

Heckington Fen Solar Park

EN010123

Appendix 23 Further Consultation – Responses & How Ecotricity responded

Applicant: Ecotricity (Heck Fen Solar) Limited

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**CONSULTATION REPORT – APPENDIX 23 – FURTHER CONSULTATION -
RESPONSES AND HOW ECOTRICITY RESPONDED**


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Appendix 23 Further Consultation – Responses & how Ecotricity responded

The Applicant has compiled the below list of feedback provided and responded to each of the issues raised within it, coding responses with the following naming convention:

- ONXXX – online feedback form (hosted on Survey Monkey)
- PFXXX – physical feedback form
- EXXX – email
- LXXX – letter
- CXXX – call

Issue Topic	Consultee	Date	Stakeholder Comment	Regard had by the Applicant
Food security	E001	19 Dec 2022	Amber Hill Parish Council reviewed your consultation document at their meeting on the 21st November 2022 and have asked me to pass on the following comments. On page 5 of the document it states: <i>We have reduced the southernmost extents of the main sit and removed some of the areas previously set aside for biodiversity net gain, predominately in the southern and western parts of the site. Removing this land from the order allows it to remain in agricultural usage, resulting in a site which is comprised of over 80% Grade 3 agricultural land.</i> However the natural England Defra website map shows the proposed site is a mixture of Grade 1 and 2 land an not grade 3 as you have	<p>The Project Manager provided further details on the land classification of the site, noting that the Natural England dataset is considered provisional, subject to detailed analysis where applicable.</p> <p>They let the respondent know that the information in the document is based on survey data gathered from over 450 soil samples (taken by soil augers) from across the land holding (by an independent third party). The survey showed that some of the land is classified as 'best and most versatile' (grade 1 = 11%; grade 2 = 7% and grade 3a = 30%), mainly split between areas near the A17. Some portions are also scattered amongst tracts of poorer soils. Accordingly, the vast majority (80%) of the development land is grade 3, and suffers the usual constraints of heavy soils, blackgrass infestation and a general susceptibility to wetness, both of which constrain current farming activities. Savills have prepared a detailed note on the practical implications of farming the site, which the Applicant will be made available in due course as part of the planning submission.</p> <p>The Project Manager also informed the respondent that, following the statutory consultation in the</p>

			<p>stated in your document.</p> <p></p> <p>Based on this they reiterate their previous objections that this development will be taking away valuable grade 1 & 2 agricultural land.</p>	<p>summer, the Applicant removed areas of higher quality land in the south and west from the development to allow that land to remain in agricultural use. The remainder of the site would be utilised for the Proposed Development in conjunction with commercial sheep grazing, managed by a local shepherd who may lose their current land to the proposed reservoir.</p> <p>In addition, they offered to answer/address further questions or comments,</p>
Food security	E002	18 Dec 2022	<p>Regarding the letter sent to us by Ecotricity on 10/11/2022 under the section "Other changes since formal consultation"</p> <p>It states that the site is comprised of over 80% Grade 3 agricultural land. We would like to challenge this.</p> <p>In the Carter Jonas particulars for the letting of Six Hundreds Farm 11/10/2002 by the Crown Estate Commissioners the land is stated as all being Grade 1 and 2 silt and clay loam.</p> <p>Also in the Carter Jonas particulars for the letting of Abbey Farms by Bramall Properties Ltd themselves 30/9/2000 it states Grade 1 and Grade 2 farmland including fertile silt soils.</p>	<p>The Project Manager thanked the consultee for their comments and for taking the time to meet one of their colleagues on site the week before.</p> <p>In regards to the agricultural land classification of the site, please see the above 'Regard had by the Applicant' section (for E001).</p> <p>Regarding the respondent's suggestion (made during the site visit) that a footpath and permissive route could avoid the need for a footbridge, the Project team looked into how this would work from a legal perspective, and shared a draft legal agreement.</p>

