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Ref: EN010162

██████████
Elements Green Trent Limited
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27 October 2026

Dear ██████████,

PLANNING ACT 2008**APPLICATION FOR DEVELOPMENT CONSENT FOR THE GREAT NORTH ROAD SOLAR AND BIODIVERSITY PARK**

This decision was made by Minister Curran, Parliamentary Under-Secretary of State, on behalf of the Secretary of State for Energy Security and Net Zero.

1. Introduction

- 1.1. I am directed by the Secretary of State for Energy Security and Net Zero (“the Secretary of State”) to advise you that consideration has been given to the Examining Authority’s (“ExA”) report dated 28 July 2026. The ExA consisted of three examining inspectors, Andrea Mageean (Lead Member), Graham Hobbins and Philip Brewer. The ExA conducted an Examination into the application submitted on 27 June 2025 (“the Application”) by Elements Green Trent Limited (“the Applicant”) for a Development Consent Order (“DCO”) (“the Order”) under section 37 of the Planning Act 2008 (“the Planning Act”) for the Great North Road Solar and Biodiversity Park and associated development (“the Proposed Development”). The Application was accepted for Examination on 22 July 2025. The Examination began on 26 November 2025 and closed on 28 April 2026. The Secretary of State received the ExA’s Report of Findings and Conclusions and Recommendation to the Secretary of State (“the ExA’s Report”) on 28 July 2026. The ExA’s findings and conclusions are set out in Chapters 3 to 7 of the ExA’s Report, and the ExA’s summary of conclusions and recommendation is at Chapter 8. All numbered references, unless otherwise stated, are to paragraphs of the ExA’s Report [“ER *.*.”].
- 1.2. On 27 August 2026 a letter was issued by the Secretary of State seeking information on several matters (“the first information request”).¹ A further letter was issued on 30 September

¹ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010162/documents?stage-decision=Secretary%20of%20State%20Consultation%201&itemsPerPage=25>

2026, requesting further information (“the second information request”).² A letter was issued on 12 October 2026, requesting further information (“the third information request”).³

- 1.3. The Proposed Development is for the construction, operation, maintenance, and decommissioning of the Great North Road Solar and Biodiversity Park, a proposed solar photovoltaic (“PV”) electricity generating facility and electrical storage facility with a total capacity exceeding 50 megawatts (“MW”) and a connection to the National Grid permitting the export and import of 800 MW of electricity [ER 1.3.4]. Approximately 1,025 hectares (ha) of the 1,765 ha within the Order limits would be used for solar panels and other above ground works to provide a gross output of 800 MW. The areas not used for solar panels and other above ground works would be used for below ground cabling, mitigation and enhancement works [ER 1.3.7]. The Proposed Development will be located to the northwest of Newark, in the Newark and Sherwood district, Nottinghamshire [ER 1.3.4].
- 1.4. The Order, as applied for, would grant development consent for [ER 1.3.5]:
 - Work no. 1 – a ground mounted solar photovoltaic generating station
 - Work no. 2 – electrical cable connections
 - Work no. 3 – green infrastructure
 - Work no. 4 – intermediate substations
 - Work no. 5A – a battery energy storage system (“BESS”)
 - Work no. 5B – an up to 400 kV substation
 - Work no. 6 – alteration of the existing Staythorpe substation
 - Work no. 7 – alteration of the consented BESS
 - Work no. 8 – works to facilitate access to work nos. 1 to 7
- 1.5. The Applicant also seeks compulsory acquisition (“CA”) and temporary possession (“TP”) powers, set out in the draft Order submitted with the Application.
- 1.6. Published alongside this letter on the Planning Inspectorate’s National Infrastructure Project website⁴ is a copy of the ExA’s Report of Findings and Conclusions and Recommendation to the Secretary of State.

2. Summary of the ExA’s Report and Recommendation

- 2.1. The principal issues considered during the Examination on which the ExA has reached conclusions on the case for development consent are set out in the ExA’s Report under the following broad headings:
 - Need and alternatives;
 - Site selection and good design;
 - Agricultural land;
 - Biodiversity and ecology;

² <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010162/documents?stage-decision=Secretary%20of%20State%20Consultation%202&itemsPerPage=25>

³ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010162/documents?stage-decision=Secretary%20of%20State%20Consultation%203&itemsPerPage=25>

⁴ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010162>

- Climate change;
- Cultural heritage and archaeology;
- Cumulative and inter-related effects;
- Ground conditions and land contamination;
- Landscape and visual;
- Noise and vibration;
- Recreation;
- Socio-economics;
- Traffic and Transport;
- Water environment and flood risk;
- Air quality;
- Glint and glare;
- Human health;
- Major accidents or disasters and fire safety;
- Electromagnetic fields (EMF); and
- Waste.

