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FAO: The Examining Authority  
National Infrastructure Planning  
Planning Inspectorate

Your Ref: EN010162  
Our Ref: 652352.07165

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23 April 2026

Dear Sirs

**GREAT NORTH ROAD SOLAR AND BIODIVERSITY PARK (“PROJECT”) – NATIONAL HIGHWAYS’ (“NH”) PARTIAL WITHDRAWAL OF OBJECTION**

We act for NH, as interested party to the application by Elements Green Trent Limited (“**Applicant**”) for an order granting development consent for the Project (“**DCO**”).

We write to confirm that we have agreed protective provisions (“**PPs**”) with the Applicant, which will be included in the final draft DCO to be submitted by the Applicant at Deadline 6. Accordingly, NH withdraws its objection insofar as it relates to the agreed PPs.

NH’s objection in respect of Requirements 5, 14, 19 and 22 in the draft DCO remains. We have summarised our position on the Requirements in our submissions at Deadline 6, however would be pleased to provide any further information the Examining Authority may require on this issue.

Yours faithfully

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**APPLICATION BY ELEMENTS GREEN TRENT LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE GREAT NORTH ROAD SOLAR AND BIODIVERSITY PARK**

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**DEADLINE 6: SUMMARY STATEMENT FROM NATIONAL HIGHWAYS LIMITED**

**23 APRIL 2026**

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**1. INTRODUCTION**

- 1.1. This submission is made on behalf of National Highways (“**NH**”) in respect of an application by Elements Green Trent Limited (“**Applicant**”) for an order granting development consent for the Great North Road Solar and Biodiversity Park Project (“**DCO**”). The Applicant seeks development consent for the proposed authorised development described in Schedule 1 of the draft DCO (“**Authorised Development**”).
- 1.2. NH notes that agreement has been reached with the Applicant on the protective provisions to be included in Part 5 of Schedule 13 of the draft DCO and understands that the Applicant will incorporate the agreed protective provisions into the draft DCO to be submitted at Deadline 6. NH has confirmed this position to the Examining Authority and, accordingly, has withdrawn its objection in respect of the protective provisions by way of an additional Deadline 6 submission.
- 1.3. NH has previously set out its detailed position during the DCO examination in relation to Requirements 5 (Approved details and amendments to them), 14 (Construction Traffic Management Plan), 19 (Decommissioning and restoration) and 22 (Glint and glare) (together, the “**Requirements**”). The matters raised in respect of those Requirements remain unresolved. The purpose of this submission is therefore to summarise NH’s position for the Examining Authority’s consideration. A summary of that position is set out below.

**2. NH’S POSITION**

- 2.1. As the Requirements all relate directly to matters affecting the safety, operation or management of the strategic road network (“**SRN**”), while a consultation role for NH may be acceptable where discharge decisions are expressly left to the relevant authority to make in consultation with the relevant statutory bodies (e.g. NH), the present draft DCO includes a deemed consent mechanism. NH’s concern is that this could result in the relevant request for approval being deemed granted, in circumstances where NH’s representation has not been made to the Applicant by the relevant authority.

- 2.2. Schedule 2, Part 2, paragraph 2(3) of the draft DCO provides that where the relevant authority (Newark and Sherwood District Council) does not determine an application to discharge a requirement within the prescribed 8-week period, the requirement is deemed to have been discharged in full and without qualification. This presents a clear risk that safety-critical matters affecting the SRN could be approved without NH's input, contrary to its statutory responsibilities.
- 2.3. Consequently, NH maintains that, in respect of matters which are directly relevant to the SRN only, it should be named as an approving body rather than solely a consultee. This is a limited and proportionate request aimed at ensuring that requirements engaging SRN safety cannot be inadvertently discharged through administrative omission. As outlined in NH's Deadline 4 Response to ExQ2 [REP4-079], the issue cannot be addressed through outline plans or further information, as it arises from the structure of the deemed consent provision itself. The only effective solutions are:
- 2.3.1. to confer approval rights on NH for SRN-related matters, as proposed by NH; or
- 2.3.2. to amend the deemed consent mechanism to deemed refusal, which NH considers disproportionate and recognises would raise legitimate concerns for the Applicant from a delay perspective.
- 2.4. NH's position on each of the Requirements remains, therefore, as follows:

Requirement	NH position	NH requested amendments to drafting (shown in red)
<b>5 (Approved details and amendments)</b>	NH approval is required where amendments to approval details relate to SRN safety, particularly given the potential for proposed works over the A1 (see Work No. 8). <sup>1</sup> Whilst NH anticipates any such amendments are unlikely, the impact could be severe (including risk to the public) where NH approval is not required. Development over an operational motorway or trunk road presents inherent safety risks equivalent to development beneath or adjacent to it.	<i>5.—(1) With respect to the documents certified under article 41 (certification of plans and documents, etc.) and any plans, details or schemes which have been approved pursuant to any requirement (together the “approved documents, plans, details or schemes”), the undertaker may submit to the county authority <del>or the planning authority</del> or National Highways (as applicable) for approval any amendments to any of the approved documents, plans, details or schemes and, following approval by the county authority <del>or the planning authority</del> (as applicable) or National Highways in respect of amendments which relate to the safety of the strategic road network, and the relevant approved documents, plans, details or schemes is</i>

