

EN0110004

Lostrigg Solar

Section 51 Advice Log

Version: 30 April 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 Planning Inspectorate to the applicant and their consultants during the pre-application stage. It will be updated by The Planning 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 Planning Inspectorate's draft record of advice before it is published.

The applicant will use this advice log as the basis for demonstrating regard to s51 advice within the application.

| Project name s51 Advice Log - Index | |
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| Date of meeting | Meeting overview |
| 30 April 2025 | Project Update Meeting |
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| Project name - s51 Advice Library | |
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| Topic | Meeting date: 30 April 2025 |
| Biodiversity Net Gain | The Inspectorate advised the applicant to ensure that any proposed Biodiversity Net Gain (BNG) proposed should be made separate to the environmental mitigation. Where proposing BNG, the same land should not be included in the environmental mitigation calculations. |
| Consultation | The Inspectorate advised the applicant to ensure that, even though no changes were expected to be made to the proposed development or Order Limits following the statutory consultation stage, the Consultation Report should record how consultation feedback was assessed and what regard was given to it. |
| Status of the application | The Inspectorate advised that as the proposed development was likely to be affected by the increased generating capacity threshold from 50MW to 100MW for solar energy projects under The Infrastructure Planning (Onshore Wind and Solar Generation) Order 2025 (expected to come into force on 31 December 2025), any Development Consent Order applications accepted for examination before 31 December would progress under the Planning Act 2008 (under the Order's transitional arrangements). |
| Fees and withdrawal of application process | <p>The Inspectorate advised the applicant that if it wishes to withdraw its proposed development from the pre-application process, it should send a letter to the Inspectorate formally providing such notification. The letter would then be published on the Inspectorate's project page of its Find a National Infrastructure Project website for three months, after which the project would be removed from the website and its register of projects.</p> <p>Post-meeting note: On the issue of pre-application fees, as previously advised in the Inspectorate's email to the applicant of 28 March 2025, in line with the 2024 Pre-application Prospectus the applicant would be invoiced on or after 1 April 2025 for the next six months of pre-application service (April – September 2025). Any refunds would be made on a whole month basis should the proposed application be withdrawn from the pre-application service or be submitted for acceptance during this period.</p> |

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