

Kingsway Solar Farm - EN010165

Kingsway Solar Farm Limited

Section 51 Advice Log

Version: 13 November 2024

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 Kingsway Solar Farm Limited 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.

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Date of meeting	Meeting overview
13 November 2024	<p>The meeting included an update on the project from the applicant's team including an overview of its evolving preapplication programme, its preparation of its EIA Scoping request, and the approach to undertaking non-statutory consultation.</p> <p>There was also a discussion between the Inspectorate and applicant's team about potential topics to discuss at the next project update meeting and when this should be held.</p>

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Topic	Meeting date: 13 November 2024
Land options	<p>The Inspectorate asked for an update on landowner agreements and queried if it is affecting the current red line boundary. The Applicant said the project's Order Limits were evolving, as some land parcels had changed owing to ongoing negotiations with former and new landowners over the past twelve months.</p>
Environmental Impact Assessment (EIA) Scoping	<p>The Inspectorate advised the Applicant to avoid submitting their Scoping report close to the seasonal holiday, as it may not receive fully informed responses from relevant statutory bodies owing to reduced capacity. The applicant advised that they are considering the milestone and programme implications of delaying the submission of the Scoping Report until January and will update the Inspectorate in due course.</p> <p>The Applicant advised that they were having regard to the Inspectorate's new published technical advice on the Commitments Register and Scoping for Solar Developments.</p>
Grid connection	<p>The Inspectorate enquired with the Applicant if it will survey underground archaeology within the connecting corridors. The Applicant clarified that it will be refining the corridors and will undertake the necessary surveying based on any underground works that may be required.</p>
Ancient Woodland	<p>The Inspectorate queried if the ancient woodland that had been mentioned in previous meetings was still a factor within the red line boundary. The Applicant confirmed more ancient woodland is included within the boundary and the mitigation measures within the scoping report will demonstrate where buffers and setbacks are to be included.</p>
Preapplication process	<p>The Applicant asked the Inspectorate if there is a standard timeframe for submitting draft documents and receiving the Inspectorate's advice. The Inspectorate clarified that draft documents are usually submitted three months before submission of the DCO applications and feedback is usually given within six weeks of receipt. The more complete the documents are when provided to us, the more thorough the advice can be. The Inspectorate advised as part of the new pre-application process it now offers a draft document feedback meeting. The Inspectorate advised the Applicant to consider when is best for the Applicant to submit documents and what the Applicant needs from the Inspectorate with regards to feedback.</p>

	<p>The Inspectorate advised the Applicant to map out when advice is needed and to plan project update meetings accordingly to their Programme Document timetable. The Inspectorate also advised as more decisions and acceptance decisions are made on Solar projects, it will show the standards expected on a range of matters. It was also recommended that the Applicant look at comments made on acceptance decisions, as well as having someone review the documents who hasn't worked on them, to assist with proof-reading and to ensure the narrative of documents make sense.</p>
<p>Planning Performance Agreements</p>	<p>The Inspectorate requested an update from the Applicant in the next meeting on the progress made with any Planning Performance Agreements (PPAs) with Councils and obtaining services of relevant statutory consultees to highlight any resource constraints.</p>
<p>Design</p>	<p>The Inspectorate advised the Applicant to clearly demonstrate the design, setting out the story of how the project's design has evolved and the reasons and decisions made, with regard to the criteria on design in the National Policy Statements, explaining if a design champion was being employed. The Applicant said that design was being reflected in its mitigation plans.</p>
<p>Programme Document feedback (post-meeting note)</p>	<p>The applicant supplied the Inspectorate with its initial Programme Document in line with the Expression of Interest process, after the publication of the 2024 Pre-application Prospectus. Having reviewed the document, the Inspectorate notes that it follows the expected content structure as set out in the government's pre-application guidance at paragraph 10 and provides dates for pre-application activities, such as Scoping and Statutory Consultation. However, in updating its Programme Document, the applicant should:</p> <ul style="list-style-type: none"> • set out the main issues / topics identified arising from the proposed application, even if this includes initial information at this stage • include whether the local authorities, statutory consultees and others are content with the proposed programme • include relevant information against the identified risks and how these will be managed • whether the applicant will include an Issues Tracker and if this will be shared with local authorities, statutory consultees and others and indicate whether these parties agree with the status of the issues raised and any possible mitigation

	<ul style="list-style-type: none">• include dates in its programme 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), when project update meetings might be held with the Inspectorate and the submission of draft documents for review (if anticipating to submit these)• include any progress with any Planning Performance Agreements with relevant Local Authorities or statutory undertakers. <p>It would also be helpful if the Programme Document explained how the design approach will be managed and communicated during pre-application as well as any relevant information about the development of the draft DCO and Explanatory Memorandum. The applicant will need to publish its Programme Document on its website as soon as practicable.</p>
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