
EAST YORKSHIRE SOLAR FARM

**East Yorkshire Solar Farm
EN010143**

Environmental Statement

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4. Consultation and Engagement

4.1 Introduction

- 4.1.1 Consultation is integral to the preparation of Development Consent Order (DCO) applications and to the Environmental Impact Assessment (EIA) process. The views of consultation bodies and the local community serve to focus the environmental studies and to identify specific issues that require further investigation, as well as to inform aspects of the design of the Scheme. Consultation is an ongoing process, which enables mitigation measures to be identified and, where appropriate incorporated into the design of the Scheme thereby limiting adverse effects. Consultation also provides a platform for exploring and, where possible, incorporating environmental enhancements and benefits. The publication of the Preliminary Environmental Information (PEI) Report in May 2023 formed an important part of the consultation process on the proposed DCO application.
- 4.1.2 The Scheme has a wide range of stakeholders (including landowners, prescribed and statutory consultees, local communities and special interest groups) with differing interests. Specific communication activities therefore need to be focused to meet the needs of particular individuals and groups. This requires an understanding of the stakeholders and their interests in the Scheme.
- 4.1.3 Stakeholder engagement and consultation for the Scheme is based on the following principles:
- a. Early and ongoing engagement to inform and influence the design process;
 - b. Seeking an appropriate level of feedback in the iterative design process and ensuring that comments received are taken into consideration;
 - c. Building long-term relationships with key stakeholders throughout the different stages of the Scheme to help better understand their views;
 - d. Wherever possible, ensuring concerns are addressed; and
 - e. Ensuring statutory consultation is undertaken in compliance with requirements of the Planning Act 2008 (Ref. 4-1), associated regulations including the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations) (Ref. 4-2) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) (Ref. 4-3), plus associated guidance.
- 4.1.4 The Applicant carried out Non-Statutory Consultation from 3 October 2022 to 30 October 2022, Statutory Consultation between 9 May 2023 and 20 June 2023 and further Targeted Consultation between 1 September 2023 and 2 October 2023.

4.2 Planning Act 2008 and Associated Guidance – Statutory Requirements

4.2.1 The DCO process sets out a number of statutory requirements regarding consultation. The Planning Act 2008 (Ref. 4-1) requires applicants for DCOs to carry out formal (statutory) pre-application consultation on their proposals

4.2.2 There are several requirements as to how this consultation must be undertaken that are set out in the Planning Act 2008 (Ref. 4-1) and related regulations:

- a. Section 42 requires the Applicant to consult on the proposed application with ‘prescribed persons’, which includes certain consultation bodies such as the Environment Agency and Natural England, relevant statutory undertakers, relevant local authorities, those with an interest in the Site and persons who would or might be able to make a relevant claim for compensation;
- b. Section 47 requires the Applicant to consult with the local community on the proposed application. Prior to this, the applicant must prepare a Statement of Community Consultation (SoCC) and consult on it with the relevant host authorities and have regard to their responses. The SoCC must set out the proposed community consultation including (pursuant to Regulation 12 of the EIA Regulations, Ref. 4-3) how the preliminary environmental information will be publicised and consulted on. Once finalised, a SoCC Notice must be published in local newspapers circulating within the vicinity of the land in question and the SoCC itself made available for inspection by the public. The formal pre-application community consultation must then be carried out in accordance with the final SoCC;
- c. Section 48 places a duty on the applicant to publicise the proposed application in the ‘prescribed manner’ in a national newspaper, The London Gazette, and local newspapers circulating within the vicinity of the land. In addition, Regulation 13 of the EIA Regulations (Ref. 4-3) and the APFP Regulations require certain prescribed consultees to be sent a copy of the Section 48 notice; and
- d. Section 49 places a duty on the Applicant to have regard to any relevant responses received to the consultation and publicity that is required by Sections 42, 47, and 48.

