

**Longfield Solar Farm
Essex County Council (ECC)**

Unique reference: 20031541

ECC Responses to Written Questions (ExQ3)

ExQ	Respondent	Question	Essex County Council response
2. Biodiversity, Ecology and the Natural Environment; Habitats Regulations Assessment			
3.2.7	Host Authorities	<p>Table 3-3 of the SoCG between the Applicant and the Host Authorities [REP5-014] indicates that discussions are ongoing in relation to additional mitigation for ecology (Ref: ECO-11).</p> <p>Please provide further details of any additional mitigation being sought.</p>	ECC defers to Braintree District Council and Chelmsford City Council.
3. Compulsory Acquisition and Temporary Possession			
3.3.6	ECC/Applicant	<p>Please provide a further update on PPs and identify any matters outstanding (this should take the form of an agreed position statement setting out the parties' respective positions on any unresolved matters (to be submitted at Deadline 6)).</p> <p>An updated, final joint position statement should be provided at Deadline 7.</p>	ECC has reviewed Schedule 15, Part 8 of the dDCO and can confirm that ECC is in agreement with the changes proposed by the Applicant, having reached agreement on all outstanding matters.
3.3.8	Applicant/Relevant Highway Authority	Please provide a certificate of completion for the adoption of the section of road formerly contained in Plot 1/1a which has been removed from the order land or state when this will be submitted into the Examination.	At the current time the only area of Plot 1/1a that will become adopted highway is the roundabout shown in pink on the PDF document submitted to the Examination at Deadline 6 with the file name: ZO3 100_AEC_NA_RDR2B_DR_C_1128 P6 Section 278 Highway Adoption Plans-Sheet 5

			<p>The private roads on either side of the roundabout will remain private until the Beaulieu station link is built and this is dependent upon additional planning applications coming forward.</p> <p>At present a certificate of completion has not been issued as there is a problem with the foul sewer connections.</p> <p>The Highway Authority is waiting for a pumping station to be commissioned before certificates can be issued.</p> <p>The Highway Authority understands that the pumping station will be commissioned at the end of December.</p>
5. Draft Development Consent Order			
3.5.1	Host Authorities	<p>The ExA notes that the SoCG between the Applicant and the Host Authorities provided at Deadline 5 indicates a number of matters are still under discussion between the Applicant and the host authorities in relation to the drafting of the dDCO.</p> <p>Please provide details of any proposed amendments to the dDCO together with a reasoned justification.</p>	<p>Essex County Council has provided the Applicant with an updated position on the dDCO, which the Applicant has incorporated into the updated SoCG (Appendix 1), for submission at Deadline 6.</p> <p>Following a joint legal review of the dDCO for Essex County Council and Braintree District Council, both Councils identified and shared with the Applicant a list of amendments we wished to see made to the dDCO. Whilst some amendments have been made, other requested amendments, listed below, have not.</p> <p>Therefore, both Council's would like to draw the Examining Authority's attention to these amendments and comments, together with our reasoned justification.</p> <p>1. Part 1 Preliminary. Definition of 'maintain' – for clarity a more prescriptive definition is required –</p>

			<p>““maintain” includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any part of, but not remove, reconstruct or replace the whole of, the authorised development provided that any such activities do not give rise to any materially new or materially different environmental impacts which are worse than those assessed in the environmental statement and “maintenance” and “maintaining” are to be construed accordingly.”</p> <ol style="list-style-type: none"> 2. Part 3 Streets, Article 10 (Construction and maintenance of altered streets) - for clarity Article 10 would benefit from a trigger that confirms when Longfield’s 12-month period of liability starts/ends. 3. Part 3 Streets, Article 12(c) (Access to works) – for clarity Article 12 (c) would benefit from the following amendment “with prior written approval of the relevant planning authority...” 4. Part 6, Miscellaneous and General, Article 34(3) (Consent to transfer the benefit of the Order) – for clarity it should read “the prior written consent of the Secretary of State”. 5. Part 6, Miscellaneous and General, Article 37(1) (Felling or lopping of trees and removal of hedgerows) - This Article is overly broad. BDC would like to see the powers to fell/lop trees reduced; for example (b) and (c) go further than BDC would ordinarily expect. For example, it is excessive/unreasonable to lop/fell etc just to assist the passage of construction traffic.
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6. General Matters			
3.6.2	Host Authorities	<p>The ExA notes the draft section 106 agreement submitted at Deadline 5 [REP5-005]. Please provide a policy justification for the obligation set out in Schedule 1, explain why the HAs consider it is necessary and how it would make the Proposed Development acceptable in planning terms.</p>	<p>Schedule 1 of the draft section 106 agreement provides for a Skills, Supply Chain and Employment Plan and a Skills and Education financial contribution for the purposes of delivering the workforce for the project and maximising the local opportunities for sustainable careers in the construction and energy sectors. This includes training to provide long-term and transferable skills, including the provision of apprenticeships.</p> <p>The policy justification for this obligation to ensure that the project supports a strong, inclusive and sustainable economy for current and future residents in Essex as part of the transition to net zero can be found in:</p> <ul style="list-style-type: none"> • Policy SP5 – Employment of the Braintree Local Plan (adopted July 2022)

