

## High Grove Solar – EN0110010

### High Grove Solar

### Section 51 Advice Log

**Version: 08 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 Inspectorate to the applicant 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
12 November 2024	<ul style="list-style-type: none"> <li>• PEIR / Scoping update</li> <li>• Non-statutory consultation</li> <li>• Substation siting update</li> <li>• Cost recovery</li> </ul>
13 January 2025	<ul style="list-style-type: none"> <li>• Project Update</li> <li>• Approach to assessment of substation</li> <li>• Survey Update</li> <li>• Consultation and Engagement Update</li> <li>• Programme Document</li> </ul>
08 April 2025	<ul style="list-style-type: none"> <li>• Project Update</li> <li>• Consultation on draft SoCC</li> <li>• Plans for statutory consultation</li> <li>• PEIR overview</li> <li>• Meeting with NGET and update on agreed approach to assessing &amp; consulting on 400KV substation for the PEIR</li> <li>• Any other business</li> </ul>

## High Grove Solar - s51 Advice Library

Topic	Meeting date: 12 November 2024
Engagement with statutory advisors	<p>The Applicant confirmed that discussions with local authorities, the Environment Agency, Historic England and Natural England regarding their scoping responses are ongoing. The Applicant is due to meet with Anglian Water.</p> <p>In answer to a question from the Planning Inspectorate, the Applicant said work on the Habitats Regulations Assessment (HRA) was progressing, as well as relevant discussions with Natural England regarding methodology. Surveying of any archaeology on or near the site was ongoing, in discussion with the County archaeologist and Historic England.</p>
Cumulative effects	<p>In answer to a question from the Planning Inspectorate, the Applicant confirmed that cumulative effects was one of the issues raised by members of the public in the responses received during the applicant's non-statutory consultation (held between September and October 2024). The Applicant is engaging with other developers and National Grid to explore any joint mitigation or enhancement measures that could be employed.</p>
Siting of substation	<p>In answer to a question from the Planning Inspectorate, the Applicant said that there were common risks within the solar industry in relation to the delivery of new substations. Discussions with National Grid regarding the siting of the new substation and who would construct and operate it are ongoing. The Applicant explained it would likely include the new substation within the Development Consent Order (DCO) to provide certainty that it could be delivered and expediate delivery.</p> <p>The Applicant understands that the outcome of National Grid's siting study is not likely to be available in advance of statutory consultation, therefore the PEIR will assess a range of potential options.</p>
Cost recovery	<p>The Planning Inspectorate advised that invoices for its pre-application fees are issued to applicants twice a year, normally in October and April. The Planning Inspectorate's <a href="#">Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus</a> sets out the usual invoicing cycle and the level of fees charged for each service tier including the daily rate (see paragraph 14). Additionally, the government's guidance on the <a href="#">Planning Act 2008: Infrastructure Planning (Fees) Regulations 2010 - cost recovery by the Planning Inspectorate and public authorities</a> explains the legislative provisions and purpose for charging pre-application fees,</p>

	<p>with paragraph 15 of the guidance setting out information about how applicants will be charged by the Planning Inspectorate.</p>
<p>Statements of Common Ground (SoCGs) and Principal Areas of Disagreement (PADSS)</p>	<p>The Planning Inspectorate advised that at present there was no specific preference as to whether Statements of Common Ground (SoCGs) or Principal Areas of Disagreement Summary Statements (PADSS) should be produced. PADSS are a required component of the Fast Track procedure and (as the <a href="#">2024 Pre-application Prospectus</a> explains), are initiated by applicants and then owned and authored by relevant consultees. PADSS specifically provide a record of the pre-application areas of disagreement from the perspective of the consultee. In relation to a Fast Track application, PADSS assist the decision about whether the number and complexity of residual issues at the point of submission would preclude an application from achieving a robust examination within a maximum of four months. A decision on whether to create PADSS would likely be informed by the Applicant's choice of service tier, complexity of the project and the extent of multiparty discussions with consultees and issues in contention.</p> <p>The Applicant noted that where SoCG <u>and</u> PADSS are provided, there can be duplication of material between the two sets of documents. The Planning Inspectorate advised that approaches that provide brevity and avoid duplication are welcomed. The Applicant noted that they would therefore not intend to provide <u>both</u> SoCG and PADSS.</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 considers overall that it covers the expected content as set out in the government's pre-application guidance at paragraph 10, namely setting out realistic timescales and related information on its pre-application activities.</p> <p>However, in updating its Programme Document, the Applicant should:</p> <ul style="list-style-type: none"> <li>• making reference to whether its Programme Document has been shared with local authorities, statutory consultees and others and whether they are content with the proposed programme</li> <li>• whether the applicant will include an Issues Tracker</li> <li>• 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</li> </ul>

