

The Infrastructure Planning (Compulsory Acquisition) Regulations 2010

Peartree Hill Solar Farm proposed provision for the compulsory acquisition of additional land

Regulation 6(1)			
Within 28 days (starting the day after receipt) the Secretary of State must decide whether or not to accept the proposed provision as part of the application.	Date received	28-day due date	Date of decision
	10 September 2025	8 October 2025	19 September 2025
Regulation 6(2)	Planning Inspectorate Comments		
Regulation 4 - Prescribed procedure for compulsory acquisition of land			
Regulations 5 to 19 prescribe the procedure for the purposes of the condition in subsection (4) of section 123 (land to which authorisation of compulsory acquisition can relate) and apply where—			
(a) it is proposed to include in an order granting development consent a provision authorising the compulsory acquisition of additional land;	Yes (in respect of compulsory acquisition (CA) of rights/ temporary possession (TP)) The applicant submitted a Change Application [REP2-149] and associated documents [REP2-046 to REP2-152] at examination deadline 2 on 10 September 2025. This sought 7 proposed changes to the application (known as changes 3 to 9, given changes 1 and 2 had been dealt with under a previous change application where the CA Regulations were not engaged). The document explains the reasons for the proposed changes. Tables 11.1 to 11.3 of the Change Application [REP2-149] identify plot changes. The proposed changes (except change 7) involve additional land beyond the current Order limits. New plots and powers sought are as follows: <ul style="list-style-type: none">CA of rights and TP: Plots 1-15, 2A-4, 6-7, 14-16, 14-17, 15-17 and 16-11		

	<ul style="list-style-type: none"> • TP only: Plots 1-16, 2A-1, 2A-2, 2A-3, 2A-5, 14-14, 14-15 and 15-16 <p>Existing plot to change geometry to include additional land and to exclude some land originally included within it and powers sought is as follows:</p> <ul style="list-style-type: none"> • CA of rights and TP: Plot 16-4 <p>It is also proposed to remove completely a plot of land from within the current Order limits. The relevant plot and powers originally sought are as follows:</p> <ul style="list-style-type: none"> • CA of land: Plot 2-14 <p>In addition, it is proposed to only reduce the area of some plots. The relevant plots and powers sought are as follows:</p> <ul style="list-style-type: none"> • CA of land: Plot 2-13 • CA of rights and TP: Plots 16-5 and 16-6 <p>All areas of additional land appear to relate to parties already identified in the current Book of Reference [REP2-010]. However, some additional Category 3 parties (Part 2 of the Book of Reference) have been identified, in relation to proposed change 9.</p>
<p>(b) a person with an interest in the additional land does not consent to the inclusion of the provision</p>	<p>Yes</p> <p>The Change Application [REP2-149] and Change Application Consultation Report [REP2-150] demonstrate that where interests in additional land have been identified, engagement has occurred. However, no formal/ signed consents from parties with an interest in the additional land have been provided. Furthermore, it is apparent from the Change Application Consultation Report [REP2-150] that there is some landowner objection to the inclusion of some areas of additional land, primarily relating to change 9.</p>

Summary – Regulation 4	The proposed provision is one to which regulations 5 to 9 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 apply.
Regulation 5 - Proposed Provision	
The applicant must send to the Secretary of State details of the proposed provision which must—	
(a) be in the form of a book of reference or, where a book of reference has been submitted to the Secretary of State, a supplement to that book;	<p>The submission included:</p> <ul style="list-style-type: none"> • A supplementary Book of Reference (clean/ tracked) [REP2-151/ REP2-152]; and • An updated Book of Reference incorporating the information from the supplementary Book of Reference (clean/ tracked) REP2-068/ REP2-069].
<p>(b) be accompanied by—</p> <ul style="list-style-type: none"> (i) land plan identifying the land required as additional land, or affected by the proposed provision; and (ii) a statement of reasons as to why the additional land is required and a statement to indicate how an order that contains the authorisation of the compulsory acquisition of the additional land is proposed to be funded. 	<p>The submission included:</p> <ul style="list-style-type: none"> • Supplementary Land Plans showing additional land and land affected by the proposed provision on relevant sheets [REP2-053/ REP2-054] and full updated Land Plans incorporating the proposed changes [REP2-052] (no special category land or Crown land would be affected). • The Change Application [REP2-149] provides a detailed description of and reasons for each proposed change. An updated Statement of Reasons (clean/ tracked) [REP2-066/ REP2-067] also addresses why rights over the additional land are required. • A Funding Statement [APP-024] was submitted with the original application. The Change Application paragraph 11.1.7 [REP2-149] states: <i>As regards funding, details of how the Proposed Development will be funded, and that funding would not be an impediment to the payment of compensation to persons affected by compulsory acquisition or temporary possession, are set out in the Funding Statement [APP-024]. This remains relevant in all respects with regards to the</i>

	<p><i>proposed changes. An updated Funding Statement has not therefore been submitted with this change application.</i></p> <p>The original Funding Statement [APP-024] addresses CA costs generally and provides details of accounts in support of funding available for this. Whilst there would be additional land as part of the change request relating to CA of rights and TP, there would also be a reduction in powers sought elsewhere, including in respect of CA of land and rights. It is therefore accepted that the principle of funding CA costs is likely to remain relevant in the Funding Statement provided with the original application, and, along with the information stated in Change Application paragraph 11.1.7 [REP2-149], the relevant requirement of regulation 5(b)(ii) is considered to be satisfied.</p> <p>However, the Funding Statement paragraph 7.1.1 contains some inaccuracies in respect of the numbers of plots subject to CA of land or rights and the numbers of plots subject to TP. An updated Funding Statement will be requested during the examination to address this.</p> <p>There are also some inconsistencies within the draft Development Consent Order (dDCO) relating to some plots and powers sought when compared with the Land Plans. An updated dDCO will be requested during the examination to address this.</p>
<p>Summary – Regulation 5</p>	<p>The supplementary Book of Reference (and updated Book of Reference) is as permitted by regulation 5(a). The supplementary Land Plans (and updated Land Plans) is as permitted by regulation 5(b)(i). The Statement of Reasons is as permitted by regulation 5(b)(ii). The statement to indicate how CA of additional land is to be funded is as permitted by regulation 5(b)(ii).</p> <p>The information provided is thus considered to satisfy the requirements of regulation 5.</p>

Case Manager

Jake Stephens

Jake Stephens

Signed

Date:

19 September 2025

**Lead member of the
Examining Authority**

Alex Hutson

Alex Hutson

Signed

Date:

19 September 2025