		<ul style="list-style-type: none"> • Policy S7 – Spatial Strategy and Policy S10 – Securing Infrastructure and Impact Mitigation of the Chelmsford Local Plan (adopted May 2020) • Chelmsford City Council’s adopted Solar Farm SPD – paragraph 7.37, and • under the Economy, Health and Family commitments detailed in Essex County Council’s Strategic Plan ‘Everyone’s Essex’ (2021). <p>In addition to these policies, clean energy is identified as a sector with significant growth potential for Essex in Essex County Council’s annual Essex Sector Development Strategy (2021-22), with the project itself specifically referenced in Essex County Council’s Green Skills Infrastructure Review (March 2022) as increasing the demand locally for green skills.</p> <p>The Essex Design Guide (2022) includes new guidance on solar farms, advising that, <i>‘Solar developments should also contribute to the greening of the local economy through increasing green jobs, and green sector skills through upskilling their workforce for example, as these skills will be transferable for both large- and small-scale solar installations. This will also support the Essex Climate Action Commission recommendation to “make Essex a centre of innovation for emerging renewable technologies (e.g., small scale nuclear, & manufacturing of renewables products such as solar tiles)’</i>.</p> <p>The obligation contained in Schedule 1 of the draft section 106 agreement is necessary to support short term economic recovery from the COVID-19 pandemic through the provision of local employment opportunities but also in creating the conditions for long-term sustainable growth in sectors identified as having significant growth potential for Essex as it</p>
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			transitions to net zero. Accordingly, local people need to be supported to access opportunities to work on or as part of the supply chain for the project but also to gain the education and transferable skills that will enable further or other employment in related and emerging sectors.
8. Landscape and Visual Effects			
3.8.1	Host Authorities	<p>The ExA notes the comments from the Host Authorities in their respective LIRs in relation to Glint and Glare and the Applicant's response to the matters raised at Deadline 2 [REP2-029].</p> <p>The ExA also understands that the HAs have subsequently commissioned an independent review of the Applicant's Glint and Glare report, the outcome of which it was indicated would be submitted into the Examination at Deadline 5.</p> <p>The Host Authorities are requested to provide an update on the independent review and identify any outstanding concerns/comments in relation to Glint and Glare at Deadline 6.</p>	<p>The Host Authorities commissioned Pager Power to undertake an independent review of the Applicant's Glint and Glare Assessment. This independent review has now been completed.</p> <p>The Glint and Glare Assessment Review Report has been shared with the Applicant and has been submitted at Deadline 6.</p> <p>The Review has identified five recommended clarifications, listed below, with Pager Power recommending that the Applicant is contacted to advise:</p> <ul style="list-style-type: none"> • Whether Network Rail have any concerns with the proposed development, particularly in the context of any railway signals in the area. • Whether any residential, road, or rail receptors have been excluded solely on the basis of vertical angle relative to the panel area. • Whether residential receptor 40 is predicted to experience a 'High' impact, following consideration of current visibility. If so, whether mitigation has been implemented to remove/reduce these effects. • Whether the recommended mitigation for the residential receptors is predicted to obstruct views from all floors or the ground floor only. If the ground

			<p>floor only, it is recommended that the Magnitude of Impact is increased to 'Low'.</p> <ul style="list-style-type: none"> Whether the hedgerow screening is confirmed to be fully opaque year-round, or at least during the times that glare is predicted. <p>The Host Authorities received the Applicant's technical response to the clarifications sought on 14th December and are currently reviewing this technical response.</p>
11. Water Environment			
3.11.2	Host Authorities	<p>Table 3-4 of the SoCG between the Applicant and the Host Authorities indicates that discussions are ongoing in relation to additional mitigation in relation to the Water Environment (Ref: WAT-11).</p> <p>Please provide further details of any additional mitigation being sought.</p>	<p>ECC is seeking no additional mitigation in relation to the Water Environment. The Applicant has been informed of this and ECC has asked for the SoCG to be updated accordingly at Deadline 6.</p>