



Planning Inspectorate

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Light Valley Solar Limited

Our Ref: EN0110012

Date: 5 October 2026

Dear Sir/ Madam

Application by Light Valley Solar Limited for an order granting development consent for the Light Valley Solar project

The Planning Act 2008 – section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – rule 17 request for further information

The Examining Authority's response to a notification by the applicant of its intention to submit a request for changes to the application

I refer to the change notification [CR1-001] submitted on 25 September 2026, giving notice of the intention of Light Valley Solar Limited (the applicant) to submit a request to make changes to the Light Valley Solar Project application. The applicant has requested advice from the Examining Authority on the effect on the examination timetable, on the proposed consultation arrangements and on any other matter relating to the change notification.

The applicant explained that the proposed change request is being prepared following feedback from, and discussions with, various interested parties during the course of the examination process, and design development following the initial hearings held during week commencing 27 July 2026. A more detailed description of and rationale for the proposed changes is provided in the applicant's change notification. They are also summarised by the applicant as:

Change 1: The potential alteration to the construction access route for the land within the proposed Cable Route Corridor to the south of the proposed Solar Development Site 1. An extension of the Order limits to accommodate additional construction access routes is also being considered due to concerns raised in respect of impacts to the Field House Farm business.

Change 2: An extension of the Order limits at Harry Moor Lane near access CA19 (shown on Sheet 10 of the Access to Works Plans [AS-006]) to accommodate an over sail of abnormal indivisible loads during deliveries.

Change 3: A reduction of the Order limits within the northern section of proposed Solar Development Site 6 in Field 6.9, as identified in the Field Numbering Plan [APP-061].

Change 4: An extension of the Order limits to include additional land required to provide and maintain the sightlines to ensure strict Design Manual for Roads and Bridges compliance at access points 1 and 3 of proposed Solar Development Site 4 (as shown on sheets 12 and 18 of the Access to Works Plans [AS-006] (labelled as points 10 and 8 respectively).

Change 5: A change to include an additional 0.2 hectares for the proposed 275KV substation at Solar Development Site 1 to allow an optimum layout to be developed. No change to the Order limits is proposed.

Change 6: A reduction in the area identified as Works No.5 on the Work Plans [AS-004] and an increase in Works No.8a. No change to the Order limits is proposed but a reduction in the extent of permanent rights sought.

Change 7: The removal of an area of proposed solar panels at Solar Development Site 6 to the south of Milford Lodge and Milford Lodge Cottage to create a bird habitat area. No change to the Order limits is proposed.

Change 8: The addition of two new access points from Rawfield Lane into the Monk Fryston Substation. No change to the Order limits is proposed.

Change 9: An extension of the Order limits to provide access for abnormal indivisible loads to the proposed Solar Development Site 4 at the location of access 3 (labelled as point 9 on the Access to Works Plans [AS-006]).

In responding to this notification, the Examining Authority has considered the Planning Inspectorate's advice '[Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination](#)' and [the Infrastructure Planning \(Compulsory Acquisition\) Regulations 2010 \(the CA Regulations\)](#). The Examining Authority makes the following comments.

The applicant explains that Changes 2, 4 and 9 would result in an extension of the Order limits and has indicated it is unlikely that consent from all land interests in relation to the additional land, as defined by the CA Regulations, that falls within those changes, would be obtained prior to making the change request. The Examining Authority agrees that the proposed changes would engage regulations 5 to 19 of the CA Regulations.

In the applicant's view, the proposed changes are minor and would not result in a materially different project to the one applied for or give rise to any materially different environmental effects. The Examining Authority notes this, however is not able to formally decide whether the project would be materially different until after consideration of all material including the applicant's report reviewing the Environmental Impact Assessment and Environmental Statement.

The formal request to change the application also needs to include the information, where relevant, listed in Step 4 of the aforementioned Planning Inspectorate's advice. The Examining Authority notes the list of additional and updated documents that the applicant

advises would be provided in support of the formal request. Additionally, the formal request should include:

