

## Light Valley Solar

### Section 51 Advice Log

**Version: 17 November 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 Light Valley Solar Limited 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	
Date of meeting	Meeting overview
<a href="#">25 April 2025</a>	<ul style="list-style-type: none"> <li>• Project Update, including Programme Document</li> <li>• Environmentally Led Design update</li> <li>• EIA Scoping response</li> <li>• Issues Tracker</li> <li>• IGP Project Integration</li> </ul>
<a href="#">5 September 2025</a>	<ul style="list-style-type: none"> <li>• Welcome and introductions</li> <li>• LVS Project programme and procedures update</li> <li>• Statutory Consultation update</li> <li>• Scheme development updates</li> <li>• AOB</li> <li>• Next Meeting</li> </ul>
<a href="#">17 November 2025</a>	<ul style="list-style-type: none"> <li>• LVS project procedures update</li> <li>• Scheme development updates</li> <li>• Engagement update</li> <li>• Issues tracker</li> <li>• AOB</li> </ul>
<a href="#">10 October 2025</a>	<ul style="list-style-type: none"> <li>• Email with feedback on updated Programme Document</li> </ul>
<a href="#">13 November 2025</a>	<ul style="list-style-type: none"> <li>• Email with feedback on Adequacy of Consultation Milestone</li> </ul>

**Project name - s51 Advice Library**

**Topic**

**Meeting date: 25 April 2025**

Updated Sites

The applicant provided an updated plan for the sites and cable corridors. The Inspectorate asked the applicant if sites near the substation called 6, 7 and 8 were included in the original scoping, to which the applicant advised they were not but were being assessed as part of the Preliminary Environmental Information Report. The Inspectorate advised the applicant to adequately justify the scope of the potential impacts from these elements and locations that did not form part of the Proposed Development at scoping. This should then be used to inform the relevant Environmental Statement (ES) assessments.

Policy Constraints and Considerations

The Inspectorate asked the applicant what policy constraints had been considered when determining the battery storage location. The applicant highlighted issues such as flood risk, green belt overlaps and agricultural land but said avoiding environmental constraints was the main driver in determining the site location.

The Inspectorate advised the applicant that the key issues and considerations that have been reviewed when determining the battery storage location and the design of the project should form part of the Programme Document and Issues Tracker. The Inspectorate explained how identifying these issues will encourage engagement and input from necessary parties.

Programme Document and Issues Tracker

The applicant queried whether the main issues need to be included in the Programme Document in addition to using an Issues Tracker. The Inspectorate explained that the applicant's view on the main issues for resolution and activities they will undertake to address those is an expected component of a Programme Document (see the government's guidance on the pre-application stage at paragraph 10), which can assist the Inspectorate, relevant statutory consultees, and members of the public understand the proposed development and its development through pre-application (such as mitigation measures proposed, the methods agreed with relevant consultees and the progress of the assessments), which should be set out at an early stage.

The Inspectorate later advised that as applicants continue to embed the use of the Issues Tracker and Programme Document, in time it may be able to highlight best practice and signpost good examples.

Applicant Website	The Inspectorate advised the applicant that on its website the Programme Document was under a heading of 'Planning Inspectorate Materials' and discussed with the applicant that this could be renamed to encourage other parties using the website to engage with the document.
Development Consent Order Deadline	The Inspectorate advised the applicant that in order to be consistent with its website data, an expected month for submitting the Development Consent Order (DCO) application should be provided to the Inspectorate, as opposed to stating a quarter.
	<p>In response to a question about Planning Performance Agreements (PPA), the Inspectorate advised the applicant that there was work done on PPAs that the Inspectorate could signpost them to:</p> <ul style="list-style-type: none"> <li>• <a href="#">Nationally Significant Infrastructure Projects   Local Government Association</a></li> <li>• <a href="#">Planning Performance Agreement (PPA) guidance and framework   Local Government Association</a></li> <li>• <a href="#">NSIP information for developers and project promoters - Suffolk County Council</a></li> </ul>
Planning Infrastructure Bill	The applicant asked the Inspectorate if the new Planning Infrastructure Bill would lead to changes in its advice pages and 2024 Pre-application Prospectus. The Inspectorate advised the applicant to continue following its current advice until any updates are published.
Agricultural Land	<p>The Inspectorate advised the applicant that if Best and Most Versatile (BMV) land is used in the project, it will look for justification for this in the ES. The Inspectorate went on to advise the applicant that the temporary effects need to reflect both short and long-term effects.</p> <p>The applicant queried if the justification needs to be in the ES or if it can be included in the planning documents. The Inspectorate advised the applicant this can be included in the planning documents.</p>
Scoping Report	The applicant asked the Inspectorate if there was a need to go above and beyond the proposals in the scoping report. The Inspectorate advised the applicant that it is at the applicant's discretion to refine the scope of the ES and decide how to fill any evidence gaps.

