

ITEM NO: 1

NO. OF APPENDICES: 3

**Adequacy of Consultation Response
Parish Council and Landowner Comments
PINS Decision Letter to Accept DCO**

Ref: RB2025/0603

Report Title

**Whitestone Solar Farm – Nationally Significant
Infrastructure Project**

1.0 Background

- 1.1 Members will recall that the Whitestone Solar Farm proposal is being progressed as a Nationally Significant Infrastructure Project (NSIP), requiring a Development Consent Order (DCO) from the Secretary of State under the Planning Act 2008 rather than determination by RMBC. As a host authority, RMBC is a statutory consultee throughout the NSIP process and not the decision maker.

2.0 Adequacy of Consultation Submission

- 2.1 The Planning Inspectorate (PINS) received an application from Whitestone Net Zero Limited for development consent for the Whitestone Solar Farm on 10 June 2026. A decision on whether the application would be accepted for examination was required to be made by 8 July 2026. As part of this process, PINS sought views from local authorities on whether the applicant had met the statutory pre-application consultation requirements, specifically the duties to consult prescribed bodies, engage with the local community, and publicise the project. Authorities were asked to submit their views using a standard proforma by 25 June 2026, a copy of which is appended to this report.
- 2.2 At that stage, the Inspectorate was not requesting comments on the merits of the proposal itself, only on the adequacy of the consultation undertaken. The applicant's Consultation Report had been shared for this purpose but was not made publicly available.

3.0 RMBC Review of the Adequacy of Consultation

- 3.0 RMBC acknowledged that the Applicant had carried out a range of consultation activities in line with the agreed Statement of Community Consultation (SoCC), including leaflet distribution, in-person events, online

tools, and accessibility measures, and therefore considered that procedural requirements had been met.

- 3.1 However, several Parish Councils raised significant concerns regarding the quality and effectiveness of the consultation, indicating it was perceived as insufficient despite meeting statutory requirements. These representations were included for consideration.
- 3.2 In addition, while the Applicant has sought to meet its obligations under Section 42 of the Planning Act 2008, the Council were made aware of an apparent failure to properly serve notice on occupiers of several properties. In the absence of evidence confirming lawful service, RMBC concluded that statutory consultation requirements had not been fully satisfied. Relevant representations on this matter are also appended.

4.0 PINS Decision of Adequacy of Consultation

- 4.1 On the 3rd of July 2026, the Council were notified by PINS that the consultation was adequate, and the Development Consent Order has been accepted.
- 4.2 A copy of the letter is also appended for information.

5.0 Programme and Key Milestones

- 5.1 Following acceptance of the application for examination, the Development Consent Order (DCO) process is expected to progress through the following stages, although these dates could change:

1. Pre-Examination Stage (July – October 2026)

During the pre-examination stage, the Council will undertake a number of activities to prepare for participation in the examination process.

Early Pre-Examination

- Opening of the Relevant Representation period.
- Registration of the Council as an Interested Party.
- Preparation and submission of the Council's Relevant Representation.

Mid to Late Pre-Examination

- Ongoing engagement with the applicant and other key stakeholders.
- Preparation of key examination documents, including:
 - Local Impact Report (LIR);
 - Statements of Common Ground (SoCGs); and
 - Any additional technical submissions required to support the Council's position.

2. Examination Stage (Expected October – December 2026)

The examination stage will be led by the appointed Examining Authority (PINS) and is expected to involve the following activities:

- Submission of written evidence and responses to questions issued by the Examining Authority.
- Participation in issue-specific, compulsory acquisition and/or open-floor hearings, where required.
- Submission of the Council's Local Impact Report.
- Ongoing negotiation and finalisation of Statements of Common Ground with the applicant.
- Continued engagement throughout the examination process to ensure that local impacts and Council interests are appropriately represented.

The Council will continue to monitor the progress of the application and provide updates to Members at key milestones throughout the examination process.

