derbyshire County Council and South Derbyshire District Council	Meeting	To review PEIR comments and provide overview of SOCG.

10.11. Statement of compliance

10.11.1. As required under section 42 of the 2008 Act, consultation was undertaken with prescribed consultees under the APFP Regulations, section 43 local authorities and all identified section 44 consultees. The Applicant also sought to obtain the views of other organisations that were identified because of their knowledge of the local area or a specific environmental topic. The approach to section 42 is set out below, with reference to the relevant section of the 2008 Act:

- A) All statutory consultees were supplied with the consultation documents, namely the PEIR and supporting non-technical summary documents, a consultation summary document and all relevant plans and the feedback questionnaire. A cover letter stated that the consultation process would run from 21 April 2022 to 6 June 2022, giving consultees 46 days to make a representation⁶.
- B) The Applicant has had regard to all relevant responses (section 49)
- C) The Applicant provided PINS with a copy of the same documentation that was sent to the section 42 consultees (section 46)
- D) The Applicant also had regard to the DCLG guidance on the pre-application process (section 50).

10.11.2. A full statement of compliance can be found in Chapter 19.

⁶ This is longer than the minimum period confirmed under section 45(2), which states that the must not be earlier than the end of the period of 28 days that begins with the day after the day on which the person receives the consultation documents. The Applicant decided to offer additional time for feedback given the scale of the proposals, and level of information provided.

11. Formal consultation under section 47 of the 2008 Act

11.1. Overview and introduction

- 11.1.1. This chapter of the consultation report sets out the activities undertaken by the Applicant to comply with its duty to consult under section 47 of the 2008 Act. It seeks to provide the information relevant to formal section 47 consultation as required in the consultation report under section 37(7)(a) of the 2008 Act and the relevant parts of DCLG guidance and PINS Advice Note 14.
- 11.1.2. This chapter concludes with a statement of compliance summarizing the regard that the Applicant had to relevant legislation and guidance in carrying out its duties under section 47.

11.2. Legislative context

- 11.2.1. Section 47(1) of the 2008 Act requires the applicant to prepare a Statement of Community Consultation (SoCC). The SoCC should set out how the applicant intends to consult the local community on the proposed application. There is a duty on the applicant to consult the relevant local authorities in respect of the content of the SoCC (section 47(2)) because their knowledge of the local area may influence decisions on the geographical extent of consultation and the methods that will be most effective in the local circumstances.
- 11.2.2. Local authority responses to consultation on the content of the SoCC should be requested by the applicant within a 28-day period (commencing on the day after the day on which the local authority receives the request for comments). Consultation documents must be provided to the local authority at this stage, providing information which allows the authority to make an informed response to the SoCC consultation (sections 47(3) and 47(4)). Section 47(5) of the 2008 Act requires the applicant to have regard to any response provided by the local authority that is received within the 28-day period.
- 11.2.3. In developing the SoCC, regard must be had to the EIA Regulations and relevant guidance on pre-application procedure. Sections 10 and 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 the preliminary environmental information.

- 11.2.4. Guidance on developing and publicising the SoCC has been published by DCLG (2015) and is summarised in the Statement of Compliance in Chapter 19 of this report.
- 11.2.5. Once the SoCC has been finalised, notice of deposit must be published in a newspaper circulating in the vicinity of the Proposed Development site (section 47(6)(a) of the 2008 Act) and the applicant must carry out consultation in accordance with the proposals set out in the statement (section 47(7)).

11.3. Informal consultation on the SoCC

- 11.3.1. In formulating the approach to statutory consultation and the SoCC, the Applicant worked with South Derbyshire District Council and Derbyshire County Council, having regard to guidance and advice on the extent of consultation and methods deployed.
- 11.3.2. DCLG guidance (paragraph 42) states that it may be helpful to make informal contact with the local authorities in advance of formal consultation on the content of the SoCC. Therefore, the Applicant met with the lead officers from Derbyshire County Council and South Derbyshire District Council to discuss an early draft SoCC, which was shared with the authorities prior to formal consultation.
- 11.3.3. This engagement resulted in valuable feedback being provided and incorporated into the revised SoCC, which was formally consulted upon. Changes made to the SoCC as a result of feedback included: the addition of a relevant local newspaper for advertising; confirmation that the key consultation zone was appropriate; and the use of social media to help advertise the consultation to a broader range of people. A full summary of the changes made to the SoCC can be found in Table 11.2 below.

11.4. Formal consultation on the SoCC

- 11.4.1. The consultation approach set out in the draft SoCC was developed with the experience and outcomes of the previous informal engagement taken into account. It was designed with specific detail of the Proposed Development, as well as the demographics and local communities in mind.
- 11.4.2. The site falls entirely within South Derbyshire District, and Derbyshire County Council boundaries, however, due to the proximity of some neighbouring authorities, it was agreed that the SoCC would also be shared with:

- Lichfield District Council;
- Northwest Leicestershire District Council;
- East Staffordshire Borough Council;
- Staffordshire County Council; and
- Leicestershire County Council.

11.4.3. The draft SoCC and a cover letter were issued to these authorities for comment on 16 December 2021. A copy of the cover letter and draft SoCC can be found in Appendix 11.1.

Table 11.1 List of consultees provided with the draft SoCC for review during the statutory consultation period

Consultee	Date Draft SoCC issued for comment/ information	Feedback deadline	Feedback received
Derbyshire County Council	16 December 2021	31 January 2022	24 January 2022
South Derbyshire District Council	16 December 2021	31 January 2022	26 January 2022
East Staffordshire Borough Council	16 December 2021	31 January 2022	None received
Lichfield District Council	16 December 2021	31 January 2022	None received
North West Leicestershire District Council	16 December 2021	31 January 2022	25 January 2022
Leicestershire County Council	16 December 2021	31 January 2022	None received
Staffordshire County Council	16 December 2021	31 January 2022	None received

11.4.4. As shown in Table 11.1, the draft SoCC was provided to the required local authorities on 16th December 2022, and each was provided 46 days to respond.⁷ As the draft SoCC was provided to the local authorities prior to the Christmas period, it was felt

⁷ This is beyond the minimum requirement of 28 days beginning the day after the day on which the local authorities receive the consultation documents. The additional time provided was in recognition of the fact that the consultation extended across the Christmas period.

appropriate to allow further time to review the document and provide comments.

- 11.4.5. Table 11.2 below outlines the feedback provided and the changes made to the SoCC following informal and formal consultation on the draft document.

Table 11.2 Feedback received to the draft SoCC, and regard had by the Applicant

SoCC Feedback Table		
Consultee	Comments	Applicant Comment
Informal consultation comments received		
<p>South Derbyshire District Council (and on behalf of Derbyshire County Council)</p> <p><i>Comments received on an informal draft of the SoCC as comments on the document, comments via email, and verbal comments via virtual meeting to discuss the SoCC (with Kevin Exley, South Derbyshire District Council, 30.09.21)</i></p>	<p>Consider also Burton Mail (<i>for S47 advert</i>) as it is likely that this may be most likely to read by local people given the location of proposals</p> <p><i>(Comment on the draft consultation zone map) I think a map title may help; I can see the yellow line in the boundary for CZ1 but I'm struggling with the black dashed line. What does this represent? Perhaps a key may help</i></p> <p><i>(Comment in relation to advertisement of any additional consultation events required, should it be considered appropriate following the events proposed at Rosliston Village Hall and Walton on Trent Village Hall) You may want to</i></p>	<p>The Applicant has committed to placing section 47 notices in the Burton Mail as well as the Derby Telegraph in the final SoCC (see paragraph 1.4 of the SoCC).</p> <p>The Applicant revised the map and included explanatory text to explain the map in the final SoCC (see Figure 1).</p> <p>Any additional consultation undertaken will be communicated to all host and neighbouring parish councils and this commitment was reflected in updated</p>

SoCC Feedback Table

Consultee	Comments	Applicant Comment
	<p>consider at least alerting the nearby parish councils by email, if these are required and agreed with SDDC and DCC as the parish councils may want to place a notice on their own notice boards.</p> <p><i>(Via email)</i> I note that largely you are not proposing to use social media, which whilst I understand has its issues can be a good mechanism to capture comments from some harder to reach groups. Is this a conscious decision?</p> <p><i>(Verbal comment)</i> It is worth including the immediate Parish Councils in Lichfield in any local mailing to advertise the consultation, given their proximity to the site</p> <p><i>(Verbal comment)</i> The current situation is that South Derbyshire District Council/Derbyshire County Council cannot receive/host any</p>	<p>wording in the SoCC (see paragraph 1.32).</p> <p>Additional wording was added to the SoCC confirming the setup and utilisation of a Project Twitter account and social media updates to help advertise the consultation (see paragraph 1.56).</p> <p>All neighbouring Parish Councils have been included in the mailing of consultation information for statutory consultation, this was reflected in updated wording in the SoCC (see Appendix 3 of the SoCC).</p> <p>The Applicant notes this request and has removed Council offices from the list of Deposit</p>

SoCC Feedback Table

Consultee	Comments	Applicant Comment
	documents on deposit (e.g. PEIR) during the statutory consultation, so alternative arrangements should be considered – such as Swadlincote Library.	locations for consultation information. Within the final SoCC, Swadlincote Library was confirmed as a location, alongside Burton Library and Barton Under Needwood Community Library (see paragraph 1.63).

Formal consultation comments received

Derbyshire County Council	Thank you for consulting Derbyshire County Council in respect of the Oaklands Solar Farm Statement of Community Consultation. Having reviewed the SoCC, I write to confirm that Derbyshire County Council considers that the proposed means of communication and consultation with the Council is acceptable, and that the Council has no further comments to make on the SoCC.	Noted. The Applicant notes this comment and thanks Derbyshire County Council for its feedback.
South Derbyshire District Council	I refer to the consultation on the Statement of Community Consultation for Oaklands Solar Farm. Comments have already been submitted by Kevin Exley on behalf of South Derbyshire District Council, but just to reiterate a point he made about social media. Under the 'Hard to Reach groups' section on page 9/10, it might be worth	The Applicant notes this comment and thanks South Derbyshire District Council for its feedback. As noted above, will utilise a

SoCC Feedback Table

Consultee	Comments	Applicant Comment
	<p>including social media here, and not just BayWa-re's own social media. This could be through local Facebook groups in Burton/Swad area, or by utilising the posts made by the local newspapers on Facebook or Twitter. Any social media post should direct people to where they can find out more about the scheme and how to share their views.</p>	<p>dedicated social media account to advertise the consultation online (see paragraph 1.56).</p> <p>Additional engagement with other social media accounts will be sought wherever possible and engagement with local groups and media organisations will seek to encourage sharing of consultation information via their own social media accounts.</p> <p>Confirmation of this approach has been inserted into the final SoCC (see paragraph 1.56 of the final SoCC).</p>
<p>North West Leicestershire District Council</p>	<p>I thank you for your email in relation to the above project which is to be considered as a Nationally Significant Infrastructure Project (NSIP). I apologise for the delay in this response and hope that you are safe and well at this time.</p> <p>The submitted Statement of Community Consultation (SoCC) only indicates</p>	

SoCC Feedback Table

Consultee	Comments	Applicant Comment
	<p>Consultation Zone 1 which does not extend as far as the District Council boundary but at this time I would advise that the nearest settlement within the District of North West Leicestershire to the application site would be Albert Village. It would be considered useful if the Parish Council and Ward Member for Albert Village could be informed of the proposed project so that they have an opportunity to be involved if they consider it necessary.</p> <p>Ashby Woulds Town Council cover the settlement of Albert Village and the clerk (Andrea Robinson) can be contacted via email at clerk@aw-tc.co.uk. Albert Village also falls within the Ashby Woulds Ward and the District Council member for this Ward is Councillor John Bridges who can be contacted via email at [REDACTED].</p> <p>I trust that this information is of assistance to you.</p>	<p>The final SoCC confirms that the neighbouring parish councils and district wards (including those noted in this response) will be notified of the consultation (see SoCC Appendix 3).</p> <p>The Applicant notes this comment and thanks North West Leicestershire for its feedback.</p>

11.5. The final SoCC

- 11.5.1. Following confirmation of receipt of the comments on the draft SoCC, a final version was agreed and prepared for publication.
- 11.5.2. The final SoCC can be seen in Appendix 11.2.

11.6. Publication of the final SoCC (section 47(6))

- 11.6.1. The final SoCC was published on 7 April 2022. A notice was placed in the Burton Mail and Derby Telegraph on the same date detailing where the SoCC could be viewed, in print or digitally. A copy of the notice can be seen in Appendix 11.3. A copy of the notices as published in situ can be seen in Appendix 11.4.
- 11.6.2. Hard copies of the SoCC were placed on deposit and made available to view free of charge in the following locations:

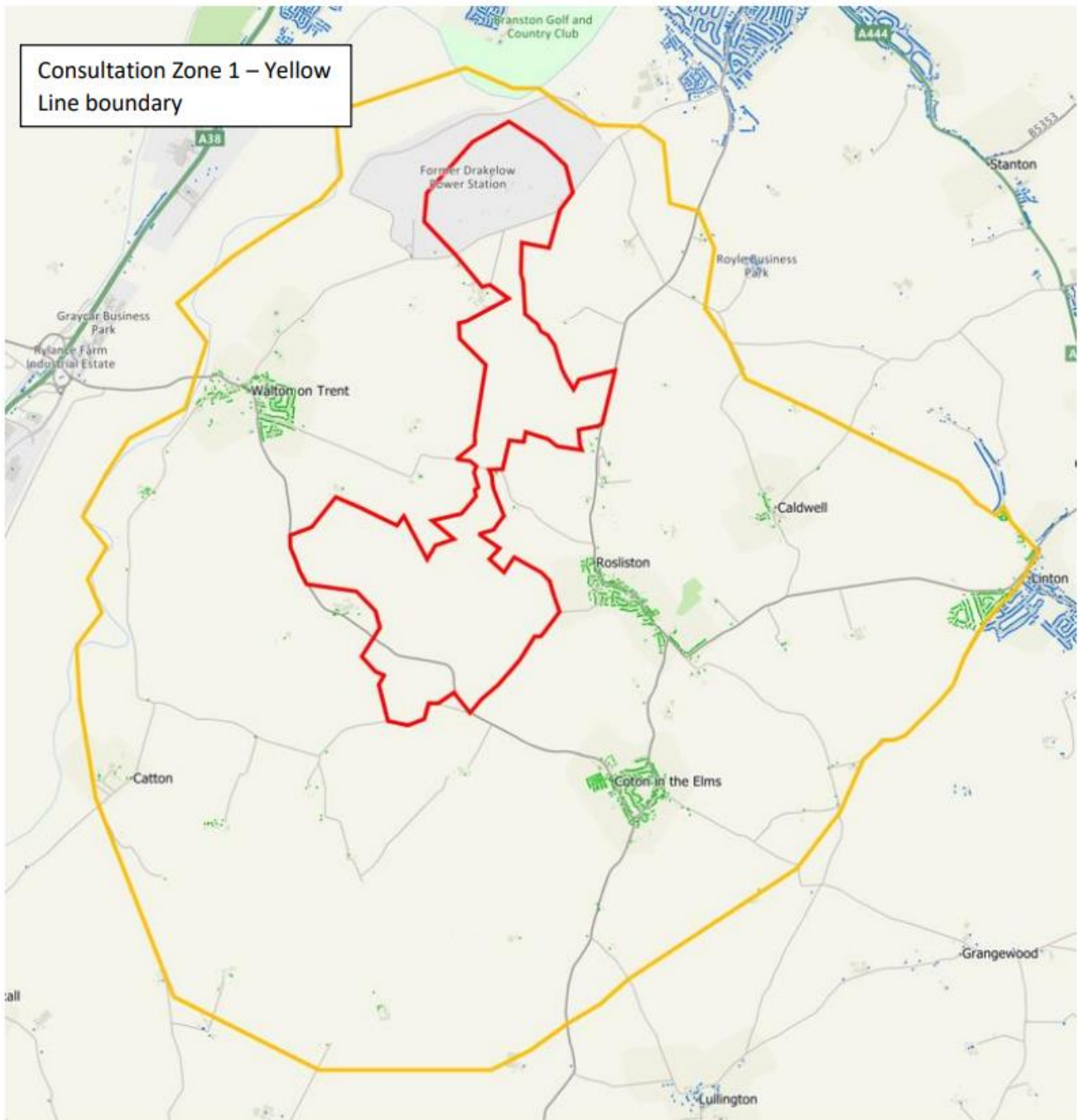
Table 11.3 SoCC deposit locations

Date SoCC available	Location
6 April 2022	Swadlincote Library and Information Centre , Swadlincote Library, Civic Way, Swadlincote, Derbyshire, DE11 0AD
6 April 2022	Barton Under Needwood Community Library , Barton Under Needwood Library, Dunstall Road, Barton-under- Needwood, Staffordshire, DE13 8AX
6 April 2022	Burton Library , Burton Library, Riverside, Burton upon Trent, Staffordshire, DE14 1AH

- 11.6.3. Copies of the signed receipt of the hard copy SoCC from each of the deposit locations can be found in Appendix 11.5.
- 11.6.4. The SoCC was also made available to view or download via the Proposed Development website from 7 April 2022.
- 11.6.5. In addition, letters were issued to stakeholders and those with an interest in the proposals that the SoCC had been published and was available to view online or in hard copy. Appendix 11.6 contains a list of stakeholders issued this letter. Appendix 11.7 contains a copy of the letter, which was issued on 6 April 2022.
- 11.6.6. A digital copy of the SoCC was also issued electronically to those stakeholders and interested parties for which the Applicant held email address details. This email contained a copy of the same letter noted above and links to the Proposed Development website to find out more.

- 11.6.7. A copy of this electronic mailing can be found in Appendix 11.8.
- 11.6.8. Tailored correspondence was also issued to identified, harder to reach groups, organisations and representatives. This was carried out to highlight the consultation to, and seek to engage with, seldom heard individuals and groups, and encourage participation in the process. A copy of this correspondence can be found in Appendix 11.9.
- 11.6.9. A newsletter was also issued to all those within Consultation Zone 1, which was defined in the SoCC as being approximately 1.5 to 2.5km from the red-line boundary of the Proposed Development based on an assessment of the likely environmental (landscape and visual) effects within the vicinity of the site. This zone included all properties within Walton on Trent and Rosliston, as well as all properties in between around the site.

Figure 4: Map showing Consultation Zone 1



11.6.10. The newsletter summarised the key information contained in the SoCC and provided an overview of the forthcoming statutory consultation. It contained the following information:

- Announcement of statutory consultation period and publication of the SoCC
- Information about the Proposed Development
- Information about the planning process
- Details about the consultation process, information events, deposit locations,

feedback mechanisms and contact details

- 11.6.11. A copy of the newsletter was included in the correspondence issued to stakeholders, including those that live outside the Key Consultation Zone. The newsletter was made available to download from the Proposed Development website alongside the SoCC itself. Copies of the newsletter were also left alongside the hard copies of the SoCC at the identified deposit locations. The newsletter is available to view in Appendix 11.10.
- 11.6.12. The Proposed Development website was also updated with information about the SoCC, and to reflect the new information being presented with regard to the statutory consultation. These changes were made to the Proposed Development website on 7 April 2022.
- 11.6.13. The publication of the SoCC was also announced on the project Twitter feed⁸. The social media updates included information on where to view the full SoCC. When shared with the local parish councils (primarily Walton on Trent Parish Council and Rosliston Parish Council), the Applicant requested that the information be shared on the existing parish council social media channels. This resulted in updates regarding the SoCC publication and the forthcoming statutory consultation on both Walton on Trent Parish Council's Facebook page, and 'The Rosident', Rosliston Village's community Facebook page. Screenshots of the project Twitter account and examples of social media updates can be found in Appendix 8.8.
- 11.6.14. A press release was issued on 7 April 2022 to highlight the publication of the SoCC. The press release was issued to the Burton Mail and Derby Telegraph, as well as other relevant local business and trade press. A copy of the press release can be found in Appendix 11.11.
- 11.6.15. Posters were also placed in the following locations on 6 April 2022:
- The Co-Operative Foodstore, Barton Under Needwood, DE13 8AA
 - Barton Under Needwood Community Library, DE13 8AX
 - Tesco Superstore, Burton on Trent, DE14 3RJ
 - Burton Library, DE14 1AH

⁸ The Project Twitter feed was launched in March 2022, prior to the commencement of the statutory consultation period.

- Tesco Express, Swadlincote, DE11 9DU
- Swadlincote Library, DE11 0AD
- Green Bank Leisure Centre, DE11 0AG
- Tesco Express, Stapenhill, DE15 9SF
- Swadlincote Post Office/Nisa Foodstore, Swadlincote, DE11 9DA

11.6.16. A copy of the poster and example photos in situ can be found in Appendix 11.12.

11.7. Undertaking consultation

11.7.1. Consultation under section 47 was undertaken in line with the SoCC and took place at the same time as the section 42 statutory consultation period, which ran from 21 April 2022 to 6 June 2022. These consultation dates were advertised on all publicity confirming publication of the SoCC noted above, including on the Proposed Development website, in correspondence issued to stakeholders, social media updates and via the newsletter issued to all local residents within the vicinity of the proposed site.

11.7.2. The Applicant used a wide variety of tools aimed at section 47 consultees to provide information about the proposals in an accessible way to encourage feedback. These tools included:

- Consultation summary document;
- Feedback questionnaire;
- Public exhibitions;
- A virtual public exhibition;
- Website updates; and
- Social media.

11.7.3. These documents were made available on or prior to 21 April 2022 to coincide with the commencement of the statutory consultation period.

11.7.4. An update letter was issued to stakeholders on 21 April 2022 to highlight the start of the consultation period and to provide direct links to the above noted consultation materials. The virtual consultation, which contained all consultation materials (including exhibition boards, the consultation summary document, plans and the

feedback form) was made live for this date.

- 11.7.5. A digital version of the letter was also issued via email to those stakeholders for whom the Applicant had email addresses. Updates were also made to the Proposed Development website and social media to highlight the start of consultation and provide links to the relevant consultation materials, including the PEIR, non-technical summary and all relevant associated plans and drawings.
- 11.7.6. On 21 April 2022, a press release was issued to the same publications as received the press release on the SoCC. This press release contained further information about the statutory consultation, including where to find out more information, how to attend consultation events and the deadlines for feedback to be provided. A copy of this press release and resulting coverage can be found in Appendix 11.13.

