
FENWICK SOLAR FARM

Fenwick Solar Farm
EN010152

Environmental Statement

Volume I Chapter 4: Consultation

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4. Consultation

4.1 Introduction

- 4.1.1 This chapter of the Environmental Statement presents the outcomes of the consultation and engagement undertaken to support the development of the proposed Fenwick Solar Farm (hereafter referred to as the 'Scheme'). A description of the Scheme is provided in **ES Volume I Chapter 2: The Scheme [EN010152/APP/6.1]**.
- 4.1.2 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 practicable, incorporating environmental enhancements and benefits. The publication of the Preliminary Environmental Information Report (PEIR) on 18 April 2024 formed an important part of the consultation process on the proposed DCO application.
- 4.1.3 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.
- 4.1.4 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 practicable, 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.
- 4.1.5 The Applicant carried out Non-Statutory Consultation from 27 June 2023 to 24 July 2023, Statutory Consultation between 18 April 2024 and 31 May 2024 and further targeted consultation with an affected landowner between 1 August and 30 August 2024.

- 4.1.6 The issues 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 [EN010152/APP/5.1]**.
- 4.1.7 This chapter is supported by the following figures in **ES Volume II [EN010152/APP/6.2]**:
- a. Figure 4-1: Mailing Zone for Non-Statutory Consultation;
 - b. Figure 4-2: Mailing Zone for Statutory Consultation;
 - c. Figure 4-3: Locations of Statutory Consultation Events; and
 - d. Figure 4-4: Map of Document Inspection Venues.

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 Scheme 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 preapplication 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.

- 4.2.3 More detailed information regarding the above legislation, as well as relevant policy and guidance can be found in the **Consultation Report [EN010152/APP/5.1]**.

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 27 June 2023 to 24 July 2023, and Statutory Consultation was undertaken between 18 April 2024 and 31 May 2024. A further targeted consultation with an affected landowner was undertaken between 1 August and 30 August 2024.
- 4.3.2 The **Consultation Report [EN010152/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 **[EN010152/APP/5.1]**.

4.4 Pre-consultation engagement

- 4.4.1 A series of introductory meetings were held from March 2023 with key stakeholders relating to the Scheme, with further engagement undertaken alongside the development of the design, including with:
- a. The Planning Inspectorate;
 - b. South Yorkshire Archaeology Service;
 - c. City of Doncaster Council;
 - d. Member of Parliament (MP) for Doncaster North;
 - e. Environment Agency;
 - f. United Kingdom Health Security Agency and Office for Health Improvement and Disparities;
 - g. Natural England;
 - h. Historic England; and
 - i. Relevant Parish Councils.
- 4.4.2 A website has been set up to provide up to date information on the Scheme (<https://www.boom-power.co.uk/fenwick/>).

4.5 Consultation on the Scoping Report

- 4.5.1 The EIA Scoping Report was submitted to the Planning Inspectorate on 1 June 2023 (**ES Volume III Appendix 1-1: EIA Scoping Report [EN010152/APP/6.3]**).
- 4.5.2 The Planning Inspectorate reviewed and consulted on the EIA Scoping Report and adopted (on behalf of the Secretary of State) a Scoping Opinion on 11 June 2023 (the Scoping Opinion) which included the formal comments

received by the Planning Inspectorate from consultees (**ES Volume III Appendix 1-2: EIA Scoping Opinion [EN010152/APP/6.3]**).

- 4.5.3 These Scoping Opinion comments from consultees are documented in **ES Volume III Appendix 1-3: EIA Scoping Opinion Response [EN010152/APP/6.3]**, 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.
- 4.5.4 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.

4.6 Non-Statutory Consultation

- 4.6.1 The Applicant held an initial round of non-statutory public consultation between 27 June 2023 to 24 July 2023. 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. Full details of how the non-statutory Consultation was carried out can be found in the non-statutory consultation report (**Appendix B: Non-statutory Consultation appendices, Consultation Report Appendices [EN010152/APP/5.2]**).
- 4.6.2 Addresses within the consultation mailing zone were sent consultation brochures at the launch of the non-statutory consultation. This consultation zone can be found in **PEIR Volume II Figure 4-1: Mailing Zone for Non-Statutory Consultation [EN010152/APP/6.2]**.
- 4.6.3 Both online and in-person events were held to support the non-statutory 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	Time	Location	Attendees
30 June 2023	2pm to 8pm	Moss and Fenwick Village Hall	42
5 July 2023	2pm to 8pm	The Old George Inn, Sykehouse	31
10 July 2023	6pm to 7pm	Online event	4
13 July 2023	7pm to 8pm	Online event	3

- 4.6.4 In total, 25 responses were received in response to the Non-Statutory Consultation. This included responses from a range of statutory and non-statutory consultees through a range of feedback mechanisms, comprising:
- a. Nine online response forms;
 - b. Five hardcopy response forms via post;
 - c. One freeform email response;

- d. Ten hard copy response forms received at in-person at consultation events.
- 4.6.5 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.
- 4.6.6 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 **ES Volume I Chapter 3: Alternatives and Design Evolution [EN010152/APP/6.1]** and the **Design and Access Statement [EN010152/APP/7.3]**.

