

1 Introduction

- 1.1 This representation is submitted on behalf of Keep Test Valley Beautiful (KTVB), an action group set up by Hampshire residents and farmers concerned at Wheelabrator's plans to build a waste to energy facility in the heart of the beautiful and environmentally sensitive Test Valley.
- 1.2 The Applicant, Wheelabrator Technologies, published the Statement of Community Consultation (SOCC) for the Wheelabrator Harewood Waste-to-Energy facility in October 2019. The document recognised the importance of pre-application consultation in providing an opportunity for the local community to engage and help shape the proposals during their development.
- 1.3 The SOCC confirmed at paragraph 4.4 that a Preliminary Environmental Information Report (PEIR) and PEIR Non-Technical Summary (NTS) would be made available as part of the Stage 2 consultation. This would provide initial information on the potential environmental effects of the project and any proposed mitigation to help the local community understand the environmental effects and inform responses regarding the proposed development.
- 1.4 Paragraph 5.1 of the SOCC made it clear that one of the overall consultation objectives was to provide clear and concise information during consultation. What has been published is far from clear and concise, rather it fails to include information on key parts of the proposal, is internally inconsistent and misleading in that it attempts to draw conclusions on the likely environmental effects of the proposal when the evidence to support those conclusions is absent.
- 1.5 Section 50(3) of the Planning Act 2008 makes it clear that the applicant must have regard to guidance about the pre-application procedure. The latest guidance on the pre-application process was published by DCLG in March 2015. Paragraph 4 of this document states that applicants must have regard to this, and any other guidance published which covers the pre-application procedure for major infrastructure applications. Additionally, paragraph 5 makes it clear that the Secretary of State will have regard to the extent to which this guidance has been considered and followed as appropriate, in deciding whether to accept an application for examination.
- 1.6 Paragraph 20 of the DCLG guidance states that consultation should be:
- *'Based on accurate information that gives consultees a clear view of what is proposed including any options;*
 - *Shared at an early enough stage so that the proposal can still be influenced, while being sufficiently developed to provide some detail on what is being proposed; and*
 - *Engaging and accessible in style, encouraging consultees to react and offer their views.*
- 1.7 In summary, KTVB consider that the consultation is inadequate in that it does not provide sufficient information to enable consultees to understand the likely environmental effects of

- the proposed development to inform their consultation response during the pre-application stage. It is not based on accurate information, is not sufficiently developed and is not engaging or accessible in style. The consultation is therefore contrary to the provisions of sections 47(7) and 50(3) of the Planning Act 2008.
- 1.8 As a matter of the general law, a consultation must provide sufficient information about the proposal and its likely effects to allow those consulted to give intelligent consideration and an intelligent response to it.
- 1.9 The inaccuracy and inadequacy of the material means that there are numerous aspects of the proposal and its effects which have not been addressed either at all or sufficiently. A non-exhaustive list includes landscape and visual impacts, the impacts on heritage assets, on air quality, hydrology and water resources, on areas of designated conservation and ecological importance and on biodiversity, on traffic and transport and the effects of grid connection. Consultees can draw attention to the inadequacies and inaccuracies but are prevented from commenting in an informed way on the issues that lie hidden behind the inadequacy of information.
- 1.10 General comments on the consultation material, specifically the PEIR, are provided in the following sections of this report, with more detailed specialist comments included as an appendix.