- A robust justification for making proposed Changes 2, 4 and 9, including why the matters driving them were not identified and addressed at the pre-application stage.
- An addendum to the Environmental Statement identifying any changes to the assessments and findings of the individual Chapters including new, materially different or reduced environmental effects arising from the proposed changes, if applicable.
- Information and evidence to justify and explain why the additional land identified north of Roe Lane Bridge (part of proposed Change 4) is required to achieve suitable sight lines from access point 1 shown on ES Figure 14.4 (Sheet 8) and identified as point 10 on the Access to Works Plans (Sheet 12). This is because the Examining Authority notes that the additional land is located some distance from the location of this access and so it is not clear why the additional land is necessary. Full details and drawings to demonstrate safe and suitable access can be achieved should support the request.
- Information and evidence to justify the proposed bird habitat area (proposed Change 7), including its extent, dimensions, area and management objectives. The applicant should also identify whether the change would necessitate amendments to previously submitted visual assessment material, including viewpoints, zone of theoretical visibility mapping, landscape plans, photomontages or other representative visualisations, and provide updated material where necessary. Evidence and information should also be provided in the context of the previously identified data corruption issue, including how the proposal responds to concerns raised by North Yorkshire Council and the nature and outcome of discussions undertaken. The applicant should also clarify whether Natural England or any other relevant bodies have been consulted, and whether any consideration has been given to potential interactions with, or implications for, the proposed bird mitigation area at Solar Development Site 1. Given the applicant's stated position that the habitat area is not required to mitigate the impacts of the proposed development, the formal request should explain the basis on which its inclusion within the Order limits is necessary and justified, including the justification for any compulsory acquisition powers or rights sought over the land.
- Information and evidence to justify the additional land is necessary to achieve access by abnormal indivisible loads transporting transformers to Access 3 (part of proposed Change 9) rather than use proposed access CA43 to the south that is identified for use by abnormal indivisible loads in table 14-23 of ES Chapter 14 [REP2-041]. Full details and drawings to demonstrate safe and suitable access can be achieved should support any request.

Implications for the examination timetable

The applicant's notification sets out a proposed timetable with several stages for examining the change request. The timetable proposes one set of stages and dates for Changes 1 to 9 regardless of whether they would alter the Order limits or invoke the CA Regulations. The Examining Authority makes the following comments.

The change notification letter identifies the date for submission of the proposed change request as 13 October 2026. The proposed timetable suggests that the Examining Authority's decision on whether to accept the application be made by 23 October 2026 which only allows 7 working days following the receipt of that submission. This is a

significantly shorter period than the 28 days, beginning with the day after the day on which the application is received, as provided for by Regulation 6 of the CA Regulations. The Examining Authority consider 7 working days may be insufficient for it to properly and practically consider and review the change request and more time may be required to carry out this work.

The applicant proposes that the period for written representations is to run concurrently with the period for relevant representations with the deadline for submission of these being confirmed by the Examining Authority as part of its procedural decision on whether to accept the change request. Whilst noting Regulation 13(2) of the CA Regulations makes provision for the Examining Authority to specify the date by which written representations should be submitted, this only includes for the applicant and additional affected persons, not interested parties and additional interested parties. The applicant is invited to provide commentary on this matter.

Regulation 8 of the CA Regulations provides for a minimum of 28 days for the receipt of representations with the period beginning with the day after the day on which the notice is last published. The applicant proposes to publish notices in on 29 October 2026 and 5 November 2026. The proposed timetable suggests a closing date for consultation and submission of representations as 3 December 2026. However, based on Regulation 8 of the CA Regulations, the Examining Authority advises the closing date for representations would be 4 December 2026. The proposed date for submission of the certificate of compliance as required by Regulation 9 of the CA Regulations may therefore also need to be revisited. Both of these stages would be after the publication of the Examining Authority's second written questions and schedule of proposed changes to the draft DCO (if required), which are identified for publication on Tuesday 1 December 2026 in the examination timetable at annex A of the Rule 8 letter [PD-006]. As such, the Examining Authority would not have an opportunity to reflect any submitted representations in the publications.

Regulation 11 of the CA Regulations provides for a maximum of 28 days for the initial assessment of issues following the deadline for receipt of representations. Given the comments above and the Examining Authority's view that the closing date would be 4 December 2026 (and that the submission of the certificate of compliance required by Regulation 9 would follow this) the Examining Authority would only have 4 working days to carry out an initial assessment of issues, potentially hold a meeting to discuss how the proposed provision should be examined, issue an amended timetable if required and to provide notification of any hearings. The Examining Authority considers 4 working days may be insufficient and additional time could be necessary to practically undertake this work.

The proposed timetable suggests hearings for 12 to 14 January 2027 however this would only allow 2 to 4 working days following deadline 6 (Thursday 7 January 2027). The Examining Authority considers this may be insufficient and additional time may be necessary for interested parties, affected persons and the Examining Authority to review the information submitted at deadline 6. Furthermore, the proposed timetable does not include an opportunity for all parties to respond or comment on post-hearing submissions received on 22 January 2027 and the statutory 6-month examination closure is only 4 working days after this proposed deadline.

For the reasons outlined above, the Examining Authority is unclear as to the extent to which the proposed timetable has taken account of the practical requirements associated with the review of the proposed changes and the resulting implications for the examination period and timetable. The Examining Authority must be satisfied that those affected by the proposed changes are afforded a fair opportunity to express their views and to have those views properly considered. In assessing fairness and reasonableness, regard must also be had to the cumulative burdens imposed by the examination process and timetable on all parties.

The applicant is advised that it is possible that the Examining Authority may consider one or more proposed change is acceptable as a change (whether or not material), but another or others not. The applicant is therefore asked to consider the interdependence of the proposed changes with each other.

