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Ref: EN010132

Date: 29 March 2023

Dear Mr Cook

Planning Act 2008 (as amended) – Section 55

**Adequacy of Consultation Request – Application by West Burton Solar Project Ltd
Development Consent Order for West Burton Solar Project**

Thank you for your letter dated 23 March 2023 requesting a response from Lincolnshire County Council on the adequacy of consultation for the above project. Taking into consideration the requirements of Section 42 (Duty to Consult), Section 47 (Duty to consult the local community) and Section 48 (Duty to publicise) of the Planning Act 2008 (As Amended) the Council confirms that West Burton Solar Project Ltd has carried out adequate pre-application consultation in accordance with the provisions set out in Sections 42, 47 and 48 of the Act.

The applicant commenced early engagement with the Council in September 2021. Regular meetings with the Head of Planning together with technical meetings relating to landscape, highways, minerals and waste and cultural heritage Officers have taken place throughout the majority of the pre-application stage up until the submission of the Development Consent Order (DCO) application in March 2023.

Two Councillor engagement briefings have taken place with County Councillors. The first prior to non-statutory consultation with local Councillors within or close to the application site as well as the Executive Councillor and Support Councillor for Planning. A face to face briefing took place with Councillors on the Planning and Regulation Councillors and other interested Councillors at the start of the statutory consultation phase.

The applicant conducted a period of non-statutory engagement in Autumn 2021. The Council responded to the EIA Scoping Opinion request from the Planning Inspectorate in February 2022 and raised a number of issues which required additional work including culture, minerals safeguarding, highway and flood risk.

West Burton Solar consulted the Council on the draft Statement of Community Consultation in April 2022. The Council raised the following points in response to this consultation: -

“Consider also including “raising awareness” of the project as one of the aims.

Also consider an aim to be showing how the proposals have taken account of consultation.

West Burton makes reference to the Cottam project as below.

However, the equivalent document for Cottam refers to Cottam in the same section rather than West Burton. Presumably they should both be the same in this respect, referring either to the specific project in the SOCC or referring to the other project.

Presumably as the proposed sites are on the border of different areas, there may be more than Wildlife Trust to include.

‘Hard to reach groups’

This phrase can cause offence, as groups may be seldom heard rather than hard to reach. Consider using the phrase “seldom heard groups” instead.

Consider offering a call back service / out of working hours time to call for those working / with other commitments during these times.

Consider also requesting that other bodies share the information on their social media channels and other media platforms. This may help in increasing the reach of the communications.

Community Access Points

For the Cottam project the community access points include two council offices. For West Burton, they are all libraries. Perhaps consider including council offices for West Burton too, especially as there is some reference made to coordinating the SOCC for both projects. This will help to show the same approach.

Times and dates of events

Reference should be made to the times of day these events will be held on / that they will be held at venues which have suitable access arrangements (e.g., ramps / other facilities) to accommodate those with limited mobility

Consideration should be made to publishing the “seldom heard groups” as this demonstrates that these stakeholders are fully included in the SOCC process. This also shows that appropriate effort has been made to find out who these groups are and how they will be contacted.

Webinar

Reference should be made to the time of day for this event to ensure there is availability to those who can only attend after standard working hours.”

The applicant addressed these matters in the final version of the SoCC as set out in the applicant’s Consultation Report dated March 2023.

The applicant undertook their Section 42 consultation between 15 June 2022 and 27 July 2022 and allowed six weeks for consultation responses rather than the 28 days minimum period. The Council raised a number of points which are captured and responded to in the applicant’s Consultation Report WB5.13 Appendix 5.13 Applicant’s response dated March 2023.

A period of targeted consultation took place between 28th November 2022 and 8th January 2023 for the proposed changes to WB 3. The Council provided comments in relation to this consultation on 4th January 2023 referencing landscape and visual impacts and access routes but this does not appear to have been captured in the applicant's record of responses and feedback.

However, despite this the applicants Consultation Report and Appendices (March 2023) meet the requirements of Section 49 of the 2008 Act. This report sets out the full consultation programme undertaken by the applicant and I am satisfied that West Burton Solar Projects has undertaken an extensive and inclusive consultation programme in respect of their project.

I therefore confirm that the County Council considers that West Burton Solar Project has undertaken adequate pre-application consultation pursuant to Sections 42,47 and 48 of the 2008 Planning Act.

Yours sincerely

Neil McBride

Head of Planning