	<p>The Inspectorate asked the applicant if it feels it has enough justification to scope out matters, and advised this should be reflected in the ES, supported by evidence. The Inspectorate also advised the applicant that any agreement with relevant statutory consultees on its proposed approach would offer such supporting evidence.</p> <p>The Inspectorate informed the applicant that it had published a technical solar advice page last year, which may be useful when refining the scope.</p>
Local Plan	<p>The Inspectorate asked the applicant if there was a time scale on the release of a new local North Yorkshire Council plan. The applicant told the Inspectorate they will confirm this in a follow up meeting.</p>
Scoping Considerations	<p>The Inspectorate advised the applicant that based on the scoping, if there are any cables above 132KW, the Inspectorate would expect that to be scoped in. The Inspectorate went on to flag that if the applicant goes against the scoping opinion it can introduce an element of risk to the project, so advised the applicant that if it does this, to make sure its support for the scope is conclusive.</p>
Other Cases	<p>The Inspectorate highlighted to the applicant that there are other solar cases that are currently in acceptance. The Inspectorate pointed the applicant to examples of recently completed s55 checklists and published s51 advice on these cases, which the applicant may find useful.</p>

Topic	Meeting date: 5 September 2025
Main Issues	<p>In answer to questions from the Inspectorate, the applicant confirmed it is progressing a shadow Habitats Regulations Assessment and that Natural England has been advised. Discussions are ongoing to share more information to inform agreement on the survey approach. The applicant was also in discussions with Natural England on soil sampling to inform the agricultural land classification assessment methodology, and its wintering bird survey methodology.</p> <p>The applicant added that Natural England had attended and engaged with other stakeholders in the applicant's workshops on design, which took place prior to carrying out its statutory consultation.</p> <p>The applicant was also progressing a Transport Assessment following feedback from National Highways, and underway with assessments on human health, farming, fish, invertebrates and Electromagnetic Fields.</p> <p>Discussions were also taking place with North Yorkshire Council on matters such as cumulative effects, construction management, Landscape and Visual Impact Assessment (agreement of assessment viewpoints), environmental health, population health, archaeology, ecology, and proposals for potential new permissive paths and limited path diversions.</p> <p>The outcome to statutory consultation has narrowed options on the cable corridor as well as identifying a potential need to carry out targeted consultation on access points and the proposed construction traffic management approach.</p>
Statutory Undertakers	<p>In answer to questions from the Inspectorate, the applicant said that it was in the process of beginning discussions with various statutory undertakers on potential draft protective provisions and had proposals for the identified statutory undertakers that it would put to them. The Inspectorate said that any work the applicant could do at the pre-application stage to progress and agree draft protective provisions would likely assist with a more efficient examination and reduce the number of questions an appointed Examining Authority may need to ask on the topic.</p>
Issues Tracker	<p>The applicant asked the Inspectorate how best to present issues in the submission documents while avoiding duplication. The applicant explained that they may use the Statement of Common Ground (SoCG) alongside a Statement of Commonality to identify main issues. The Inspectorate agreed that this seemed like a sensible</p>

	<p>approach to avoid duplication and demonstrate how the project has progressed.</p> <p>The Inspectorate also advised that the applicant should provide high-level updates in its Programme Document to capture any progress made on its assessment of the main issues and potential mitigation, along with any agreements with relevant statutory bodies on its proposed methodology and outputs. This will assist both the Planning Inspectorate and other parties with keeping up to date on maturity of the proposed application.</p>
S51 Advice	<p>The Inspectorate advised the applicant that if there is any specific s51 advice they would like covered at the next meeting, they should notify the Inspectorate in advance by email. This would allow sufficient time for the Inspectorate to provide a well-informed response.</p>
Adequacy of Consultation Milestone (AOCM)	<p>The Inspectorate explained that the AOCM statement is usually submitted three months before the application is made, in line with the government’s pre-application guidance. However, if a council is unable to respond within that timeframe, the three-month target can be flexible.</p> <p>The Inspectorate stated that it is more important to receive the applicant’s statement with the council(s) views on the adequacy of consultation at that point, to understand if the project is “seriously adrift” (using the government’s terminology), requiring any additional targeted consultation or further assessment work to enable the application to pass acceptance.</p> <p>The Inspectorate also highlighted that previous AOCM statements, along with associated advice and feedback, are available to view on its website.</p>

Topic	Meeting date: 17 November 2025
Engagement Update	<p>The Inspectorate advised the applicant that it would not need to request evidence of voluntary agreements with landowners in relation to compulsory acquisition matters at the pre-application stage, as this can likely wait until the submission of the DCO application and the type of evidence that may be requested to justify compulsory acquisition during examination. The Inspectorate explained that it is, however, helpful to understand the extent of compulsory acquisition and to be informed of any agreements reached in principle, as this allows the Inspectorate to plan its resources appropriately and to target its advice during the pre-application stage.</p> <p>Under the primary service features at pre-application, the updated 2024 Pre-application Prospectus sets out that applicants are asked to provide a Land and Rights Negotiations Tracker for this purpose, to consolidate the status of land and rights negotiations to enable the Inspectorate to understand the extent of these issues arising from the proposed development. The Land and Rights Tracker included in the Prospectus sets out the typical format and type of information that is requested to be shared. Given that the application is due to be submitted early next year, this information is now likely to inform the required information to be submitted with the application under s55 of the Planning Act 2008.</p> <p>In response to a question from the Inspectorate, the Applicant provided an update regarding consideration of cumulative effects, including with engagement with SSE regarding their interfacing pipeline scheme (EN0110013). The Applicant confirmed that traffic assessments have been carried out with regard to cumulative effects and, with effective management measures, construction traffic is not predicted to have significant impacts.</p>
Engagement Update	<p>The Inspectorate informed the applicant that it will add any comments or feedback on the applicant's Adequacy of Consultation Milestone statement to the advice log in due course. The Inspectorate also confirmed that it has published the Adequacy of Consultation Milestone statement.</p>
Issues Tracker	<p>The applicant shared an update on the development of the LVS Issues Tracker, including visibility of the contents (examples shared for landscape, archaeology and noise). The applicant summarised the number of key issues identified across the Statutory Engagement Bodies to date,</p>