11.8. Consultation materials

- 11.8.1. **Consultation Summary Document:** As recommended in DCLG's guidance, a 'summary document', written in non-technical language, should be produced to help explain the proposals and scope of consultation.
- 11.8.2. The Applicant therefore produced the 'Consultation Summary Document', which set out the key information about the Proposed Development in an accessible way, as well as provided information about the consultation process and how to provide feedback on the proposals.
- 11.8.3. This document contained the following information:
- Project overview including information about the Applicant, the planning process, site location, local context and key constraints;
 - Environmental Assessment, including information about the EIA process, landscape and visual impact considerations and land use;
 - Further summary detail of the ecology and biodiversity considerations for the site;
 - An overview of environmental issues including water resources and flood risk, noise and vibration, glint and glare, historic environment, air quality, cumulative impacts and connection route;
 - An overview of construction considerations;
 - A summary of social considerations including public rights of way and

community benefit; and

- Information on how to find out more and provide feedback.

- 11.8.4. This document was available throughout the statutory consultation period and was available online, at consultation events, at deposit locations and upon request.
- 11.8.5. The Consultation Summary Document contained the same questions that were included in the feedback questionnaire. The questions were included alongside the relevant information within the document. This was designed to help inform and signpost section 47 consultees to the correct information in order to ensure that they could provide informed feedback to each topical question.
- 11.8.6. A copy of the Consultation Summary Document can be found in Appendix 11.14.
- 11.8.7. **Preliminary Environmental Information:** In addition to the Consultation Summary Document, plans and copies of the PEIR were made available throughout the statutory consultation period.
- 11.8.8. Plans illustrating the Proposed Development's location, proposed cable route and associated infrastructure were made available in hard copy at consultation events and upon request. Hard copies of the full PEIR document and appendices were also available to view in hard copy at each of the consultation events held during the statutory consultation period.
- 11.8.9. The Applicant also provided a copy of the full PEIR, appendices and plans free of charge on a USB device. These devices were available from 21 April 2022 at both of the consultation events, and all the deposit locations set out in Table 11.3.
- 11.8.10. Electronic copies of the PEIR were also available to download or view from the Proposed Development website throughout the statutory consultation period.
- 11.8.11. Hard copies of all PEIR documents were available, for a subsidised fee, upon request.
- 11.8.12. **Non-Technical Summary of the PEIR:** The Non-Technical Summary of the PEIR sought to provide an overview of the environmental impacts of the Proposed Development in non-technical terms.
- 11.8.13. The Applicant provided copies of the Non-Technical Summary document for reference at the consultation events undertaken. Copies of the document were also

made available free of charge upon request in hard copy, or on USB devices at deposit locations set out in Table 11.3. The Proposed Development website also contained copies of the document for download from 21 April 2022.

11.9. Public exhibitions

- 11.9.1. The Applicant identified suitable accessible venues in the centre of the two closest villages to the proposals at Walton on Trent and Rosliston. The consultation events are set out in the table below. In total 63 attendees visited across the two days.

Table 11.4 Public consultation events

Date	Location	Attendees
6 May 2022	Walton on Trent Village Hall , 34 Main St, Walton-on-Trent, Swadlincote, DE12 8LZ	23
7 May 2022	Rosliston & Caudwell Village Hall , Main Street, Rosliston, Swadlincote, Derbyshire, DE12 8JW	41

- 11.9.2. Information was displayed on exhibition boards during these public events. The boards contained similar information to the Consultation Summary Document:

- Project overview including information about the Applicant, the planning process, site location, local context and key constraints;
- Environmental Assessment, including information about the EIA process, landscape and visual impact considerations and land use;
- Further summary detail of the ecology and biodiversity considerations for the site;
- An overview of environmental issues including water resources and flood risk, noise and vibration, glint and glare, historic environment, air quality, cumulative impacts and connection route;
- An overview of construction considerations;
- A summary of social considerations including public rights of way and community benefit; and
- Information on how to find out more and provide feedback.

11.9.3. In addition, a number of boards containing key viewpoints around the site and indicative photomontages (computer-generated images) to help show the extent of the Proposed Development and how it would look were made available. A copy of the exhibition boards can be found in Appendix 11.15.

11.10. Virtual exhibition

11.10.1. From the commencement of the statutory consultation period (21 April 2022), the Proposed Development website was updated to host a fully virtual public exhibition space. This virtual exhibition space contained all the information available at the in-person events, but in digital format. The virtual exhibition can be viewed at [REDACTED]. Screenshots of the virtual exhibition can be seen in Appendix 11.16.

11.10.2. The virtual exhibition allowed visitors to view the consultation materials, access the PEIR and associated documents, download the non-technical summary of the PEIR, the Consultation Summary Document, plans and a copy of the feedback form. Visitors could also respond to the consultation directly via an online feedback form hosted within the virtual exhibition.

11.10.3. The virtual exhibition was designed to ensure that the consultation materials were easily accessible to all those that wished to participate in the consultation, even if they were isolating due to health reasons, or preferred to engage online rather than in person. The exhibition site was designed to be accessible, and visitors had the opportunity to manipulate the site to support any specific impairment needs. This included the ability to:

- change the font size
- zoom in up to 300% without the text spilling off the screen
- navigate most of the website using just a keyboard
- navigate most of the website using speech recognition software
- listen to most of the website using a screen reader (including the most recent versions of JAWS, NVDA and Voiceover)

11.10.4. A full Accessibility Statement can be found in Appendix 11.17.

11.11. Feedback mechanisms

- 11.11.1. The Applicant made a range of feedback mechanisms available throughout the consultation and these were detailed in the section 42 notifications and section 47 consultation materials. Consultees were able to provide feedback in the following ways:
- (a) By completing a feedback form - available online via the Proposed Development website ([REDACTED] [REDACTED]). Hard copies were available at the deposit locations, public consultation events and were also available upon request, via the project contact details.
 - (b) By emailing: info.oaklands-solarfarm@baywa-re.co.uk
 - (c) In writing to: FREEPOST TC CONSULTATION (no further address or stamp required)
- 11.11.2. The dedicated consultation Freephone number was also available throughout the consultation process for interested parties to seek clarification about the process.
- 11.11.3. The feedback form was designed to direct respondents to provide feedback on specific areas that the Applicant wished to receive feedback, but also allowed space for general feedback where respondents were free to comment on any aspect of the Proposed Development.
- 11.11.4. The feedback form questions linked to the information within the Consultation Summary Document and the detail contained on the exhibition boards. This cross reference between materials was designed to assist the respondent with providing information about the topics that were being asked about.
- 11.11.5. Hard copies were available at deposit locations and each of the consultation events. Attendees at the consultation events were provided the opportunity to complete and submit their feedback forms directly to the Applicant, or, provided with a freepost envelope to allow them to complete the form away from the event and return it free of charge. Freepost envelopes were also available at the deposit locations.
- 11.11.6. A copy of the feedback form is available in Appendix 11.18.

11.12. Making consultation accessible to all

- 11.12.1. In addition to the above noted focus on general engagement with seldom heard and hard to reach groups, the Applicant encouraged as wide a response to its statutory consultation as possible.
- 11.12.2. Reference to engagement with hard-to-reach groups was included in the SoCC and guidance requested from local authorities and existing identified groups during the informal consultation stage.
- 11.12.3. Engagement was sought with representatives of hard-to-reach groups, as well as organisations representing demographics who usually tend not to engage with planning consultations (such as schools and places of worship).
- 11.12.4. This engagement involved issuing tailored correspondence via post and email (where contact details were available) at the point of commencement of the statutory consultation. A tailored covering letter was issued alongside the newsletter, which was posted on 7 April 2022 to the local community and stakeholders. This letter contained information about the consultation, how to comment and find out additional information as part of the statutory consultation process. It also specifically offered to provide information in a way that might suit the organisations' members or those that they represent. It encouraged further dissemination of the information within the organisations' networks. A copy of this correspondence is included in Appendix 11.19.
- 11.12.5. The following methods were used to inform local communities, including hard to reach groups, of the opportunities to participate in the statutory consultation:
- Newsletter to all residences within the Consultation Zone 1;
 - Newspaper adverts;
 - Local posters;
 - Press releases to local media;
 - Letters to elected representatives, parish councils and local groups;
 - Posts on social media; and
 - Digital contact via email to stakeholders and community representatives.
- 11.12.6. Materials, such as the virtual consultation exhibition, were designed with accessibility

in mind (see 11.10.3), and venues were chosen to ensure disabled access. The SoCC noted that the Applicant would provide documents in alternative formats (such as large text) if required and upon request.

11.13. Statement of compliance

- 11.13.1. An account of how the requirements of the 2008 Act and the EIA Regulations have been complied with in terms of undertaking the section 47 consultation is set out in the chapter and the full statement of compliance in chapter 19.
- 11.13.2. This chapter demonstrates that consultation was undertaken in line with the SoCC. In summary, the Applicant complied with the 2008 Act and EIA regulations as follows:
- A draft SoCC was prepared, which set out how the Applicant proposed to consult the community and was consulted on with the relevant authorities in whose area the Proposed Development lies (section 47(2)).
 - Statutory consultation with the relevant local authorities on the SoCC ran from 16 December 2021 to 31 January 2022 thus allowing a period greater than 28 days for responses (section 43(3)).
 - Engagement was undertaken with the local authorities prior to this point to discuss the contents of the SoCC.
 - The Applicant considered all relevant comments received on the draft SoCC (section 47(5))
 - Notice of the SoCC was published in local newspapers on 7 April 2022.
 - The SoCC was made available on the Proposed Development website, and in hard copy at deposit locations close to the site.
 - The consultation process was carried out in accordance with the SoCC, as explained in this chapter (section 47(7)).

12. Publication of section 48 notice under the 2008 Act

12.1. Overview and introduction

- 12.1.1. This chapter of the consultation report sets out the activities undertaken by the Applicant to comply with its duty to publicise an application under section 48 of the 2008 Act. It seeks to provide the information relevant to formal section 48 publicity as required in the consultation report under Section 37(7)(a) of the 2008 Act and the relevant parts of DCLG guidance on pre-application consultation.
- 12.1.2. This chapter concludes with a statement of compliance summarizing the regard that the Applicant had to relevant legislation and guidance in carrying out its duties under section 48.

12.2. Legislative context

- 12.2.1. Section 48 of the 2008 Act requires the applicant to publicise a proposed application at the pre-application stage. Regulation 4 of the APFP Regulations prescribes the manner in which an applicant must undertake this publicity. Regulation 4(2) sets out what the publicity must entail, including the publishing by the applicant of a notice, and Regulation 4(3) provides detail of the matters which must be included in that notice.
- 12.2.2. In developing and publishing the notice, regard must be had to the EIA Regulations and relevant guidance about pre-application procedure. Regulation 13 of the 2017 EIA Regulations stipulates that, where the application for development consent is an application for EIA development, the applicant must at the same as publishing the notice for the proposed application under section 48(1), send a copy of the notice to the consultation bodies and to any person notified to the applicant by PINS in accordance with Regulation 11 of the 2017 EIA Regulations.
- 12.2.3. Guidance provided by DCLG pertinent to section 48 states that this publicity is an integral part of the public consultation process. Where possible, the first of the two required local newspaper advertisements should coincide approximately with the beginning of the consultation with communities (paragraph 58).

12.3. The section 48 notice

- 12.3.1. The section 48 notice was developed with reference to the above legislation and

guidance. A copy of the wording of the final notice is provided in Appendix 12.1.

- 12.3.2. The Statement of Compliance in chapter 19 sets out the matters which must be included in the notice (from Regulation 4(3) of the APFP Regulations) and provides references to where this information can be found in the final notice.

12.4. Timing of publication

- 12.4.1. As noted above, guidance on pre-application consultation notes that section 48 publicity is an integral part of both section 42 and section 47 consultation. This fed directly into the overall approach to pre-application consultation for the Proposed Development.
- 12.4.2. Publicity under section 48 occurred in parallel to formal consultation under section 42 and 47 of the 2008 Act. The deadline for the receipt of views on the application was 6 June 2022, which was consistent across section 42 and 47 consultation and section 48 publicity.

12.5. Publicising the notice

- 12.5.1. For onshore development such as the Proposed Development, the applicant must publish a notice, which must include the matters prescribed by paragraph (3) of Regulation 4 of the APFP Regulations, for the proposed application:
- For at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;
 - One in a national newspaper; and
 - Once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette.
- 12.5.2. The following table sets out the publications and dates that the notifications were published. Copies of the published notifications in situ are included in Appendix 12.2.

Table 12.1 List of section 48 notice publications and dates

Date	Publication
21 April 2022	The London Gazette
21 April 2022	The Times

Date	Publication
21 April 2022	The Derby Telegraph
21 April 2022	The Burton Mail
28 April 2022	The Derby Telegraph
28 April 2022	The Burton Mail

12.6. Consultation materials

12.6.1. As set out in the SoCC, copies of the consultation materials were placed on deposit for public viewing free of charge in the following locations:

Table 12.2 List of consultation materials deposit locations during statutory consultation

Date materials available	Location
21 April 2022 to 7 June 2022	Swadlincote Library and Information Centre , Swadlincote Library, Civic Way, Swadlincote, Derbyshire, DE11 0AD
21 April 2022 to 7 June 2022	Barton Under Needwood Community Library , Barton Under Needwood Library, Dunstall Road, Barton-under-Needwood, Staffordshire, DE13 8AX
21 April 2022 to 7 June 2022	Burton Library , Burton Library, Riverside, Burton upon Trent, Staffordshire, DE14 1AH

12.6.2. At each location, in addition to a copy of the section 48 notice, the following materials were available:

- USB device containing all PEIR documents, the PEIR Non-Technical Summary document, PEIR Appendices and consultation materials;
- Consultation Summary Documents;
- Feedback questionnaires; and
- Freepost envelopes.

- 12.6.3. The section 48 notice was included in the mailing to section 42 consultees and made available on the Proposed Development website prior to 21 April 2022.

12.7. Statement of compliance

- 12.7.1. As required under Section 48 of the 2008 Act, the application was publicised to seek views from the public on the Proposed Development. The Applicant complied with the relevant legislation as follows:

- a) The Applicant prepared and published section 48 notices for the statutory consultation in the manner prescribed under the APFP Regulations (section 48(1)).
- b) The formal period for responses was included in the section 48 notices as 21 April 2022 to 6 June 2022 (allowing 46 days to respond, more than the minimum 28 days (after receipt) required under section 48(2)).
- c) The Applicant published the section 48 notices as required by Regulation 4(2) of the APFP Regulations.
- d) The statutory consultees were supplied with a copy of the section 48 notice in accordance with Regulation 11(1)(c) and Regulation 13 of the 2017 EIA Regulations. A copy of the section 48 notice was enclosed within letters sent to statutory consultees under section 42.

- 12.7.2. Publicity under section 48 occurred in parallel to formal consultation under section 42 and section 47. The requirements under the 2008 Act are for the applicant to have regard to the responses in developing the proposed application (section 49). No discernible responses were received specifically in relation to Section 48 publicity, however it is acknowledged that feedback received under section 47, may have been submitted following notification under section 48. For the purposes of this report, feedback that has not been identified as received under section 42, has been classed as being received under section 47 and section 48.

- 12.7.3. A full statement of compliance can be found in chapter 19.

13. Summary of responses under section 42 of the 2008 Act

13.1. Introduction

- 13.1.1. 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 42 of the 2008 Act. Information pertaining to consultation responses received under section 47 and 48 of the 2008 Act is presented in chapter 14 of this report.
- 13.1.2. This chapter aims to provide the information relevant to section 42 consultation responses as required in the Consultation Report under sections 37(7)(b) and 37(7)(c) of the 2008 Act and the relevant parts of the DCLG guidance on pre-application consultation.

13.2. Legislative context

- 13.2.1. Section 49(2) of the 2008 Act requires the applicant to have regard to relevant responses to the consultation and publicity that has been undertaken under sections 42, 47 and 48. A relevant response for the purposes of section 42 is defined in Section 49(3)(a) as a response from a person consulted under section 42 that is received by the applicant before the deadline imposed.

13.3. Summary of responses received

- 13.3.1. 61 individuals or representatives from various organisations provided a response to the section 42 consultation. A list of all respondents and a summary of their feedback to section 42 consultation is provided in Appendix 13.1 alongside a summary overview of the regard had to comments. An overview of the topics and responses received from section 42 consultees is included within the table 13.1 below.
- 13.3.2. Some of the section 42 consultees provided comment on the EIA process, in addition to writing about EIA topics. This, therefore, has been included in the report, alongside the other EIA topics covered in the ES.

Table 13.1 Summary of topics and responses received

Topic	Response received by ⁹ :
Project Description & Site selection and design strategy	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Environment Agency - Severn Trent Water - Walton on Trent Parish Council
Landscape and visual	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Forestry Commission - North West Leicestershire District Council - The National Forest Company - Walton on Trent Parish Council - Rosliston Parish Council - Coton in the Elms Parish Council
Ecology	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Environment Agency - Forestry Commission - Severn Trent Water - The National Forest Company - Walton on Trent Parish Council - Rosliston Parish Council
Historic Environment	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Historic England - Rosliston Parish Council
Water Resource and Flood Risk	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Environment Agency - Severn Trent Water

⁹ Note: Additional responses to the statutory consultation were also received by some of the surrounding parish councils including Lullington Parish Council, Netherseal Parish Council, Overseal Parish Council and Hilton Parish Council. These have been included and considered as part of the section 47 consultation feedback, with issues raised identified and responded to in Table 14.1 of this Report, and in Appendix 14.1.

Topic	Response received by ⁹ :
	<ul style="list-style-type: none"> - Walton on Trent Parish Council - Rosliston Parish Council
Ground conditions	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Walton on Trent Parish Council - Rosliston Parish Council
Transport and Access	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Shirley Dumigan (Dir Transport & Infrastructure Planning) - Derbyshire County Council Place Department - National Highways - North West Leicestershire District Council - Staffordshire County Council - UK Health Security Agency and OHID - Walton on Trent Parish Council - Rosliston Parish Council - Coton in the Elms Parish Council
Noise	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Walton on Trent Parish Council - Rosliston Parish Council
Socio-Economics, tourism and recreation	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Derbyshire County Council Place Department - Shirley Dumigan (Dir Transport & Infrastructure Planning) - Forestry Commission - The National Forest Company - UK Health Security Agency and OHID - Walton on Trent Parish Council - Rosliston Parish Council

Topic	Response received by ⁹ :
	<ul style="list-style-type: none"> - Coton in the Elms Parish Council
Climate Change	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Walton on Trent Parish Council - Rosliston Parish Council - Coton in the Elms Parish Council
Glint and Glare	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Walton on Trent Parish Council
Agriculture and Land Use	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Environment Agency - UK Health Security Agency and OHID - Walton on Trent Parish Council - Rosliston Parish Council - Coton in the Elms Parish Council
Other issues (including Major Accidents and Risks)	<ul style="list-style-type: none"> - Derbyshire County Council and South Derbyshire County Council - Cadent - Health and Safety Executive - NGET - Severn Trent Water - Walton on Trent Parish Council - Rosliston Parish Council - Coton in the Elms Parish Council

13.4. Statement of compliance

13.4.1. As required under section 42 of the 2008 Act, consultation was undertaken with prescribed consultees under the APFP Regulations, Section 43 local authorities and all identified section 44 consultees. The Applicant also sought to obtain views of other organisations that were identified because of their knowledge of the local area or a specific environmental topic. This is set out below:

- All consultees were supplied with the consultation documents, namely the PEIR

and supporting Non-Technical Summary documents, a Consultation Summary Document and all relevant plans and a copy of the feedback form. A cover letter stated that the consultation process would run from the 21 April 2022 to the 6 June 2022.

- The Applicant has had regard to all relevant responses to consultation (Section 49).
- The Applicant provided the Planning Inspectorate with a copy of the same documentation that was sent to section 42 consultees prior to the commencement of the statutory consultation (Section 46).
- The Applicant also had regard to the DCLG guidance on the pre-application process (section 50).
- A full statement of compliance can be found in Chapter 19.

14. Summary of responses under Section 47 and Section 48 of the 2008 Act

14.1. Introduction

- 14.1.1. 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 sections 47 and 48 of the 2008 Act. Information pertaining to the consultation responses received under section 42 of the 2008 Act is presented in chapter 14 of the Report.
- 14.1.2. This chapter seeks to provide the information relevant to section 47 and section 48 consultation responses as required in the Consultation Report under sections 37(7)(b) and 37(7)(c) of the 2008 Act and the relevant parts of the DCLG guidance on pre-application consultation.
- 14.1.3. As no responses were received stating specifically that they were as a result of the section 48 publicity, the Applicant has not identified any section 48 responses. However, respondents may have submitted their feedback having seen the Section 48 publicity, but just not identified this within their feedback. Therefore, all comments received, and the regard had by the Applicant which is summarised within this chapter are considered to have been received under section 47 or section 48.

14.2. Legislative context

- 14.2.1. Section 49(2) of the 2008 Act requires the Applicant to have regard to relevant responses to the consultation and publicity that has been undertaken under sections 42, 47 and 48. A relevant response for the purposes of section 47 and 48 is defined in section 49(3)(a) as a response from a person consulted under section 47 or section 48 that is received by the applicant before the deadline imposed.

14.3. Summary of responses received

- 14.3.1. The following table contains a summary of the key themes and issues that arose within the feedback received during the statutory consultation period. The Applicant's response to these issues and explanation of the regard had for these is also included.
- 14.3.2. A detailed Feedback Summary Report (included in Appendix 14.1) contains an overview of the number of responses received, method of response, and frequency

of noted issues.

- 14.3.3. In total, 62 responses were received during the statutory consultation period. Of these, 25 were written responses via email, and the remaining 37 were written responses submitted on the feedback form (and either returned in hard copy, or online).
- 14.3.4. Responses were received from a range of stakeholders and local residents. Some responses contained queries or short statements, which were responded to during the consultation period.
- 14.3.5. A full list of all issues raised through the feedback provided, and a description of the Applicant's response to each issue, is included in Table 14.1.