6.0 Key Examination Documents and Processes

6.1 Relevant Representations (RR)

6.2 Relevant Representations are the first formal submission made following acceptance of the application. They are required to participate in the examination process and confirm the Council's status as an Interested Party. Their purpose is to:

- Set out the Council's overall position;
- Identify the key issues and concerns;
- Ensure those issues are captured by the Examining Authority at the outset.

6.3 They are generally strategic and concise, not detailed technical documents and are used by the Examining Authority to help define the main matters for examination. They also provide the framework for subsequent submissions, including the Local Impact Report and Statements of Common Ground

6.4 Local Impact Report (LIR)

6.5 The Local Impact Report is the Council's principal and most influential submission. It is a statutory document that the Examining Authority (PINS) must invite and take into account when considering the proposals.

6.6 Its purpose is to provide a comprehensive, evidence-based assessment of the impacts of the development on the local area and will typically include:

- Topic-based assessments (e.g. highways, landscape, ecology, noise, socio-economics, cumulative impact);
- Assessment of significance of impacts;

- Consideration of local policy compliance;
 - Review of mitigation measures and their adequacy
- 6.6 The LIR is required to be submitted to PINS early in the Examination (July to October) and in accordance with approved governance requirements, be approved by The Executive Director for Regeneration and Environment and Cabinet Member for Jobs and the Economy.
- 6.7 Statement of Common Ground (SoCG)
- 6.8 Statements of Common Ground are live, structured documents agreed between the Council and the applicant. They are strongly encouraged as part of best practice to support an efficient examination. They set out:
- Matters agreed;
 - Matters not agreed;
 - Matters under discussion;
 - Actions to resolve outstanding issues.
- 6.9 Their purpose is to narrow areas of disagreement and focus the examination on key unresolved issues. They are developed iteratively throughout the pre-examination and examination, are topic based and are also a key tool in demonstrating progress.
- 6.10 Examination Process and Hearings
- 6.11 The Examination is led by the Examining Authority (PINS) and lasts up to six months. It is primarily written, supplemented by hearings and governed by a timetable issued by the Inspector.
- 6.12 Generally, there will be three types of hearings:
- Issue Specific Hearings, which are topic focused (e.g. transport and environmental issues);
 - Open Floor Hearings, where members of the public are allowed to speak; and
 - Compulsory Acquisition Hearings, which focus on land and acquisition matters.
- 6.13 At these hearings, the Inspector leads structured discussions, the Council and Applicant present and explains its evidence, questions are asked to clarify positions, and the discussions will generally be focussed upon:
- Local Impact Report Findings;
 - Statements of Common Ground; and
 - Key areas of disagreement.

- 6.14 Hearings are generally, evidence based, recorded as part of the examination and used to refine and test positions on both sides.
- 6.15 Written Submissions and Questions
- 6.16 Alongside Hearings, PINS will issue Written Questions, which the Council must provide by set deadlines. These submissions will also form part of the core evidence base in which the Inspector will base his/her recommendation on.

8.0 Summary

- 8.1 This report outlines the current position in respect of the Whitestone Solar Farm proposal, which is being progressed as a Nationally Significant Infrastructure Project and is subject to determination through the Development Consent Order process.
- 8.2 At the time PINS sought the Council's views, it was requesting comments solely on the adequacy of the applicant's pre-application consultation. The Council's review concluded that, whilst the applicant had undertaken a wide-ranging programme of engagement with statutory consultees and the local community, there remained an identified deficiency relating to the non-service of a Section 42 notice on relevant land interests.
- 8.3 On that basis, the Council was unable to confirm that all statutory consultation requirements had been fully satisfied at the time its response was submitted to PINS. Notwithstanding the Council's observations, PINS subsequently accepted the Development Consent Order application for examination.
- 8.4 The report further set out the anticipated stages of the Development Consent Order process and the Council's ongoing role, including participation in the examination through Relevant Representations, the preparation of a Local Impact Report, and continued engagement with the applicant.
- 8.5 Members are requested to note the contents of this report, the Council's submitted position on the adequacy of consultation, and the subsequent acceptance of the application for examination by PINS. Further updates will be provided to Planning Board on a quarterly basis as the examination progresses.