4.7 Statutory Consultation

- 4.7.1 In accordance with Section 47(1) of the Planning Act 2008 (Ref. 4-1) for an NSIP, a SoCC was prepared in consultation with City of Doncaster Council. 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 PEIR.
- 4.7.2 The PEIR was published in April 2024 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.
- 4.7.3 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/fenwick/>) and physical copies available at Deposit Inspection Venues in the local area;
 - c. Publicising the consultation through the media, online and through liaison with stakeholders; and
 - d. Hosting a number of online and in-person events close to the Solar PV Site, to offer the opportunity to ask questions about the proposals.
- 4.7.4 Dates and venues for the events are listed in Table 4-2. Locations of the events can be found in **ES Volume II Figure 4-3: Locations of Statutory Consultation Events [EN010152/APP/6.2]**.

Table 4-2: Statutory Consultation Events

Date	Time	Location	Attendees
26 April 2024	2pm to 7pm	Alexander House (Askern Town Council)	8
27 April 2024	10am to 3pm	Moss & Fenwick Village Hall	47
29 April 2024	2pm to 7pm	Sykehouse Village Hall	19
8 May 2024	7pm to 8pm	Online event	15

- 4.7.5 The statutory consultation took place from 18 April 2024 to 31 May 2024.
- 4.7.6 The mailing zone of addresses which received consultation brochures at statutory consultation can be found in **ES Volume II Figure 4-2: Mailing Zone for Statutory Consultation** ES Volume II [EN010152/APP/6.2]. was reviewed and updated following non-statutory consultation, to take account of the updated proposals. This has included considering where the Scheme may have a direct or indirect impact during construction or operation (in particular, the potential visibility of the Scheme and impacts on local roads from construction traffic). This has resulted in an updated consultation zone consisting of a 2.5 km buffer around the boundary of the Solar PV Site and a 1 km buffer around the Grid Connection Corridor, an increase on the zone used at non-statutory consultation.
- 4.7.7 The consultation zone used at statutory consultation comprised 3,762 addresses (including all of the addresses contacted at the first stage of consultation).
- 4.7.8 The Applicant received 105 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 [EN010152/APP/5.1]** and **Appendix O: Tables evidencing regard had to statutory consultation responses (in accordance with Section 49 of the Planning Act 2008), Consultation Report Appendices [EN010152/APP/5.2]**.
- 4.7.9 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).

4.8 Targeted Consultation

July 2024

- 4.8.1 The Applicant carried out targeted consultation with an affected landowner (who was consulted at statutory consultation) following an extension to the red line boundary that involved moving Order Limits approximately 2 metres further north, requiring a total additional land take of approximately 70m². There were no new or materially different environmental effects associated with this additional land and no other land interests were identified with regards to this additional land.
- 4.8.2 The Applicant consulted the relevant landowner regarding the additional land required. A letter was sent to the landowner on 30 July 2024, outlining how feedback could be provided (via email or freepost) and providing a deadline for response by 30 August 2024 – in excess of the minimum 28 day period required.
- 4.8.3 No response was received to the targeted consultation.

September 2024

- 4.8.4 As a result of ongoing diligent inquiry in the Scheme area, the Applicant identified two landowners and an agricultural tenant with interests in the Order limits consulted on at statutory consultation who had not been consulted at the statutory consultation.
- 4.8.5 The Applicant wrote to the newly identified landowners/occupier on 6 September 2024, with the same information provided to landowners at the launch statutory consultation. The Applicant advised the landowners how they could take part in the consultation and provided a deadline of 8 October 2024 – in excess of the minimum 28 day period required.
- 4.8.6 No response was received to the targeted consultation.

4.9 Consultation Responses

- 4.9.1 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).
- 4.9.2 Details of the responses received during consultation and the regard had to those responses are included in the **Consultation Report [EN010152/APP/5.1]**.
- 4.9.3 The matters raised by the consultations included:
- Scale of land required and the site location;
 - Visual impacts and the use of mitigation and screening;
 - Construction/operation impacts on important wildlife areas;
 - Health, safety and environmental considerations of using a Battery Energy Storage System (BESS);
 - Increased traffic and construction traffic and effects on local roads;
 - Suggestion due consideration should be given to PRoW and opportunities taken to increase access for all members of the public; and
 - Impact of construction noise and vibration on local community.
- 4.9.4 In addition to this ES, the Application is accompanied by a **Statement of Need [EN010152/APP/7.3]** that sets out the justification for a Scheme of this scale at this location.
- 4.9.5 The **Consultation Report [EN010152/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.

4.10 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/contents>. [Accessed 18 July 2024].
- 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/>. [Accessed 18 July 2024].
- 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: <https://www.legislation.gov.uk/uksi/2018/695/contents/made>. [Accessed 18 July 2024].
- 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 18 July 2024].

An aerial photograph of a vast solar farm at sunset. The rows of solar panels stretch across the landscape, creating a strong sense of perspective. The sky is a deep orange and red, with the sun low on the horizon, casting long shadows and highlighting the texture of the panels.

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