	<p>permissions (if required), draft documents for review by the Inspectorate (if anticipating to submit these), and for any project update meetings to be held with the Inspectorate</p> <ul style="list-style-type: none"> <li>progress with any Planning Performance Agreements with relevant Local Authorities or statutory undertakers.</li> </ul> <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>
<b>Topic</b>	<b>Meeting date: 13 January 2025</b>
Substation Location	<p>The Applicant advised that it would not be able to confirm the location of the new substation before statutory consultation is held, as this associate development was being pursued separately by National Grid. The PIER and consultation material would therefore denote a zone of potential locations within 1 kilometre either side of the existing overhead line with high level information. The Inspectorate advised the Applicant that there was a difference between consulting on a potential zone and showing an exact location (and whether consultees would be able to provide fully informed feedback in relation to the zone and any effects on, for example, local dwellings or environmental assets). The Inspectorate advised that targeted consultation may need to take place once an exact location for the substation had been identified.</p>
Statutory Consultation	<p>The Inspectorate enquired as to the level of engagement and feedback from parties during the non-statutory consultation stage and any 'lessons learned'. The Applicant explained that, following feedback from Parish Councils, two additional venues would be added for holding the statutory consultation process along with the presentation of additional hard copy material alongside digital versions and maps. The Applicant was also reflecting from its research and discussions with local authorities, on how to reach different groups in preparation of its draft Statement of Community Consultation. In answer to questions from the Inspectorate, the Applicant explained that the Order Limits remain unchanged following non-statutory consultation, with ongoing design refinement including an increase in certain buffers between the site and residential properties, the provision of additional hedgerow planting, construction access routes, and the layout of the BESS. The Applicant also reported that the Wintering Bird</p>

	surveys were expected to conclude in March 2025. The Inspectorate advised the Applicant to clarify (as much as possible) what issues still need to be resolved at the various pre-application milestones and any progress made, in its Programme Document or equivalent consultation material, which could support engagement from parties.
Issues Tracker	The Applicant advised that it didn't intend to publish an Issues Tracker and intended to focus instead on developing Statements of Common Ground (SOCGs) with relevant statutory bodies and local authorities and asked whether this was an appropriate approach. The Inspectorate advised that the Issues Tracker is a primary feature of its 2024 Pre-application Prospectus and that the Applicant should explain, in its Programme Document and relevant application documents (when submitted for acceptance), where they have disappplied or departed from guidance or advice. The Applicant should consider how it is listing the main issues it is identifying during pre-application and how this is being communicated to parties and the Inspectorate.
Other consents and licenses	The Applicant enquired about other consents and licences that it proposed to provide and update on these after statutory consultation. In respect of the Programme Document, the Inspectorate understood that some timescales would be subject to change, but owing to the intended submission before the end of 2025, firmer dates (months rather than quarters) should be shown in the updated Programme Document as soon as practicable.