<sup>1</sup> See sheet no. 26 and 28 of the Works Plan [APP-019] - [EN010162-000065-GNR 2.3 Works Plans.pdf](#)

		<p><i>to be taken to include the amendments as so approved pursuant to this paragraph.</i></p> <p><i>(2) Approval under sub-paragraph (1) for the amendments to any of the approved documents, plans, details or schemes must not be given except where it has been demonstrated to the satisfaction of the county authority <del>or the planning authority</del> or National Highways (as applicable) that the subject matter of the 41 approval sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.</i></p>
<p><b>14 (CTMP)</b></p>	<p>NH approval is sought for SRN related aspects of the CTMP to manage construction traffic impacts and interactions with the adjacent A46 Newark Bypass scheme, which was granted consent on 1 October 2025. A46 Newark Bypass may overlap temporally or interact spatially with the Authorised Development during construction, giving rise to cumulative impacts on construction traffic and SRN operation. This reinforces the need for NH to have a direct approval role in respect of SRN-related matters to ensure coordinated network management. The approval right requested is limited and confined to matters related to NH's function as strategic highway authority. NH has established processes and service level agreements in place to facilitate quick and efficient approvals and this would not result in a delay to the Applicant but nonetheless would offer commensurate protection to the existing infrastructure network adjacent to the Applicant's proposed development.</p>	<p><i>14.—(1) No phase of the authorised development may commence until a construction traffic management plan for that phase has been submitted to and approved by the county authority, <del>in consultation with National Highways or, National Highways in respect of matters which are relevant to the strategic road network.</del></i></p> <p><i>(2) The construction traffic management plan submitted under sub-paragraph (1) must be substantially in accordance with the outline construction traffic management plan.</i></p> <p><i>(3) All construction works associated with the authorised development must be carried out in accordance with the approved construction traffic management plan.</i></p>

<p><b>19 (Decommissioning and restoration)</b></p>	<p>Whilst predicted traffic impacts as set out in the Applicant's environmental statement are agreed by NH, the future condition of the SRN and the surrounding development context cannot be known at the point of consent. NH approval in respect of matters relating to the SRN only ensures decommissioning can be coordinated safely – where reliance on the SRN is required - at the relevant time.</p>	<p>19.—(1) Not less than 6 months before the 40th anniversary of the earlier of the date— (a) on which the final phase of the authorised development; or</p> <p>(b) 3 years following the date on which the first phase of the authorised development</p> <p>first exports electricity on a commercial basis (as notified to the planning authority pursuant to requirement 3(2)), a decommissioning and restoration plan must be submitted to the planning authority for its approval <b>and to National Highways for approval in respect of matters which relate to the strategic road network</b>, in consultation with the county authority and the Environment Agency.</p> <p>(2) The decommissioning and restoration plan must be in substantial accordance with the outline decommissioning and restoration plan.</p> <p>(3) The decommissioning and restoration plan submitted and approved pursuant to sub-paragraph (1) must be implemented as approved.</p> <p>(4) Within 28 days of permanently ceasing operations in any phase the undertaker must notify the planning authority <b>and National Highways (where applicable)</b> in writing of the date it permanently ceased operations for that phase.</p> <p>(5) This requirement is without prejudice to any other consents or permissions which may be required to decommission any part of the authorised development.</p>
<p><b>22 (Glint and glare)</b></p>	<p>The Environmental Statement identifies above tolerance impacts on the SRN. NH approval is necessary to assess the effectiveness of mitigation which directly affects road user safety. This</p>	<p>22.—(1) No phase of the authorised development may commence until a glint and glare mitigation strategy for that phase has been submitted to and approved by the planning authority <b>and National Highways in respect of matters which</b></p>