Table 14.1 Summary of responses to section 47 and section 48 and regard had by the Applicant

Issue Raised	Regard had by the Applicant
General Comments	
General statement of support for the proposals	Noted.
General statement in opposition of the proposals	Noted.
General statement of support for the use of solar energy and renewable technologies to address the Climate Emergency, reduce reliance on fossil fuels and manage the UK's energy security issues	Noted.
The proposals do not align with national UK Government policy, and there is lack of clarity on the role of solar within legislation	<p>The Proposed Development directly aligns with UK Government policy and represents an important contribution to meeting the UK's legally binding target under the Climate Change Act 2008 to achieve a 'net zero' carbon account by 2050.</p> <p>Solar energy has an important role in delivering the Government's goals for greater energy independence and</p>

Issue Raised	Regard had by the Applicant
	<p>the British Energy Security Strategy states that government expects a five-fold increase in combined ground and rooftop solar deployment by 2035.</p> <p>The Powering Up Britain: Energy Security Plan also states that government seeks large scale ground-mounted solar deployment across the UK.</p> <p>Planning policy also specifically sets out government desire for solar and associated planning considerations. National Policy Statement EN-1 confirms that the provision of nationally significant low carbon infrastructure is a critical national priority and that there is an urgent need for low carbon renewable energy infrastructure.</p>
<p>The proposals should provide electricity to the surrounding area</p>	<p>This is noted and understood by the Applicant, however due to the constraints of the UK's current grid infrastructure system, this is not possible. Once electricity enters the grid network, it is not possible to direct it to specific locations.</p> <p>However, the introduction of additional renewable energy, such as from the Proposed Development, will assist with ensuring a future, secure supply of electricity to the UK, helping to bring down energy costs for the local consumer.</p> <p>Considerations of how to deliver local benefit to host communities surrounding the site, (whilst not a planning consideration), are a key desire for the Applicant, and several commitments have been made to provide financial contributions to the community in recognition of this fact. The Applicant has committed to providing an annual community benefit of £55,000 for the 40 year life of the Proposed Development, with details to be released as to how that will be distributed to local causes.</p>
<p>Further clarification over where the solar panels and materials would be manufactured due to concerns over provenance of materials produced in Asia</p>	<p>At this current time, it is not possible for the Applicant to confirm where the solar panels and materials would be manufactured as this hasn't yet been confirmed.</p>

Issue Raised	Regard had by the Applicant
	<p>Due to the speed at which the market changes, and with new technology and improved models being brought forward, the Applicant will not be able to specify exact models or manufacturers until closer to construction.</p> <p>However, the Applicant can provide reassurance that any materials sourced for this Proposed Development would be thoroughly vetted in line with anti-slavery policy and supply chain assessments.</p> <p>Where possible, goods, services and materials will be sourced from the UK.</p>
Using solar panels to produce electricity is not efficient	<p>Solar panel technology is advancing rapidly, and whilst there are some other technologies with a higher efficiency rating, there are few technologies available today that are as cheap to deploy and swift to bring online.</p> <p>Solar panel efficiency is increasing year on year as technology is refined and advancements in technology (such as the use of bi-facial panels) to maximise efficiency, and national policy recognises that solar farms will be one of the UK's most important opportunities to meet its carbon reduction targets.</p>
Siting and layout	
The proposed site is not suitable for this scale of development and brownfield sites (such as Jaguar Land Rover, Mercia Park, and the former Drakelow power station) should be prioritised. Solar panels on new housing or warehouses should be considered before green fields are developed.	<p>The Applicant notes a preference from some respondents to the consultation for deployment on brownfield sites or industrial/residential rooftops.</p> <p>National policy EN-1 identifies NSIP scale solar as a critical national priority and therefore on that basis demonstrates that the use of appropriate sites for ground mounted solar will be necessary for the UK to meet its carbon reduction targets. This is set out in detail in the Planning Statement (Document 7.1).</p>
General comment in support for solar	Noted. Whilst the Applicant is pleased to see support for solar energy, for the reasons noted in the line above (site

Issue Raised	Regard had by the Applicant
energy, however not in this location.	availability and proximity to a viable grid connection point at Drakelow), this location is considered well suited for a solar farm of this nature. Further information on site selection can be found in ES Chapter 3.
The proposed development is too large and does not fit within the existing rural landscape. The development will represent an 'industrialisation' of the rural setting.	<p>The Applicant has set out why the Proposed Development is considered to be appropriate in scale and positioning within the context of the surrounding area in Chapter 3 of the ES.</p> <p>The site is situated within an area which already contains various industrial features, with the former Drakelow power station to the north of the main site, and several lines of overhead cables running through the landscape.</p> <p>Since the statutory consultation period, the Proposed Development has reduced in scale from 540 acres/218 hectares to 410 acres/165 hectares.</p> <p>The topography of the site, alongside existing vegetation, proposed visual mitigation, screening and panel design, means that the full extent of the solar farm will not be visible from any one location. Extensive work has been undertaken through the Landscape and Visual Impact Assessment (LVIA) to reduce impacts on local receptors and key viewpoints.</p> <p>Specific feedback has been taken on board from local residents around the site to adjust and amend the site design in response to feedback and views from local properties.</p>
The Proposed Development's location within the National Forest is inappropriate	<p>The Applicant notes this feedback and is aware of the positioning within the National Forest.</p> <p>Engagement and consultation with the National Forest has formed part of the process during the informal and formal consultation periods. The Applicant is pleased to note that the National Forest did not submit an objection to the</p>

Issue Raised	Regard had by the Applicant
	<p>statutory consultation following earlier engagement in October 2021.</p> <p>Feedback from the National Forest included a desire for additional connectivity and public access, as well as ecological enhancements and further planting across the site.</p> <p>Where possible, feedback has been taken on board in the design of the final proposals. For example, a new permissive path has been incorporated into the proposals creating a new link to the Cross Britain Way from the public right of way at Catton Lane/Lads Grave in the south east of the site. Further details of how the site has improved connectivity can be found in ES Chapter 12.</p> <p>Additional planting proposed should also contribute to biodiversity net gain, as well as improved screening for visual impact mitigation. Details about the Proposed Development's ecological enhancements can be found in ES Chapter 6 and Appendix 5.6.</p>
<p>The visual impact of the Proposed Development will be too great to mitigate</p>	<p>The Applicant has set out why the Proposed Development is considered to be appropriate in scale and positioning within the context of the surrounding area in Chapter 5 of the ES and its accompanying appendices, which assess the landscape and visual impacts of the Proposed Development.</p> <p>Following the closure of the statutory consultation, the Proposed Development has also reduced in scale significantly, from 540 acres/218 hectares to 410 acres/165 hectares.</p> <p>The topography of the site, alongside existing vegetation, proposed visual mitigation, screening and panel design, means that the extent of the solar farm will not be visible from any one location. Extensive work has been undertaken through the Landscape and Visual Impact Assessment</p>

Issue Raised	Regard had by the Applicant
	<p>(LVIA) to reduce impacts on local receptors and key viewpoints.</p> <p>Specific feedback has been taken on board from local residents around the site to adjust and amend the site design in response to feedback and views from local properties.</p>
<p>The Proposed Development is too close to Rosliston and other residential properties</p>	<p>The Applicant notes desire from local residents to reduce or avoid any potential visual impacts. Visibility of the proposed development from surrounding areas has been a key design consideration.</p> <p>At 2.7 m height the PV panels are relatively low lying and although the proposals will be visible as you move through the local area the proposed development will be screened from most residential areas by topography and/or intervening vegetation and will not result in any breaches of Residential Visual Amenity thresholds (as set out in the Residential Visual Amenity Assessment – RVAA – ES Appendix 5.5). Enhancing the hedgerows throughout the site will also improve screening from local roads and villages.</p> <p>Therefore, the nature of the site, alongside proposed visual mitigation, screening and panel design, means that the extent of the solar farm will not be visible from any one location. Extensive work has been undertaken through the Landscape and Visual Impact Assessment (LVIA) to reduce impacts on local receptors and key viewpoints.</p> <p>Specific feedback has been taken on board from local residents around the site to adjust and amend the site design in response to feedback and views from local properties.</p> <p>Further detail about visual impact and residential amenity can be found in Chapter 5 of the ES.</p>

Issue Raised	Regard had by the Applicant
Landscape and visual impact	
<p>The Proposed Development will have a detrimental impact on local visual amenity (general comment)</p>	<p>The Applicant has set out why the Proposed Development is considered to be appropriate in scale and positioning within the context of the surrounding area in Chapter 5 of the ES and its accompanying appendices, which assess the landscape and visual impacts of the Proposed Development.</p> <p>Following the closure of the statutory consultation, the Proposed Development has also reduced in scale significantly, from 540 acres/218 hectares to 410 acres/165 hectares.</p> <p>The topography of the site, alongside existing vegetation, proposed visual mitigation, screening and panel design, means that the extent of the solar farm will not be visible from any one location. Extensive work has been undertaken through the Landscape and Visual Impact Assessment (LVIA) to reduce impacts on local receptors and key viewpoints.</p> <p>Specific feedback has been taken on board from local residents around the site to adjust and amend the site design in response to feedback and views from local properties.</p>
<p>General comment stating that the mitigation proposed will screen the Proposed Development and address visual impact concerns</p>	<p>Noted.</p>
<p>The proposed screening and hedgerows to mitigate the visual impact are not sufficient to address concerns</p>	<p>This point has been acknowledged and, following the statutory consultation, the Applicant has included additional planting across the site to improve screening, reduce potential landscape and visual impacts and increase ecological benefits.</p> <p>The Landscape Strategy Plan presented at statutory consultation was updated and presented for further</p>

Issue Raised	Regard had by the Applicant
	<p>consultation during the additional informal targeted consultation period.</p> <p>The removal of panels from the Park Farm part of the site following statutory consultation and the relocation of the substation into the centre of the site resulted in updates to the planting and screening proposals across the site. In general, the visual impact from local residential areas and key locations is predicted to be reduced as a result of these changes. Additional planting around Oaklands Farm has also increased screening in this location to the south.</p> <p>Further detail on this point can be found in ES Chapter 5, Landscape and Visual.</p>
<p>Hedgerows at 4 metres high will negatively impact the local appearance of the area (too tall)</p>	<p>Noted. Hedgerow heights have been proposed to screen the panels across the site, with hedgerows then to be maintained at an appropriate height to ensure that screening continues. The Landscape and Ecological Management Plan (Appendix 5.6 to the ES, Document 6.1) confirms that in areas where hedgerows are to be used specifically for screening those would be allowed to grow taller, but confirms that would be up to 3m in height.</p> <p>Further details about hedgerow planting and proposed screening can be found in the Landscape Strategy and ES Chapter 5 – Landscape and Visual.</p>
<p>The panels are too high and hard to conceal</p>	<p>Noted. Hedgerow heights have been proposed to screen the panels across the site. The panel heights are fixed across the site and in line with industry standards for this type of development.</p> <p>Proposed screening planting, coupled with site design and existing topography means that the Applicant is confident that visual impact can be adequately mitigated across the site.</p> <p>Further details about hedgerow planting and proposed screening can be found in the Landscape and Ecological</p>

Issue Raised	Regard had by the Applicant
	Management Plan at ES Appendix 5.6 and ES Chapter 5 - Landscape and Visual.
Suggestion to paint the energy storage system containers green to blend with the landscape	<p>Noted.</p> <p>The colour of the various aspects of the development would not be defined through the DCO application, with details of specific layout and design to be provided to South Derbyshire District Council for approval should Development Consent be granted, as provided for within the dDCO (Document 3.1). The colour used would be appropriately muted to manage landscape and visual effects.</p>
Concern at the visual impact of the energy storage system containers	<p>This point has been acknowledged and, following the statutory consultation, the Applicant has moved the substation and energy storage system containers and included additional planting across the site to improve screening, reduce potential landscape and visual impacts and increase ecological benefits.</p> <p>The relocation of the substation into the centre of the site is aimed at reducing visual impact from local receptors and has also resulted in updates to the planting and screening proposals across the site. In general, the visual impact caused by the energy storage system containers from local residential areas and key locations is predicted to be reduced as a result of changes made to the proposals following statutory consultation.</p>
Ecology and biodiversity	
General comment relating to the concern about impacts to biodiversity and the loss of flora and fauna as a result of the Proposed Development	<p>Noted. A well-designed solar farm provides many opportunities for local ecological and biodiversity improvement particularly on land that has previously been intensively farmed.</p> <p>Potential biodiversity enhancements include reinforcement of existing and planting new hedgerows, planting of native grasses and wildflowers within and around the solar farm</p>

Issue Raised	Regard had by the Applicant
	<p>itself. Overall the Proposed Development is assessed as creating a biodiversity net gain of 125% in habitat units, 20% in hedgerow units and 20% gain in river units across the Site.</p> <p>A full overview of the biodiversity improvements and proposed planting can be found in the Landscape and Ecological Management Plan in ES Appendix 5.6 and ES Chapter and 6.</p> <p>The Applicant will incorporate planting that meets with the objectives of local initiatives and has consulted with the National Forest.</p>
Concern at the impact to the National Forest	<p>The Applicant notes this feedback and is aware of the positioning within the National Forest.</p> <p>Engagement and consultation with the National Forest has formed part of the process during the informal and formal consultation periods. The Applicant is pleased to note that the National Forest did not submit an objection to the statutory consultation following earlier engagement in October 2021.</p> <p>Feedback from the National Forest included a desire for additional connectivity and public access, as well as ecological enhancements and further planting across the site.</p> <p>Where possible, feedback has been taken on board in the design of the final proposals. For example, a new permissive path has been incorporated to the proposals creating a new link to the Cross Britain Way from the public right of way at Catton Lane/Lads Grave in the south east of the site. Further details of how the site has improved connectivity can be found in ES Chapter 12, as well as being shown in the Landscape and Ecological Management Plan in ES Appendix 5.6 .</p>

Issue Raised	Regard had by the Applicant
	<p>Additional planting proposed should also contribute to biodiversity net gain, as well as improved screening for visual impact mitigation. Details about how the Proposed Development's ecological enhancements can be found in ES Chapter 6.</p>
<p>Concern at the impact on owls as a result of the Proposed Development</p>	<p>The EIA process has considered the impacts on breeding birds as a result of the Proposed Development.</p> <p>This is covered in detail in Chapter 6 of the ES which concludes that the proposal will not result in direct habitat loss. The Proposed Development will include the provision of bird boxes, including for barn owl, and the landscaping scheme will ensure continued provision of foraging habitat.</p>
<p>Concern at the impact on birds of prey as a result of the Proposed Development</p>	<p>The EIA process has considered the impacts on breeding birds as a result of the Proposed Development.</p> <p>This is covered in detail in Chapter 6 of the ES.</p>
<p>Concern at the impact on wetland birds as a result of the Proposed Development</p>	<p>The EIA process has considered the impacts on breeding birds as a result of the Proposed Development.</p> <p>Impacts to breeding birds is covered in detail in Chapter 6 of the ES.</p>
<p>Concern over the loss of ponds and ditches and the impact this would have on the local biodiversity</p>	<p>Consideration of the location and value of local ponds and ditches throughout the site has formed a central part of the confirmed site layout and design.</p> <p>Close consideration of the ecological and biodiversity impacts (ES Chapter 6) on local waterways has been important throughout the development of the proposals.</p> <p>Similarly, consideration of water resources and flood risk (ES Chapter 8) has informed site layout in order to avoid</p>

Issue Raised	Regard had by the Applicant
	<p>detrimental impact to flood risk and drainage strategy across the site.</p>
<p>Concern at any loss of trees or woodland as a result of the Proposed Development</p>	<p>The Applicant has sought to minimise the loss of any trees or vegetation throughout the design process for the Proposed Development (such as by avoiding the placement of solar panels near to large trees or copses). Whilst some trees have been unavoidably removed, there is additional tree planting across the site to mitigate this impact.</p> <p>Close engagement with relevant stakeholders (such as the National Forest), and consideration of feedback from Forestry England, has helped inform the Applicant's approach to tree removal and replacement across the site. As a result, additional planting has been proposed following statutory consultation.</p>
<p>Request that the Applicant consults closely with relevant wildlife and ecological stakeholders and consultees</p>	<p>Noted. The Applicant has consulted closely with relevant stakeholders on the issue of ecology and biodiversity. Ongoing discussion with relevant consultees will continue to inform further progress of the Proposed Development.</p> <p>A full overview of work undertaken in this respect can be found in Chapter 6 of the ES.</p>
<p>Hedge infill and screening planting will take too long to grow, meaning that screening will be insufficient for a long period</p>	<p>The Applicant notes this point and acknowledges that some screening planting will take time to grow. This has been considered in detail through the visual impact assessment, which considers short, medium and long term visual impacts (viewpoints are shown at 1 year and 10 years growth to provide context).</p> <p>To mitigate this point wherever possible, the Applicant is also proposing to enhance existing vegetation and screening, which is already providing a certain level of visual mitigation. It is also worth noting that the topography of the land and design of the Proposed Development will help to naturally limit views across the site.</p>

Issue Raised	Regard had by the Applicant
	Further detail about visual impact can be found in ES Chapter 5.
Land use	
The UK's need for renewables needs to be balanced with the UK's food security	<p>The latest Food Security Report (October 2023)¹⁰ states that the greatest threat to food security is climate change. This Application represents a viable and valuable opportunity to deliver against the UK's renewable energy targets to assist in the fight against climate change, with national policy identifying nationally significant low carbon renewable energy as a critical national priority.</p> <p>One of the benefits of solar development is the protection and improvement of soil quality as it will no longer be subjected to intensive farming or use of pesticides and herbicides. At the end of its operational life the solar panels will be removed and the land returned to agricultural use. During operations the site can still be used for grazing livestock (such as sheep), and there are often significant improvements to local biodiversity through enhancement and active management of site boundaries.</p> <p>Following the statutory consultation, and the removal of the Park Farm land for placement of solar panels, the amount of agricultural land proposed to be utilised has also reduced significantly.</p> <p>There is a range of agricultural quality across the site, which has been assessed as part of the EIA process through and Agricultural Land Classification (ALC) survey. Consideration of the site's land use and an assessment of the Agricultural Land Classification can be found in ES Chapter 15, with associated Appendices.</p>

¹⁰ [United Kingdom Food Security Report 2021: Theme 2: UK Food Supply Sources - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021/united-kingdom-food-security-report-2021-theme-2-uk-food-supply-sources):
<https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021/united-kingdom-food-security-report-2021-theme-2-uk-food-supply-sources>

Issue Raised	Regard had by the Applicant
<p>The loss of agricultural land is not supported. Agricultural land should be preserved for food production and to contribute to the UK's food security</p>	<p>Analysis such as that presented in the UK Food Security Report 2021 states that the UK does not have a food security concern. In contrast, the provision of new large scale renewable energy infrastructure is a Critical National Priority as set out in NPS EN-1. The area of the Proposed Development represents 0.003% of the national resource of 3.7 million hectares of Best and Most Versatile agricultural land and the temporary use of this land will not affect the UK food security.</p>
<p>The site is Grade 2 and Grade 3a agricultural land which should not be developed</p>	<p>Analysis such as that presented in the UK Food Security Report 2021 states that the UK does not have a food security concern. In contrast, the provision of new large scale renewable energy infrastructure is a Critical National Priority as set out in NPS EN-1. The area of the Proposed Development represents 0.003% of the national resource of 3.7 million hectares of Best and Most Versatile agricultural land and the temporary use of this land will not affect the UK food security.</p> <p>There is a range of agricultural quality across the site, which has been assessed as part of the EIA process through and Agricultural Land Classification (ALC) survey. Consideration of the site's land use and an assessment of the Agricultural Land Classification can be found in ES Chapter 15, with associated Appendices.</p>
<p>The Proposed Development will destroy the agricultural heritage of the local area (Link to Historic Environment)</p>	<p>Heritage issues have been considered closely as part of the assessment of the Historic Environment in Chapter 7 of the ES.</p> <p>Whilst the Applicant notes the point about a change in use of the site, it is not considered to have a significant effect on the local agricultural heritage as the Proposed Development is reversible and temporary in nature. No significant effects on local historic environment have been identified as a result of the Proposed Development. Agricultural practices (such as sheep grazing around the panels) may also</p>

Issue Raised	Regard had by the Applicant
	continue throughout the lifetime of the Proposed Development.
Request that a detailed review of food production potential of the site be undertaken to allow for further consideration of merits of the Proposed Development	The food production potential of the site has been assessed as part of the EIA process through the Agricultural Land Classification (ALC) survey. Consideration of the site's land use and an assessment of the Agricultural Land Classification can be found in ES Chapter 15, with associated Appendices.
Water resources and flood risk	
General comment stating concern about the increase in flood risk	<p>Noted. The Applicant has undertaken significant assessment and surveys to consider and mitigate any potential for flood risk as a result of the Proposed Development, taking climate change into account.</p> <p>Detailed information in relation to this issue can be found in ES Chapter 8 – Water Resources and Flood Risk.</p>
General concern that the Proposed Development will affect water supplies and quality locally	<p>Noted. The Applicant has undertaken significant assessment and surveys to consider and mitigate any potential impact on water supplies and water quality as a result of the Proposed Development, taking climate change into account.</p> <p>Detailed information in relation to this issue can be found in ES Chapter 8 – Water Resources and Flood Risk.</p>
Concern that land drains could be negatively impacted through piling the solar panel stanchions, and laying underground cables	ES Chapter 8 – Water Resources and Flood Risk assesses the impact of the Proposed Development on land drains. If required, the Applicant will replace or repair any land drains found to be damaged during construction.
Concern at increased flood risk along Catton Lane as a result of the Proposed Development	The Applicant has undertaken significant assessment and surveys to consider and mitigate any potential impact on flood risk as a result of the Proposed Development, taking climate change into account.

