

Fosse Green Energy- EN010154

Fosse Green Energy Limited Section 51 Advice Log

Version: 11 December 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 Fosse Green Energy 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.

Project name s51 Advice Log - Index	
Date of meeting	Meeting overview
01 November 2024 (Emailed advice)	Programme document feedback
11 December 2025	Project Update Meeting

Project name -s51 Advice Library	
Topic	Advice date: 01 November 2024
Programme document feedback	<ul style="list-style-type: none"> • Good demonstration of compliance with the Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects Guidance. The Applicant will be aware that one of the mandatory components of the new pre-application service (for all service tiers), as set out in the Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus, is demonstrating regard to advice. As such this should be clearly reflected in the application documents. • The Applicant must ensure that the Programme Document (PD) is hosted and maintained on the Applicant's website and share with Local Authorities, Statutory consultees etc. • Please add any targeted consultation dates to Programme Document. (If any) • It would be helpful if the timeframes for the submission of the draft document review is added to the Programme document. <p>As this project will be advancing through The Standard service tier the Planning Inspectorate can provide up to 6 Project update meetings per annum, and it would be useful if potential timings were provided in the Programme document, to effectively resource in advance.</p> <p>The key milestones are outlined below (if not already undertaken) -</p> <ul style="list-style-type: none"> • <i>Inception Meeting</i> • <i>Post-Scoping, pre-section 42 consultation meeting</i> • Post-section 42 consultation • Draft documents feedback meeting • Pre-Adequacy of Consultation Milestone • Pre-submission meeting

Topic	Meeting date: 11 December 2024
Statutory Consultation	<p>The Inspectorate advised that if local parish councils have similar views on topics, it can be useful if they provide joint submissions. This can assist with pre-application consultations and also at examination, to avoid duplication of views and resources. This is also outlined in our Advice Notes for Local Authorities.</p> <p>The applicant said it would share that advice and highlighted discussions they had with the ten parish councils, outlining their role and use of a community liaison group to communicate views.</p> <p>The Inspectorate advised the applicant to ensure the advertisements/notifications of consultations is captured in the Consultation Report, along with its engagement activities with the Local Authorities.</p>
Design	<p>The Inspectorate advised that the evolution of the design of the proposed development should be clearly evidenced in a Design Approach Document or equivalent, as to how taking account of the criteria in the National Policy Statements, how the community uses the site and its surroundings, and consultation feedback has led to design alterations.</p>
Hard to reach groups	<p>The Inspectorate recommended that the applicant evidence how they have consulted hard-to-reach groups, such as communities in rural areas.</p>
Draft Document Review Service	<p>The Inspectorate advised that it still takes approximately 6-weeks to review draft documents under its new pre-application service. The applicant was asked to consider what draft documents it intends to submit and when (such as a draft Habitats Regulations Assessment report and / or a draft Development Consent Order and Explanatory Memorandum), to help the Inspectorate ensure that relevant resources are in place. If submitting a draft DCO for review, it would be helpful if any novel approaches to drafting could be outlined. It would also be helpful to have advanced notice on whether a feedback meeting would be needed, in addition to receiving written advice. Additionally, draft documents should be submitted at the same time for review.</p> <p>The Applicant advised that it is not proposing to prepare a full HRA, owing to the outcomes to the HRA screening undertaken, which concluded that there are no European sites that necessitate undertaking Stage 1 – Screening for Likely Significant Effects of the HRA process, and level of agreement between Local Authorities on the issues.</p>

	<p>The Inspectorate also said that as more DCOs are made and examinations held on Solar projects, it should be possible to provide more advice on strategic issues across the sector and emerging best practice. The Inspectorate also advised that the applicant may wish to appoint someone within their company, who has not worked on the project, to proof-read the application documents before submission, This can help ensure that annotation and other clerical errors are spotted and corrected, and that the application documents as a whole can be accurately cross-referenced. The section 55 check list can be downloaded from our Advice page for applicants and can be useful for applicants when compiling their application documents .</p>
Other solar farm application	<p>The Inspectorate advised that (at the time of meeting) the Botley West Solar Farm application had been submitted for acceptance and that the acceptance decision, including the s55 checklist, would be available on the project page of our website, should the applicant wish to review the outcome.</p>