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05 April 2023

Planning Inspectorate  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Dear Sir/Madam,

**PROJECT REF: EN010132**

**APPLICATION REFERENCE NO: 146147**

**PROPOSAL: PINS consultation on Section 55 on adequacy of consultation request for application for an Order Granting Development Consent – West Burton Solar Project.**

**LOCATION: West Burton Solar Project**

Thank you for your letter dated 23<sup>rd</sup> March 2023, and invitation to advise whether the local authority considers that the applicant has complied with its duties under sections 42, 47 and 48 of the Planning Act 2008 (as amended).

We have reviewed the West Burton Solar Project Consultation Report (ref APP/WB5.1), submitted as part of the DCO application.

**Section 42 – Duty to Consult (WLDC ref 145101)**

We can confirm that we were directly consulted by the developer in accordance with section 42(b), in writing via letter received 15<sup>th</sup> June 2022. A formal consultation period was set out running from 15<sup>th</sup> June – 27<sup>th</sup> July 2022. The Council formally responded via letter dated 27<sup>th</sup> July – a copy of which is enclosed.

It is also noted under appendix 5.10 that other consultees included all relevant Parish Councils were consulted in accordance with s42.

We can confirm we were further notified of a consultation extension until 23<sup>rd</sup> August 2022, following the publication of an addendum to the PEIR.

We were further notified (via letter received 25<sup>th</sup> November 2022) of targeted consultation that ran 28<sup>th</sup> November 2022 until 8<sup>th</sup> January 2023 following the removal of 'West Burton 4', and amendments to 'West Burton 3'.

We consider that the developer has complied with section 42 of the Act.

### **Section 47 – Duty to consult local community**

We can confirm that the applicant did directly consult West Lindsey District Council via email on Tuesday 19<sup>th</sup> April 2022, inviting comment on the draft Statement of Community Consultation (SoCC) by Wednesday 18<sup>th</sup> May 2022 (29 days). We responded on the 18<sup>th</sup> May 2022 (Copy enclosed).

For the purposes of section 47(5), the applicant's response to comments made are noted in table 7.1 of the Consultation Report. It is considered that the applicant did have regard to comments that were made (although it is disappointing to note that the recommendation to hold two further consultation events in Sturton by Stow and Corringham were not followed).

We have reviewed table 7.3 within the Consultation Report and the developer's Statement of Compliance with the SoCC.

It is understood that the applicant directly notified 9,553 homes and businesses within the core consultation zone, and undertook the six consultation events.

It is understood that the "targeted consultation" in November 2022 – January 2023 was to all properties and addresses within 2km of WB3 (1,927 addresses).

We consider that the developer has complied with s47 of the Act.

### **Section 48 – Duty to publicise**

We can advise that we have viewed the applicant's s48 Notice (published on their website).

It is noted that the applicant did circulate the notice within two local newspapers, The Lincolnshire Echo and The Retford Times, for two consecutive weeks as required by Reg.4 of the 2009 Regulations.

We consider the applicant has accorded with section 48 of the Act.

### **Other matters**

We have been contacted by the community group '7000 Acres' that we understand has formed in response to the West Burton Solar project, along with the Cottam, Gate Burton and Tillbridge Solar Projects also being proposed within the District.

Whilst much of the Group's concerns are centred around the content of the developer's pre-application consultation documentation, which they consider to be misleading, and they seek to challenge the developer's statements, they do make comment as to how accessible and comprehensible the information has been to the average local resident. They also question the time allowed for consultation and have concerns that the "targeted consultation" in November 2022 did not notify all addresses within the original consultation zone.

In accordance with paragraph 7.1 of Advice Note 2 (v1, February 2015)<sup>i</sup> on the National Infrastructure Planning website, we append “7000 Acres” correspondence as it may be a consideration in the Planning Inspectorate’s decision on accepting the application.

Yours faithfully,

Russell Clarkson  
On behalf of West Lindsey District Council

Enc.

- 145101 – WLDC s42 consultation response dated 27<sup>th</sup> July 2022.
- S47 Draft SoCC Consultation response dated 18<sup>th</sup> May 2022.
- ‘7000 Acres’ letter, received 3<sup>rd</sup> April 2023

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<sup>i</sup> <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-two-the-role-of-local-authorities-in-the-development-consent-process/#7>.