	<p>particular point – perhaps more so than the others discussed in this position statement - has the potential to directly impact the safety of the travelling public. Where the mitigation is not effective at reducing the impacts to road users, or where a mitigation strategy is put forward that does not appropriately address the circumstances where mitigation fails, it is not sufficient that NH is simply a bystander in the process. NH should have a secure and effective approval over the extent of the information submitted by the Applicant to address the specific impacts on its network – particularly where such matters go directly to public safety.</p> <p>NH also relies on the Applicant's own consultation response to NH's statutory consultation response on glint and glare impacts. At pages 378-379 of the Consultation Report [APP-314], the Applicant records that “in order to ensure that the final mitigation design properly responds to the actual design to be constructed”, a DCO requirement was proposed under which “mitigation will be designed to match the final PV design and submitted for NH's approval prior to construction. The reference to submission for “approval”, rather than consultation, evidences that the Applicant itself recognised NH as a relevant approving body for SRN-related mitigation at consultation stage. This further supports NH's position in respect of Requirement 22 and highlights a clear inconsistency between consultation commitments to NH and the manifestation of those commitments in the drafting of the DCO.</p>	<p>concern the strategic road network, <del>in consultation with National Highways.</del></p>
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2.5. Further, NH does not accept the Applicant's suggestion that that granting NH approval rights would amount to duplicative control and risk delay. NH has well-established systems for responding to applications within statutory timescales and is subject to a regulatory duty to act as a facilitator and enabler of development. NH is also an experienced promoter of nationally significant infrastructure projects in England and is acutely aware of the importance of timely decision-making. Ensuring the safety and resilience of the SRN and the travelling public is not incompatible with the Government's aim to speed up efficient infrastructure delivery. These two principles are not mutually exclusive.

### **3. PRECEDENT AND INTERACTION WITH OTHER CONSENTED SCHEMES**

3.1. NH's position is supported by relevant and recent precedent.

3.2. The Viking CCS Carbon Dioxide Pipeline DCO 2025, granted by the Secretary of State, includes provisions requiring NH approval for safety-critical matters within its remit. See in particular, the wording of Requirement 6(1) in Schedule 2 (Requirements):<sup>2</sup>

*"6(1) No stage of the authorised development may commence until a CTMP for that stage, in accordance with the outline construction traffic management plan, has been submitted to and approved by the relevant planning authority and, in respect of effects on the strategic road network, National Highways following consultation with the relevant highway authority and Network Rail"*

3.3. As set out in NH's Deadline 4 letter to the Examining Authority dated 9 April 2026, similar approaches were adopted for the East Midlands Gateway Phase 2 DCO, where highway authority (including NH) approval is required for construction environmental management plans relating to highway works. See in particular, the wording of Requirement 11(1) and 11(2) in Schedule 2 (Requirements):<sup>3</sup>

*"11(1) No part of the authorised development is to commence, including any preparatory earthworks or site levelling but excluding archaeological investigation, ecological mitigation works and geotechnical or ground contamination investigation, until a phase-specific construction environmental management plan ("P-CEMP") for that part of the authorised development, drafted in accordance with the principles and management plans set out in the construction environmental management plan, and, insofar as on-site construction plant are concerned, having regard to the principles in "The Institute of Air Quality Management guidance on assessing dust emissions", current from time to time, has been submitted to and approved in writing by the local planning authority or the relevant highway authority where the P-CEMP relates to the highway works. Unless otherwise agreed, each P-CEMP shall include for that phase:*

- (a) A dust management plan;*
- (b) A soil management plan;*
- (c) A foul water management plan;*
- (d) A material management plan; and*

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<sup>2</sup> [The Viking CCS Carbon Dioxide Pipeline Order 2025](#)

<sup>3</sup> [Front Cover - DCO 3.1 Draft Development Consent Order](#)

*(e) A Construction Traffic Management Plan which shall be substantially in accordance with the CTMP.*

*11(2) Each P-CEMP is to be reviewed and updated if necessary to address unacceptable impacts arising from construction works. Each P-CEMP (and revision) must be submitted by the undertaker for approval in writing by the local planning authority or the relevant highway authority where the P-CEMP (or revision) relates to the highway works. All construction works must be carried out in accordance with the relevant P-CEMP (a revised) as approved”*

- 3.4. The National Grid (Yorkshire Green Energy Enablement Project) DCO 2024 also requires highway authority approval for construction management measures affecting the SRN, in particular Requirements 5(1) and 14(1).<sup>4</sup>
- 3.5. These recent DCO applications (and in relation to the Viking Pipeline and Yorkshire Green DCOs, determinations) demonstrate that decisions of the Secretary of State in 2024 and thereafter support the conferral of approval rights on NH where requirements engage SRN safety or operation.

#### **4. CONCLUSION**

- 4.1. For these reasons, NH maintains that naming it as an approving body for the Requirements, insofar as they relate to the SRN, is reasonable, proportionate and necessary. This approach aligns with consultation commitments, recent Secretary of State precedent, and NH’s statutory responsibility to safeguard the SRN, while avoiding the risk of safety-critical matters being discharged by default. NH maintains that the grant of approval rights in respect of the Requirements would pose no programme detriment to the Applicant, given the service level agreements in place to manage the review of applications submitted for approval and the issuance of approvals.

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<sup>4</sup> [The National Grid \(Yorkshire Green Energy Enablement Project\) Development Consent Order 2024](#)