			<p>Planning guidance discourages solar farm development on Grade 1 to Grade 3a land.</p> <p>National Planning Policy would not normally support development on the best agricultural land. The best quality land should be used for agriculture purposes.</p> <p>Also the applicant is stating that only feed wheat can be grown on the land but we have copies of the land's past cropping which includes potatoes, bulbs, calabrese, peas, sprouts, cauliflowers.</p> <p>Just feel that someone is not telling the truth about the land and it is a travesty to see it taken out of food production.</p>	
Cable route	C001	15 Nov 2022	<p>Call about the land requirements and information received.</p> <p>Followed by an email (below).</p>	<p>The Project Manager let the landowner know that the further targeted consultation relates to additional land requirements, as opposed to land that they are already in discussions about. The Project Manager also informed the landowner that Pegasus (the Project's environmental consultant) are in discussions with the landowner's agent regarding the negotiation of Heads of Terms and are engaging with other solar park developers (Vicarage Drove).</p>
Cable route	E003	15 Nov 2022	<p>Thank you for the e-mail but the very plan (the one which would include [REDACTED] the sub-station) is missing. Can you</p>	<p>The Project Manager sent a copy of the proposed site plan to this respondent and reminded them that the further targeted consultation relates to additional land requirements, not land that</p>

			send this to allow me to comment.	they are already in discussions about. They also confirmed that Pegasus are in discussions with the landowner's agent regarding the negotiation of Heads of Terms and are engaging with other solar park developers (Vicarage Drove).
Cable route	C002	16 Nov 2022	<p>Could you please contact me as soon as possible either by email or mobile - regarding a letter I have received regarding the targeted consultation for the Heckington Fen Solar Farm. The letter states it is believed we have an interest within the Project's proposed development area and I need to respond to the consultation but I cannot do that until I speak to someone. I have tried all of the contact details on the letter but cannot get a response which is very frustrating!</p> <p>Followed up with an email (below).</p>	<p>The Project Manager called and sent a follow-up email, explaining that the landowner had received a consultation letter because a specific Land Registry Title for a piece of land located alongside Timms Drove is subject to rights granted by the sale of land associated with their property. They also explained that the landowner will benefit from this change, gaining new rights in regards to service media, utilities, repairs, and access. This is the result of both Titles being in the same Title before the sale of their property.</p> <p>The landowner confirmed that there are three properties named 'Brand End Farm' on Timms Drove and that their property is located nearby the proposed cable construction works area. The Project Manager gave them contact details for the Lands Team who can provide further clarification.</p>
Cable route	E004	16 Nov 2022	<p>Could you please contact me as soon as possible either by email or mobile - regarding a letter I have received regarding the targeted consultation for the Heckington Fen Solar Farm. The letter states it is believed we have an interest within the Project's proposed development area and I need to respond to the consultation but I cannot do that until I speak to someone. I</p>	<p>The Project Manager responded to that email, detailing what they discussed over the phone (see the above 'Regard had by the Applicant' section (for C002)).</p>

			<p>have tried all of the contact details on the letter but cannot get a response which is very frustrating!</p> <p>Followed up with an email (below).</p>	
Cable route	C003	17 Nov 2022	<p>Call to discuss information received. The respondent asked 1) if the cable would be installed in front of their property 2) if their property would be blocked in and asked that there be no turning in their driveway.</p>	<p>Project Manager called, explaining that they received a consultation letter received because a specific Land Registry Title for a piece of land (forming a section of the road outside the property) is subject to rights granted by the sale of land associated with the property.</p> <p>The consultee said they were happy so long as the Applicant did not dig up the road in front of their property. They said they would like Ecotricity to visit them if they need them to sign anything (the Project Manager later confirmed that this would not be required). The Project Manager let them know that the Project proposes to use Timms Drove for access to the Triton Knoll access track, noting that this has been included in the Order Limits in case the Applicant needs to make improvements or repairs.</p> <p>The consultee said they were concerned that they would be blocked in. The Project Manager confirmed that plates would be used to facilitate access to their property via a trench (in the short term – hours, not days).</p> <p>The Applicant instructed Pegasus to ensure that the Outline Construction Traffic Management Plan explicitly says that vehicles will not turn around in private driveways.</p> <p>They also noted that community updates will be provided before construction starts, including letters to the nearest properties.</p>
Cable route	E005	15 Nov 2022	<p>Near neighbour to the Energy Park - It would appear from</p>	<p>The Project Manager sent more detailed plans to the respondent, clarifying the location of the</p>

