



Department for Energy Security & Net Zero

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4 November 2025

Dear Nick,

Thank you for your letter of 14 October to the Head of Energy Infrastructure Planning, on behalf of your constituent, Mr Alan Smith, regarding the Sunnica Solar Farm. I am responding as this matter falls under my Ministerial portfolio.

The full reasons for the Secretary of State's decision can be found in the decision letter which has been published, alongside the Examining Authority's Report, on the Planning Inspectorate's website. In taking the decision to grant development consent for the proposal, all relevant planning matters were considered.

The decision letter can be accessed at:

[infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010106/EN010106-006023-Sunnica%20SoS%20Decision%20Letter%20signed%2012%20July%202024.pdf](https://www.infrastructureplanninginspectorate.gov.uk/wp-content/uploads/projects/EN010106/EN010106-006023-Sunnica%20SoS%20Decision%20Letter%20signed%2012%20July%202024.pdf).

Once a consent has been issued, it becomes a legally enforceable statutory instrument under the Planning Act 2008, and we do not have the power to withdraw an order granting development consent once made. There is a power to revoke a development consent order, but this power can only be exercised in very specific circumstances which are set out in legislation and are not considered relevant in the circumstances of this case.

Article 42 of the Sunnica development consent order covers "Guarantees in respect of payment of compensation". This article stipulates that:

(1) The undertaker must not exercise the powers conferred by the provisions referred to in paragraph (2) in relation to any land unless it has first put in place either—

(a) a guarantee, the form and amount of which has been approved by the Secretary of State in respect of the liabilities of the undertaker to pay compensation pursuant to the provisions referred to in paragraph (2); or

(b) an alternative form of security, the form and amount of which has been approved by the Secretary of State in respect of the liabilities of the undertaker to pay compensation pursuant to the provisions referred to in paragraph (2).

(2) The provisions are—

(a) article 17 (compulsory acquisition of land);

(b) article 19 (compulsory acquisition of rights);

(c) article 20 (private rights);

(d) article 22 (acquisition of subsoil only);

(e) article 23 (power to override easements and other rights);

(f) article 25 (rights under or over streets);

(g) article 26 (temporary use of land for constructing the authorised development);

(h) article 27 (temporary use of land for maintaining the authorised development); and

(i) article 28 (statutory undertakers).

(3) A guarantee or alternative form of security given in respect of any liability of the undertaker to pay compensation under this Order is to be treated as enforceable against the guarantor or person providing the alternative form of security by any person to whom such compensation is payable and must be in such a form as to be capable of enforcement by such a person.

(4) Nothing in this article requires a guarantee or alternative form of security to be in place for more than 15 years after the date on which the relevant power is exercised.

We have not yet received a proposed guarantee and accompanying documents. It is for the applicant to decide when to submit these documents, but the compulsory acquisition powers conferred by the Sunnica development consent order cannot be exercised until they have been approved in accordance with this article.

When the proposed guarantee is submitted to the Department, it will be reviewed thoroughly in accordance with the relevant processes and requirements.

Thank you for taking the time to write. I hope you find this information helpful.

Best wishes,

A handwritten signature in black ink that reads "Michael Shanks". The signature is written in a cursive style with a horizontal line underneath the name.

MICHAEL SHANKS MP
Minister of State for Energy