Scoping Response	Clarification required	PINS response
The ES should provide a regional assessment of the cumulative loss of BMV land and assess any significant effects where they are likely to occur.	Question: The cumulative assessment will be undertaken in line with the latest PINS Guidance for Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment. The zone of influence (ZoI) for agricultural land and soils assessment will be clarified for the ES. The proposed cumulatives long list search	The Scoping Opinion requested a regional assessment of cumulative loss where significant effects are likely to occur. The Inspectorate is content for a smaller search area to be used if the Applicant does not consider significant effects are likely to occur at a regional

	<p>criteria for other developments is a maximum of 10km (including from other NSIPs and large scale applications).</p> <p>Query whether this response is a request to define the Zol for BMV to be used in the cumulatives assessment to Norfolk / East Anglia / East of England?</p>	<p>scale and can justify the proposed search area for the cumulative effects assessment within the ES.</p>
<p>The Inspectorate does not understand the statement that “the guidance categorises the magnitude of change as minor”.</p> <p>Paragraph 5.8.1.1 of the Scoping Report states that there would be the loss of approximately 1,400ha of productive arable land and that this would likely involve areas of BMV land. The amount of BMV land to be affected has not been quantified at this stage, however it appears likely to the Inspectorate that it could equate to more than 5ha (ie the area of agricultural land to be lost to qualify as ‘minor’ in Table 5-5).</p> <p>The magnitude of change should be determined once the amount of BMV land to be affected is quantified.</p>	<p>Clarification: The IEMA guidance that we have been encouraged to use specifies that all temporary, reversible change of agricultural land is a minor magnitude of change. Major and moderate magnitudes of change apply only to permanent, irreversible losses of agricultural land. If the IEMA guidelines are to be used, the actual amount of BMV land involved in a reversible development wouldn’t have an impact on the overall significance of effect - they are all assessed as minor magnitude on these criteria.</p>	<p>Noted.</p>
<p>The Scoping Report proposes surveys for protected species in the Panel Areas only. The</p>	<p>Clarification: substations, BESS and on-site supporting equipment will be located within the Panel</p>	<p>Noted.</p>

<p>Inspectorate considers that potential impacts on protected species could arise from construction and operation of the substations, BESS and on-site supporting equipment, as well as from construction of the cable connections. It is therefore unclear why the Applicant has chosen not to survey these areas. The Applicant is advised to seek agreement on survey effort with relevant consultation bodies.</p>	<p>Areas, for which PEAs have been undertaken. PEA surveys will be undertaken in the cable corridor once refinements have taken place. PEAs will determine the further survey requirements.</p> <p>Currently expecting cables to be installed mainly by trenching and cable plough. Horizontal Directional Drilling (HDD) will be undertaken in limited areas to cross watercourses only. Survey effort will be confirmed with Natural England.</p>	
<p>If the Applicant can provide certainty within the ES that National Grid would assume responsibility for the 400kV substation and that it would operate in perpetuity, the Inspectorate is content this matter can be scoped out. However, if such reassurances cannot be provided, the Inspectorate considers that the ES should assess the potential impacts of decommissioning of the 400kV substation, where significant effects are likely.</p>	<p>Question: We are seeking agreement and the final position will be described in the ES. Would this provide sufficient certainty?</p>	<p>Subject to the ES demonstrating that National Grid would assume responsibility for the 400kV substation and that it would operate in perpetuity, the Inspectorate is content this matter can be scoped out. Evidence of agreement with National Grid, or an explanation of how this would be legally secured would help to provide certainty.</p>
<p>The ES should explain how the siting of the substation has been chosen to avoid adverse impacts on human and ecological receptors. On this basis and subject to</p>	<p>Question: Environmental considerations of designing out impacts to human and ecological receptors will be included in Alternatives and Design Evolution ES Chapter. This will cross</p>	<p>Provided the ES can identify the technical standards and their relevance to EMF in order to provide assurances that significant effects are</p>