Issue Raised	Regard had by the Applicant
	<p>The EIA process has included the undertaking of a Flood Risk Assessment and Outline Drainage Strategy (ES Appendix 8.1).</p> <p>Detailed information in relation to this issue can be found in ES Chapter 8 – Water Resources and Flood Risk. This shows that there will be no increased impact on flood risk along Catton Lane as a result of the Proposed Development.</p>
<p>Concern at increased flood risk in Rosliston as a result of the Proposed Development</p>	<p>The Applicant has undertaken significant assessment and surveys to consider and mitigate any potential impact on flood risk as a result of the Proposed Development, taking climate change into account.</p> <p>The EIA process has included the undertaking of a Flood Risk Assessment and Outline Drainage Strategy (ES Appendix 8.1).</p> <p>Detailed information in relation to this issue can be found in ES Chapter 8 – Water Resources and Flood Risk. This shows that there will be no increased impact on flood risk to Rosliston as a result of the Proposed Development.</p>
<p>An assessment of local existing catchment ponds should be included for consideration</p>	<p>The EIA process has included the undertaking of a Watercourse Catchment Plan (ES Chapter 8, Figure 8.1) and a Flood Risk Assessment and Outline Drainage Strategy (ES Appendix 8.1).</p> <p>This has informed the final design of the Proposed Development to ensure no broader impact in this regard.</p>
<p>Concern at flood risk and water resource for the three properties opposite Oaklands Farm (to ensure no disruption to water supplies to properties as a result of the Proposed Development).</p>	<p>The Applicant notes this feedback and has considered the issue of water supply to properties adjacent to Oaklands Farm within the Proposed Development design.</p> <p>Consultation with South Staffordshire Water in relation to the identification and protection of their assets, including drinking water pipeline, has been on-going throughout the design process. Protection of South Staffordshire Water</p>

Issue Raised	Regard had by the Applicant
	assets is required as part of the DCO as set out in Schedule 10.
Glint and glare	
<p>Concern at the potential safety impacts on road users from glint and glare whilst they are driving near the site</p>	<p>Modern solar panels are designed to capture as much sunlight as possible therefore light reflection is minimised. The Applicant has undertaken a Glint and Glare Assessment, which has reviewed the potential for glint and glare on the surrounding area, including potential effects on surrounding roads and local airfields.</p> <p>Screening has been proposed where necessary to ensure there are no glint and glare effects whilst new planting becomes established.</p> <p>Full details of the glint and glare effects can be found in Chapter 14 of the ES and Appendix 14.1 – Solar Voltaic Glint and Glare Study.</p>
<p>Suggestion to plant 'mid-high' forests to mitigate any glint and glare</p>	<p>Noted. A glint and glare assessment has been undertaken which helped inform the design of the proposals presented at statutory consultation. Following additional changes and updates to the design as a result of feedback to the statutory consultation, additional screening planting has been proposed for certain areas of the site, including near Oaklands Farm, to improve visual and glint and glare screening mitigation in this area of the site.</p> <p>Where possible, existing vegetation, trees and hedgerows will be enhanced and new planting proposed to improve screening to and from the site.</p> <p>Mitigation measures are included within the LEMP. These include proposed hedgerow planting to obscure the reflecting solar panels from view. Temporary screening in the form of opaque netting will be installed where new hedgerow is proposed, so that the reflecting solar panels are obscured from view prior to the hedgerow reaching maturity. The proposed hedgerow planting provides wider</p>

Issue Raised	Regard had by the Applicant
	<p>enhancements across the Site such a visual screening and habitat creation as set out in the Outline LEMP.</p> <p>Further detail about this can be found in the Outline LEMP (Appendix 5.6 of the ES).</p>
<p>Query the statement included within the PEIR Non-Technical Summary that only three properties have the potential to be impacted by glint and glare</p>	<p>The Glint and Glare chapter assesses the potential for glint and glare effects from the operation of the Proposed Development upon surrounding road users, residents in nearby dwellings, and aviation activity.</p> <p>The assessment identified a minor and not significant operational effect upon surrounding residential dwellings.</p> <p>Full details of the glint and glare effects can be found in Chapter 14 of the ES and Appendix 14.1 – Solar Voltaic Glint and Glare Study.</p>
Air quality	
<p>Concern at the impacts of air pollution during construction (general comment)</p>	<p>An air quality assessment (ES Appendix 16.1) has been undertaken to assess any potential impacts during construction and operation of the Proposed Development.</p> <p>ES Chapter 10 – Transport and Access also considers effects as a result of construction and identifies mitigation where required to ensure that any effects, such as to air quality, are kept within accepted levels.</p>
Noise	

Issue Raised	Regard had by the Applicant
<p>General comment raising concerns over noise as a result of the Proposed Development</p>	<p>Noted. Noise has been considered carefully through the EIA process and the site designed to minimise impacts for example by locating the substation and energy storage system in centre of the site away from sensitive receptors (residential properties).</p> <p>During construction, there are some potential noise impacts, however, as set out in ES Chapter 11, these effects are temporary, and not expected to exceed acceptable limits. Hours of operation during construction will be agreed with the local authority as part of the Construction Traffic Management Plan (CTMP) and Construction Environmental Management Plan (CEMP).</p> <p>Under some, worst-case conditions, operational plant noise may be audible at the nearest receptors however these effects are predicted to be negligible.</p>
<p>Concern that low amplitude/electrostatic noise from the solar panels would impact local wildlife</p>	<p>Noise has been considered carefully through the EIA process including impacts on wildlife within the Ecology chapter.</p>
<p>Concern at the levels of noise during the construction phase (including pile driving stanchions into the ground)</p>	<p>During construction, there are some potential noise impacts, however, as set out in ES Chapter 11, these effects are temporary, and will be managed through the Construction Environmental Management Plan so are not predicted to exceed acceptable limits. Hours of operation during construction will be agreed with the local authority as part of the Construction Traffic Management Plan (CTMP).</p>
<p>The area experiences noise from the A38 already</p>	<p>Noted. The existing background noise levels at the site including noise from the A38 has been considered within the noise assessment.</p> <p>Increases in road traffic noise levels due to construction traffic are predicted to be negligible to minor.</p>

Issue Raised	Regard had by the Applicant
Concern at the noise emitted from transformers for nearby residents	<p>Noise from the transformers were included in the operational noise assessment reported in the Environmental Statement.</p> <p>Under some, worst-case conditions, operational plant noise may be audible at the nearest receptors however these effects are predicted to be negligible.</p>
Historic environment	
There are archaeological sites in the local area that should be considered	<p>The Applicant has undertaken an Historic Environment Assessment as part of the EIA work reported in ES Chapter 7 (Historic Environment). This has considered the potential for any known or unidentified archaeological assets or sites of interest.</p> <p>This has confirmed that there are no designated heritage assets within the Oaklands Farm site. Some recorded heritage assets within the site have been identified, however are expected to be of low or very low value, with further surveying and monitoring proposed during construction where necessary.</p> <p>Other designated sites outside the site boundary have been considered in the assessment.</p> <p>A program of mitigation prior to and during construction will be agreed with the County Council Archaeologist.</p>
Concern at impact on local heritage and landscape assets (general comment)	<p>The Applicant has undertaken an Historic Environment Assessment as part of the EIA work reported in ES Chapter 7 (Historic Environment). This has considered the potential for any known or unidentified archaeological assets or sites of interest.</p> <p>This has confirmed that there are no designated heritage assets within the Oaklands Farm site. Some recorded</p>

Issue Raised	Regard had by the Applicant
	heritage assets within the site have been identified, however all are of low or very low value.
Cumulative impacts	
General concern that there are too many developments proposed in the local area, including new housing at Drakelow, other solar schemes in the vicinity, another battery energy storage facility and work on the local road network to develop a new bridge bypass for Walton on Trent.	The Applicant is aware of the broader potential impacts of other development in the vicinity of the site. Close consideration of the potential cumulative impacts of the proposals have been dealt with in ES chapters. Cumulative impact has been a consideration across various topics, including landscape and visual (ES Chapter 5), Transport and Access (ES Chapter 10) and EIA Methodology (ES Chapter 2).
Cumulative impacts of other solar farm proposals in the local area should be considered (in terms of loss of agricultural land, construction traffic, grid connection)	The Applicant is aware of the broader potential impacts of other development in the vicinity of the site. Close consideration of the potential cumulative impacts of the proposals have been dealt with in ES chapters. Cumulative impact has been a consideration across various topics, including landscape and visual (ES Chapter 5), Transport and Access (ES Chapter 10) and EIA Methodology (ES Chapter 2).
Connection route	
General preference for use of underground cables along the connection route	Noted. The Applicant has confirmed that the cable route will be undergrounded along its entire length (approximately 2km) from the site substation to the connection point at Drakelow.
There is a concentration of overhead lines in the vicinity of the Proposed Development. More overhead cabling would have a detrimental effect on visual amenity (link to Landscape and Visual Impact)	The Applicant notes this feedback and has since confirmed that the entire cable route will be underground. This will reduce the potential visual impact of the Proposed Development.
Underground cabling could disrupt the agricultural land drains (link to Flood Risk)	The route of the underground cable has been considered carefully to avoid localised constraints both above and

Issue Raised	Regard had by the Applicant
	<p>below ground. The cable route corridor has the capacity to allow for micro siting within the red-line boundary to avoid or respond to specific land features (such as land drains).</p> <p>The EIA process has included a Flood Risk Assessment and Outline Drainage Strategy (ES Appendix 8.1).</p> <p>This has informed the final design of the Proposed Development to ensure no broader impact in this regard.</p>
Overhead cables could have a detrimental impact on birds and bats (link to Ecology and Biodiversity)	The Applicant notes this feedback and has since confirmed that the entire cable route will be underground.
Laying cables along the connection route could cause disruption to local road network, which could pose a safety risk for emergency services and access to Burton Hospital (Link to Traffic, Transport, Construction and Decommissioning)	<p>There is only a short stretch of the cable connection route which crosses the local road network, so the potential for wider disruption as result of cable laying has been minimised as far as possible. The main stretch of the cable route runs through private land on the Park Farm site.</p> <p>Where the cable route does cross the road network (e.g., to access the connection point at Drakelow), care has been taken to consider how this would be undertaken with minimal disruption to local road users (including emergency services).</p> <p>This construction activity and traffic management arrangements will be subject to agreement with the local authority highways department and separate permitting arrangements where required.</p>
Traffic, transport, construction, and decommissioning	
The transport routes identified are not appropriate. The roads surrounding the site and linking the villages of Rosliston, Walton on Trent and Drakelow are not sufficient to accommodate additional traffic.	During construction, normal traffic will not be permitted through either Walton-on-Trent or Rosliston, with specific provision being made for the two abnormal loads which will be required to pass through Coton in the Elms. Once installed, the solar farm will require very little maintenance and traffic to the site will be minimal.

Issue Raised	Regard had by the Applicant
	<p>The assessment shows that the local highway network surrounding has a low level of average daily and weekly traffic. There are several villages and country lanes with narrow widths, which has been considered when developing the construction vehicle routing strategy.</p> <p>The suitability of all proposed routes has been confirmed by detailed on-site assessment and traffic surveys. All construction traffic will be subject to a Construction Traffic Management Plan (CTMP) that will be agreed with the local authorities. This will agree specific points, such as delivery times, restrictions, and routes to ensure that construction traffic does not have a detrimental impact to the local road network.</p>
<p>The roads are too narrow for large vehicles, and this represents a safety risk. A speed limit to construction vehicles should be enforced</p>	<p>All roads have been subject to extensive surveys and on-site assessment to ensure that they are suitable to accommodate the proposed vehicles.</p> <p>The Construction Traffic Management Plan (CTMP) sets out how construction vehicles will access the site.</p>
<p>Construction vehicles should have strict enforcement to ensure they only travel on routes approved. No vehicles should travel through the villages</p>	<p>During construction, normal traffic will not be permitted through either Walton-on-Trent or Rosliston, with special provision being made for the two abnormal loads which would pass through Coton in the Elms . The Construction Traffic Management Plan (CTMP) sets out how construction vehicles will access the site. The CTMP is subject to agreement with the local authority and operation in line with the CTMP will be a requirement of all construction activity, enforceable by the Applicant, and the local authority.</p>
<p>Preference for construction traffic to route from the A38 at Alrewas onto the A513 through Catton and then via Catton Lane to Rosliston</p>	<p>If the Walton-on-Trent bypass is not available, the primary alternative construction route for HGVs will be via the A38 through Stapenhill. Light vehicles will be dispersed across several available routes, including from the A38 and through Catton.</p>

Issue Raised	Regard had by the Applicant
	Further detail on construction traffic routes can be found in ES Chapter 10.
There are already too many vehicles on the local roads, and additional ones will have a detrimental impact on the local villages and existing road users	<p>Assessment of road capacity has formed part of the Transport Assessment work undertaken (and set out in ES Chapter 10). Based on recorded traffic count data the local road network is considered to have capacity to accommodate the proposed construction traffic, and this has been agreed with the local highways authority.</p> <p>Solar farms have relatively few construction deliveries compared to other major development schemes and operationally, very few trips will be required.</p>
4m hedges will reduce natural light and visibility along the roads posing a safety risk	<p>Hedgerow heights have been proposed to screen the panels across the site, with hedgerows then to be maintained at an appropriate height to ensure that screening continues. The Landscape and Ecological Management Plan (Appendix 5.6 to the ES, Document 6.1) confirms that in areas where hedgerows are to be used specifically for screening those would be allowed to grow taller, but confirms that would be up to 3m in height.</p> <p>Further details about hedgerow planting and proposed screening can be found in the Landscape Strategy and ES Chapter 5 – Landscape and Visual</p>
Concern relating to the construction traffic route travelling under the railway bridge and single track small bridge at Croxall (Abnormal Loads route)	<p>The proposed Abnormal Loads route has been amended and will now approach the Site from the east via Coton in the Elms, avoiding the railway bridge and bridge at Croxall.</p> <p>This is set out in ES Chapter 10.</p>
Additional heavy vehicles on the local roads will damage the roads (potholes) and verges	Once construction has been completed, a final road condition survey will be undertaken. Any damage to the road surface, footways, verges or access, attributable to the Proposed Development will be rectified to a standard at least equal to that observed prior to the route being used by the Proposed Development construction traffic.

Issue Raised	Regard had by the Applicant
<p>The Applicant should be aware of local points on the road network that pose a road safety risk. This should be considered by the transport modelling. Noted points of concern include:</p> <p>Twin Oaks Track, The dip near Coppershill Spinney, Catton Lane, Rosliston Road, Burton Road Walton Road Drakelow Crossroads</p>	<p>The Applicant is grateful for the local feedback and is aware of certain areas on the local road network that have high accident rates. This information has been considered as part of the work undertaken in the Transport and Access ES Chapter (Chapter 10).</p>
<p>The traffic management plans should be delegated to the local authorities</p>	<p>All issues related to traffic management, including Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan (CTMP) will be subject to agreement with the local authority and relevant consultees. Outline Drafts of the CEMP and CTMP have been submitted as part of the ES alongside this application.</p>
<p>Any planning consent should include agreements and a plan for the decommissioning process</p>	<p>The Proposed Development lifetime is 40 years, meaning that we would be looking at decommissioning the site in the 2060's. Whilst the exact details of the process will be agreed closer to the time, the decommissioning activity will likely mirror the construction process in duration and activity.</p> <p>An Outline Decommissioning Environmental Management Plan (ES Appendix 4.5) sets out how the Applicant intends to decommission the site. Decommissioning the site will be a legally binding agreement, with a bond in place to ensure that even if the Applicant no longer operates at the end of the lifetime of the Proposed Development, land will be reinstated in line with the agreed plan.</p>
<p>The size of delivery vehicles should be considered to minimise impacts on the local road network</p>	<p>Delivery vehicles will be a range of sizes, depending on the goods they are taking to the site. The proposed routes</p>

Issue Raised	Regard had by the Applicant
	have been assessed as capable of accommodating all construction vehicle sizes.
Construction traffic could have a detrimental impact on recreational road users' safety (such as pedestrians, cyclists and horse riders)	Noted. The Applicant has considered the impacts on recreational road users in its assessment of traffic and transport issues, set out in Chapter 10 or the ES. Any potential impacts on other local road users would be temporary for the construction period.
Construction periods and delivery timings should be consulted on and agreed with the local community	The approach to construction and timeframes will be communicated to the local community. A draft Construction Traffic Management Plan (CTMP) has been produced as part of the application submission and will be subject to agreement with the local highways authority.
There are already a high number of heavy vehicles on the local road network due to other developments in the area. This will exacerbate existing problems with levels of road traffic on the local network (link to Cumulative Impacts)	<p>Assessment of road capacity has formed part of the Transport Assessment work undertaken (and set out in ES Chapter 10). The local road network is considered to have capacity (established through traffic counts) to accommodate the proposed construction traffic (even in the context of other proposed construction projects in the vicinity of the site), and this has been agreed with the local highways authority.</p> <p>It is worth noting that solar farms have relatively few construction deliveries compared to other major development schemes. Vehicle movements during operation will be very minimal.</p>
Comment noting that there should be a new access/road from the northern site (Park Farm) to the southern site (Oaklands Farm) for construction vehicles	The proposals include access through the Park Farm site to the Oaklands site for construction vehicles. This will help minimise time spent on the local highway network for construction vehicles.
Would like further details about the decommissioning process.	The Proposed Development lifetime is 40 years, meaning that we would be looking at decommissioning the site in the 2060's. Whilst the exact details of the process will be agreed closer to the time, the decommissioning activity will

Issue Raised	Regard had by the Applicant
	<p>likely mirror the construction process in duration and activity.</p> <p>An Outline Decommissioning Environmental Management Plan (ES Appendix 4.5) sets out how the Applicant intends to decommission the site. Decommissioning the site will be a legally binding agreement, with a bond in place to ensure that even if the Applicant no longer operates at the end of the lifetime of the Proposed Development, land will be reinstated in line with the agreed plan.</p>
Rights of Way and access	
The public footpath plans are welcome (general comment)	Noted.
The proposed permissive path on the consultation materials should become a permanent public right of way	Noted. It is not within the Applicant's gift to make the permissive path permanent, however the Applicant will commit to ensuring that the permissive path remains in place for the lifetime of the Proposed Development.
Fencing, high hedgerows and trees planting along public footpaths could create 'alleyways' and be detrimental to amenity (Link to Landscape and Visual Impact)	The Applicant notes this feedback. Consideration of planting and screening through and around the site has been set out carefully in the Landscape and Ecological Management Plan (Appendix 5.6 of the ES), and Chapter 5 of the ES explains how the proposed planting would mitigate visual impact of the solar panels across the site.
There is an opportunity to improve non-vehicular links between the surrounding communities.	<p>Agreed. The Applicant considers the proposals to represent a local improvement in terms of access through the site.</p> <p>The Proposed Development will improve pedestrian access between the villages of Walton-on-Trent and Rosliston.</p> <p>Following the statutory consultation, the inclusion of the proposed permissive path also represents an improvement in connectivity to the Cross Britain Way from the pedestrian route at Lad's Grave.</p>
Concern at the impact of CCTV cameras monitoring recreational use of public rights	The CCTV cameras will not be designed to monitor recreational use of the public rights of way. They will be

Issue Raised	Regard had by the Applicant
of way. This would represent a loss of public amenity	facing inwards to the site and will be there to alert, rather than being continually monitored.
Concern that the rights of ways and footpaths will be subject to glint and glare (Link to Glint and Glare)	Glint and glare impacts on public rights of way have not been predicted. See ES Chapter 14.
Easy access routes should be made available for those with access requirements	The Applicant notes this feedback and has confirmed the provision of a new permissive path, which increases access for pedestrians through the site, assisting in connecting to existing public rights of way and the Cross Britain Way.
General comment stating that any disruption to access or existing rights of way should be minimised	No rights of way will be closed or diverted during construction or operation of the proposals. Site access tracks will cross the Cross Britain Way and these crossing points will be manned by a site operative to ensure site vehicles are kept separate from walkers. See ES Chapter 12.
General comment stating that there would be no perceived enhancement for pedestrians as a result of the Proposed Development	<p>The Applicant has sought to make improvements wherever possible to the existing access amenity of the site.</p> <p>Following statutory consultation, the Applicant has confirmed inclusion of a permissive path to create a new link to the Cross Britain Way from the public right of way at Catton Lane/Lads Grave in the south-east of the solar farm. This will create a new route of access within the site to improve pedestrian links and contribute towards recreation provision in the area. This would represent a specific improvement to the existing local pedestrian network.</p>
The Applicant should consult with Derbyshire County Council on any changes to public rights of way	The Applicant has consulted with Derbyshire County Council (and other relevant consultees) on all proposals related to public rights of way. All feedback received in this respect has been considered carefully in the presentation of the final proposals.
The new public right of way should be designed to improve biodiversity (Link to	Opportunities to increase biodiversity will be delivered and are outlined in the Landscape and Ecological Management

Issue Raised	Regard had by the Applicant
Ecology and Biodiversity)	Plan Landscape Strategy Plan (Appendix 5.8a and 5.8b 5.6 of the ES).
<p>Fencing should be set back from hedgerows to allow permissive off-road routes along some sections of the local road network which would improve safety for non-motorised road users. Having this as a permissive bridleway would be welcomed to improve routes for horse riders between Rosliston and Walton on Trent.</p> <p>For example, this could bring local benefit where there are two local bridleways which need linking up. The one from the southwest comes up from the Catton Lane and ends on the Coton Road directly opposite Oaklands Farm. The other is to the northeast of Rosliston, running between Cauldwell and Linton villages.</p>	<p>Fencing will be set back from hedgerows to allow for maintenance access around the site.</p> <p>The Applicant has explored the potential to deliver a permissive bridleway as part of the Proposed Development however due to the location of existing bridleway network there is not a feasible opportunity to provide a linking route.</p>
Areas of the site that are dissected by watercourses could become permissive footpaths (link to Water Resources and Flood Risk)	<p>The Applicant has considered the recreational uses of the site and how the Proposed Development would affect local amenity. Recreation surveys were issued and a full assessment of the use of the site in this regard has been undertaken in ES Chapter 12.</p> <p>The Landscape and Ecological Management Plan (Appendix 5.6 of the ES) also identifies recreational access across the site.</p> <p>Whilst not necessarily following water courses, following consultation on the inclusion of a permissive path, a new path will create a new link to the Cross Britain Way from the public right of way at Catton Lane/Lads Grave in the south-east of the solar farm. This will create a new route of access within the site to improve pedestrian links and contribute towards recreation provision in the area.</p>

Issue Raised	Regard had by the Applicant
Existing footpaths near to the site should also be enhanced	The Applicant is supportive of the potential for enhancing local footpaths near to the site, however anything that lies outside of the red-line boundary for the Proposed Development cannot form part of this application.
Community benefit	
There are no direct benefits to the local community (general comment)	<p>Aside from the provision of clean renewable energy, which would contribute to improving the UK's energy security and helping to bring down bills, the Applicant is keen to highlight the proposed Community Benefit confirmed to accompany the construction and operation of the Proposed Development. Following the statutory consultation and further engagement with relevant stakeholders, the Applicant has confirmed its commitment to an annual community benefit contribution of around £55,000 for the life of the Proposed Development (40 years) to be distributed to local causes via a local community foundation. The total amount across the lifetime of the Proposed Development would be in the region of £2m.</p> <p>There are also opportunities for direct ecological benefits and Biodiversity Net Gain through improvements such as Hedgerow planting & improved management, improving grasslands and wildflowers, decreased use of fertiliser and herbicide, improved soil condition. Socio-economic benefits then include improving links between existing paths and right of ways, local contracting opportunities - fencing, civil works, testing & commissioning and knock on effects for local businesses and payment of business rates.</p>
It is considered that local farming of this site will provide more local benefits than these proposals (i.e., loss of agricultural jobs which won't be replaced by new jobs for the Proposed Development)	The Proposed Development would result in the opportunity for local contractors to work on the construction of the Proposed Development. Examples of work required include fencing, civils works, testing and commissioning – all of which will be sought from the local area wherever possible and many of which are transferable from existing agricultural jobs.

