



Planning Inspectorate  
c/o QUADIENT  
69 Buckingham Avenue  
Slough  
SL1 4PN

Customer  
Services: 0303 444 5000  
e-mail: [eastpyesolar@planninginspectorate.gov.uk](mailto:eastpyesolar@planninginspectorate.gov.uk)

---

To the applicant

Case ref: EN0110014

Date: 2 April 2026

By email

---

Dear East Pye Solar Ltd

## **Planning Act 2008 – section 51**

### **Application by East Pye Solar Ltd for an order granting development consent for the East Pye Solar project**

#### **Advice following issue of decision to accept the application for examination**

On 2 April 2026, the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the applicant provided under section 51 of the PA2008 in respect of these initial observations. The applicant should pay attention to its content and consider how appropriate action might be taken in response.

#### **Minor errors and omissions**

There are minor errors and omissions, as reflected in Box 30 of the acceptance checklist.

#### **Draft Development Consent Order (DCO) (Doc 3.1)**

##### **Part 1 – Preliminary**

Article 2(1) – Interpretation: The activities defined under the interpretation of “permitted preliminary works” indicate that these are (i) lawful preparatory activities and (ii) may be undertaken prior to the granting of a Development Consent Order, such as environmental surveys.

These activities do not appear to be referenced within the description of the authorised development set out in Schedule 1 of the draft DCO (Doc 3.1).

The applicant should confirm whether the activities defined under the interpretation of “permitted preliminary works” constitute works or operations undertaken for the purposes of, or in connection with, the construction, operation, or maintenance of the authorised development, and whether they fall within the scope of the environmental impact assessment presented in the Environmental Statement.

Article 2(1) – Interpretation: the applicant is advised to adjust the definitions of ‘commence’ and ‘permitted preliminary works’ if that is necessary to remove any site preparation works that are likely to have significant environmental effects, for example, in terms of noise or impacts on protected species or archaeological remains (see Advice Note 15 - paragraph 21.2).

Article 2(1) – Interpretation: the applicant is further advised to adjust the definition of “maintain” if that is necessary for it not to authorise development which may result in significant environmental effects not already assessed (see Advice Note 15 – paragraph 18.2).

## **Part 7 – Miscellaneous and general**

Article 42 - Certification of plans and documents, etc. The applicant is encouraged to set out the reference numbers of all documents (see Advice Note 15 – paragraph 11.2). Ensure that every individual document is identified either within the development consent order itself or within a separate certified document. Ensure that each document listed is the latest version submitted to the examination and that the version number is identified accordingly.

## **Schedule 2 Requirements**

Part 1 of Schedule 12 of the draft DCO lists the date of issue for all documents in the schedule as “February 2026.” However, the cover pages of these documents clearly state the issue date as “March 2026”. Ensure that the date of issue shown in Schedule 12 of the draft DCO is consistent with the dates displayed on the cover pages of the referenced documents.

Part 1 of Schedule 12 of the draft DCO identifies Document 6.3.10.6 as the “Outline Archaeological Mitigation Strategy.” However, Appendix 10.6 of the submitted Environmental Statement (Doc. 6.3.10.6) is titled “Archaeological Mitigation Strategy Revision 1 – March 2026”. Confirm whether the draft DCO’s reference to Document 6.3.10.6 as an outline archaeological mitigation strategy is correct.

Part 3 of Schedule 14 of the draft DCO refers to the drainage work situated within the limits of deviation. No limits of deviation appear to be defined within the draft development consent order. This matter should be clarified.

More broadly, the draft DCO uses a variety of different terms and formulations when referring to the stages of the authorised development. For example:

- “... construction, maintenance, operation, use and decommissioning ...”

- “... construction, operation, maintenance or decommissioning ...”
- “... construction or maintenance ...”
- “... construction or maintenance or decommissioning ...”
- “... construction, maintenance and decommissioning ...”
- “... construction, maintenance or use ...”
- “... erection, construction, maintenance or decommissioning ...”
- “... construction, maintenance, use or operation ...”
- “... construction, maintenance or operation ...”
- “... construction, operation and maintenance ...”

Chapter 20 of the Environmental Statement (Doc 6.1.20) presents the stages of the authorised development in a clear and consistent sequence: construction, operation and maintenance, and decommissioning. It would be helpful if the draft DCO and associated documents followed a consistent approach to describing these stages, ensuring that each is clearly identified whenever referenced.

