Planning Inspectorate

Section Mylen Leah Solar Farm – EN0110002
Mylen Leah Solar Limited
Section 51 Advice Log
Version: 21 September 2026

This document comprises a record of the s51 advice that has been given by the Planning Inspectorate to the applicant (Mylen Leah Solar Limited) during the pre-application stage. It will be updated by the Planning Inspectorate after every interaction with the applicant within which s51 advice has been given.

The applicant will always be given the opportunity to comment on the Planning Inspectorate's draft record of the s51 advice given before it is published on the relevant project page on the Find a National Infrastructure Project website.

The role of the advice log at the acceptance stage

Section 55(4) of the PA2008 requires the Planning Inspectorate to consider, amongst other things, the extent to which the applicant has had regard to the s51 advice given by the Planning Inspectorate in connection with the application when deciding if the application can be accepted for examination. Section 51 advice includes:

- advice given about applying for an order granting development consent
- advice given about making representations about an application for an order granting development consent

The applicant will use this advice log as the tool for demonstrating:

- regard to the s51 advice given to the applicant by the Planning Inspectorate
- regard to any s51 advice given to others by the Planning Inspectorate

The applicant will submit a final version of this advice log which demonstrates regard to all s51 given by the Planning Inspectorate at the pre-application stage as part of the application.

Mylen Leah Solar Farm – Applicant meeting index	
Date of meeting	**Meeting overview**
10 May 2024	Inception meeting • Current ongoing work and surveys • Approach to stakeholder engagement • Programme • AOB • Summary of actions and follow-up
28 October 2024	• Email with feedback on the Programme Document
25 April 2025	• Non-statutory consultation & feedback • Scoping response • Surveys update • Ongoing design development • Stakeholder engagement • Programme to statutory consultation & submission
15 January 2026	Pre-application Prospectus Update
16 July 2026	Advice in relation to amendments to the Planning Act 2008 (PA2008)
21 September 2026	• The proposed development • Project programme • Consultation • Feedback on consultation • Land rights and negotiations tracker • Summary of actions and follow-up

Mylen Leah Solar Farm – Log of s51 given to the applicant		
Meeting date: 10 May 2024		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
Current ongoing work and surveys	The Inspectorate recommended that consideration of any heritage significance associated with the WWII airfield be included in further survey work.	The Applicant has considered the significance and importance of heritage associated with the WWII airfield, now known as Melbourne Raceway. This is demonstrated within Section 6 of the cultural heritage Desk Based Assessment, which will be submitted as part of the DCO application. The WWII airfield will also be assessed within the cultural heritage chapter of the Environmental Statement. Site walkovers, geophysical surveys, and trial trenching have been completed at the site of the WWII airfield. There were no notable findings, however, there remains the potential for undiscovered archaeological remains. To mitigate against this, during the construction phase, groundworks that are anticipated as high impact will be monitored, and additional mitigation will be provided within the Archaeological Management Strategy. The Applicant is also exploring the possibility of community engagement around the WWII airfield.

Approach to stakeholder engagement	The Inspectorate advised that other NSIPs have found that using local input to help shape the masterplan has been helpful, and that the timescales should allow for thorough consultation to avoid surprises at later stages of the process. It noted the importance of being clear during consultation on what is fixed and what can be influenced, and flagged that it would soon be issuing an advice page on good design, which will also reflect the importance of local input. The Inspectorate advised the Applicant to ensure it keeps a note of where consultation has influenced its proposals. The Applicant confirmed its approach is intended to be aligned with this advice. The Inspectorate noted the trend in recent applications for use of online digital mapping tools. The Applicant explained it had not yet made a decision on this, but noted it is intending to have tablets at events to assist consultation.	The Applicant notes the comments regarding local input into the proposals. The Applicant set out the process of consultation and engagement under the regulations set out within the Planning Act 2008 and has followed, and will continue to follow, all subsequent relevant statutory procedures and planning guidance set out by the Secretary of State and local planning authorities associated with consultation and engagement. The Applicant has conducted an iterative programme of consultation and engagement to inform the design of the Scheme and design evolution. The Scheme is being brought forward in a transparent manner, with opportunities for consultation and engagement provided at each stage to enable statutory and non-statutory stakeholders, as well as members of the public, to express their views. Whilst online digital mapping tools were not deployed during the consultation and engagement process, tablets were made available during the consultation events for participants to view digital copies of relevant maps and plans.
Programme	The Inspectorate advised the Applicant to be aware of issues around holiday periods, particularly in terms of consultee responses for Acceptance. It also advised that accurate dates for key parts of the programme are expected and requested this information	

