



Adequacy of Consultation Representation Proforma

Under *Section 55(4)(b) of the Planning Act 2008 (PA2008)* the Planning Inspectorate, on behalf of the Secretary of State, must take any adequacy of consultation representation (AoCR) received from a local authority consultee into account when deciding whether to accept an application for development consent, and this will be published should the application be accepted for examination.

An AoCR is defined in s55(5) in PA2008 as “a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48”.

Project name	East Pye Solar
Date of request	09 March 2026
Deadline for AOCR	23 March 2026
Return to	eastpyesolar@planninginspectorate.gov.uk

Please complete the proforma outlining your AoCR on the above NSIP.

Local Authority	South Norfolk District Council
------------------------	--------------------------------

In the opinion of the local authority, has the applicant complied with the legislative requirements listed below?

Please note that this is specifically about the statutory consultation(s) undertaken.

Assessment of Compliance - Required	
S42 Duty to consult	No
S47 Duty to consult local authority	Yes
S48 Duty to publicise	Yes

If you would like to give more detail on any of the above, please do so below.

Please keep it as succinct as possible and refer to facts and evidence related to consultation, rather than the merits of the application.



Additional comments - *Not compulsory*



S42 Duty to consult

The Council understands from the applicant that for the targeted consultation undertaken between 22 October and 26 November 2025, the applicant consulted Pulham Market Parish Council and Framingham Earl Parish Council, whom had not been consulted at the statutory consultation due to changes to the project boundary. Parish councils are statutory consultees by virtue of regulation 3 and schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.

The Targeted Consultation Information Change Note (October 2025) produced by the applicant at the time of the consultation, while referencing the statutory consultation, did not provide direct links to the statutory consultation materials on the applicant's website, nor did it invite previously unconsulted statutory consultees to provide a response to the statutory consultation materials. The Targeted Consultation Poster published at the time similarly provided links to the East Pye Solar Farm website and referenced the Information Change Note above, but there was also no direct web-link to statutory consultation materials for the benefit of the two Parish Council's or any invitation for it to respond to those materials.

Therefore, on the information provided by the applicant, it appears that the full statutory consultation documents were not sent to Pulham Market Parish Council or Framingham Earl Parish Council. Statutory consultees should not have to go out of their way to find documents, correspondence and websites and then take the initiative to provide responses on this material when they have not been asked to do so.

In view of the above South Norfolk District Council cannot see how the additional statutory consultee identified by the applicant have been properly consulted as required by section 42. The Council consider that the secretary of state must take steps to confirm whether or not the applicant has complied with section 42 before accepting the application for examination.

Conclusion

For the reasons set out above the statutory consultation undertaken by the applicant has fallen short of what South Norfolk Council would expect to see on a project of this scale and nature. The Planning Inspectorate, on behalf of the secretary of state, will need to consider carefully whether to "accept" the application or whether further steps are required to overcome the non-compliance identified.



S47 Duty to consult local authority	No comments
S48 Duty to publicise	No comments
Any other comments	<p>The Council, having due regard to the Guidance 'Planning Act 2008: Acceptance stage for Nationally Significant Infrastructure Projects' brings to the attention of the Planning Inspectorate that concerns have been raised by local communities regarding the adequacy and fairness of the consultation process. These concerns include:</p> <ul style="list-style-type: none">• No revised PIER chapters despite material changes, at the targeted consultation stage.• No full statutory re-consultation undertaken under the targeted consultation which included newly affected parties, not previously consulted.• Inadequate Environmental Information such as Bats, Crayfish, private water supplies, major accident and disaster, aviation safeguarding, cumulative assessment, habitat regulations assessment, reasonable alternatives and human health. <p>South Norfolk Council understands that the above along with other issues have been raised directly with East Pye and the planning Inspectorate, through the pre-application process.</p>