Issue Raised	Regard had by the Applicant
	<p>ES Chapter 12 contains an assessment of the socio-economic potential as a result of the Proposed Development. It is anticipated that there will be an average of 114 full-time equivalent (FTE) jobs during the 16 month construction period (this will vary depending on the month of construction and the activities being undertaken). Following assessment, it is estimated that there will be 47.9 full time equivalent (FTE) jobs generated in the local economy by the construction of the proposed Development.</p>
<p>A reduction in local energy bills would be considered a useful local benefit</p>	<p>Noted. The Applicant would encourage this suggestion be considered within the context of the local Community Benefit Contribution, which would be managed by a local entity to help distribute up to £2million across the lifetime of the Proposed Development.</p>
<p>Improvements to the public rights of way and potential permissive bridleways would be considered local benefits (Link to Access and Public Rights of Way)</p>	<p>Noted. The Applicant has considered the recreational uses of the site and how the Proposed Development would affect local amenity. Recreation surveys were issued and a full assessment of the use of the site in this regard has been undertaken in ES Chapter 12.</p> <p>The Landscape and Ecological Management Plan (Appendix 5.6 of the ES) also identifies recreational access to and across the site.</p> <p>Whilst a permissive bridleway is not proposed, following consultation on the inclusion of a permissive route a new path will create a new link to the Cross Britain Way from the public right of way at Catton Lane/Lads Grave in the south-east of the solar farm. This will create a new route of access within the site to improve pedestrian links and contribute towards recreation provision in the area.</p>
<p>Requests for funding for local organisations to be administered by the parish councils</p>	<p>Noted. The Applicant is considering various options for the management of the proposed Community Benefit Fund, and will consult local stakeholders, including the Parish Councils, on the best approach in this regard.</p>

Issue Raised	Regard had by the Applicant
Re-purposing the existing current farm buildings and provision of a site information centre run by local volunteers could provide local benefit	This is noted and whilst the Applicant would be supportive of the provision of additional local education opportunities related to the Proposed Development, the existing farm buildings do not form part of the current application.
Local allotments could be incorporated into the proposals or provided elsewhere.	Noted. Whilst allotments located within the site aren't part of the current proposals, the Applicant would encourage this suggestion be considered within the context of the local Community Benefit Contribution, which would be managed by a local entity to help distribute up to £2million across the lifetime of the Proposed Development.
Beehives would be a welcome addition to the proposals.	The community benefit fund is designed to support such initiatives.
It is considered that the only local beneficiary would be the landowners.	<p>Aside from the provision of clean renewable energy, which would contribute to improving the UK's energy security and helping to bring down bills, the Applicant is keen to highlight the proposed Community Benefit confirmed to accompany the construction and operation of the Proposed Development. Following the statutory consultation and further engagement with relevant stakeholders, the Applicant has confirmed its commitment to an annual community benefit contribution of around £55,000 for the life of the Proposed Development (40 years) to be distributed to local causes via a local community foundation. The total amount across the lifetime of the Proposed Development would be in the region of £2m.</p> <p>There are also opportunities for direct ecological benefits and Biodiversity Net Gain through measures such as hedgerow planting & improved management, improving grasslands and wildflowers, decreased use of fertiliser and herbicide and improved soil condition as a result. Socio-economic benefits then include improving links between existing paths and right of ways, local contracting opportunities - fencing, civil works, testing & commissioning</p>

Issue Raised	Regard had by the Applicant
	and knock on effects for local businesses and payment of business rates.
Sheep grazing on the site would be welcomed.	Noted. This is a viable ongoing agricultural practice that could continue through the operation of the Proposed Development.
New opportunities for skilled work would be a local benefit.	The Applicant is pleased to confirm that the Proposed Development would result in the opportunity for local contractors to work on the construction of the Proposed Development. Examples of work required include fencing, civils works, testing and commissioning – all of which will be sought from the local area wherever possible and appropriate.
The closest local properties should see some benefit.	The Applicant is keen to highlight the proposed Community Benefit confirmed to accompany the construction and operation of the Proposed Development. Following the statutory consultation and further engagement with relevant stakeholders, the Applicant has confirmed its commitment to an annual community benefit contribution of around £55,000 for the life of the Proposed Development (40 years) to be distributed to local causes via a local community foundation. The total amount across the lifetime of the Proposed Development would be in the region of £2m. This fund could be allocated to support nearby residents and the Applicant is supportive of this suggestion.
Further detail on the number of jobs created and maintained locally is required.	<p>The Applicant is pleased to confirm that the Proposed Development would result in the opportunity for local contractors to work on the construction of the Proposed Development. Examples of work required include fencing, civils works, testing and commissioning – all of which will be sought from the local area wherever possible.</p> <p>ES Chapter 12 contains an assessment of the socio-economic potential as a result of the Proposed Development. It is anticipated that there will be an average of 114 full-time equivalent (FTE) jobs during the 16 month</p>

Issue Raised	Regard had by the Applicant
	<p>construction period (this will vary depending on the month of construction and the activities being undertaken).</p> <p>Following assessment, it is estimated that there will be 47.9 full time equivalent (FTE) jobs generated in the local economy by the construction of the proposed Development.</p>
<p>It would be beneficial to be able to host educational visits to the site once constructed.</p>	<p>Noted. The Applicant would welcome the opportunity to facilitate these visits.</p>
<p>General concern at the loss of amenity and uses for recreational users of the site.</p>	<p>The Applicant has considered the recreational uses of the site and how the Proposed Development would affect local amenity. Recreation surveys were issued and a full assessment of the use of the site in this regard has been undertaken in ES Chapter 12.</p> <p>The Landscape and Ecological Management Plan (Appendix 5.6 of the ES) also identifies recreational access to and across the site.</p> <p>Following consultation on the inclusion of a permissive path a new route will form a link to the Cross Britain Way from the public right of way at Catton Lane/Lads Grave in the south-east of the solar farm. This will create a new route of access within the site to improve pedestrian links and contribute towards recreation provision in the area.</p>
Consultation process	
<p>General comments stating that the consultation was felt to be effective and informative.</p> <p>Support shown for the ability to visit and discuss the proposals in person.</p> <p>The website was detailed and clear.</p> <p>Materials were informative for close neighbours.</p> <p>Materials provided a clear overview of the proposals, mitigation required and project</p>	<p>Noted. The Applicant is pleased that the consultation was felt to be useful, informative and accessible.</p>

Issue Raised	Regard had by the Applicant
benefits.	
<p>General comments stating that further information required to form a view.</p> <p>Specific points that further information was requested on were:</p> <p>Road access</p> <p>Glint and Glare</p> <p>Bat species</p> <p>Loss of agricultural land.</p>	<p>Noted. The Applicant notes that in some instances, specific detail was either not available at the point in time at which the request for further detail was made. Any missing detail is now available for review within the relevant chapters of the ES, set out below for reference:</p> <ul style="list-style-type: none"> • Road access – Chapter 10 of the ES • Glint and Glare - Chapter 14 of the ES • Bat species - Chapter 6 of the ES • Loss of agricultural land - Chapter 15 of the ES
<p>Notices were placed on the road meaning they were difficult to view.</p>	<p>The Applicant notes this point. Whilst care was taken to erect site notices in suitable and accessible locations, some land notices were required to be placed at points of access to identified pieces of land in line with statutory guidance. Local community posters however were placed at community information points around the site to inform those that may not have been able to access site land notices.</p>
<p>The photography and indicative viewpoints do not accurately show the site. Viewpoints during the winter were not provided and they do not show potential glint and glare.</p>	<p>Viewpoints and photography have been undertaken in line with agreed industry guidelines to ensure accuracy and compliance with the requirements of the planning and consultation process. A full explanation of methodology and the final viewpoints and assessments can be found in ES Chapter 5.</p>
<p>The consultation wasn't sufficiently advertised locally. Posters weren't displayed to the local community.</p>	<p>Chapter 12 of this document sets out the advertising activity undertaken, which was in line with the SoCC. Local community posters were placed at community information points around the site to inform those that may not have been able to access site land notices.</p>
<p>The consultation was designed to 'sell' the proposals.</p>	<p>The Applicant undertook consultation on the proposals in the spirit of providing direct, informative and accessible information to assist the local community and interested parties in reviewing and commenting on the information</p>

Issue Raised	Regard had by the Applicant
	available. This was undertaken in line with the SoCC, which was agreed prior to commencement with the local authority.
Consultation events should have been held in a wider radius of the site.	Consultation events were held within the most affected communities within the vicinity of the site. The event locations were agreed as part of the SoCC, which was consulted upon directly with the local authorities. Further advertising and information was disseminated in a broader area, and a virtual consultation event was made available online, in order to allow those living further from the site to access and engage with the consultation.
Other	
Concern at the impact of magnetic fields on the local area as a result of the proximity of the Proposed Development.	There is minimal risk to health caused by magnetic fields as a result of the Proposed Development. There is no evidence that living close to low level magnetic fields is harmful to human health.
Concern at the risk of fire in the Energy Storage System.	There is a minimal risk due to fire in the Energy Storage System. The Applicant has consulted with the relevant fire safety consultees and health and safety experts on this topic. An Outline Battery Storage Safety Management Plan has been produced and submitted as part of the application (ES Appendix 4.6).
Concern over the potential de-valuation of house prices due to the proximity of the Proposed Development.	To date there is no evidence to suggest that solar farms negatively affect property prices. With appropriate screening, the visual impact of a solar farm is negligible. The panels themselves do not generate noise, and it is commonly accepted that this form of energy generation is one of the cleanest and least intensive forms currently available.
Preference to expand existing solar sites in the area, rather than develop a new scheme.	This feedback is beyond the scope of this application.

Issue Raised	Regard had by the Applicant
The developer should be UK based to ensure that profits are retained in this country.	This is not a planning consideration, however, BayWa r.e. UK Limited (parent company of Oaklands Farm Solar Ltd.) is a UK based company with its head offices in Edinburgh.
Concern at the environmental impact of recycling hazardous elements of the Proposed Development, such as batteries and the panels themselves.	Solar panels have a high potential to be recycled (the largest components being glass and metal). It is worth noting that technology is advancing rapidly, meaning that it is anticipated that by the time the Proposed Development is being decommissioned, solar panels will be fully recyclable.
Concern that solar panels and materials have a strong link to slave labour, and this outweighs the overall green credentials of the materials.	<p>At this current time, it is not possible for the Applicant to confirm where the solar panels and materials would be manufactured as this hasn't yet been confirmed.</p> <p>Due to the speed at which the market changes, and with new technology and improved models being brought forward, the Applicant won't specify exact models or manufacturers until closer to construction.</p> <p>However, the Applicant can provide reassurance that any materials sourced for this Proposed Development would be thoroughly vetted in line with anti-slavery policy and supply chain assessments.</p> <p>Where possible, goods, services and materials will be sourced from the UK.</p>

14.4. Statement of compliance

- 14.4.1. This chapter demonstrates that all requirements for summarising the section 47 consultation responses received during the statutory consultation and having regard to those responses under section 49 of the 2008 Act have been met.
- 14.4.2. It can be concluded from an analysis of this information that the comments, views and impacts identified through the statutory consultation have influenced the Proposed Development and have been taken into account during the preparation of the Application, primarily in relation to:

Table 14.2: Overview of changes made following statutory consultation

Change since statutory consultation	Anticipated impact of change
<p>Substation relocation: Substation moved away from residential properties to the middle of site, adjacent to energy storage facility/batteries.</p>	<p>Noise: It is predicted that the relocation of the substation will result in lower predicted noise levels at the properties closest to the previous substation location. Noise from the substation and adjacent batteries will be considered together in the noise assessment. No additional significant effects are expected.</p> <p>Visual effects: Moving the substation closer to the battery storage will reduce the visual effects of the substation on the residential properties on Rosliston Road. The substation and battery will be located on an area of slightly lower ground, which will help to reduce the associated visual effects of the substation/battery. The visual effects are assessed in Chapter 5 of the ES.</p> <p>Other: There are unlikely to be changes in the assessment findings for the remaining EIA topics in relation to the change to the proposed substation location.</p>
<p>Removal of panels from Park Farm site: All panels have been removed from the Park Farm site, (the northern portion of the proposed site)</p>	<p>Noise: Short-term, minor noise effects due to construction are no longer predicted for some residential receptors close to the Park Farm site.</p> <p>Visual: The visual extent of the development will be reduced and visual impacts on a number of the residential receptors included in Landscape and Visual Impact Assessment (LVIA) and Residential Visual Amenity Assessment (RVAA) will be reduced. Chapter 5 of the ES [Document 6.1] assesses the landscape and visual impacts of the Proposed Development.</p> <p>Other: No other significant effects are expected.</p>

<p>Cable Route Undergrounded: 132kV cable route from site substation to Drakelow to be undergrounded for entire length (approx. 2km)</p>	<p>Landscape and Visual Impacts: The visual impact will be reduced as undergrounding the cables removes the need for overhead pylons (and associated landscape and visual impacts).</p> <p>Hydrology/Soils/Ecology: There will likely be a short term, temporary minor adverse effect in that the undergrounding of cables will result in an increased exposure of bare soils which could lead to sediment laden run off. However, this would be controlled via the Construction Environmental Management Plan (Appendix 4.3 of the ES, Document 6.1, which includes a Soil Management Plan).</p>
<p>Cable Route confirmed: 132kV cable – assessment of preferred route completed and route confirmed</p>	<p>Landscape and Visual Impacts: The visual impact will be reduced as undergrounding the cables removes the need for overhead pylons (and associated landscape and visual impacts).</p> <p>Hydrology/Soils/Ecology: There will likely be a short term, temporary minor adverse effect in that the undergrounding of cables will result in an increased exposure of bare soils which could lead to sediment laden run off. However, this would be controlled via the Construction Environmental Management Plan (Appendix 4.3 of the ES, Document 6.1, which includes a Soil Management Plan).</p>
<p>Adjustments to Construction Traffic Routes: changes to the planned construction traffic routes to the site due to the proposed closure of the Chetwynd Bridge and delayed delivery of the Walton-on-Trent Bypass. Staffordshire County Council imposed a weight limit of 7.5T on the Chetwynd Bridge in late 2022 therefore Heavy Goods (HGVs) are no longer able to use the bridge to access the solar site from the south. In the event the by-pass is not</p>	<p>Traffic and Transport: This change will be considered in the Construction Traffic Management Plan (Appendix 10.1 of the ES, Document 6.1) and reflected in Chapter 10 of the ES on Transport.</p> <p>Noise: Chapter 11 on Noise considers impacts from construction traffic. It is anticipated that there may be a short-term effect at Corner Farm during construction activities, which whilst a moderate adverse effect would be for a very short time whilst the drilling of the cable route is undertaken and</p>

<p>available, the Primary alternative route for HGVs will be from the A38 through Stapenhill, supported by a Secondary alternative route through Coton-in-the Elms if necessary. Light vehicles will utilise several available routes to disperse construction traffic across the road network. Access for lighter vehicles will still be available over the Chetwynd Bridge via Catton, as set out previously in the Preliminary Environmental Information Report (PEIR). The two substation transformers will be delivered to site as abnormal loads, escorted by the police. The journeys will be scheduled at quiet times and will follow the A444 from the M42 through Coton-in-the-Elms to the southern site entrance.</p>	<p>which would be avoided where possible. . Minor noise effects are likely to be removed at Donkhill Cottages and Catton Farm Cottages.</p> <p>Other: HGVs will not travel through Rosliston or Walton-on-Trent, and will no longer pass the National Memorial Arboretum. No additional significant effects are expected.</p>
<p>Revision to construction site access locations: Access onto site during construction has been revised to include new temporary access from Walton Road through land to the north of the site (Park Farm) and straight across Rosliston Road into the Oaklands Site. This is due to a change of weight limit on Chetwynd Bridge (see above) making southern construction access from Catton unsuitable for HGVs (lighter goods vehicles (LGVs) will still use this route). If the Walton Bypass is available, all construction vehicles will travel east along Walton Road from the A38 to a new temporary access track to be installed across Park Farm, eventually crossing Rosliston Road and into the Oaklands solar site. If the Walton Bypass is not available, HGVs will use the Primary alternative route via the A38 and Stapenhill to access the new temporary track to be installed across</p>	<p>Traffic and Transport: This change will be considered in the Construction Traffic Management Plan (Appendix 10.1 of the ES, Document 6.1) and reflected in Chapter 10 of the ES on Transport.</p> <p>Noise: Noise impacts will no longer occur at properties along routes no longer being used for construction traffic. Short-term effects would potentially be experienced at Corner Farm during the drilling of the cable route but would be avoided where possible.</p> <p>Other: HGVs will not travel through Rosliston or Walton-on-Trent, and will no longer pass the National Memorial Arboretum. No additional significant effects are expected.</p>

<p>Park Farm. If necessary, a Secondary alternative route via Coton-in the-Elms will be utilised by HGVs to access via the southern site entrance.</p>	
<p>Removal of construction access point from Burton Road: The previously proposed construction access off Burton Road into Park Farm has been removed therefore use of Burton Road will be restricted to LGVs with no HGVs using this route.</p>	<p>Traffic and Transport: This change will be considered in the Construction Traffic Management Plan (Appendix 10.1 of the ES, Document 6.1) and reflected in Chapter 10 of the ES on Transport.</p> <p>Noise: The removal of the construction access point on Burton Road would ensure that any prospect of effects at properties along Burton Road would be removed. No additional significant effects are expected.</p>
<p>Footpath: Following consultation on the inclusion of a permissive right of way (ROW) a new footpath will create a new link to the Cross Britain Way from the public right of way at Catton Lane/Lads Grave in the south-east of the solar farm.</p>	<p>Recreation and Land Use: The permissive path will create a new route of access within the site to improve pedestrian links and contribute towards recreation provision in the area.</p> <p>Other: No significant other effects are expected.</p>
<p>Project footprint/redline boundary reduction: As a result of the changes noted in this table, and the removal of solar panels from the Park Farm part of the site, the overall Proposed Development footprint and planning boundary has been reduced significantly. The panels and supporting infrastructure now occupy approximately 410 acres / 165 hectares, versus the previous footprint of 540 acres / 218 hectares.</p>	<p>There is no specific additional impact of this change beyond the points noted in this table. The reduced footprint and red line boundary reflect the reduction in impacts that have been identified through the removal of panels and a reduced overall Proposed Development scale.</p>
<p>Additional planting confirmed: Additional planting across the site has been included to increase ecological benefits and reduce landscape and visual impacts.</p>	<p>Ecology (LEMP), LVIA & Glint and Glare: This change should contribute towards biodiversity net gain. Additional planting will represent an additional contribution to screening for mitigation of visual and glint and glare effects.</p>

<p>Community Benefit sum confirmed: Following internal discussion and engagement with relevant stakeholders, we have confirmed our commitment to an annual community benefit contribution of around £55,000 for the life of the Proposed Development (40 years) to be distributed to local causes via a local community foundation. The total amount across the lifetime of the Proposed Development would be in the region of £2m.</p>	<p>As this point does not represent a physical change or update to the proposals, there is no deemed impact to the Proposed Development. Whilst not a planning consideration, the Applicant is keen to understand local thoughts on this issue.</p>
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- 14.4.3. These changes were made following statutory consultation, and whilst the Applicant considered them to result in a reduction in scale and impact of the Proposed Development and in line with feedback received, it was deemed appropriate to provide further opportunity for interested parties to consider these changes, and provide additional feedback, should they wish. Therefore, a period of additional informal targeted consultation was undertaken in March and April 2023 (see Chapter 16 for full details).

15. Additional informal targeted consultation and engagement

15.1. Introduction

- 15.1.1. As a result of feedback received during the statutory consultation and other design developments, several changes were made to the Proposed Development. These are summarised in section 14.4 of this Report. The Applicant decided to carry out additional informal targeted consultation to ensure that all stakeholders were aware of the changes and given the opportunity to comment further on the proposals prior to submission of the application.
- 15.1.2. The SoCC allowed for appropriate further informal targeted consultation stating:
- 15.1.3. “Following [statutory consultation], the Applicant may carry out additional geographically targeted consultation with members of the local community, as feedback is received, and the Proposed Development is refined. Wider consultation could also be carried out if considered necessary and appropriate. Any further consultation would be undertaken in accordance with the principles set out in this SoCC.”

15.2. Changes consulted upon

- 15.2.1. The specific changes consulted upon are set out in Table 14.2. All other aspects of the Proposed Development remained unchanged and were therefore not subject to further consultation:
- Relocation of the Proposed Development substation to the middle of the site adjacent to the energy storage facility/batteries, in order to increase the distance from the nearest residential properties;
 - Removal of all the solar panels from the Park Farm site in the north;
 - Confirmation that the 132kV grid connection cable from the site substation to Drakelow Substation will be undergrounded for its entire length (approximately 2km) and confirmation of the route this cable will take;
 - A revised access onto site during construction to include a new temporary access from Walton Road through land to the north of the site, and straight across Rosliston Road into the Oaklands Site. This was due to the change of

weight limit on Chetwynd Bridge making southern construction access from Catton unsuitable for HGVs (lighter vehicles will use this route);

- The temporary crossing of Rosliston Road will be managed by temporary traffic lights and/or a manned crossing point;
- Removal of the previously proposed construction access off Burton Road into Park Farm;
- Confirmation of the potential construction traffic routes to site, as a result of other changes on the existing road network;
- Inclusion of a permissive path to create a new link to the Cross Britain Way from the public right of way at Catton Lane/Lads Grave in the south-east of the solar farm;
- Additional planting confirmed across the site to increase ecological benefits and reduce landscape and visual impacts.