	when available. The Applicant confirmed, when asked, that it was considering use of the draft documents process and would like to discuss scope at a later stage.	
AOB	The Inspectorate raised National Infrastructure reforms, noting that guidance from DLUHC was to be published shortly and the Inspectorate's Prospectus would follow (see postmeeting note). The Inspectorate advised this would involve changes to the service it offers at pre-application	
Summary of actions and follow-up	Since the meeting, various items related to the NSIP reform and pre-application service have been published and/or updated, as follows: • DLUHC guidance on the pre-application process ([Withdrawn] Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects - GOV.UK) published 30 April 2024. • DLUHC guidance on the fast-track process for NSIPs (Planning Act 2008: Fast-track	

	process for Nationally Significant Infrastructure Projects - GOV.UK) published 30 April 2024. • The Inspectorate's pre-application prospectus (Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus - GOV.UK) published 16 May 2024. • The Inspectorate's advice on frequently asked questions regarding the preapplication process (Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus - Frequently Asked Questions - GOV.UK),published 16 May 2024.	
Email: 28 October 2024		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
Feedback on the Programme Document	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 considers that it satisfactorily covers the expected content as set out in the government's pre-application guidance at paragraph 10, namely:	The Applicant welcomes the Planning Inspectorate's feedback and notes its conclusion that the Programme Document satisfactorily addresses the requirements set out in the Government's pre-application guidance. The Applicant had regard to the advice regarding the inclusion of an Adequacy of Consultation Milestone document. However, in line with emerging Planning and Infrastructure Act (2025)

	• "the date the applicant intends to submit their application • a comprehensive timetable of the applicant's pre-application process, the main events with dates and milestones demonstrating how the pre-application process will be completed (using the maximum target of 2 years as a benchmark) • the applicant's view on the main issues for resolution and activities they will undertake to address those • the applicant's proposals for engaging with statutory consultees and local authorities during the pre-application period and any intended financial support agreements, such as Planning Performance Agreements (PPAs) • the applicant's identification of risks to achievement of the pre-application stage and the process by which these risks are tracked and managed • cross references to the SoCC required by section 47 of the Planning Act". The Programme Document provides enough detail about the proposed development, timetable and activities for the pre-application process, as well as the applicant's approach to engagement with statutory consultees and other parties. In the	guidance, there is no longer a requirement to produce this document. Instead, the Applicant intends to prepare a Consultation and Engagement Summary Report, which will fulfil a similar function in documenting and evidencing the pre-application consultation process and how feedback has influenced the proposals. This report will be submitted with the DCO application. Subsequent updates to the Programme Document will reflect this approach, where appropriate.

	next iteration of the document, it would be helpful if the applicant includes the timescale for the Adequacy of Consultation Milestone.	
Meeting date: 25 April 2025		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
Feedback on non-statutory consultation	The Inspectorate noted the applicant's update on early engagement with the local community and other stakeholders. It advised the applicant to ensure that the feedback received is taken into account through the project design process, and that the applicant's documents how feedback has led to changes in the design. This should include demonstrating where control mechanisms and the dDCO will be used to respond to stakeholder concerns.	The Applicant notes the Inspectorate's advice and will continue to consider stakeholder feedback to inform the design process. The Applicant recognises the importance of demonstrating how stakeholder feedback has influenced the design of the Proposed Development and will demonstrate this through its consultation reporting and application documentation. This will include identifying where embedded mitigation, design refinements, requirements and other control mechanisms secured through the draft DCO have been used to address feedback received from stakeholders.
Response to Scoping Opinion	The Inspectorate advised that the approach of scoping minerals and waste out of the EIA process but covering the relevant	Following receipt of the Scoping Opinion, the Applicant has outlined their approach to ensuring that materials and waste is appropriately covered