4.3 Pre-Application Consultation

4.3.1 A two-stage approach to pre-application consultation on the Scheme was adopted. An informal, Non-Statutory consultation was carried out from 3 October 2022 to 30 October 2022, and Statutory Consultation was undertaken between 9 May 2023 and 20 June 2023. A further Targeted Consultation was undertaken between 1 September 2023 and 2 October 2023.

4.3.2 The **Consultation Report [EN10143/APP/5.1]**, submitted as part of the Application, documents the pre-application and statutory consultation undertaken. This includes a separate section on EIA related consultation as

recommended within Planning Inspectorate Advice Note 14: Compiling the Consultation Report (Ref. 4-4).

- 4.3.3 The issues that have been raised through consultation and how these have been considered and addressed within the design evolution of the Scheme and the EIA are set out in this ES and the **Consultation Report [EN10143/APP/5.1]**.
- 4.3.4 A number of meetings with statutory consultees took place to provide an introduction to the proposals, with further engagement undertaken alongside the development of the design, including with:
- a. East Riding of Yorkshire Council;
 - b. Selby District Council;
 - c. North Yorkshire County Council;
 - d. North Yorkshire Council;
 - e. Environment Agency;
 - f. Natural England;
 - g. Historic England; and
 - h. Parish councils.
- 4.3.5 In relation to the Councils listed above, the Applicant notes that the Scheme lies within the administrative areas of East Riding of Yorkshire Council and the recently formed Unitary Authority of North Yorkshire Council, hence the Applicant's engagement with these bodies. However, North Yorkshire Council was formed on 1 April 2023 by the merger of the administrative areas of North Yorkshire County Council and its six constituent District Councils – prior to the merger and the formation of the Unitary Authority, the Scheme was located in the administrative areas of Selby District Council and North Yorkshire County Council, hence the Applicant's engagement with those bodies.
- 4.3.6 A project website has been set up to provide up to date information on the project: <https://www.boom-power.co.uk/east-yorkshire/>

Consultation on the Scoping Report

- 4.3.7 The EIA Scoping Report was submitted to the Planning Inspectorate on 9 September 2022 (**Appendix 1-1, ES Volume 2 [EN010143/APP/6.2]**).
- 4.3.8 The Planning Inspectorate reviewed and consulted on the EIA Scoping Report and adopted (on behalf of the Secretary of State) a Scoping Opinion on 20 October 2022 (the Scoping Opinion) which included the formal comments received by the Planning Inspectorate from consultees (**Appendix 1-2, ES Volume 2 [EN010143/APP/6.2]**).
- 4.3.9 These Scoping Opinion comments from consultees are documented in **Appendix 1-3, ES Volume 2 [EN010143/APP/6.2]**, along with responses identifying how these comments have been responded to within the Application. Following the adoption of the Scoping Opinion, consultation has continued with relevant statutory consultees via statutory and non-statutory consultation.

4.3.10 The pre-application consultation undertaken is documented within the ES Chapters and associated Appendices and is summarised in the Consultation Report submitted with the DCO application.

Non-Statutory Consultation

4.3.11 The Applicant held an initial round of non-statutory public consultation between 3 and 30 October 2022. Through the Non-Statutory Consultation, feedback was sought on early proposals for the Scheme, the approach to EIA, and the Applicant’s approach to consultation.

4.3.12 Both online and in-person events were held to support the consultation, as listed in **Table 4-1**. It included a range of techniques to assist the dissemination of information whilst giving the opportunity for members of the public to provide feedback.

Table 4-1. Non-Statutory Consultation Events

Date	Location
Wednesday 5 October 2022	Boothferry Golf Club, Spaldington Lane, DN14 7NG
Thursday 13 October 2022	Howden Shire Hall, 11 Market Place, Howden, DN14 7BJ
Tuesday 11 October 2022	Online event
Wednesday 19 October 2022	Online event

4.3.13 In total, 193 responses were received in response to the Non-Statutory Consultation. This included responses from a range of statutory and non-statutory consultees and stakeholder groups, including:

- a. Parish Councils (Eastington, Foggathorpe, Spaldington, Wressle), and
- b. The Rt Hon David Davis, MP for Haltemprice & Howden.