The applicant is advised to consider dividing the proposed change request to those changes which would invoke the CA Regulations and those that would not. The latter could likely be progressed sooner and those affected by the associated proposed changes afforded a fair opportunity to make representations within the remaining examination period. Only the changes that would need to meet the timescales and consultation requirements of the CA Regulations, if accepted, would then need to follow the prescribed process.

Proposed consultation arrangements

Whether or not the proposed changes are material, in order to ensure fairness, appropriate and proportionate consultation should be carried out. The Examining Authority must ensure that the rights of interested parties and anyone else that could be affected by a proposed change are protected.

The applicant describes the changes as minor and small scale and explains fuller information on environmental matters would be submitted with the change request. The applicant is therefore of the view that it is not necessary or desirable to consult or publicise the proposed changes and associated supplementary environmental information prior to making the change request. The applicant explains that it has and will continue to engage with the key stakeholders that will influence Changes 1, 2, 4 and 9 prior to making the change request. The Examining Authority has not seen this information, nor any consultation that may have been or is proposed to be undertaken in advance of the change request and so cannot comment at this stage as to the appropriateness of the scale and nature of consultation that has, or should be, carried out.

The Planning Inspectorate's advice 'Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination' sets out at Step 3 that the applicant should consult all those persons who could be affected by the proposed change prior to making the formal change request, including:

- all persons notified of the accepted application under section 56 of the Planning Act 2008
- all persons who made a relevant representation

Furthermore, that the applicant should identify newly prescribed persons that have been consulted in relation to the proposed change but were not consulted on the original application.

The Examining Authority is currently of the view that if the change request is divided, as discussed above, Changes 3, 5, 6, 7 and 8 would benefit from consultation as set out in Step 3 of the aforementioned advice. If the applicant wishes to take a targeted approach to the identification of those who could be affected by the proposed changes for the purpose of this consultation, then detailed justification should be provided.

Changes 1, 2, 4 and 9 propose to extend the Order limits which could lead to the identification of additional affected persons who must be given a fair opportunity to participate in the examination. The Examining Authority is cognisant that Change 1 proposes to include powers for temporary possession but must consider what notification, consultation and examination steps are necessary to ensure fairness and procedural appropriateness. The Examining Authority is therefore of the view that these proposed changes should follow the CA Regulations process unless evidence of each person with an interest in the additional land consents to the inclusion of the provision.

It is possible that the Examining Authority may consider the proposed changes are not acceptable as a change, or that there is insufficient time within the timetable to accommodate the proper examination of the changes. The applicant is therefore asked to ensure that all documentation submitted to support the change request is submitted as a discrete and separate contained set of information with each document clearly identified in both the document heading and the file name as relating to the change request.

Going forward during the examination the applicant is asked to ensure that any documents it submits are free from any rendering issues so that they can be opened on a computer without continued lag and latency issues. The Examining Authority has therefore made the procedural decision that should there be any reoccurrence of rendering issues, the Examining Authority will refuse to accept the submitted document until a version has been made available that can be included in the Examination Library that is free of this deficiency. It is possible that the Examining Authority may consider the proposed changes are not acceptable as a change due to such a deficiency, if it considers this would affect the proper examination of the changes.

Given the nature of the proposed changes to the originally submitted application, the Examining Authority is currently of the view that there would be sufficient time within the examination for any interested parties to make representations about the proposed Changes 3, 5, 6, 7 and 8, if accepted by the Examining Authority, and for them to be fully examined. However, that will be dependent on the applicant responding expeditiously to the advice provided by the Examining Authority in this letter. Any undue delay in responding to the advice included in this letter could have implications for any decision to be made by the Examining Authority as to whether changes included in a change request could be accepted for examination.

Based on the applicant's proposed timetable, the Examining Authority is currently of the view that there may not be sufficient time within the examination for any additional affected persons, interested parties or additional interested parties to reasonably review submitted information and make representations about the proposed Changes 1, 2, 4 and 9. Under rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010, the Examining Authority therefore requests the applicant to submit an alternative proposed timetable to examine the proposed Changes 1 to 9 by **11.59pm on Thursday 8th October 2026**. The alternative proposed timetable should:

- include sufficient time for all those affected by the changes to reasonably and practicably review associated information to make representations
- demonstrate how the proposed timetable could work alongside the current examination timetable or whether amendments may be appropriate
- demonstrate how the full process set out in regulations 5 to 19 of the CA Regulations could be accommodated, for the relevant proposed changes
- reasonably consider the practicalities of the Planning Inspectorate publishing submitted information and the Examining Authority managing the remainder of the examination
- reflect the advice contained in this letter

If you have any queries on these matters, please do not hesitate to contact the Planning Inspectorate office using the contact details at the head of this letter.

Yours sincerely,

Matt Tandy

Matt Tandy
Lead panel member for the Examining Authority

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