2.2. The ExA recommended that the Secretary of State should make the Order in the form attached at Appendix A of the ExA's recommendation report [ER 8.4.1].

2.3. This letter is intended to be read alongside the ExA's report and, except as indicated otherwise in the paragraphs below, the Secretary of State agrees with the findings, conclusions and recommendations of the ExA as set out in the ExA's Report, and the reasons for the Secretary of State's decision are those given by the ExA in support of the Secretary of State's conclusions and recommendations.

3. Summary of the Secretary of State's Decision

3.1. Section 104(2) of the Planning Act requires the Secretary of State, in deciding an application, to have regard to any relevant National Policy Statement ("NPS"). Subsection (3) requires that the Secretary of State must decide the Application in accordance with the relevant NPS except to the extent that one or more of subsections (4) to (8) apply.

3.2. The Secretary of State has considered the overall planning balance and, for the reasons set out in this letter, has concluded that the public benefits associated with the Proposed Development outweigh the harm identified, and that development consent should therefore be granted.

3.3. The Secretary of State has decided under section 114 of the Planning Act to make, with modifications, an Order granting consent for the proposals in the Application. This letter is a statement of the reasons for the Secretary of State's decision for the purposes of section 116 of the Planning Act and the notice and statement required by regulations 31(2)(c) and (d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations").

3.4. In making the decision, the Secretary of State has complied with all applicable legal duties and has not taken account of any matters which are not relevant to the decision.

4. The Secretary of State's Consideration of the Application

- 4.1. The Secretary of State has considered the ExA's Report and all other material considerations, including representations received after the close of the ExA's Examination and responses to the Secretary of State's request for information during the decision-making stage. 226 Relevant Representations ("RRs") were made in respect of the Application. Written Representations, responses to questions and oral submissions made during the Examination were also taken into account by the ExA. The Secretary of State has had regard to the Local Impact Reports ("LIRs") submitted by Newark and Sherwood District Council ("NSDC") [REP1-075] and Nottinghamshire County Council ("NCC") [REP1-078], environmental information as defined in regulation 3(1) of the EIA Regulations and to all other matters which are considered to be important and relevant to the Secretary of State's decision as required by section 104 of the Planning Act including relevant policy set out in the National Policy Statements ("NPSs") EN-1 (Overarching National Policy Statement for Energy) ("EN-1"), EN-3 (National Policy Statement for Renewable Energy Infrastructure) (and EN-5) (National Policy Statement for Electricity Networks Infrastructure), as designated on 17 January 2024 (the "2024 NPSs").
- 4.2. Revised NPSs EN-1, EN-3 and EN-5 were laid in Parliament on 13 November 2025 and came into effect on 6 January 2026 (the "2025 NPSs"). The Secretary of State notes that, in accordance with the transitional provisions set out in section 1.6 of NPS EN-1, the amendments in the 2025 NPSs will have effect only in relation to those applications for development consent accepted for examination after final publication of those amendments. As this Application was accepted for Examination prior to the final publication of those amendments, the 2024 NPSs had effect for the ExA's consideration of this Application and recommendation. The Secretary of State has likewise therefore had regard to the 2024 NPSs in making this decision. Whilst the 2025 NPSs do not have effect for this Application, they are capable of being important and relevant considerations in the Secretary of State's decision-making process.
- 4.3. The National Planning Policy Framework ("NPPF") was recently updated on 17 August 2026. The Clean Power 2030 Action Plan ("CP2030"), which was published on 13 December 2024 and updated in April 2025, sets out a pathway to a clean power system.
- 4.4. The 15 May 2024 Written Ministerial Statement regarding the use of Best and Most Versatile ("BMV") land was at the time of the Examination an important and relevant consideration for this Application. However, the Secretary of State notes that this statement has been incorporated into the updated NPPF and is therefore superseded. The Secretary of State has had regard to the updated NPPF and CP2030, and finds there is nothing contained within these publications which would lead her to reach a different decision on the Application.
- 4.5. The Secretary of State notes that the weighting descriptors used by the ExA differ from those laid out on page 175 of EN-1. Having reviewed the ExA's considerations and conclusions, the Secretary of State considers that where the ExA has referred to 'little' weight can be equated to 'limited' weight, and 'very great' can be equated to 'substantial'. The Secretary of State will use the descriptors as laid out in EN-1 when ascribing her weightings in this decision letter and whilst the terminology used will differ to this limited extent, the difference in terminology does not indicate a disagreement with the ExA unless this is specifically stated.

