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The applicant

By email only

Your Ref:

Our Ref: EN0110014

Date: 4 November 2026

Dear Sir / Madam

Planning Act 2008 (as amended) – section 89 and the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 17

Application by East Pye Solar Limited for an order granting development consent for East Pye solar project

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 dated October 2026 [AS-041] (and received on 30 October 2026) giving notice of your intention to submit a request to make changes to the application. The applicant seeks advice from the Examining Authority (ExA) on proposed consultation arrangements and any other matter in respect of the proposed change application.

The applicant's change notification states that the changes are expected to comprise the below changes and therefore the content of this letter is in relation to those changes. If however, the change request differs from the changes set out below, the ExA may need to revisit its advice and comments:

Change 1: Update to the Works Plan (Work No.8) to include temporary construction and decommissioning laydown area;

Change 2: An increase to the forecast traffic movements during the construction phase.

More details of these proposed changes are set out in the applicant's change notification [AS-041].

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In responding to this notification, the ExA has considered the Planning Inspectorate's guidance Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination (last updated 2 November 2026) along with paragraphs 4.19 to 4.25 of the Government's Planning Act 2008: Guidance on the examination stage of an application (3 July 2026).

The ExA makes the following comments:

The applicant considers that the proposed changes are not so substantial as to constitute a materially different project. From the information provided, the ExA is minded to agree, although it will not be able to formally decide on this until the formal change application is made including the Environmental Statement addendum and other information submitted with the change application. The ExA also notes the applicant's position that neither change would engage the procedure for 'additional land' set out in the Infrastructure Planning (Compulsory Acquisition) Regulations 2010.

The change application should also include a robust justification for making both changes. This should include why Change 1 was not included with the original application, notwithstanding that a temporary construction and decommissioning laydown area was included in the Preliminary Environmental Information Report at Site 7D.

A clear description of each change should be provided, including cross references to accompanying drawings/plans that can be readily viewed and clearly understood by all parties (in addition to the works plans and land plan if required). This should include a plan/map that clearly shows the location and extent of the road links subject to the updated forecast traffic flows under Change 2.

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 guidance.

The change application should also include a schedule setting out each document affected by the proposed changes and identifying where amendments have been made. This should include a clear audit trail between the originally submitted documentation and any revised or replacement documents.

The Environmental Statement addendum should address any consequential changes arising from the proposed amendments to the proposed development, including any updates required to the transport and access assessment. This should include revisions, where necessary, to the Environmental Statement Transport Assessment [APP-174 to APP-177], the Environmental Statement Chapter 11 [APP-047], and any associated highway and junction capacity assessments. The applicant should clearly identify the roads, junctions, access points, public rights of way and other receptors affected by the proposed changes, and provide a comparison between the traffic forecasts, vehicle movements and associated effects previously assessed and those anticipated as a result of the proposed changes.

The addendum should also explain whether the revised assessments give rise to any new or materially different effects, including at locations not previously identified as experiencing significant effects. Any consequential implications for related topics, including noise and vibration, air quality, amenity, public rights of way and cumulative effects, should also be assessed. In addition, the applicant should identify any amendments required to

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the Outline Construction Traffic Management Plan [REP1-068] or to any other transport-related mitigation or management measures.

The applicant should confirm whether the proposed changes have any implications for the compulsory acquisition, temporary possession or other land rights powers sought through the application. In particular, the applicant should explain whether any additional rights, restrictions, easements or interests in land would be required, or whether any changes are proposed to the powers currently sought over land within the order limits.

Any such changes should be clearly identified and justified in the change application. The applicant should also explain the implications of any amendments for affected land interests and for the land rights case presented in the Statement of Reasons [APP-020], the Book of Reference [REP1-018] and the Land and Rights Negotiations Tracker [REP2-004].

Consultation and examination timetable

The ExA firstly notes that, whilst the applicant seeks the ExA's comments, it has provided minimal time between the applicant's submission of the change notification and the early events in its Proposed Timetable (Table 5-1). As well as seeking the ExA's comments, it is good practice for applicant's to engage with the relevant local authorities on the extent of consultation/engagement.

The applicant intends to undertake targeted engagement for the proposed changes. To accord with Step 3 of the Planning Inspectorate's guidance, the applicant needs to provide justification about why it considers it is not necessary to consult all persons who made a relevant representation.

In respect of Change No.1 the ExA considers that land/property interests in the vicinity of the proposed change are consulted, in addition to the parish council(s) and local authorities. Step 3 of the guidance says that a minimum of 28 days should be allowed for responses about the proposed change. The ExA notes that the time period for targeted consultation with site 7 interests and parish councils is only nine days. The ExA would expect a longer period to be allowed to facilitate meaningful consultation and engagement. Justification should be provided for why the period chosen is less than the advised 28 day period. This is lacking from the change notification.

The applicant's proposed timetable for the examination of the change application is set out in table 5-1 of the change notification and is based upon the change notification being submitted on 20 November 2026. In this case, for the proposed changes, the ExA would need a maximum period of 14 days to consider and make a decision on whether or not to accept the change application. This would create an opportunity for a longer period of pre-submission consultation and engagement.

The ExA considers that the use of deadline 4 (4 January 2027), for interested parties to submit written representations on the change application and deadline 5 (2 February 2027) for responses to such written representations to be appropriate. This would allow appropriate opportunity for the ExA to consider such representations within the current examination timetable.

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Next steps

Following the receipt of the applicants change request, including the change application consultation report (including consultation responses) and other documentation, the ExA will issue a formal procedural decision on whether to accept the changes, along with any change required to the examination timetable to accommodate the changes.

The applicant should ensure that the information provided with the change request includes the relevant information as listed in Step 4 of the Planning Inspectorate guidance.

Please contact the case team using the contact details at the head of this letter should further assistance be needed.

Yours faithfully

David Cliff

Lead Member of the Examining Authority

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