			<p>your latest correspondence and the new map of the site etc, that you will be digging the trench for the cables right through our garden. Please can you confirm what your precise intentions are. The map is not detailed enough. It appears to show we will lose our garden which obviously we would not be happy with. Do you intend to make a compulsory acquisition of our property? We are losing our trust in your company.</p>	<p>respondent's property in relation to the Proposed Development. They also confirmed that they would not compulsorily acquire the property or its garden.</p> <p>The Applicant also explained that they are planning to access the site via Elm Grange until the new site entrance is installed, which is why they have extended the Order limits – to facilitate three large loads.</p> <p>In addition, the Project Manager provided a copy of the previous Order limits and clarified the subsequent reduction, offering to discuss the issue over the phone and visit the respondent's property. They received no further comments or feedback.</p>
Cable route	E006	24 Nov 2022	<p>Received the targeted consultation letter date – request to discuss the impact on their business.</p>	<p>The Project Manager called and organised a meeting for the Lands Team to meet the respondent's Site Manager.</p> <p>They received confirmation that this respondent purchased this land after the Statutory Consultation closed, informing the respondent that this will be listed in the Book of Reference.</p>
Access routes	E007	15 Nov 2022	<p>The response below is from the British Horse Society however our volunteers in the county may also respond at a local level. The response relates directly to points 1,7,8,9,11,12 and indirectly to other aspects of the consultation. The disinterest previously in exploring opportunities to include equestrian access was disappointing so it is hoped that you will</p>	<p>The Project Manager thanked the respondent for taking the time to respond, informing the respondent that the Project team has looked into the issue and determined that the Project is unable to make the permissive path on site a bridleway as they do not have the requisite land rights to enable this.</p> <p>They also let them know that the offsite changes these are required to facilitate the construction of the cable that will connect the Project to Bicker Fen Substation. They added that these changes predominantly relate to the privately owned Triton Knoll Access Track and facilitating access for construction traffic, rather than the bridleway, which</p>

		<p>give the points below further consideration.</p> <p>Point 1.</p> <p>In the previous response a request was made for consideration of making the permissive route accessible for equestrians also. Your response was that the permissive route follows Public Footpath Heckington 15 and therefore would not be accessible for equestrians. However, your proposal now is to improve public access from the highway to the solar farm. So I would again ask you to consider how equestrian access could be included within the perimeter of your proposed development and linked to the highway at Sidebar Lane.</p> <p>Initial historic research eg Bryant's map (1828, Greenwoods' map (1830), OS 25 inch Lincolnshire CVII.7 (1889) suggests that Crab Lane was recorded as 'lane and bridleway' in 1828 and continued through to Skerth Drain so a DMMO application may be forthcoming following further research.</p> <p>Point 7.</p> <p>The drawing and description appear to highlight a route which is Public</p>	<p>runs immediately adjacent to the South Forty Foot Drain. The Applicant noted that the other routes being used are largely privately owned and their agreements do not allow them to offer third party rights over these routes, with Timms Drove, sections of North Drove and Bicker Drove being exceptions.</p>
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			<p>Bridleway Swineshead 13. Can you please confirm how the bridleway will be impacted by the changes made, for example MPV access and surface and how this will be mitigated? Points 8 and 9.</p> <p>Timms Drove is an unclassified road on the List of Streets and the access spur you are proposing leads towards Public Bridleway Swineshead 13. With the exclusion of the construction phase, why would it not be feasible to provide access between the bridleway and the road once the access spur is in place? Points 11 and 12.</p> <p>The access track now included in the site proposals could again be valuable post-construction to connect the unclassified roads in the vicinity including Doubletwelves Drove and North Drove to provide circular routes for equestrians and other user groups.</p>	
Access routes	E008	13 Nov 2022	<p>Further to previous correspondence, and your e-mail of 11/11/22, noting the new limited consultation by Ecotricity, it appears from the cable route to the National Grid sub station on Bicker Fen that you will be using the Triton Knoll road for your</p>	<p>The Project Manager thanked the consultee for their email, adding that they hope the amendments provide some comfort the respondent following their previous meeting with the respondent. They confirmed that it is the Applicant's intention to use the Triton Knoll access for the cable route construction and avoid both Bicker and Cowbridge Road.</p>

			<p>construction traffic. Thank you. Could I request you to confirm that Ecotricity will not be using roads through and around Bicker village, including Cowbridge Road, for any construction traffic. If this is the case I will not need to complete the new consultation, but I would wish to be included in any future relevant information material on your project.</p>	<p>The Applicant noted that they cannot confirm what National Grid (NG) will do for the works at Bicker Fen Substation, as NG have their own access track off the A52. This avoids Bicker but not the respondent's property.</p> <p>They let the respondent know that NG have provided an indication of the number of vehicles which could be associated with the extension of their substation, which the team are including in their assessment.</p>
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