	aspects in other documents such as management plans had been used successfully in other projects. Discussions with the relevant Local Planning Authority/ies on this approach were helpful, but the applicant should consider whether other bodies such as the Environment Agency would also need to agree the approach. All such discussions should be documented in the submitted application to provide justification for the scoping out of these issues. The Inspectorate also advised that it may be possible to take a similar approach regarding minerals safeguarding areas, and in this case early engagement with the relevant authority would be necessary.	in other documents which will be submitted as part of the DCO, therefore removing the requirement for a standalone materials and waste ES chapter. The Applicant proposes to cover materials and waste related matters in the following documents: • **ES Volume 2, Chapter 3: Proposed Development Description** • **ES Volume 3, Chapter 8: Climate** • **Site Waste Management Plan** • **Outline Operational Environmental Management Plan** • **Outline Decommissioning Environmental Management Plan** This approach was subsequently sent to ERYC (as the Local Planning Authority) as well as the Environment Agency. The Environment Agency agreed on 13 July 2026 via email that materials and waste could be scoped out of the ES, stating: *"Without reviewing the Site Waste Management Plan we do not have any further comments to make. Waste produced by the works will need to be disposed and managed according to various legislation as outlined in our previous responses. The Local Authority is responsible for the potential streams and volumes of waste. Therefore, we do not object to scoping out waste and materials from the Environmental Statement."*

		The Applicant will continue to engage with ERYC regarding mineral safeguarding areas.
Landscape and design	The Inspectorate queried whether there were any local policies on design or landscape character that would need to be considered through the design evolution. It welcomed the applicant's confirmation that it was meeting with the local landscape officer on site to look at how to ensure the scheme ties into wider emerging ambitions for landscape regeneration. The applicant was aware of a new design code produced by the Local Authority relating to solar, but this was more oriented towards rooftop and small-scale installations. However, the applicant would ensure that any potential implications are addressed in the application.	The Applicant notes these comments and will continue to engage with the ERYC landscape officer.
Grid connection	The applicant clarified that the existing substation at Thornton was being extended under an existing permission for development nearby, and it was this expanded capacity that the solar farm would be connecting into. The Inspectorate noted that the applicant was undertaking the expansion works, rather than National Grid,	The Applicant is engaging with National Energy System Operator (NESO) regarding connection arrangements and timescales. Further details will be provided within the Grid Connection Statement submitted as part of the DCO application.

	which allowed them to have more clarity on timescales.	
Learning from other schemes	The Inspectorate provided an update on a number of other solar DCO applications which had recently been accepted for examination, and advised the applicant to keep tracking these through the system to give an indication of the issues that tend to arise at acceptance and examination.	The Applicant notes the Inspectorate's advice and will continue to monitor relevant solar DCO applications as they progress through the NSIP process. The Applicant will have regard to emerging key issues arising at acceptance and examination, where relevant to the Proposed Development, to help inform the preparation of a robust application.
Programme to statutory consultation & submission	The applicant explained that the programme had slipped slightly with a new submission date of September 2026, largely due to ongoing survey work. The Inspectorate advised that it is asking applicants to provide a target month for submission rather than a quarter to go on the project page for consistency of data across projects and asked the applicant whether September 2026 could be used on the project page, which the applicant confirmed. The Inspectorate reminded the applicant to ensure that the Programme Document was updated with these changes. It also advised that it would be useful for the Programme Document to include some of the other updates from the meeting, particularly to give statutory bodies sight of when their	The Applicant is currently targeting submission of the DCO application in February 2027. This is largely due to ongoing survey work and design refinement. The Applicant notes the Inspectorate's advice and will update the Programme Document to reflect the changes discussed at the meeting. The Applicant will also seek to incorporate other relevant updates, including indicative timings for key engagement activities, to provide statutory bodies with greater visibility of when their input will be required and the principal matters to be discussed. The Applicant further notes the Inspectorate's request for 4-6 weeks' notice of future update meetings where possible and will include indicative timings for future meetings within the