the provision of technical reporting to demonstrate that relevant design standards have been met the Inspectorate is content to scope out consideration of EMF from the 400kV substation.	reference appropriate standards that have been considered. We don't propose to provide extensive reporting relating to EMF, is this sufficient?	not likely, the Inspectorate is content to scope out consideration of EMF from the 400kV substation
A Preliminary Risk Assessment (PRA) has not been submitted with the Scoping Report, so assumptions about existing land contamination have not been verified and the Inspectorate considers that there remains a risk that contamination may be present. Furthermore, the Scoping Report does not explain how unexpected contamination would be dealt with. Until the results and recommendations of a PRA are known, there is insufficient evidence to support scoping this matter out.	Clarification: A PRA is proposed to be completed for issue with the ES and the findings will inform if any further risk assessment is required. It is assumed that the PRA will confirm that this can be scoped out.	Noted.

Project name - s51 Advice Library	
Topic	Meeting date: 08 April 2025
Project Update	<p>The applicant gave an update on their programme timetable:</p> <ul style="list-style-type: none"> <li>○ their intended submission date is now winter 2025 (this is due to ongoing identification of the 400kV grid substation location with NGET (see Grid Connection below));</li> <li>○ statutory consultation will start 24 April and end 12 June 2025;</li> <li>○ Adequacy of Consultation Milestone document will be submitted in September 2025.</li> </ul> <p>The applicant was advised to consider how it will record and respond to any comments raised by statutory parties and the</p>

	<p>local community during the statutory consultation phase, ensuring there is sufficient information is provided to enable parties to make informed responses. The applicant said it had considered the issue thoroughly and would be providing all necessary materials (including the PEIR non-technical summary and draft Design Approach Document) available to fully support the consultation stage (such material would set out, for example, the extent of the underground cable corridors, which have narrowed since the non-statutory phase).</p>
Grid Connection	<p>As it was confirmed that the new 400kV grid substation would not form part of the proposed Development Consent Order (DCO), the applicant was advised to consider whether targeted consultation would be needed and the effect on its anticipated application submission date, should the location of National Grid Electricity Transmission's (NGET) substation, and therefore the grid connection cable from the proposed development to the substation, fall outside of the proposed development's Order Limits. The applicant said that it was aware of the possible implications to submitting the application, which may need to be deferred if further targeted consultation was needed, as well as in relation to whether additional compulsory acquisition powers or further environmental assessments would be needed. The applicant was aware of the possible risks posed by making a change request after 'acceptance', or the implications from pursuing a separate consent for the grid corridor outside of the DCO process. The applicant confirmed there was enough flexibility in their project timetable for the submission date to be delayed to early 2026 if necessary, but that late 2025 was their preferred submission target if possible.</p> <p>The applicant reported that it was continuing discussions with NGET on the site selection and design parameters for the new substation and would be reviewing NGET's site selection assessment when it becomes available later this year. The applicant agreed to keep the Inspectorate updated on progress.</p>
Any other business	<p>The applicant will provide the Inspectorate with the s46 notification ahead of the statutory consultation start date, as well as links to the consultation material.</p> <p>The applicant will provide a list of documents intended for draft document review to the Inspectorate and were advised that 6 weeks should be allowed for Inspectorate to undertake its review. The applicant was also asked to provide the Inspectorate with as much notice as possible before submitting its draft documents for the Inspectorate to organise its resources (especially if review of a draft DCO is</p>

	required).
Post-meeting note	<p>The applicant will need to include within the programme timetable their timeframe for submitting draft documents for the Inspectorate's review, as well as the dates for consultation on the draft Statement of Community Consultation (SoCC), SoCC and PEIR publication dates, and explain if the Adequacy of Consultation Milestone statement is to be submitted less than 3 months before the application submission.</p> <p>It would also be useful if the Programme Document could include whether other consents or licences are needed (if any), and if the applicant intends to submit a Policy Compliance Document. Additionally, in the next iteration of the Programme Document, it would be helpful for readers if they could update its 'main issues' table with any high-level progress made with relevant statutory bodies on agreeing assessment methodologies and possible mitigation against the relevant topics.</p>