4.3.14 The Applicant has had due regard to all the comments raised through the Non-Statutory Consultation in preparing proposals for Statutory Consultation, and more generally in developing the Scheme.

4.3.15 Responses to the Non-Statutory Consultation influenced the ongoing evolution of the Scheme design. The iterative process of designing the Scheme, including the way that consultation feedback and EIA has informed the design, is set out in detail in **Chapter 3: Alternatives and Design Evolution, ES Volume 1 [EN010143/APP/6.1]** and the **Design and Access Statement [EN010143/APP/7.3]**.

4.4 Statutory Consultation

4.4.1 In accordance with section 47(1) of the Planning Act 2008 (Ref. 4-1) for an NSIP, a SoCC was prepared in consultation with East Riding of Yorkshire Council, North Yorkshire County Council and Selby District Council, hereafter referred to as ‘the Host Authorities’ (see section 4.2 above). This outlined how the Applicant would consult with the local community, including, in

accordance with Regulation 12 of the EIA Regulations (Ref. 4-3), how it intended to publicise and consult on the PEI.

4.4.2 The PEI Report was published in May 2023 prior to statutory consultation and included a description of the Scheme, a concept layout plan and conclusions on likely effects based on the assessment work undertaken at the time.

4.4.3 The approach to public consultation set out in the SoCC included:

- a. Issuing a Scheme consultation brochure and feedback form to all addresses within the consultation zone;
- b. Making digital copies of consultation documents available on the Scheme’s website (<https://www.boom-power.co.uk/east-yorkshire/>) and physical copies available at Deposit Inspection Locations in East Yorkshire and North Yorkshire;
- c. Publicising the consultation through the media, online and through liaison with stakeholders; and
- d. Hosting a number of online and in-person events within East Yorkshire, close to the Solar PV Site, to offer the opportunity to ask questions about the proposals. Dates and venues for the events are listed in **Table 4-2**.

Table 4-2. Statutory Consultation Events

Date	Location
Tuesday 16 May 2023	Loftsome Bridge Hotel, Station Lane, Wressle, YO8 6EN
Wednesday 24 May 2023	Boothferry Golf Club, Spaldington Lane, DN14 7NG
Saturday 10 June 2023	Bubwith Leisure Centre, Main Street, Bubwith, YO8 6LX
Tuesday 13 June 2023	Howden Shire Hall, 11 Market Place, Howden, DN14 7BJ
Thursday 25 May 2023	Online event
Thursday 8 June 2023	Online event

4.4.4 The statutory consultation took place from Tuesday 9 May 2023 to Tuesday 20 June 2023.

4.4.5 The Applicant received 312 responses to the statutory consultation. All responses received during consultation have been carefully considered and given due regard in the development of the Scheme in accordance with Section 49 of the Planning Act 2008 (Ref. 4-1). Details of responses received during Statutory Consultation and the regard had to those responses is included in the **Consultation Report [EN010143/APP/5.1]** and its **Appendix P [EN010143/APP/5.2]**.

4.4.6 In addition to consultation with the local community, consultation has also been undertaken with prescribed consultation bodies, as well as affected landowners and other persons with an interest in land, in accordance with Sections 42 and 48 of the Planning Act 2008 (Ref. 4-1) and Regulation 13 of the EIA Regulations (Ref. 4-3).