15.2.2. A full overview of the changes made and the impacts these changes would have on the Proposed Development is set out in detail in the Consultation Summary Document produced to assist in communicating the additional informal targeted consultation period in Appendix 15.1.

15.3. Summary of additional informal targeted consultation and engagement

15.3.1. Following identification of the above noted changes to the Proposed Development, the Applicant undertook a period of additional informal targeted consultation on the specific changes made since statutory consultation period.

15.3.2. The additional informal targeted consultation period commenced on 9 March 2023 and closed on 21 April 2023.

15.3.3. It was decided that all previous stakeholders consulted under section 47 (as defined in the SoCC) and all prescribed consultees under section 42 (including all landowners under section 44) would be consulted on the changes made.

15.3.4. A Consultation Plan and Timeline for the additional informal targeted consultation period was produced and shared with the local authorities (Derbyshire County Council and South Derbyshire District Council) for agreement prior to

commencement. This Plan can be found in Appendix 15.2, alongside a confirmation email (January 2023).

15.3.5. Several key plans and documents were produced to explain the updated proposals, including:

- Updated Site Location Plan
- Updated Site Layout
- Preferred Access Routes Plan
- Backup Access Routes Plan
- Updated Access Points Plan
- Updated Landscape Strategy Plan
- Additional Informal Targeted Consultation Summary Document
- Additional Informal Targeted Consultation Feedback Form
- Additional Informal Targeted Consultation Newsletter (Project Newsletter #3)

15.3.6. These documents were all produced and uploaded, alongside an update to the Proposed Development Website on 9 March 2023. A screenshot of the website update including the list of updated documents can be found in Appendix 15.3.

15.3.7. An update letter containing an explanation of the updated proposals, with links to the updated consultation materials was delivered via post and email to all section 42 (including section 44) stakeholders (listed in Appendix 10.1) on 8 March 2023. This letter can be found in Appendix 15.4.

15.3.8. An update project newsletter (Project Newsletter #3) was issued to all residents living within Consultation Zone 1 (as defined within the published SoCC). The newsletter contained an overview of the updated proposals, a summary of the changes made, and an explanation on how to view further detailed information, and how and when to provide any additional feedback. The newsletter was issued on 8 March 2023. A copy of the newsletter can be found in Appendix 15.5.

15.3.9. A covering letter accompanied a copy of the newsletter to section 47 stakeholders (listed in Appendix 8.1) delivered via post and email on 9 March 2023. This letter can

be found in Appendix 15.4.

- 15.3.10. Social media updates were made to explain the additional informal targeted consultation, and link to the Proposed Development website on the 9 March 2023, with subsequent updates through the consultation period. Social media updates were designed to inform interested parties about the updated proposals and provide information about how to provide feedback. Screenshots of example updates can be found in Appendix 8.8.
- 15.3.11. A comprehensive overview of the changes made to the Proposed Development and how this affects the proposals was produced as a Consultation Summary Document. This was a detailed 16-page document which (from 9 March 2023) was made available online, issued via email to stakeholders, and also in hard copy upon request. Hard copies were posted to stakeholders and nearby residents upon request, including Walton-on-Trent Parish Council and nearby neighbours. A copy of this document can be found in Appendix 15.1.
- 15.3.12. A feedback form was made available online (both as an online form, and as a downloadable document) on the Proposed Development website. A copy of this document can be found in Appendix 15.6.
- 15.3.13. All other means of communication with the project team remained available throughout the additional informal targeted consultation period, including the Freepost, Freephone and project email).
- 15.3.14. As part of the additional informal targeted consultation process, meetings and updates were offered to relevant stakeholders including the host and neighbouring parish councils, local authority political representatives and officers, the MP and close neighbours. The following meetings took place during this period:

Table 15.1: Overview of meetings held during additional Informal targeted consultation period

Date	Organisation	Type	Summary
13/02/23	Walton on Trent Parish Council (including Cllr Wheelton, Ward Member)	Meeting	Attendance at Parish Council meeting to present updates to proposals and respond to queries about updates to the plans. Discussion of transport and visual impact considerations.

Date	Organisation	Type	Summary
13/02/23	Site neighbours	Meetings	Meetings with residents living close to the site to inform of updates to the plans and answer questions related to the Proposed Development.
20/02/23	Rosliston Parish Council (including Cllr Bridgen, Ward Member)	Meeting	Attendance at Parish Council meeting to present updates to proposals and respond to queries about updates to the plans. Discussion of transport and visual impact considerations.
10/03/23	Heather Wheeler MP	Meeting (online)	Meeting to discuss the additional targeted consultation and changes made since statutory consultation.
17/04/23	National Forest	Meeting (online)	Meeting to discuss the updated Landscape Strategy and considerations of note to the National Forest.

15.3.15. Additional correspondence and ongoing engagement was held with relevant landowners, stakeholders and interested parties throughout the Additional Targeted Consultation period.

15.4. Summary of feedback from additional informal targeted consultation

15.4.1. Feedback during the additional informal targeted consultation period was received from section 42 stakeholders and several members of the public. The following section 42 stakeholders and technical consultees responded:

Table 15.2: Summary of feedback from additional informal targeted consultation

Consultee	Response Summary	Applicant Response
Derbyshire Dales District Council	No comment.	Noted.
Nottinghamshire County Council	No comment	Noted.
ESP Utilities Group Ltd	Advising that ESP Utilities has gas infrastructure in the vicinity of the Proposed Development. Request that	The Applicant notes this response and confirms site investigations will take place prior to any works

	site investigation is undertaken prior to any works commencing.	commencing.
Stockport Metropolitan Borough Council	No comment	Noted.
Leicestershire County Council	Noting changes to the construction traffic route which now runs through Leicestershire Council highways. Requests further detail and dialogue.	The Applicant has noted comments and undertaken additional engagement with Leicestershire County Council highways to inform the final proposals. Response to issues related to access and transport are contained in ES Chapter 10.
The Coal Authority	No comment	Noted.
East Midlands Environment Agency	No comment	Noted.
Walton on Trent Parish Council	Requests for further information relating to the transport routes	Hard copy plans shared with the Parish Council.
Derbyshire County Council	Rights of Way – feedback relating to Walton on Trent Public Footpath No9 running through the Proposed Development. Request for additional information to be submitted as part of the application relating to issues including screening, safety, diversion during construction, visual amenity and the permissive path.	The Applicant has included these details in the ES (Chapter 4 and Chapter 5)
Vodafone	Confirming the presence of assets in the vicinity and requesting further engagement if diversions are required.	The Applicant will contact Vodafone as required to discuss micro-siting near to assets.
Staffordshire County Council	Noting updated information related to the construction transport routes. Stating a preference for the preferred option of using the new Walton Bypass if possible. Requesting further dialogue on alternative routes proposed.	The Applicant notes these comments and has entered into dialogue to further discuss the proposed transport routes. Response to issues related to access and transport are contained in ES Chapter 10.
Netherseal Parish Council	Councillor reaffirmed opposition to the proposals due to scale, visual impact, loss of agricultural land, site location, cumulative impact, preference for brownfield sites and noise concerns. Concerns over traffic impacts and road damage, as well as loss of employment as a result of the Proposed Development was also raised.	The Applicant notes these points and has addressed each in Table 14.1 of this report, as well as individual Chapters of the ES. Responses to issues related to impact on the agricultural land is contained in ES Chapter 15. Responses to issues relating to visual impact and effect on landscape character are contained

		in ES Chapter 5. Response to issues related to employment can be found in ES Chapter 12. Response to issues related to noise are covered in ES Chapter 11. Response to issues related to access and transport are contained in ES Chapter 10.
Health and Safety Executive	No additional comments further to the response submitted as part of the statutory consultation	Noted.
Barton Under Needwood Parish Council	Noting that as an adjoining Staffordshire Parish Council the parish will not be directly affected, but raised concerns over loss of agricultural land, site location, preference for brownfield land, glint and glare, security, public footpaths, traffic impacts	The Applicant notes the feedback received. Responses to all queries raised have been included in Table 14.1 of this report, and in relevant chapters of the ES. Issues related to site selection are covered in ES Chapter 3. Responses to issues related to glint and glare are included in ES Chapter 14. Response to issues related to access and transport are contained in ES Chapter 10.
Peak District National Park	No comment	Noted.
Lullington Parish Council	Raised concerns about the protection of both agricultural land and the rural landscape, as well as the impact on local highways	The Applicant notes the feedback received. Responses to all queries raised have been included in Table 14.1 of this report, and in relevant chapters of the ES. Responses to issues related to impact on the agricultural land is contained in ES Chapter 15. Responses to issues relating to visual impact and effect on landscape character are contained in ES Chapter 5. Response to issues related to access and transport are contained in ES Chapter 10.
NGET	No additional comments further to the response submitted as part of the statutory consultation	Noted.
Cllr Amy Wheelton (South Derbyshire District Council)	Noted that comments from the statutory consultation remain, and added that the additional informal targeted consultation should have been a full public consultation and that the local newsletter did not contain adequate information. Concern at impact to land drains and loss of agricultural land. Concern at fencing and CCTV. Concern at visual impact of the energy storage containers and	The Applicant notes all of these points. The consultation undertaken was at the same scale as the statutory consultation, with newsletters being issued to the same radius, information provided in newsletters was designed to signpost to the detailed information available online or upon request. Responses to issues related to impact on the agricultural land and

	<p>urbanisation of the rural setting and landscape character. The 4m high hedges are too high and the noise impacts of the inverters would have a detrimental impact. Concern at construction period impacts and viability of route options proposed (Bypass is not yet built). The alternative route option is also not acceptable due to the nature of the rural roads which are inadequate for the traffic proposed. Concern at cumulative impacts on the proposed routes and impact of the proposed access points.</p>	<p>land drains is contained in ES Chapters 8, 9 and 15. Responses to issues relating to visual impact and effect on landscape character are contained in ES Chapter 5. Response to issues related to noise are contained in ES Chapter 11. Responses to issues related to transport and access and construction are contained in ES Chapter 10. Responses to issues related to cumulative impact and ecology are contained in ES Chapters 2 and 6 respectively.</p>
National Highways	<p>Highlighted considerations that could affect the strategic road network in the vicinity (A38 and M42). Highlighted no concerns with the proposed access during construction or operation.</p>	<p>Noted.</p>
Derbyshire County Council	<p>Comments from Cllr Swann (County Division Member) included concern at loss of agricultural land, impact of the development on landscape and rural setting, concern at impact of HGVs on the local road network, impact to local biodiversity and loss of recreational amenity.</p> <p>DCC also flagged technical comments (many of which were made during the PEIR consultation) including comments relating the highways construction access route (subject to ongoing discussion with the Applicant), heritage considerations and the welcomed reduction in scale of the Park Farm site which has a positive effect on visual impact. Comments relating to use of agricultural land were also made alongside acknowledgement that there is not in house expertise to assess the glint and glare assessment. Cumulative impacts were also raised as a consideration.</p>	<p>The Applicant notes comments from the County Division Member and relevant officers at DCC. Response to issues raised by Cllr Swann are contained in Table 14.1, and relevant chapters of the ES.</p> <p>Response to issues raised in relation to visual impact and effect on landscape character are contained in ES Chapter 5. Responses to issues related to transport and access and construction are contained in ES Chapter 10. Responses to issues related to cumulative impact and ecology are contained in ES Chapters 2 and 6 respectively. Responses to issues related to glint and glare are included in ES Chapter 14.</p>
North West Leicestershire District Council	<p>It was noted that the proposals have been reduced in scale and that this will likely have a positive impact on visual impact. At this stage, officers also stated that they cannot foresee any other planning issues affecting the District given the separation distance, but full consideration would need to be given to any potential traffic implications on the road network through North West Leicestershire</p>	<p>Noted. Response to issues raised in relation to visual impact and effect on landscape character are contained in ES Chapter 5. Responses to issues related to transport and access and construction are contained in ES Chapter 10.</p>

	should such impacts arise.	
National Forest	Noted response to the statutory consultation with the request that that the landscape strategy should deliver additional woodland planting and ensure that the proposals do not form a barrier to habitat connectivity. Provided feedback on specific areas of suggested planting and planting approach within the Landscape Strategy Plan. Supportive of increased access and the provision of the permissive path.	The Applicant is grateful for the comments provided. The Applicant is committed to ongoing liaison with the National Forest and the landscaping proposed within the Landscape Strategy has had regard to the National Forest objectives. A full overview of landscape strategy and visual impact can be found in ES Chapter 5.
South Derbyshire District Council	Noted that members of the Development Control Committee reiterate the comments made during the statutory consultation, and add that they hold concerns over the delay to the delivery of the new Walton bypass and impacts from the weight restrictions on the Chetwynd Bridge.	Noted. Responses to issues related to transport and access and construction are contained in ES Chapter 10
Historic England	Noted the revision to the extent of the proposed scheme in the vicinity of Park Farm which was welcomed in the context of the listed Farmhouse previous comments in respect of Drakelow Park. The confirmed cable route may provide an opportunity to record a cross section of the park pale (a timber ditch and bank topped with a wall, hedge or fence to contain deer within a park and exclude poachers).	Noted. The Applicant will maintain dialogue with Historic England and the DCC archaeologist. Full information relating to historic environment can be found in ES Chapter 7.
Environment Agency	The information provided at this point did not alter the EA position in relation to risk to controlled waters and previous comments submitted to the PEIR consultation were reiterated. No significant concerns raised.	Noted. A full overview of the approach to managing flood risk and groundwater can be seen in ES Chapter 8.
Natural England	Welcomed the additional planting proposed as part of the Landscape Strategy Plan. Provided comment on soils and ground condition and noted that NE considers that the proposed development, if temporary as described, is unlikely to lead to significant permanent loss of BMV agricultural land, as a resource for future generations.	Noted. The Applicant has set out its full assessment and approach to land use in ES Chapter 15.

Fairfield Farm	Response from local landowner with specific comments in relation to the land in question.	Noted. The Applicant is in direct discussion with the landowner's agent.
Leicestershire County Council	Noted that the AIL deliveries and secondary HGV routes are now proposed to utilise Leicestershire highways and requests further engagement to discuss the proposals.	Noted. The Applicant has sought further dialogue with the authority on highways points. Further consultation will take place prior to the AIL movements taking place. Transport and access issues are contained in ES Chapter 10
Overseal Parish Council	Councillors raised concerns related to loss of farmland, cumulative impact with other developments in the area, and impact on wildlife. Preference for use of brown field or rooftop solar to be used.	Noted. The Applicant has set out its full assessment and approach to land use in ES Chapter 15. Issues related to ecology and wildlife are contained in Chapter 6 of the ES. Site selection information is contained in Chapter 3 of the ES.

15.4.2. In addition, nine emails and three further online feedback form responses were received by members of the public during this period. The feedback received has been considered carefully and issues raised have all been incorporated into Table 14.1 alongside feedback received to the statutory consultation on the PEIR.

16. Further engagement and ongoing communication

16.1. Overview

- 16.1.1. Following the closure of the statutory consultation and additional informal targeted consultation periods, the Applicant has sought to maintain an ongoing dialogue with relevant consultees in the vicinity of the Proposed Development.
- 16.1.2. Where additional information of relevance has been deemed useful to share, further updates have been communicated with relevant consultees and stakeholders.
- 16.1.3. In October 2023, a few further small refinements to the red-line boundary around the National Grid Drakelow Substation were made. These changes were minor and did not extend the order limits outside those which formed the basis of the original statutory consultation, meaning that the Applicant did not undertake any further formal consultation. These changes were:
- The use of the National Grid Drakelow Substation access from Walton Road for the purposes of intermittent vehicle movements during the lifetime of the Proposed Development for the purpose of maintaining the grid connection point within the substation;
 - The creation of a new access to the north of Walton Road into land adjacent to the National Grid Drakelow Substation for the purpose of constructing, maintaining and decommissioning the underground electrical cable grid connection;
 - The improvement of an existing farm access off Walton Road to provide an 'in only' construction access for HGVs and other construction traffic during the construction of the Proposed Development.
- 16.1.4. Whilst no further formal consultation was undertaken on these points, the Applicant provided information about these updates to the Proposed Development website, along with an updated Layout Plan and Access Point Plan. Those immediate landowners and consultees directly affected by the changes were written to on 5 October 2023. A copy of the letter issued and associated plans can be found in Appendix 16.1. A list of letter recipients can be found in Appendix 16.2.
- 16.1.5. The Applicant has also undertaken ongoing meetings and correspondence with local

stakeholders, residents and parish councils. The below table provides an overview to the meetings that have taken place since the close of additional informal targeted consultation period in April 2023.

Table 16.1: Overview of local stakeholder meetings held since April 2023

Date	Organisation	Type	Summary
09/10/23	Walton-On -Trent Parish Council	Meeting	Attendance at Parish Council meeting to discuss latest update on the Proposed Development and respond to queries related to transport issues.
12/09/23	Coton in the Elms Parish Council (Cllr Wheelton, Cllr Morgan, SDC ward members, and Cllr Swan DCC ward member in attendance)	Meeting	Attendance at Parish Council meeting to discuss latest update on the Proposed Development and respond to queries related to transport issues, specifically relating to the AIL delivery through Coton in the Elms
09/10/23	South Derbyshire District Council and Derbyshire County Council (Steffan Saunders, Richard Sandbach, Steven Buffery)	Meeting (site visit)	Attendees met on site and walked up to the substation and BESS Area, Cross Britain Way and high point looking over to Rosliston. The purpose of the visit was to allow planners to understand topography, location of panels, BESS, substation, tracks, landscaping and local features.
10/10/23	Neighbouring Resident	Meeting	Meeting with site neighbour to discuss updates to the proposals specifically in the area around Oaklands Farm.
10/10/23	Neighbouring resident	Meeting	Meeting with site neighbour to discuss updates to the proposals specifically in the area near Park Farm.
19/12/23	Neighbouring Resident	Meeting	Meeting with site neighbour to discuss updates to the proposals specifically in the area around Oaklands Farm.
19/12/23	Rosliston Parish Council (Cllr Tilley, ward member, and	Meeting	Attendance at Rosliston Parish Council meeting to discuss latest update on the Proposed Development and respond to queries related to transport issues

Date	Organisation	Type	Summary
	Cllr Swan in attendance)		
17/10/23	Foundation Derbyshire, Chief Executive	Meeting	To discuss the Community Benefit Fund for the Proposed Development and understand local experience and approach to delivery of local community benefit in the region
29/11/23	South Derbyshire Council Voluntary Service (CVS)	Meeting	Discussion on fund admin including identify local group and charitable causes, discussion on setting up panels and ongoing admin and distribution of potential funds initial discussion on CB consultation activity

- 16.1.6. The Applicant is committed to ongoing engagement and dialogue with the local community and stakeholders after the Application is submitted. Future meetings and correspondence will be accompanied, where appropriate, with updates to the Proposed Development website and ongoing dialogue with the relevant parish councils.
- 16.1.7. Communications methods will remain open for local community to use to contact the Applicant, including via Freepost, Freephone and email. The Proposed Development website will be updated at key milestones throughout the forthcoming examination and construction processes.

17. 2024 Targeted Consultation with specific landowners

17.1. Introduction

- 17.1.1. The Applicant has had regard to Paragraphs 49 to 52 of the DCLG pre-application guidance (the “Guidance”) which urges applicants to make every reasonable effort to ensure that the Book of Reference is up to date at the time of submission.
- 17.1.2. However, the guidance at Paragraph 51, acknowledges that land interests change over time and that new or additional interests may emerge after an applicant has concluded statutory consultation but just before an application is submitted. The Guidance makes clear that the applicant should provide a proportionate opportunity to any new person identified with a land interest to make their views known on the application. Paragraph 51 of the Guidance states that ‘In a case where new interests are identified very shortly before the intended submission of an application, despite diligent efforts earlier in the process it may be difficult at that stage for applicants to consult and take account of any responses from those new interests before submitting their application as intended. If this situation arises applicants should be proactive and helpful in ensuring that the person understands how they can, if they so wish, engage with the process if the application is accepted for examination.’ Paragraph 52 states that applicants should explain in the consultation report how they have dealt with any new interests in land.
- 17.1.3. As the Proposed Development has developed, there have been changes made that have meant that the number of land interests affected by the Scheme has changed and/or the type and extent of proposed acquisition has changed. Where this has occurred through the pre-application period, these changes and additional informal consultation has been set out in this Report.
- 17.1.4. As a result of ongoing checking of the Application the Applicant has identified land interests ahead of the submission of the Application who had not previously been formally consulted. This chapter provides details of the targeted consultation undertaken by the Applicant in February 2024 to address that situation.

17.2. Identification of additional parties

- 17.2.1. Prior to the submission of the Application, cross checking of the final Book of Reference to the S44 parties consulted as part of the S42 consultation identified four S44 parties with Category 2 and 3 interests who had not been consulted at that stage,

as identified in the list below.

- Drakelow Park Group Ltd - Has an interest in land at Drakelow. The company is in liquidation but has not at the time of writing has not yet been dissolved. The party was sent a S44 consultation letter in March 2023 at the informal targeted consultation and engagement stage but had not been previously consulted during statutory consultation
- Park Manor Property Group Ltd - Has an interest in land at Drakelow. The company is in liquidation but has not at the time of writing been dissolved.
- Christopher John Mallaber - A tenant at Park Farm
- Michelle Desilets - A tenant at Park Farm

17.2.2. National Grid Electricity Distribution (East Midlands PLC) was also identified, however, as demonstrated by Appendix 10.1 no further action was considered necessary in respect of National Grid Electricity Distribution (East Midlands PLC) as they had been consulted under their previous name, Western Power Distribution (East Midlands) PLC. The Drakelow Park Group Ltd had previously been sent a section 44 consultation letter in March 2023 as part of the informal additional targeted consultation.

17.2.3. In late 2023, the owner of Park Farm advised the Applicant that two tenants on properties at Park Farm had rights of access over certain plots within the Order limits. The tenants were provided with a Land Interest Questionnaire in October 2023 by the Applicant, but neither party had responded at the point of the Application being finalised for submission in February 2024.