	engagement would be required and what were the main issues to be discussed. The Inspectorate advised that due to resourcing and availability, it would be useful to have 4-6 weeks' notice of future update meetings, and noted that approximate timings for these could also be included in the Programme Document.	Programme Document to assist with forward planning and resourcing.
Advice Date (Email): 15 January 2026		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
Pre-application Prospectus	The Inspectorate has advised that, following a 6-month review of our services, our Pre-application Prospectus has been updated. The update log at the bottom of the page summarises the changes and clarifications that have been applied. Applicants with a live project at the pre-application stage of the process, please familiarise yourself with the update and consider how it might affect your pre-application programme and interaction with our services. Please note in particular: • the establishment of land and rights negotiations tracking as a primary	**Topi** Thank you for the advice and for notifying us of the updates to the Pre-application Prospectus. We have reviewed the changes and note in particular the requirement for all applicants to maintain and share a Land and Rights Negotiations Tracker, as well as the clarified expectations regarding meeting preparation and the provision of supporting documents in advance of engagement with the Inspectorate. We will update our Programme Document to reflect the current project programme and ensure it remains aligned with the information provided through our Issues Tracker and other pre-application submissions. We will also implement the required Land and Rights Negotiations

	service feature – this means it is now expected for all applicants to develop and share a land and right negotiations tracker in 1 of 2 available templates, irrespective of the service tier they have subscribed to. • clarified expectations of applicants when preparing to interact with the Inspectorate at meetings – including clarified rights for the Inspectorate to delay or refuse service where pre-meeting expectations are not upheld e.g. an updated programme document or 9 issues tracker is not provided, on time, to inform a meeting agenda. The Inspectorate also requested an updated Programme Document.	Tracker in accordance with the Prospectus guidance and submit the relevant information as part of our ongoing engagement with the Inspectorate.
Advice Date (Email): 16 July 2026		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
Advice in relation to amendments to the Planning Act 2008 (PA2008)	In light of the amended legal framework which will be introduced from 24 July 2026 by the Planning and Infrastructure Act 2025, the Planning Inspectorate issued written	The Applicant has noted the advice provided by PINS regarding the requirements of Sections 46 and 48 of the Planning Act 2008.

	advice to the applicant on 16 July 2026 requesting for: • evidence within the submitted application in relation to duties under s46 and s48 of the PA2008 to be provided as an appendix to any engagement summary document that the applicant may choose to submit or, where the applicant chooses not to submit such a document, as a discrete document titled 'Section 46 and section 48 information' • evidence within the submitted application in relation to new s55(4)(e) of the PA2008 to be provided in a submission version of this expanded advice log template	The Applicant confirms that an Engagement and Consultation Summary Report will accompany the DCO application. This report will include evidence of compliance with Section 46, including notification letters, and Section 48, including publication of the prescribed notices. The Applicant will also provide evidence of compliance with Section 55(4)(e) of the Planning Act 2008 through an updated Section 51 Advice Log, demonstrating how regard has been had to the advice provided by PINS throughout the pre-application process and the evolution of the Proposed Development.
Meeting date: 21 September 2026		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
The proposed development	The Inspectorate sought clarity on the substations referred to in the applicant's Programme Document. In the Programme Document, the applicant refers to the	The existing substation at Thornton is being extended under an existing permission for development nearby, and it is this expanded capacity that the solar farm would be connecting

	Balwen Substation and the Thornton Substation. The Inspectorate considers that the two substations and their purpose should be distinguished with more clarity. The Inspectorate noted the applicant's approach with regards to the substation connections (to the National Grid at Thornton Substation through Statkraft's owned and operated Balwen Substation). The Inspectorate advised the applicant to ensure that the necessary agreements are in place, and to continue the requisite conversations with statutory bodies. The Inspectorate advised the applicant to consider protective provisions with National Grid. Following a review of the programme document, the Inspectorate notes that section 1.2 that summarises the proposed development paragraph 1.2.4 refers to Works No.1, 2, 3 and 4, and then subsequently Work Nos. 1 to 5, without stating what these works are. The programme document should ensure, where required, to fully describe the proposed development.	into. The applicant is undertaking the expansion works. The Proposed Development will connect to the Thornton Substation through an existing private connection corridor extending between Balwen Substation and Thornton Substation. The connection corridor is owned by a Statkraft subsidiary company 'Balwen Limited'. The authorised development includes the electrical infrastructure necessary to facilitate this connection, comprising a 400kV cable linking the on-site project substations to the point of connection, together with all associated electrical infrastructure and works.
Project programme	The Inspectorate asked the applicant whether they still expect to submit their application in February 2027. To avoid any late revisions to this and to guarantee the	In accordance with the current project programme, the Applicant expects to submit the application on 26th February 2027. The Applicant will provide