### **Explanatory Memorandum (Doc 3.2)**

The applicant is asked to ensure references to precedents are updated to reflect any recently made and currently unmade DCO’s which may have since proceeded to decision (e.g. Fenwick Solar Farm, Beacon Fen Energy Park, One Earth Solar Farm).

### **Funding Statement (Doc 4.2)**

The submitted Funding Statement suggests that the applicant has access to the funding to implement the proposed development but does not give a firm assurance that the necessary funds will be available when needed to implement the development or to pay compulsory acquisition compensation. It provides a broad, up-to-date cost estimate that includes, among other elements, land acquisition costs and compensation arising from any compulsory acquisition. However, it does not provide information about the applicant’s financial standing. Nor does it provide an estimate of the cost of acquiring the land interests needed to deliver the proposed development despite these being the subject of the compulsory acquisition powers sought.

Under Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, the applicant must explain how the compulsory acquisition powers sought in the draft DCO are proposed to be funded. The applicant is therefore advised to resubmit an amended funding statement that provides information on the financial standing of the applicant companies and includes a clear, quantified estimate of the costs associated with exercising the compulsory acquisition powers sought.

### **The Land and Rights Negotiation Tracker (Doc. 4.4)**

The Land and Rights Negotiation Tracker at Part 2 Statutory Undertakers and Crown Authorities, makes clear that the applicant will engage with statutory undertaker’s post acceptance in relation to the negotiation of bespoke Protective Provisions. It is not clear whether the applicant has engaged statutory undertakers proportionately and early. We would advise the applicant to provide regular updates on engagement with statutory undertakers in line with the subsequent examination timetable.

## **Environmental Statement Volume 1 Chapter 4 (Doc 6.1.4)**

The scheme outlined in ES Volume 1: Chapter 4, paragraph 4.2.1, states that the applicant intends to construct three 400kV project substations. However, paragraph 3.6.4 of the Scoping Report, ES Volume 3 Appendix 2.1 (Doc 6.3.2.1), confirms that only two 400kV substations will be required within the site. Consistency and accuracy must therefore be ensured across all application documents, particularly Schedule 1 (Authorised Development) of the draft DCO (Doc 3.1), regarding the correct number of 400kV substations to be located within the order limits.

## **Environmental Statement Volume 3 Appendix 9.1 Flood Risk Assessment & Outline Surface Water Drainage Strategy (Doc 6.3.9.1)**

Page 19, under the heading '4.3 Peak Rainfall Intensity', outlines the applicable climate-change allowances and specifically notes that the 2050s epoch has been used when assessing the projected increase in peak rainfall intensity. The applicant is asked to explain the basis for the assumed development lifetime and how it supports the use of the 2050s epoch rather than the 2080s epoch in accordance with the Environment Agency's peak rainfall guidance (e.g., development lifetimes extending beyond 2060 typically require use of the 2070s/2080s-equivalent epoch). The applicant is also asked to demonstrate how their selection aligns with current EA climate-change allowance requirements, noting that EA peak rainfall guidance uses mid-century and late-century epochs and generally applies higher uplift values for later epochs.

Page 61 lists a series of figures under the heading "Appendix A – EA Opendata Maps." The figures are numbered from Figure 9.1 'Site Location' through to Figure 9.8 'EA Historic Flood Map'. While Figures 9.1 through 9.7 are included beneath this heading, 'Figure 9.8 (Sheets 1–19) EA Historic Flood Map' is not present in the submitted document. The applicant is therefore requested to provide 'Figure 9.8 (Sheets 1 to 19) EA Historic Flood Map', as referenced in Appendix A.

Box 29(e) of the applicant's Section 55 Checklist (Doc 1.4) signposts 'Appendix 10.1 Flood Risk Assessment [EN0110014/APP/6.3.10.1]' of the Environmental Statement as the flood risk assessment. However, this title and document number do not correspond to the actual flood risk assessment. Appendix A (Master Document Table) of the applicant's Guide to the Application (Doc 1.3) identifies the flood risk assessment as 'Appendix 9.1 – Flood Risk Assessment & Outline Surface Water Drainage Strategy' with document number '6.3.9.1'. The title page of Appendix 9.1 confirms the same title and document number presented in the Guide to the Application. Please ensure that the title of the Appendix 9.1 is stated consistently throughout the application materials.