17.2.4. In order to address this matter, the Applicant therefore delivered letters to these parties under Section 42(1)(d) of the Planning Act 2008 on 7 February 2024, and provided a consultation period of 28 days, to 7 March 2024, for a response.

17.3. 2024 Targeted Consultation activity

17.3.1. The land interests received a letter sent by the Applicant on 7 February 2024, which provided an overview of the Proposed Development and consultation details.

17.3.2. The letters provided a link to the Proposed Development webpage where the statutory consultation documents (April – June 2022), including the full PEIR, its

technical appendices and the non-technical summary, can be reviewed. The letters also explained that USB copies of the 2022 statutory consultation documents could be supplied upon request, free of charge, or in hard copy, subject to a subsidised fee. A copy of the letter can be viewed in Appendix 17.1.

- 17.3.3. A feedback form and the Application Boundary Plan were also enclosed.
- 17.3.4. Due to the imminence of the submission of the Application, the Applicant is not able to consider any responses received to that consultation prior to submission. The Applicant will consider any responses made during the consultation period, and take those into account as necessary during the examination of the Application. The Applicant will notify these parties under the section 56 procedure on acceptance of the Application.
- 17.3.5. Should any further new interests arise, the Applicant will notify new interests of the opportunity to comment on the Application during examination.
- 17.3.6. The Applicant considers this approach to align with the principles of the Guidance.
- 17.3.7. Taken together with the extensive consultation the Applicant carried out under Section 47 (see Chapter 11 of this report), the Applicant considers that those S44 land interests have been afforded an opportunity to make their views on the Proposed Development known and were not prejudiced by the stage that the Applicant became aware of their interest in the land or right of access.

18. Conclusion

18.1. Concluding comments

- 18.1.1. The Applicant has undertaken pre-application consultation on the Application in accordance with the requirements set out in the 2008 Act, secondary legislation and Government and PINS advice. The Applicant has consulted the local community, local authorities, landowners and those with an interest in the application site, those prescribed by the relevant regulations and others whose views the Applicant considered important.
- 18.1.2. All responses received to the statutory and non-statutory consultation periods were given full consideration and influence on the Proposed Development where appropriate. Where the Applicant has not been able to take forward a recommendation for a change to the Proposed Development, this has been explained within this report or the appendices.
- 18.1.3. Non-statutory engagement has played an important role in the early development and refinement of the proposals prior to the statutory consultation period.
- 18.1.4. Engagement with local representatives and the host local authorities began at an early stage in the process through discussion relating to the Statement of Community Consultation (SoCC). This early consideration meant that the most appropriate methods of engaging with local consultees and communities was agreed prior to the commencement of the statutory consultation period. Careful consideration was given to identify those living in the vicinity of the Proposed Development and those that may be affected by the wider impacts of the development.
- 18.1.5. A wide range of methods were adopted in order to communicate appropriately with the community. The Applicant has sought to make consultation materials easy to understand and accessible and has encouraged members of the community to participate and make their views known through feedback forms, at public exhibitions, and via the virtual consultation exhibition, the website, emails, phone calls and written responses.
- 18.1.6. The Applicant is grateful for all feedback received through the pre-application consultation process, both formally and informally from consultees and the local community.

- 18.1.7. Where issues have been raised about any aspect of the Proposed Development that feedback has been carefully considered by the Applicant.
- 18.1.8. As a result of consideration of feedback received, the final Application has been refined in several areas and includes both embedded design mitigation, as well as mitigation identified through the ES.
- 18.1.9. The final Application has seen a reduction in the scale of the solar panels (such as through removal of panels from Park Farm, and adjustment of panels around Oaklands Farm), adjustments to the location of site infrastructure to minimise impacts on sensitive receptors (such as the collocation of the BESS and substation to the centre of the site, away from residential properties), significant levels of increased planting (both trees and enhancement of hedgerows) to provide additional screening and biodiversity benefits.
- 18.1.10. Construction traffic routes have been refined through the course of the pre-application phases to seek minimal impact to the local road network.
- 18.1.11. The inclusion of a permissive path also assists in improving connectivity through the site, allowing better routes for pedestrians moving between the local villages of Rosliston and Walton on Trent.
- 18.1.12. In addition, the Applicant is pleased to also set out the key benefits of the Proposed Development, which include:
- The ability to generate a significant amount of electricity, some 138MW, from a renewable energy source, capable of powering some 35,000 homes and contributing to the urgent need for new low and zero carbon energy infrastructure in the UK and delivering a development which national policy identifies as being a Critical National Priority.
 - Including an energy storage element to the development, ensuring that electricity generated by the solar arrays can be stored and released to the grid as appropriate, but also helping to improve the resilience and flexibility of the wider electricity network by allowing electricity to be imported and stored before being released when appropriate.
 - Securing a biodiversity net gain of 125% in habitat units, 20% in hedgerow units and 20% in river units, through a comprehensive scheme of landscaping and biodiversity improvements around the Site.

- Creating a new permissive path through the Proposed Development which will provide connectivity across the Site and improve the connectivity of the Public Rights of Way network in the surrounding area;
- Create employment opportunities and economic activity, particularly during the construction phase when it is expected that an average of 149 jobs will be created, with an equivalent of 8 full time jobs being created during the operation of the Proposed Development.

18.1.13. The Applicant will continue to provide information and maintain ongoing communication with the local communities and stakeholders through the period following submission of the application. This will be through further written correspondence, website updates and via the freephone information line and direct project email address.

19. Final Statement of compliance

Ref	Requirement	Compliance
Planning Act 2008		
Section 42	Duty to consult The applicant must consult the following about the proposed application:	
	(a) such persons as may be prescribed;	The Applicant consulted all relevant persons prescribed under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see Appendix 10.1 for the full list).
	(aa) the Marine Management Organisation;	<i>Not applicable</i>
	(b) each local authority that is within Section 43;	The Applicant consulted with each local authority identified under Section 43 (see Chapter 10.5 of the Consultation Report for the full list).
	(c) the Greater London Authority if the land is in Greater London; and	<i>Not applicable</i>
	(d) each person who is within one or more of the categories set out in Section 44.	The Applicant consulted all persons identified under Section 44, being persons with a relevant interest in land affected by the project (see the Book of Reference for the full list).
Section 45	Timetable for consultation under Section 42 (1) The applicant must, when consulting a person under Section 42, notify the person of the deadline for the receipt by the applicant of the person's response to the consultation.	All consultees were informed of the deadline for responses in a cover letter notifying the commencement of consultation (see copy letter at Appendix 10.3. The letter stated that the consultation process would run from 21st April 2022 until 6 th June 2022.
	(2) A deadline notified under subsection (1) must not be earlier than the end of the period of 28 days that begins with the day after	The consultation ran from 21st April 2022 until 6 th June 2022, providing a period of 46 days for responses.

	<p>the day on which the person receives the consultation documents.</p>	
	<p>(3) In subsection (2) “the consultation documents” means the documents supplied to the person by the applicant for the purpose of consulting the person.</p>	<p>The consultation documents provided for the Section 42 consultation included a copy of the Preliminary Environmental Information Report (PEIR), plans, a PEIR Non-Technical Summary Document, a Consultation Summary Document, and a copy of the questionnaire accessible via an online link. A hard copy of the Section 48 notification was also included alongside a cover letter.</p>
Section 46	<p>Duty to notify Secretary of State of proposed application</p> <p>(1) The applicant must supply the Secretary of State with such information in relation to the proposed application as the applicant would supply to the Secretary of State for the purpose of complying with section 42 if the applicant were required by that section to consult the Secretary of State about the proposed application.</p>	<p>The Applicant notified PINS of the proposed application on 14th April 2022 by way of a formal cover letter with a link to access the consultation documents. See Appendix 10.4.</p>
	<p>(2) The applicant must comply with subsection (1) on or before commencing consultation under section 42.</p>	<p>The letter was sent to PINS on 14th April 2022, before the date of commencement of the formal consultation on 21st April 2022.</p>
Section 47	<p>Duty to consult local community</p> <p>(1) The applicant must prepare a statement setting out how the applicant proposes to consult, about the proposed application, people living in the vicinity of the land.</p>	<p>The Applicant prepared a draft Statement of Community Consultation (SoCC) which set out how the Applicant proposed to consult the community. Further details on the process for preparing the SoCC can be found in Chapter 11 of the Consultation Report. The SoCC is attached to the Consultation Report at Appendix 11.2.</p>
	<p>(2) Before preparing the statement, the applicant must consult each local authority that is within section</p>	<p>The Applicant consulted the following section 43 local authorities:</p>

	43(1) about what is to be in the statement.	<ul style="list-style-type: none"> • Derbyshire County Council • South Derbyshire District Council • East Staffordshire Borough Council • Lichfield District Council • North West Leicestershire District Council • Leicestershire County Council • Staffordshire County Council
	(3) The deadline for the receipt by the applicant of a local authority's response to consultation under subsection (2) is the end of the period of 28 days that begins with the day after the day on which the local authority receives the consultation documents.	Statutory consultation with the relevant local authorities on the SoCC ran from 16 th December 2021 until 31 st January 2022 allowing 46 days to respond.
	(4) In subsection (3) "the consultation documents" means the documents supplied to the local authority by the applicant for the purpose of consulting the local authority under subsection (2).	The consultation documents comprised a cover letter (email), and draft SoCC (see Appendix 11.1).
	(5) In preparing the statement, the applicant must have regard to any response to consultation under subsection (2) that is received by the applicant before the deadline imposed by subsection (3).	The Applicant considered all relevant comments received on the draft SoCC. For more information on how comments were addressed see 11 of the Consultation Report. A table outlining the changes made to the SoCC following consultation is included in Table 11.2.
	(6) Once the applicant has prepared the statement, the applicant must— (a) make the statement available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land, (b) publish, in a newspaper circulating in the vicinity of the land, a notice stating where and when the statement can be inspected, and (c) publish the statement in such manner as may be prescribed.	<p>The final SoCC was published on 7th April 2022.</p> <p>A notice was placed in the Burton Mail and Derby Telegraph on the same date detailing where the SoCC could be viewed, in print or digitally. A copy of the notice can be seen in Appendix 11.3. A copy of the notices as published in situ can be seen in Appendix 11.4.</p> <p>Hard copies of the SoCC were placed on deposit and made available to view free of charge in the following locations:</p> <ul style="list-style-type: none"> • Swadlincote Library and Information Centre, Swadlincote Library, Civic Way, Swadlincote, Derbyshire, DE11 0AD

		<ul style="list-style-type: none"> • Barton Under Needwood Community Library, Barton Under Needwood Library, Dunstall Road, Barton-under-Needwood, Staffordshire, DE13 8AX • Burton Library, Burton Library, Riverside, Burton upon Trent, Staffordshire, DE14 1AH
	(7) The applicant must carry out consultation in accordance with the proposals set out in the statement.	The Applicant's consultation process was carried out in accordance with the SoCC, as explained in Chapter 11 of the Consultation Report.
Section 48	Duty to publicise	
	(1) The applicant must publicise the proposed application in the prescribed manner.	The Applicant prepared and published a Section 48 Notice in the manner prescribed under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. The published notice is provided at Appendix 12.1).
	(2) Regulations made for the purposes of subsection (1) must, in particular, make provision for publicity under subsection (1) to include a deadline for receipt by the applicant of responses to the publicity.	The deadline was included in the Section 48 Notice as 23.59 on 6 th June 2022.
Section 49	Duty to take account of responses to consultation and publicity	The Applicant has had regard to all relevant responses to consultation in accordance with section 42, section 47 and section 48. Please see Chapters 13 and 14 of the Consultation Report.
	(1) Subsection (2) applies where the applicant—	
	(a) has complied with sections 42, 47 and 48, and	
	(b) proposes to go ahead with making an application for an order granting development consent (whether or not in the same terms as the proposed application).	

	<p>(2) The applicant must, when deciding whether the application that the applicant is actually to make should be in the same terms as the proposed application, have regard to any relevant responses.</p>	
	<p>(3) In subsection (2) “relevant response” means—</p> <p>(a) a response from a person consulted under section 42 that is received by the applicant before the deadline imposed by section 45 in that person’s case,</p> <p>(b) a response to consultation under section 47(7) that is received by the applicant before any applicable deadline imposed in accordance with the statement prepared under section 47, or</p> <p>(c) a response to publicity under section 48 that is received by the applicant before the deadline imposed in accordance with section 48(2) in relation to that publicity.</p>	<p>Section 42 responses are considered in Chapter 13 of the Consultation Report. Appendix 13.1 also provides a breakdown analysis of the comments received and regard had by the Applicant.</p> <p>Section 47 and 48 responses are considered in Chapter 14 of the Consultation Report. Table 14.1 contains all issues raised during the consultation alongside a note of the regard had by the Applicant to each issue. Appendix 14.1 also provides a detailed breakdown analysis of the comments.</p> <p>This has been prepared following guidance set out in PINS Advice Note 14: Compiling the Consultation Report.</p>
Section 50	<p>Guidance about preapplication procedure</p> <p>(1) Guidance may be issued about how to comply with the requirements of this Chapter.</p> <p>(2) Guidance under this section may be issued by the Secretary of State.</p>	<p>The Applicant has complied with the guidance set out in DCLG Guidance on pre-application consultation (see below). The Applicant has also had regard to the Planning Act 2008: guidance on the pre-application process; and Advice Notes prepared by the Planning Inspectorate.</p>

	(3) The applicant must have regard to any guidance under this section.	
DCLG: Guidance on the pre-application process (March 2015)		
17	When circulating consultation documents, developers should be clear about their status, for example ensuring it is clear to the public if a document is purely for purposes of consultation.	Consultation Documents were all identified as such either within the title of the document (e.g. Consultation Summary Document), or within the body of the text contained with the document.
18	<p>Early involvement of local communities, local authorities and statutory consultees can bring about significant benefits for all parties, by:</p> <ul style="list-style-type: none"> • helping the applicant identify and resolve issues at the earliest stage, which can reduce the overall risk to the project further down the line as it becomes more difficult to make changes once an application has been submitted; • enabling members of the public to influence proposed projects, feedback on potential options, and encouraging the community to help shape the proposal to maximise local benefits and minimise any downsides; • helping local people understand the potential nature and local impact of the proposed project, with the potential to dispel misapprehensions at an early stage; • enabling applicants to obtain important information about the economic, social and environmental impacts of a scheme from consultees, which can help rule out unsuitable options; 	<p>The Applicant undertook significant informal consultation, beginning in 2021, prior to the statutory consultation period in April - June 2022. Early engagement and informal consultation was undertaken in order to help inform the development of the proposals prior to the formal consultation period. In addition, further additional targeted informal engagement was undertaken following the statutory consultation period.</p> <p>Throughout the pre-application period, the Applicant sought ongoing community engagement and liaison was undertaken with communities, including harder to reach groups. This engagement served to assist in informing communities about the project, as well as encourage participation in the process. It also allowed the Applicant to consider ways in which local benefit could be identified for the region and affected communities.</p> <p>Further information on the Applicant's approach to this can be found in Chapter 8 of the Consultation Report.</p>

	<ul style="list-style-type: none"> • enabling potential mitigating measures to be considered and, if appropriate, built into the project before an application is submitted; and • identifying ways in which the project could, without significant costs to promoters, support wider strategic or local objectives. 	
20	<p>Experience suggests that, to be of most value, consultation should be:</p> <ul style="list-style-type: none"> • based on accurate information that gives consultees a clear view of what is proposed including any options; • shared at an early enough stage so that the proposal can still be influenced, while being sufficiently developed to provide some detail on what is being proposed; and • engaging and accessible in style, encouraging consultees to react and offer their views. 	<p>The Applicant has sought to provide and consult upon clear information at key points through the development of the proposals.</p> <p>The Applicant decided to undertake various phases of informal consultation to ensure that consultees had adequate opportunities to obtain a clear view of what is proposed both before and following the statutory consultation period.</p> <p>Consultation documents (such as the Consultation Summary Document) were produced to supplement the technical documents during the consultation process. All consultation materials were designed to provide accessible information to encourage participation in the process.</p>
24	<p>Government recognises that major infrastructure projects and the communities and environment in which they are located will vary considerably. A 'one-size fits-all' approach is not, therefore, appropriate. Instead, applicants, who are best placed to understand the detail of their specific project, and the relevant local authorities, who have a unique knowledge of their local communities, should as far as possible work together to develop plans for consultation. The aim should be to ensure that consultation is appropriate to the scale and nature of the project and</p>	<p>The Applicant has worked closely with relevant local authorities throughout the process. This includes during the development of the SoCC, which was developed following discussion with relevant local authorities following the earlier stages of informal consultation.</p> <p>This is set out in Chapter 11 of the Consultation Report.</p>

	where its impacts will be experienced.	
25	<p>Consultation should be thorough, effective and proportionate. Some applicants may have their own distinct approaches to consultation, perhaps drawing on their own or relevant sector experience, for example if there are industry protocols that can be adapted. Larger, more complex applications are likely to need to go beyond the statutory minimum timescales laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response. Many proposals will require detailed technical input, especially regarding impacts, so sufficient time will need to be allowed for this. Consultation should also be sufficiently flexible to respond to the needs and requirements of consultees, for example where a consultee has indicated that they would prefer to be consulted via email only, this should be accommodated as far as possible.</p>	<p>The formal consultation period was 46 days, which is longer than the statutory minimum. 6</p> <p>Ongoing engagement and preparation for the statutory consultation period was undertaken to prepare consultees for the process as far as possible. Informal consultation also allowed consultees an opportunity to be involved and understand the project prior to the statutory consultation period.</p>
26	<p>In addition, applicants may also wish to strengthen their case by seeking the views of other people who are not statutory consultees, but who may be significantly affected by the project.</p>	<p>Additional consultees were invited to participate in the statutory consultation. These were included in the section 42 or section 47 mailing and are included in Appendices 8.1 and 10.1.</p>
27	<p>Where an applicant proposes to include non planning consents within their Development Consent Order, the bodies that would normally be responsible for granting these consents should make every effort to facilitate this. They should only object to the inclusion of such non planning consents with good reason, and after careful consideration of reasonable alternatives. It is therefore</p>	<p>The Applicant is not seeking any non-planning consents for this project.</p>

	<p>important that such bodies are consulted at an early stage. In addition, there will be a range of national and other interest groups who could make an important contribution during consultation. Applicants are therefore encouraged to consult widely on project proposals.</p>	
28	<p>From time to time a body may cease to exist but, for legislative timetabling reasons, may still be listed as a statutory consultee. In such situations the Secretary of State will not expect strict compliance with the statutory requirements. Applicants should identify any successor body and consult with them in the same manner as they would have with the original body. Where there is no obvious successor, applicants should seek the advice of the Inspectorate, who may be able to identify an appropriate alternative consultee. Whether or not an alternative is identified, the consultation report should briefly note any cases where compliance with statutory requirements was impossible and the reasons why.</p>	<p>The Applicant reviewed the consultee list on a regular basis to ensure that contact details were up to date.</p>
29	<p>Applicants will often need detailed technical input from expert bodies to assist with identifying and mitigating the social, environmental, design and economic impacts of projects, and other important matters. Technical expert input will often be needed in advance of formal compliance with the preapplication requirements. Early engagement with these bodies can help avoid unnecessary delays and the costs of having to make changes at later stages of the process. It is equally important that statutory consultees respond to a request for technical input in a</p>	<p>The Applicant has undertaken extensive engagement with expert bodies and technical consultees throughout the pre-application process. This ongoing dialogue began in 2021 (Scoping). This is described in detail in relevant chapters of the Environmental Statement (ES).</p>

	timely manner. Applicants are therefore advised to discuss and agree a timetable with consultees for the provision of such inputs.	
35	<p>“The applicant has a duty under section 47 of the Planning Act to prepare a Statement of Community Consultation, and then to conduct its consultation in line with that statement. Before doing so, the applicant must consult on their Statement of Community Consultation with each local authority in whose area the proposed development is situated. This may require consultation with a number of different local authorities, particularly for long linear projects.”</p>	<p>The Applicant prepared a draft Statement of Community Consultation (SoCC) which set out how the Applicant proposed to consult the community. Further details on the process for preparing the SoCC can be found in Chapter 11 of the Consultation Report. The SoCC is attached to the Consultation Report at Appendix 11.2.</p> <p>The Applicant consulted with the following section 43 local authorities:</p> <ul style="list-style-type: none"> • Derbyshire County Council • South Derbyshire District Council • East Staffordshire Borough Council • Lichfield District Council • North West Leicestershire District Council • Leicestershire County Council • Staffordshire County Council <p>Statutory consultation with the relevant local authorities on the SoCC ran from 21st April 2022 to 6th June 2022. The consultation documents comprised a cover letter (email), and draft SoCC (see Appendix 11.1).</p>
36	<p>Even where it is intended that a development would take place within a single local authority area, it is possible that its impacts could be significantly wider than just that local authority’s area – for example if the development was located close to a neighbouring authority. Where an applicant decides to consult people living in a wider area who could be affected by the project (e.g. through visual or environmental impacts, or through</p>	<p>Due to the nature of the project, the Applicant consulted with relevant neighbouring authorities on issues such as traffic and transport. This approach is reflected and recorded in the SoCC.</p>

	increased traffic flow), that intention should be reflected in the Statement of Community Consultation.	
37	The Planning Act requires local authorities to respond to the applicant's consultation on their proposed Statement of Community Consultation within 28 days of receipt of the request. However, prior to submitting their draft Statement of Community Consultation applicants may wish to seek to resolve any disagreements or clarifications about the public consultation design. An applicant is therefore likely to need to engage in discussions with local authorities over a longer period than the minimum requirements set out in the Act.	Chapter 11 of the Consultation Report sets out how the Applicant consulted with relevant local authorities on the consultation approach and development of the SoCC. Informal discussion on this point also took place prior to the formal Draft SoCC consultation period.
39	<p>Topics for consideration at such pre-consultation discussions might include:</p> <ul style="list-style-type: none"> • the size and coverage of the proposed consultation exercise (including, where appropriate, consultation which goes wider than one local authority area); • the appropriateness of various consultation techniques, including electronic-based ones; • the design and format of consultation materials; • issues which could be covered in consultation materials; • suggestions for places/timings of public events as part of the consultation; • local bodies and representative groups who should be consulted; and 	Chapter 11 of the Consultation Report sets out how the Applicant consulted with relevant local authorities on the consultation approach and development of the SoCC.