	necessary resource availability for acceptance, the Inspectorate asked the applicant to notify them as soon as practicable should they think that the submission date of February 2027 would be delayed.	advance notification to PINS should the anticipated submission date be delayed.
Documenting consultation	The Inspectorate advised that the applicant should take note of accepted applications of other projects of a similar type and/or geographic location, including any advice issued and s55 checklists produced on those projects, and to follow the published guidance. The applicant should ensure that they provide the narrative of the consultation undertaken and explain their reasoning.	The Applicant will continue to monitor and review recently accepted solar DCO applications to identify common issues arising at the acceptance and examination stages, and to ensure that all application documents and submission requirements are fully aligned with relevant Inspectorate guidance, the Section 55 acceptance criteria, and any applicable Section 51 advice.
Feedback on consultation	The Inspectorate advised the applicant that clearly showing interested parties how the proposed development has evolved is likely to aid submission of relevant representations should the application be accepted for examination. Previously, relevant representations received are often based on what interested parties have seen during consultation, so demonstrating to the public the changes that have taken place since the previous consultation may also benefit the applicant.	The Applicant has reviewed the Planning Inspectorate's non-statutory guidance on Good Design alongside the relevant energy National Policy Statements (NPS EN-1, EN-3, and EN-5). Design principles have been embedded into the iterative layout and optioneering of the solar PV arrays, inverter stations and cabling routes. The Applicant has conducted an iterative programme of consultation and engagement to inform the design of the Scheme and design evolution.

	The Inspectorate also advised the applicant to become familiar with the Inspectorate's advice on Good Design.	
Design evolution: design freeze 1 (DF1) – EIA scoping	The Inspectorate notified the applicant that red-line boundaries provided at scoping are now being published on the Inspectorate's project page and brought attention to the current red-line plan, which is now out of date following the design freeze. The Inspectorate asked the applicant as to whether they would wish to provide an updated file, which will be uploaded to the Inspectorate's project page. Post meeting note: The applicant provided the most recent red line boundary to the Inspectorate, which is now displayed on the project page on the find a National Infrastructure Project website.	The position is noted by the Applicant.
Preparation of the Environment Statement and application documents	The Inspectorate advised the applicant to demonstrate any agreement with the scope and conclusions of the assessments undertaken with the relevant statutory bodies. The applicant confirmed that this will be included in the Statements of Common Ground.	The Applicant has sought to engage with the key statutory bodies on the scope and conclusions of technical assessments undertaken. These positions will be documented in the relevant Statements of Common Ground. The Applicant will comply with the BNG regulations set to be introduced in November

	The Inspectorate informed the applicant that the Biodiversity Net Gain (BNG) Regulations (for Nationally Significant Infrastructure Projects) are still proposed to be introduced in November 2026. The Inspectorate enquired how the applicant has progressed with and how they will produce the required new documents. The applicant advised that its proposed approach is to submit the Landscape and Ecological Management Plan (LEMP) and Habitat Management and Monitoring Plan (HMMP) as a combined document. The applicant informed the Inspectorate that this has been agreed with the regional Natural England team, however sought the Inspectorates view on this approach. <u>Post meeting note (HMMP):</u> The Inspectorate notes the applicant's position that it intends to provide a combined Habitat Management and Monitoring Plan (to comply with the requirements of mandatory Biodiversity Net Gain, including legally mandated management and monitoring of onsite gains for the 30-year period) and Landscape and Ecological Management Plan (to provide general landscape and ecological monitoring and management measures). The Inspectorate also notes that the	2026. The Planning Inspectorate's concern surrounding the combined HMMP and LEMP is acknowledged. The combined document will be comprehensive in that it will explicitly incorporate the Natural England HMMP framework. This approach has been consulted on with East Riding of Yorkshire Council as the Local Planning Authority, who confirmed their support in principle for the preparation of a combined HMMP/LEMP, subject to the relevant ecological, landscape and BNG requirements being clearly incorporated within the combined document. A glint and glare assessment will be produced as an appendix in Volume 5 of the Environmental Statement. The methodology for identifying potential sensitive receptors, as well as an assessment of the receptors themselves, will be included within this document. The Applicant intends to maintain regular dialogue with Natural England and to document the position of any agreement(s) with the conclusions of the HRA within the application documentation.