	<p>numbers resolved, numbers likely to be resolved and numbers unlikely to be resolved.</p> <p>The Inspectorate welcomed sight of the applicant's Issues Tracker and the progress made against the various topics but would need to receive a copy to fully review the issues therein and consider providing any s51 advice. The Inspectorate advised the team to update the Programme Document to reflect a clear summary of key issues as they have been recorded.</p> <p>[Post-meeting note: the applicant is referred to the previous s51 advice given in respect of the Programme Document on 25 April 2025. The Programme Document should contain a section setting out the main issues for resolution, as listed in paragraph 10 of the government's pre-application guidance. The main issues section should provide a summary of the main issues emerging during the pre-application stage, as identified by the applicant, and the steps the applicant is taking to resolve or mitigate them. This information helps the Inspectorate to understand the extent of the issues arising from the proposed development and allows it to target its advice during the pre-application stage.]</p> <p>The Applicant explained that they plan to use the Statement of Common Ground (SoCG) to identify and resolve remaining issues. The Inspectorate agreed that this seemed like a sensible approach to demonstrate how the project has progressed.</p>
AOB	The Applicant shared an update on the HRA and confirmed dialogue with Natural England has informed the approach.
AOB	The Inspectorate agreed with the applicant that an appendix to the Consultation Report to summarise the applicant's regard to s51 advice would be appropriate.
AOB	The Inspectorate advised that its standard pre-submission letter would be sent to the applicant at least 4 weeks before the application is submitted. The letter sets out practical information about how to submit the application.

<b>Topic</b>	<b>Email 10 October 2025</b>
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<p>Feedback on updated Programme Document</p>	<p>The applicant supplied the Inspectorate with an updated version of its Programme Document in October 2025, following statutory consultation. Having reviewed the document, the Inspectorate considers that it largely covers the expected content as set out in the government's pre-application guidance at paragraph 10.</p> <p>However, the significant element missing from the document is the applicant's view on the main issues for resolution and the activities it will undertake to address those. Setting out a high-level summary of the main issues and the progress made against the applicant's assessments enables the Planning Inspectorate and other parties to have a clear understanding of what the main issues are and how the applicant plans to manage and mitigate any effects.</p> <p>It would also be helpful if the applicant includes a high-level summary of any agreements reached with the relevant statutory bodies on its proposed methodologies and assessments undertaken and any mitigation proposed, in order to understand the progress made on the application.</p> <p>In other respects, the Programme Document provides enough detail about the proposed development and the activities for the pre-application process. Lastly, we respectfully ask the applicant to provide a month for its DCO Application Submission rather than a quarter, understanding that this target date may be subject to change.</p>
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<p><b>Topic</b></p>	<p><b>Email 13 November 2025</b></p>
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<p>Feedback on the Adequacy of Consultation Milestone (AoCM) statement</p>	<p>The applicant's AoCM statement has been prepared and submitted having had regard to the government's statutory pre-application stage guidance as well as the Inspectorate's 2024 Pre-application Prospectus. Having reviewed the applicant's AoCM statement, the Inspectorate considers that it broadly sets out the applicant's consultation activities undertaken to date and confirms the approaches set out in the applicant's Statement of Community Consultation (SoCC).</p> <p>However, the Inspectorate notes that for the purposes of early Adequacy of Consultation, the applicant sought the comment of all local authorities identified under s43 of the Planning Act 2008, but none were received. The AoCM statement explains that the host authority, North Yorkshire Council, and Durham County Council, stated that they had no comments to make, and no other comments were received. There is thus no supporting evidence from these authorities for the Inspectorate to understand their views on how well pre-application consultation has been carried out.</p> <p>Additionally, the Inspectorate notes in the AoCM that more detail will be given on the applicant's regard to relevant responses in accordance with s49 of the Planning Act 2008 in their Consultation Report. The applicant is thus reminded to provide evidence in the Consultation Report on how it has had regard to the responses to consultation when preparing its application. The Consultation Report should also provide evidence that demonstrates how the applicant has had regard to the government's guidance on the <a href="#">pre-application stage</a>. It would also be helpful if the Consultation Report also provides a brief explanation as to the applicant's regard to any s51 advice from the Inspectorate.</p>
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