## **Outline management plans and other documents**

Across the nine outline management plans (Doc's 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, & 7.9) qualifying phrases are used, including terms such as "where practicable," "as far as is reasonably practicable," and similar unbounded expressions. While the use of qualifiers may in some cases be appropriate to recognise the need for flexibility during detailed design, their repeated and wide-ranging application throughout the submitted outline plans may reduce the clarity and precision of the measures relied upon within the Environmental Statement and proposed to be secured through the draft Development Consent Order. The applicant is advised to consider whether the extent of such qualifiers

could affect the examinability and testability of the commitments set out in the outline management plans, and whether further specificity or clearer decision-making parameters should be provided to ensure that the measures can be adequately assessed during the examination.

### **Outline Landscape and Ecological Management Plan (OLEMP) (Doc 7.4)**

Appendix B of the OLEMP contains the Green Infrastructure Strategy. This material is extensive and presented across Sheets 1 to 10 of Figure 2, illustrating the proposed landscape and ecological measures across the scheme. As this figure is likely to be referred to frequently during the examination, it would assist usability and navigation if it were provided as a standalone document.

### **Outline Employment, Skills and Supply Chain Strategy (Doc 7.10)**

Box 29(q) of the applicant's Section 55 Checklist (Doc 1.4) lists other documents considered necessary to support the application. In this list, application document 7.10 is titled "Outline Skills Supply Chain and Employment". However, this does not match the actual title of document 7.10, "Outline Employment, Skills and Supply Chain Strategy". The Guide to the Application (Doc 1.3) also refers to document 7.10 as "Outline Employment, Skills and Supply Chain Strategy". Please ensure that the title of document 7.10 is stated consistently throughout the application materials.

### **Design Principles, Parameters and Commitments (Doc 7.18)**

The qualifiers "where practicable" / "as far as practicable" are used repeatedly to qualify the proposed locations of infrastructure items (e.g. sub-distribution switch rooms, conversion units, fibre communication units). These unbounded qualifiers should be replaced with quantified and testable commitments.

Table 4.1: Work No. 1, under the entries for 'Electrical Cabling and Communications' sets out the design parameters for the width and depth of trenches. No minimum depth is specified to indicate the shallowness of the trenches. It is recommended that the design parameters refers to both maximum and minimum figures.

### **Shadow Habitats Regulations Assessment (Doc 7.25)**

Box 29(q) of the applicant's Section 55 Checklist (Doc 1.4) lists application document 7.25 with the title "Shadow Habitats Regulations Assessment – Screening Stage 1". However, this does not match the actual title of document 7.25, "Shadow Habitats Regulations Assessment". The Guide to the Application (Doc 1.3) also refers to document 7.25 as "Shadow Habitats Regulations Assessment". Please ensure that the title of document 7.25 is stated consistently throughout the application materials.

A copy of the citation/Natura 2000 data sheets for each European site considered in the HRA report has not been submitted within the HRA report e.g. as an appendix to the HRA report.

### **Commitments Register (Doc 7.26)**

The Commitments Register's level of detail needs to be improved. Please refer to the Nationally Significant Infrastructure Projects: Commitments Register guidance and use the accompanying template to ensure completeness.

## Plans and figures

During the acceptance process, issues arose with the downloading and rendering when multiple plans and appendices were opened simultaneously. When a document has a relatively large file size, it can cause difficulties when being viewed on a computer screen. Partial or slow loading issues, and lengthy opening times were experienced by the Planning Inspectorate during the acceptance period. These issues are also likely to be encountered by interested parties, affected persons, the Examining Authority, and others during the examination.

The applicant is expected to manage document size. The applicant is asked to submit revised Volume 2 and 6 documents that eliminate rendering issues and allow multiple files to be opened concurrently. This applies to several figures (such as documents 6.2.5.4, 6.2.7.5 (10), 6.2.7.6, 6.2.7.7, and 6.2.15.1), which range in size from 42.5 MB to 90.8 MB, plan document numbers 2.3 (69 MB) and 2.12 (78.1 MB), as well as to appendices attached to Environmental Statement chapters, such as document 06.03.18.01, which is 145.9 MB.

## Consultees identified on a precautionary basis

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the examination of the application. On this basis, the applicant should serve notice on Pulham Market Parish Council and Framingham Earl Parish Council listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008, unless there is a specific justification why this is not necessary.

Please pay close attention to the advice set out in this letter and act on it accordingly. It is requested that you action these points as soon as possible during the pre-examination stage and before the commencement of the preliminary meeting. This will contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

*Robert Cook*

Robert Cook  
**Case Manager**

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/>