	applicant has received an initial agreement on this approach from the regional Natural England team relevant to the geographic area of the proposed development. However, on reviewing the matter, the Inspectorate notes that the documents serve two distinct and separate purposes over differing timescales and would likely be two separate requirements within the Development Consent Order. The Inspectorate also refers the applicant to the national guidance as published by DEFRA which does not explicitly support a combined approach to the HMMP and LEMP. The Inspectorate also considers that the discharging authority for both the HMMP and LEMP is likely to be the local planning authority/authorities (LPAs), rather than Natural England. The position of the relevant LPAs on this approach should be sought as soon as practicable and evidenced within the application documents. If the applicant is to proceed on the basis of a combined HMMP and LEMP, the version submitted with the application must clearly state how the content complies with the relevant legal and technical requirements associated with mandatory BNG.	

	The Inspectorate would also advise the applicant to keep up to date with any s51 advice given at acceptance(s), or the progression of the examination(s) of applications submitted after 02 November 2026 which may provide ongoing advice on the approach to mandatory BNG, as the Inspectorate acknowledges that the new acceptance and examination requirements associated with mandatory BNG may involve an understanding of novel matters The Inspectorate also requested the applicant to demonstrate their progression of thought and agreement around the Glint and Glare Assessments, as the surrounding area is noted to include receptors such as a vehicle test track and a gyrocopter take off/landing facility which may be subject to changes to glint and glare when near to or overhead of the proposed development. <u>Post meeting note:</u> The Inspectorate advises the applicant to consider all relevant receptors within the surrounding area, and to document any position of agreement with relevant bodies within the application documents. On review of the issues tracker, the Inspectorate noted that in relation to the Habitats Regulations Assessment (HRA),	

	the applicant is currently unable to rule out the need for a derogations case, as agreement has not yet been reached with Natural England. The Inspectorate asked the applicant whether this is currently on a precautionary basis, or whether there is a likelihood of the derogations process being engaged. The applicant advised that it is considered highly unlikely that derogations would be required. <u>Post meeting note (HRA):</u> The Inspectorate advises the applicant to maintain regular dialogue with Natural England and to document the position of any agreement(s) with the conclusions of the HRA within the application documentation.	
Land rights and negotiations tracker	The Inspectorate drew attention to the 'Likelihood of Resolution prior to submission of the application/during the examination' column on the Land Rights and Negotiations Tracker. The Inspectorate asked for the applicant to ensure this column is completed for all the land interests, as it is a helpful indication of anticipated progress and prospects for resolving negotiations ahead of submission. In terms of submitting the tracker as part of the application, the applicant should consider including a column that links each Book of Reference	The Applicant at the time of completing the draft Land Rights & Negotiations Tracker had not yet confirmed plot numbers. The data will be migrated to the full tracker prior to the next submission and include relevant data as proposed. At this point the Applicant will ensure that all lines include a likelihood of resolution response.

	plot to the relevant work number(s). In addition, the use of colour-coding to identify the status of negotiations, including whether Heads of Terms have been agreed**,** may also assist. The Inspectorate suggests Keadby Next Generation Power Station Project as an example which clearly sets out positions.	
Questions/AOB	The Inspectorate advised that proposed dates for the next Project Update Meeting would be circulated in the coming days in line with the December 2026/January 2027 dates identified in the Programme Document. The Inspectorate would also send the applicant a pre-submission letter setting out the application submission process.	The next Project Update Meeting has been scheduled with PINS on Wednesday January 13th 2027.