

CORRECTION NOTICE

THE LITTLE CROW SOLAR PARK ORDER 2022 (S.I. NO, 436)

SCHEDULE 4 TO THE PLANNING ACT 2008

CORRECTION OF ERRORS IN DEVELOPMENT CONSENT DECISIONS

9 MARCH 2023

The Secretary of State received a request dated 9 May 2022 from Eversheds Sutherland on behalf of INRG Solar (Little Crow) Limited (“the Applicant”) for the correction of errors in the Little Crow Solar Park Order 2022 (“the Order”), under section 119 of, and Schedule 4 to, the Planning Act 2008.

The Secretary of State has made the following corrections to the Order:

Corrections to the Articles

Schedule 2 – Requirements

Part 1 – Requirements

Requirement 8(1)

For “outline CEMP” substitute “outline CEMPs”.

Secretary of State’s rationale:

To correct a drafting error in light of the amendment to requirement 8(2)(j). The definitions in Article 2 refer to outline CEMPs.

Requirement 8(2)(h)

Add “and” after “investigation or construction”

Secretary of State’s rationale:

Taken with the amendment to Schedule 2, Requirement 8(2)(j) below, for drafting clarity.

Requirement 8(2)(i)

Omit “and” after “working procedure”

Secretary of State’s rationale:

Taken with the amendment to Schedule 2, Requirement 8(2)(j) below, for drafting clarity.

Requirement 8(2)(j)

Omit “a construction and environmental management plan for biodiversity that must according with the outline construction and environmental management plan for biodiversity”.

Secretary of State's rationale:

The definition of outline CEMPs in Article 2 includes an outline construction and environmental management plan for biodiversity. It is therefore not necessary to separately reference it here.

Part 2 – Procedure for Discharge of Requirements

Paragraph 21(2)(d)

For “applicant” substitute “undertaker”

Secretary of State's rationale:

To clarify that written representations should be sent to the undertaker as defined in the Order and as consistent with the remainder of the paragraph.

Paragraph 21 (10)

For “applicant” substitute “undertaker”

Secretary of State's rationale:

To clarify that written representations should be sent to the undertaker as defined in the Order and as consistent with the remainder of the paragraph.

Corrections which the Secretary of State has not made

Schedule 1 – Authorised Development

Paragraph 1, Work No. 2A and Work No. 2B

Delete the words “of up to 90 megawatts”.

The correction has not been made as the Secretary of State does not consider that the imposition of the limit was an error. The Secretary of State intended to include a capacity limit in respect of the battery energy storage system and the imposition of that limit was based on the information contained in the application for development consent as made. It is therefore not possible to make the change as a correction under Schedule 4 to the Planning Act 2008 as requested.