4.5 Targeted Consultation

- 4.5.1 Following the Statutory Consultation set out in section 4.4, 24 changes were made to the Order limits having regard to feedback from the consultation, landowner discussions, and in light of further work on the Scheme's design and environmental impacts. These changes included the addition of areas of land to facilitate access to both the Solar PV Site and the Grid Connection Corridor. These changes are further discussed in **Chapter 3: Alternatives and Design Evolution, ES Volume 1 [EN010143/APP/6.1]**.
- 4.5.2 The 24 changes were shown and explained within the targeted consultation brochure (**Appendix O** of the **Consultation Report [EN010143/APP/5.2]**).
- 4.5.3 These changes did not affect the outcome of the environmental impact assessment, as set out in the PEI Report published during the Statutory Consultation.
- 4.5.4 The Applicant notified consultees under Section 42(1)(a) and (b) of the Planning Act 2008 via email and wrote to those affected Persons with Interest in the Land affected by the changes (under Section 42(1) (d) of the Planning Act 2008 (Ref. 4-1) to notify them of changes and invite comment. The targeted consultation brochure was also publicised on the Scheme's website.
- 4.5.5 The targeted consultation took place between Friday 1 September 2023 to Monday 2 October 2023, which constituted 32 days – in excess of the minimum 28 day period required.
- 4.5.6 36 responses were received in response to the targeted consultation. Details of responses received during Targeted Consultation and the regard had to those responses is included in the **Consultation Report [EN010143/APP/5.1]** and its **Appendix Q [EN010143/APP/5.2]**.

4.6 Consultation Responses

- 4.6.1 All responses received during Statutory and Targeted Consultations have been carefully considered and due regard has been had to them in the development of the Scheme in accordance with Section 49 of the Planning Act 2008 (Ref. 4-1). Details of the responses received during consultation and the regard had to those responses are included in the **Consultation Report [EN010143/APP/5.1]**.
- 4.6.2 The matters raised by the consultations relevant to the EIA included:
- a. Scale of the Scheme and its location;
 - b. Landscape and visual impacts including loss of views, particularly from nearby properties and public rights of way (PRoW), and the change to the overall landscape of the area;
 - c. Loss of agricultural land and impact on food production;
 - d. Disruption caused by construction activities;
 - e. Impacts to wildlife and habitats;
 - f. Traffic and access, including the condition of local roads and suitability for construction traffic;

- g. Concerns regarding noise generation during construction and operation;
 - h. Concerns that the Scheme could increase the risk of flooding;
 - i. Impacts to cultural heritage and archaeology;
 - j. Fire safety concerns; and
 - k. Concern over impacts to human health (physical and mental).
- 4.6.3 In addition to this ES, the Application is accompanied by a **Statement of Need [EN010143/APP/7.1]** that sets out the justification for a Scheme of this scale at this location.
- 4.6.4 The **Consultation Report [EN010143/APP/5.1]** demonstrates how the Applicant has complied with the consultation requirements of the Planning Act 2008 (Ref. 4-1) and EIA Regulations (Ref. 4-3) and the regard had to the consultation responses, and will be considered by the Planning Inspectorate on behalf of the Secretary of State when determining whether to accept the DCO Application.

4.7 References

- Ref. 4-1 His Majesty's Stationery Office (HMSO) (2008) The Planning Act 2008. Available at: https://www.legislation.gov.uk/ukpga/2008/29/pdfs/ukpga_20080029_en.pdf [Accessed 20 February 2023].
- Ref. 4-2 HMSO (2009) The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations (2009). Available at: <https://www.legislation.gov.uk/uksi/2009/2264/contents/made> [Accessed 20 February 2023].
- Ref. 4-3 HMSO (2018) The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended by The Town and Country Planning and Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2018). Available at: http://www.legislation.gov.uk/uksi/2017/572/pdfs/uksi_20170572_en.pdf and http://www.legislation.gov.uk/uksi/2018/695/pdfs/uksi_20180695_en.pdf. [Accessed 20 February 2023].
- Ref. 4-4 Planning Inspectorate (2012) Advice Note 14: Compiling the consultation reports. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-14v2.pdf>. [Accessed 20 February 2023].