

**One Earth Solar Farm- EN010159****One Earth Solar Farm****Section 51 Advice Log****Version: 2 January 2025**

There is a statutory duty under [section 51 \(s51\) of the Planning Act 2008](#) for the Planning Inspectorate to record the advice that it gives in relation to an application or potential application, and to make this publicly available.

This document comprises a record of the advice that has been provided by the Inspectorate to the applicant (One Earth Solar Farm) and their consultants during the pre-application stage. It will be updated by the Inspectorate after every interaction with the applicant during which s51 has been provided. The applicant will always be given the opportunity to comment on the Inspectorate's draft record of advice before it is published.

The applicant will use this Advice Log as the basis for demonstrating regard to section 51 advice within the application.

## s51 Advice Log - Index

Date of advice	Overview
6 November 2024	<ol style="list-style-type: none"><li>1. Introductions (All)</li><li>2. General Update/Overview (App)</li><li>3. Statutory Consultation Update (App)</li><li>4. Environmental Assessment Overview (App)</li><li>5. Updated Masterplan (App)</li><li>6. Adequacy of Consultation Milestone (App)</li><li>7. Timescales and Consenting Programme (App)</li><li>8. PINS Questions/Discussions (All)</li><li>9. Next steps/AOB (All)</li></ol>
2 January 2025	Planning Inspectorate advice following review of the Applicant's Adequacy of Consultation Milestone notification.

<b>Advice Library</b>	
<b>Meeting date: 6 November 2024</b>	<b>Project Update Meeting</b>
Statutory Consultation	Statutory consultation for the project ended in July 2024, over an eight week period to take account of the UK's general election. The Inspectorate queried whether any feedback received at the statutory consultation phase had altered the design. The Applicant confirmed that responses in relation to landscape, views of villages, historic environment and public access had changed the design of the proposed development but the existing redline boundary remained the same. The changes which are primarily to reduce the land needed or to change the land use were highlighted in their updated Masterplan and has informed their updated draft Environmental Statement. These changes included avoidance of development around the Ledbury Viaduct and new mitigation buffers around some houses and views, with the location of the substations being at least 300 metres away from houses.
Masterplan	The Inspectorate asked whether there was Crown Land relevant to the project and subsequently whether consent is required. The Applicant confirmed there was Crown Land, specifically the River Trent, which the project proposes to go under.
Programme Timescales	The Applicant informed the Inspectorate that the proposed submission date has been delayed until February 2025. The Inspectorate advised that they will issue a letter listing all submission requirements. Additionally, the applicant provided an update on its draft Adequacy of Consultation Milestone document which is currently with relevant local authorities for comment. A date for the AOCM will be included in its updated Programme Document (setting a date three months before the submission of the application).
Draft Documents	The Inspectorate asked whether the Applicant intends to submit draft documents for review and feedback. The Applicant confirmed that they will be providing draft Land Plans and Work Plans in due course. Subsequently, the Inspectorate requested draft copies of the Book of Reference and Schedule 1 of the draft Development Consent Order for the review. The Inspectorate advised that the shapefile for any new redline boundary should be submitted at least ten working days before the application is submitted.
Feedback on the Programme	The applicant supplied the Inspectorate with its initial Programme Document in July 2024, this was in line with the

<p>Document (post-meeting note)</p>	<p>Expression of Interest process, after the publication of the 2024 Pre-application Prospectus. Having reviewed the document, the Inspectorate considers that it overall covers the expected content as set out in the government’s pre-application guidance at paragraph 10, providing clear details about the proposed development, the main issues and the progress made against related activities, progress made with Planning Performance Agreements, as well as the applicant’s approach to engaging with statutory consultees. However, the updated Programme Document should include:</p> <ul style="list-style-type: none"> <li>• reference to whether the Programme Document has been shared with local authorities, statutory consultees and others and whether they are content with the proposed programme</li> <li>• whether an Issues Tracker will be used and if this will be shared with local authorities, statutory consultees and others for their views</li> <li>• dates in the overall timetable for the Adequacy of Consultation Milestone, any Evidence Plan meetings and any multiparty meetings (if scheduling these), obtaining other consents or permissions (if required), draft documents for review by the Inspectorate (if anticipating to submit these), consultation and publication of the SoCC, and any project update meetings to be held with the Inspectorate</li> </ul> <p>It would also be helpful if the Programme Document explained how the design approach will be managed and communicated during pre-application.</p>
<p><b>Advice date:</b> <b>2 January 2025</b></p>	<p><b>Adequacy of Consultation Milestone statement</b></p>
<p>Adequacy of Consultation Milestone (AoCM) Statement review</p>	<p>The Planning Inspectorate’s new pre-application service launched in October 2024. The Applicant’s AoCM statement is amongst the first of such documents to be submitted to the Planning Inspectorate. As such, the way in which the Inspectorate handles such submissions may change as the service evolves. The advice recorded here relates solely to matters raised upon the Planning Inspectorate’s review of the AoCM statement. The advice is limited by the maturity of the documentation provided by the Applicant and the time available for consideration and is raised without prejudice to the acceptance decision or the final decision about whether development consent should be granted.</p> <p>The applicant is advised to ensure that all necessary information relating to its pre-application consultation activities are included in its Consultation Report at the point</p>

of submitting its DCO application. The Inspectorate has published [Advice on the Consultation Report](#).

Our general comments on the Applicant's AoCM statement are that its appendices broadly set out a clear summary of the consultation activities undertaken compared with the components in the SoCC and the feedback received from Local Authorities on the draft SoCC. However, we would add the following:

- the Applicant will need to submit GIS files at least two weeks before submission to allow the Inspectorate to determine which Local Authorities were required to be consulted;
- the AoCM does not make it clear whether applicable persons in s42 of the Planning Act 2008 were consulted, which will need to be made clear in submission documents;
- it is not clear if the Applicant notified s42 consultees of the deadline for receipt of consultation responses and whether this was at least 28 days after their receipt of the consultation documents (this will need to be made clear in submission documents);
- it is not clear if the SoCC set out the EIA status (this will need to be made clear in submission documents);
- from the information provided in the AoCM it is not possible to know whether the application was publicised in the prescribed manner (this will need to be made clear in submission documents);
- the extent to which the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' or any s51 advice from the Inspectorate (this will need to be made clear in submission documents).