	<ul style="list-style-type: none"> • timescales for consultation. 	
41	<p>Where a local authority raises an issue or concern on the Statement of Community Consultation which the applicant feels unable to address, the applicant is advised to explain in their consultation report their course of action to the Secretary of State when they submit their application.</p>	<p>Chapter 11 of the Consultation Report sets out how the Applicant consulted with relevant local authorities on the consultation approach and development of the SoCC. Table 11.2 in the Report shows requested amendments to the SoCC wording, as well as whether or not these changes were adopted. The Applicant had regard to all responses received and made amendments to the wording of the SoCC in response to the majority of requested changes. Where changes were not made, this has been clearly and directly responded to by the Applicant.</p>
42	<p>Where a local authority decides that it does not wish to respond to a consultation request on the Statement of Community Consultation, the applicant should make reasonable efforts to ensure that all affected communities are consulted. If the applicant is unsure how to proceed, they are encouraged to seek advice from the Inspectorate. However, it is for the applicant to satisfy themselves that their consultation plan allows for as full public involvement as is appropriate for their project and, once satisfied, to proceed with the consultation. Provided that applicants can satisfy themselves that they have made reasonable endeavours to consult with all those who might have a legitimate interest or might be affected by a proposed development, it would be unlikely that their application would be rejected on grounds of inadequate public consultation.</p>	<p>The Applicant is satisfied that it has made reasonable efforts to consult with all those who may have a legitimate interest or might be affected by the proposed development. In addition, local community engagement via the parish councils has taken place throughout the process in order to raise the profile of the project and encourage participation in the consultation process. This engagement and feedback from informal consultation phases fed into the development of the consultation process as outlined in the SoCC.</p>
43	<p>Local authorities are also themselves statutory consultees for any proposed major infrastructure project which is in or adjacent to their area. Applicants should engage with them as early as possible to ensure that the impacts</p>	<p>The Applicant undertook early engagement with the relevant local authorities from the outset of the project development. Chapters 8 and 11 of the Consultation Report sets out the engagement undertaken with these authorities in order to understand the most appropriate way to engage with affected local communities.</p>

	of the development on the local area are understood and considered prior to the application being submitted to the Secretary of State.	Ongoing engagement has taken place throughout the preapplication process.
49	Applicants will also need to identify and consult people who own, occupy or have another interest in the land in question, or who could be affected by a project in such a way that they may be able to make a claim for compensation. This will give such parties early notice of projects, and an opportunity to express their views regarding them	The Applicant consulted both informally and formally under section 42 of the 2008 Act with individuals who own, occupy or have another interest in the land in question.
50	It is the applicant's responsibility to demonstrate at submission of the application that due diligence has been undertaken in identifying all land interests and applicants should make every reasonable effort to ensure that the Book of Reference (which records and categorises those land interests) is up to date at the time of submission.	The Applicant has undertaken significant research and is satisfied that it has undertaken extensive due diligence in order to ensure that all land interests have been identified. The Applicant will engage with any new interests to help them understand how they can engage with the Development Consent Order process. A description of engagement with landowners is included in Chapters 8 and 10 of the Consultation Report.
51	However, it is understood that land interests change over time and that new or additional interests may emerge after an applicant has concluded statutory consultation but just before an application is submitted. In such a situation, the applicant should provide a proportionate opportunity to any new person identified with a land interest to make their views known on the application. Where new interests in land are identified very shortly before the intended submission of an application, despite diligent efforts earlier in the process it may be difficult at that stage for applicants to consult and take account of any responses from those new interests before submitting their application as intended. If this situation arises	Any newly identified landowner was afforded adequate opportunity to consider and respond to the project proposals throughout the pre-application process. The Applicant undertook additional informal targeted consultation (including with all identified landowners) following the statutory consultation following a revision to a portion of the red line boundary. Engagement with relevant landowners following a further tweak to the red-line boundary in October 2023 was also undertaken. Should any new land interests be identified following the pre-application consultation and before the application submission, the applicant will engage with those parties to explain how they are able to engage with the application if it is accepted for examination.

	<p>applicants should be proactive and helpful in ensuring that the person understands how they can, if they so wish, engage with the process if the application is accepted for examination.</p>	
52	<p>Applicants should explain in the consultation report how they have dealt with any new interests in land emerging after conclusion of their statutory consultation having regard to their duties to consult and take account of any responses.</p>	<p>Any newly identified landowner was afforded adequate opportunity to consider and respond to the project proposals throughout the pre-application process. The Applicant undertook additional informal targeted consultation (including with all identified landowners) following the statutory consultation following a revision to a portion of the red line boundary. Engagement with relevant landowners following a further tweak to the red-line boundary in October 2023 was also undertaken. A description of engagement with landowners is included in Chapters 8 and 10 of the Consultation Report.</p>
53	<p>Local people have a vital role to play at the pre application stage. People should have as much influence as is realistic and possible over decisions which shape their lives and communities. It is therefore critical that they are engaged with project proposals at an early stage. Because they live, work and socialise in the affected area, local people are particularly well placed to comment on what the impact of proposals on their local community might be; or what mitigating measures might be appropriate; or what other opportunities might exist for meeting the project's objectives.</p>	<p>The Applicant is committed to early and meaningful consultation with local communities in the areas in which it operates. Chapter 17 sets out the Applicant's approach to consultation with local communities.</p>
54	<p>In consulting on project proposals, an inclusive approach is needed to ensure that different groups have the opportunity to participate and are not disadvantaged in the process. Applicants should use a range of methods and techniques to ensure that they access all sections of the community in</p>	<p>The Applicant sought to engage with 'Hard to Reach' groups, which focused on inclusive engagement with representatives of seldom heard groups or individuals. Further information on this can be found in Chapters and 11 of the Consultation Report.</p>

	<p>question. Local authorities will be able to provide advice on what works best in terms of consulting their local communities given their experience of carrying out consultations in their area.</p>	
55	<p>Applicants must set out clearly what is being consulted on. They must be careful to make it clear to local communities what is settled and why, and what remains to be decided, so that expectations of local communities are properly managed. Applicants could prepare a short document specifically for local communities, summarising the project proposals and outlining the matters on which the view of the local community is sought. This can describe core elements of the project and explain what the potential benefits and impacts may be. Such documents should be written in clear, accessible, and non-technical language. Applicants should consider making it available in formats appropriate to the needs of people with disabilities if requested. There may be cases where documents may need to be bilingual (for example, Welsh and English in some areas), but it is not the policy of the Government to encourage documents to be translated into non-native languages.</p>	<p>The Applicant set out the scope of consultation during the statutory consultation period in the SoCC. A Consultation Summary Document was produced in order to provide an accessible summary of the proposals for the local community. This document contained direct information and questions about the matters on which the views of the local communities are being sought. These questions were reflected in the consultation questionnaire.</p> <p>Residents were encouraged to contact the project team on the information line if they had any specific requirements or queries about the consultation process or materials.</p>
56	<p>Applicants are required to set out in their Statement of Community Consultation how they propose to consult those living in the vicinity of the land. They are encouraged to consider consulting beyond this where they think doing so may provide more information on the impacts of their proposals (e.g. through visual impacts or increased traffic flow).</p>	<p>The Applicant set out how it proposes to consult with local communities and those living within the vicinity of the land in its SoCC. This is detailed in Chapter 11 of the Consultation Report. The SoCC is included as Appendix 11.2 of the Consultation Report.</p>

57	<p>The Statement of Community Consultation should act as a framework for the community consultation generally, for example, setting out where details and dates of any events will be published.</p> <p>The Statement of Community Consultation should be made available online, at any exhibitions or other events held by applicants. It should be placed at appropriate local deposit points (e.g. libraries, council offices) and sent to local community groups as appropriate.</p>	<p>The SoCC set out the details of the statutory consultation and was made available online, and at exhibitions during the statutory consultation period. It was also sent to identified section 47 stakeholders and placed on deposit at the following locations:</p> <ul style="list-style-type: none"> • Swadlincote Library and Information Centre, Swadlincote Library, Civic Way, Swadlincote, Derbyshire, DE11 0AD • Barton Under Needwood Community Library, Barton Under Needwood Library, Dunstall Road, Barton-under-Needwood, Staffordshire, DE13 8AX • Burton Library, Burton Library, Riverside, Burton upon Trent, Staffordshire, DE14 1AH <p>Chapter 11 of the Consultation Report sets this out in detail.</p>
58	<p>Applicants are required to publicise their proposed application under section 48 of the Planning Act and the Regulations¹⁵ and set out the detail of what this publicity must entail. This publicity is an integral part of the public consultation process. Where possible, the first of the two required local newspaper advertisements should coincide approximately with the beginning of the consultation with communities. However, given the detailed information required for the publicity in the Regulations, aligning publicity with consultation may not always be possible, especially where a multi-stage consultation is intended.</p>	<p>The section 48 notification was published in relevant publications on the following dates.</p> <p>(a) For two successive weeks in the The Derby Telegraph & The Burton Mail (local newspapers) on 21 April 2022 and 28 April 2022:</p> <p>(b) Once in a national newspaper (The Times) on 21 April 2022.</p> <p>(c) Once in London Gazette on 21 April 2022</p> <p>The copies of the newspaper notices are provided at Appendix 12.2.</p>
68	<p>To realise the benefits of consultation on a project, it must take place at a sufficiently early stage to allow consultees a real</p>	<p>The Applicant has involved consultees and the local community in the development of its proposals from the earliest stages. Initial engagement took place in line with the Scoping</p>

	<p>opportunity to influence the proposals. At the same time, consultees will need sufficient information on a project to be able to recognise and understand the impacts.</p>	<p>request, and continued through stages of informal and formal consultation across 2021, 2022 and 2023.</p>
69	<p>Applicants will often also require detailed technical advice from consultees and it is likely that their input will be of the greatest value if they are consulted when project proposals are fluid, followed up by confirmation of the approach as proposals become firmer. In principle, therefore, applicants should undertake initial consultation as soon as there is sufficient detail to allow consultees to understand the nature of the project properly.</p>	<p>The Applicant has involved consultees and the local community in the development of its proposals from the earliest stages. Initial engagement took place in line with the Scoping request, and continued through stages of informal and formal consultation across 2021, 2022 and 2023.</p>
70	<p>To manage the tension between consulting early, but also having project proposals that are firm enough to enable consultees to comment, applicants are encouraged to consider an iterative, phased consultation consisting of two (or more) stages, especially for large projects with long development periods. For example, applicants might wish to consider undertaking non-statutory early consultation at a stage where options are still being considered. This will be helpful in informing proposals and assisting the applicant in establishing a preferred option on which to undertake statutory consultation.</p>	<p>The Applicant undertook informal consultation both prior and following the statutory consultation period. Informal engagement and consultation has taken place throughout the process to ensure that consultees and local communities have adequate information at an appropriate time to influence the proposals.</p>
71	<p>Where an iterative consultation is intended, it may be advisable for applicants to carry out the final stage of consultation with persons who have an interest in the land once they have worked up their project proposals in sufficient detail to identify affected land interests.</p>	<p>The Applicant involved landowners in the consultation process from the earliest points at which it was identified that their land would fall within the redline boundary for the project. At the point of undertaking the statutory consultation in April 2022, all landowners were notified of the proposals under section 42. Further information on this can be found in Chapter 10 of the Consultation Report. Where</p>

		changes have occurred to the red line boundary since that point, further consultation has been undertaken directly with affected or newly identified landowners to ensure that they have had an opportunity to consider the proposals and provide their feedback. Further information on this can be found in Chapters 14 and 15 of the Consultation Report.
72	<p>The timing and duration of consultation will be likely to vary from project to project, depending on size and complexity, and the range and scale of the impacts. The Planning Act requires a consultation period of a minimum of 28 days from the day after receipt of the consultation documents. It is expected that this may be sufficient for projects which are straightforward and uncontroversial in nature. But many projects, particularly larger or more controversial ones, may require longer consultation periods than this. Applicants should therefore set consultation deadlines that are realistic and proportionate to the proposed project. It is also important that consultees do not withhold information that might affect a project, and that they respond in good time to applicants. Where responses are not received by the deadline, the applicant is not obliged to take those responses into account.</p>	<p>The formal consultation period was 46 days, which is longer than the statutory minimum.</p> <p>Ongoing engagement and preparation for the statutory consultation period was undertaken to prepare consultees for the process as far as possible. Informal consultation also allowed consultees an opportunity to be involved and understand the project prior to the statutory consultation period.</p>
73	<p>Applicants are not expected to repeat consultation rounds set out in their Statement of Community Consultation unless the project proposals have changed very substantially. However, where proposals change to such a large degree that what is being taken forward is fundamentally different from what was consulted on, further consultation may well be needed. This may be necessary if, for</p>	<p>As a result of feedback received during the statutory consultation and other design developments, several changes were made to the Proposed Development. These are summarised in section 14.4 of the Consultation Report. The Applicant decided to carry out additional informal targeted consultation to ensure that all stakeholders were aware of the changes and given the opportunity to comment further on the proposals prior to submission of the application.</p>

	<p>example, new information arises which renders all previous options unworkable or invalid for some reason. When considering the need for additional consultation, applicants should use the degree of change, the effect on the local community and the level of public interest as guiding factors.</p>	<p>The SoCC allowed for appropriate further informal targeted consultation stating:</p> <p>“Following [statutory consultation], the Applicant may carry out additional geographically targeted consultation with members of the local community, as feedback is received, and the Proposed Development is refined. Wider consultation could also be carried out if considered necessary and appropriate. Any further consultation would be undertaken in accordance with the principles set out in this SoCC.”</p>
74	<p>Where a proposed application changes to such a large degree that the proposals could be considered a new application, the legitimacy of the consultation already carried out could be questioned. In such cases, applicants should undertake further reconsultation on the new proposals, and should supply consultees with sufficient information to enable them to understand the nature of the change and any likely significant impacts (but not necessarily the full suite of consultation documents), and allow at least 28 days for consultees to respond.</p>	<p>The Applicant has consulted upon the proposals as set out in the SoCC. Refinements have been made, but the project has not altered materially through the process, so there has been no requirement to repeat any statutory consultation rounds.</p>
75	<p>If the application only changes to a small degree, or if the change only affects part of the development, then it is not necessary for an applicant to undertake a full reconsultation. Where a proposed application is amended in light of consultation responses then, unless those amendments materially change the application or materially changes its impacts, the amendments themselves should not trigger a need for further consultation. Instead, the applicant should ensure that all affected statutory consultees and local</p>	<p>The Applicant has made changes to the proposals following consultation. These changes are set out in Chapter 14 of the Consultation Report. The majority of these changes were as a result of feedback received.</p> <p>As a result of this feedback received during the statutory consultation and other design developments, the Applicant decided to carry out additional informal targeted consultation to ensure that all stakeholders were aware of the changes and given the opportunity to comment further on the proposals prior to submission of the application.</p>

	communities are informed of the changes.	The SoCC allowed for appropriate further informal targeted consultation.				
76	In circumstances where a particular issue has arisen during the preapplication consultation, or where it is localised in nature, it may be appropriate to hold a non-statutory, targeted consultation. A developer’s Statement of Community Consultation should be drafted so that it does not preclude this approach. A more bespoke approach can be adopted, which may allow developers to respond with more agility to the issue at hand. If adopting this approach, the emphasis should be on ensuring that relevant individuals and organisations are included.	As a result of feedback received during the statutory consultation and other design developments, the Applicant decided to carry out additional informal targeted consultation to ensure that all stakeholders were aware of the changes and given the opportunity to comment further on the proposals prior to submission of the application. In addition, some tweaks were made to the red-line boundary and affected landowners were informed in October 2023 (see Chapter 15 of the Consultation Report). The SoCC allowed for appropriate further informal targeted consultation.				
77	Consultation should also be fair and reasonable for applicants as well as communities. To ensure that consultation is fair to all parties, applicants should be able to demonstrate that the consultation process is proportionate to the impacts of the project in the area that it affects, takes account of the anticipated level of local interest, and takes account of the views of the relevant local authorities.	The Applicant has refined its approach to consultation throughout the informal consultation process. The consultation zone was developed based on likely local impacts and confirmed with the local authorities prior to the final SoCC being published. The SoCC itself was also developed in line with advice from local authorities, and the formal consultation process was adapted to suit expectations.				
80	Therefore, the consultation report should: - provide a general description of the consultation process undertaken, which can helpfully include a timeline; - set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary	The Consultation Report has been drafted to ensure that these elements are addressed and reflected within the body of the Report. To summarise, the table below shows where this point can be found within the Consultation Report: <table border="1" data-bbox="884 1767 1458 2016"> <thead> <tr> <th>Requirement</th> <th>Reference</th> </tr> </thead> <tbody> <tr> <td>- provide a general description of the consultation process undertaken, which can helpfully include a timeline;</td> <td>Chapter 2 & 3</td> </tr> </tbody> </table>	Requirement	Reference	- provide a general description of the consultation process undertaken, which can helpfully include a timeline;	Chapter 2 & 3
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- provide a general description of the consultation process undertaken, which can helpfully include a timeline;	Chapter 2 & 3					

<p>legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate;</p> <p>- set out how the applicant has taken account of any response to consultation with local authorities on what should be in the applicant's statement of community consultation;</p> <p>- set out a summary of relevant responses to consultation (but not a complete list of responses);</p> <p>- provide a description of how the application was informed and influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed;</p> <p>- provide an explanation as to why responses advising on major changes to a project were not followed, including advice from statutory consultees on impacts;</p> <p>- where the applicant has not followed the advice of the local authority or not complied with this guidance or any relevant Advice Note published by the Inspectorate, provide an explanation for the action taken or not taken; and</p>		
	- set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate;	Chapters 10 - 12
	- set out how the applicant has taken account of any response to consultation with local authorities on what should be in the applicant's statement of community consultation;	Chapter 11
	- set out a summary of relevant responses to consultation (but not a complete list of responses);	Chapters 13 & 14
	- provide a description of how the application was informed and influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed;	Chapter 14
	- provide an explanation as to why responses advising on major changes to a project were not followed, including advice from statutory consultees on impacts;	Chapter 13 & 14

	- be expressed in terms sufficient to enable the Secretary of State to understand fully how the consultation process has been undertaken and significant effects addressed. However, it need not include full technical explanations of these matters.	- where the applicant has not followed the advice of the local authority or not complied with this guidance or any relevant Advice Note published by the Inspectorate, provide an explanation for the action taken or not taken; and	Chapters 10 - 12
		- be expressed in terms sufficient to enable the Secretary of State to understand fully how the consultation process has been undertaken and significant effects addressed. However, it need not include full technical explanations of these matters.	Chapters 10 - 12
81	It is good practice that those who have contributed to the consultation are informed of the results of the consultation exercise; how the information received by applicants has been used to shape and influence the project; and how any outstanding issues will be addressed before an application is submitted to the Inspectorate.	The Applicant has issued newsletters to the local community at stages throughout the pre-application phase. These have included information about how the Proposed Development has been refined since the previous correspondence. Ongoing website updates have also allowed for a regular update to interested parties about how the plans have evolved.	
83	The consultation report may not be the most appropriate format in which to respond to the points raised by various consultee groups and bodies. Applicants should therefore consider producing a summary note in plain English for the local community setting out headline findings and how they have been addressed, together with a link to the full consultation report for those interested. If helpful, this could be supplemented by events in the local area.	The Applicant has produced a number of accessible documents (for example newsletters) setting out the how the proposals have changed as a result of feedback since the close of statutory consultation, and will provide further information on headline issues and how these have been addressed at the point of application submission.	
84	A response to points raised by consultees with technical	Technical responses have been dealt with in detail in the Environmental Statement (ES), and	

	<p>information is likely to need to focus on the specific impacts for which the body has expertise. The applicant should make a judgement as to whether the consultation report provides sufficient detail on the relevant impacts, or whether a targeted response would be more appropriate. Applicants are also likely to have identified a number of key additional bodies for consultation and may need to continue engagement with these bodies on an individual basis.</p>	<p>where appropriate have been cross referenced by the Consultation Report. Technical consultees have been engaged with on a regular basis throughout the process.</p> <p>Engagement with these bodies will continue through the development of the project as appropriate.</p>
93	<p>For the pre-application consultation process, applicants are advised to include sufficient preliminary environmental information to enable consultees to develop an informed view of the project. The information required may be different for different types and sizes of projects. It may also vary depending on the audience of a particular consultation. The preliminary environmental information is not expected to replicate or be a draft of the environmental statement. However, if the applicant considers this to be appropriate (and more cost-effective), it can be presented in this way. The key issue is that the information presented must provide clarity to all consultees. Applicants should be careful not to assume that non-specialist consultees would not be interested in any technical environmental information. It is therefore advisable to ensure access to such information is provided during all consultations. The applicant's Statement of Community Consultation must include a statement about how the applicant intends to consult on preliminary environmental information.</p>	<p>The Applicant produced a Preliminary Environmental Information Report (PEIR). This was provided in hard copy at all public events and was available for download from the project website. A Non-Technical Summary (NTS) of the PEIR was also produced and made available at all locations the PEIR was available. The SoCC set out how to access the PEIR, either online, in hard copy, or upon request, and the Applicant undertook the consultation in line with this. The SoCC can be reviewed in Appendix 11.2.</p>

95	<p>When considering whether a project has the potential to significantly affect the integrity of certain European protected wildlife sites, the applicant must provide a report which should include the site(s) that may be affected, together with sufficient information to enable the Secretary of State, as decision maker, to conclude whether an appropriate assessment is required, and, if so, to undertake such an assessment.</p>	<p>The Applicant has undertaken consultation in line with this recommendation and has engaged with a wide range of expert consultees throughout the pre-application process. This activity is set out in detail in the ES.</p>
96	<p>It is the applicant's responsibility to consult with the relevant statutory bodies and, if they consider it necessary, with any relevant non-statutory nature conservation bodies, in order to gather evidence for such a report (to support a Habitats Regulations Assessment). This consultation should take place as early as possible in the preapplication process. One way of doing this is for an applicant to agree an evidence plan. The Planning Inspectorate can also comment on the applicant's draft report in advance of formal submission of the application if it is provided in good time. Further advice on Habitats Regulations Assessments for major infrastructure projects is available from the Inspectorate's Advice Note 10.</p>	<p>As noted above, the Applicant undertook extensive consultation and engagement with relevant bodies. This is set out within the ES and cross referenced as appropriate within the Consultation Report.</p>