- 4.6. The Secretary of State agrees with the ExA's conclusions and the weight it has ascribed in the overall planning balance in respect of the following issues:
- Climate Change – neutral weight [ER 3.6.40]
 - Cultural Heritage and Archaeology – little negative weight [ER 5.2.75]
 - Cumulative and Inter-related Effects – little negative weight [ER 3.8.31]
 - Ground Conditions and Land Contamination – neutral weight [ER 3.4.42]
 - Noise and Vibration – little negative weight [ER 3.11.51]
 - Socio-economics – little positive weight [ER 3.13.38]
 - Traffic and Transport – little negative weight [ER 3.14.117]
- 4.7. The paragraphs below set out the matters where the Secretary of State has further commentary and analysis to add beyond that set out in the ExA's Report, including those matters on which further information has been sought.
- Need and Alternatives [ER 3.2.45]
 - Site Selection and Good Design [ER 3.3.60]
 - Agricultural Land [ER 3.4.94]
 - Biodiversity and Ecology [ER 3.5.76]
 - Landscape and Visual [ER 3.10.125]
 - Recreation [ER 3.12.45]
 - Water Environment and Flood Risk [ER 3.15.84]
 - Air quality, human health, major accidents or disasters and fire safety, electromagnetic fields (EMF), waste [ER 3.16.57]
 - Discharge of Requirements [ER 7.4.17, ER 7.4.26]

Need and Alternatives

- 4.8. The Applicant set out the need case for the Proposed Development in section 5 of the Planning Statement and the role of the large-scale solar projects in meeting the three national energy policy aims of decarbonisation, security of supply, and affordability [ER 3.2.3].
- 4.9. As set out in EN-1 paragraphs 3.2.6 and 3.2.7, the starting point for considering this type of application is that the Government has identified a need for this type of infrastructure which is urgent and which must be delivered at scale and speed [ER 3.2.15]. Whilst some IPs, including the Joint Parishes Action Group ("JPAG"), challenged the Applicant's forecasts relating to the number of homes the Proposed Development would supply [ER 3.2.10], the ExA noted that the lower projections of Interested Parties ("IPs") would still represent a significant amount of energy from a renewable source [ER 3.2.15].
- 4.10. The Applicant set out detail on the need case for energy storage in the Statement of Need [APP-324], including the role of the battery energy storage system (BESS) in maximising the usable output from intermittent generation and providing flexibility to the energy system overall [ER 3.2.17]. The ExA noted that both EN-1 (paragraphs 3.3.25-26) and EN-3 are clear that energy storage can play an important role, especially when co-located with other renewable energy generation, in achieving net zero [ER 3.2.23]. The ExA concluded that concerns raised by IPs that other BESS facilities are in development locally do not

undermine the case for the proposed BESS as part of the Proposed Development [ER 3.2.16].

- 4.11. The Applicant considered reasonable alternatives in Chapter 4 of the Environment Statement (“ES”) [APP-047]. The ExA was satisfied that the Applicant provided sufficient information in the ES to accord with EN-1 paragraph 4.3.15 to consider reasonable alternatives to the Proposed Development [ER 3.2.34].

The Secretary of State’s Conclusion on Need and Alternatives

- 4.12. The Secretary of State agrees with the ExA’s findings in respect of the need and alternatives for the Proposed Development and its anticipated climate change benefits. The Secretary of State also agrees with the ExA’s conclusion that the inclusion of a BESS would make the United Kingdom energy system more resilient. The Secretary of State therefore agrees with the ExA and, in accordance with paragraph 3.2.7 of EN-1, ascribes substantial positive weight to the need for this development.

Site Selection and Good Design

- 4.13. Carlton-on-Trent Parish Council raised concerns in its post-Examination submission around the site selection for the substations, stating there was a lack of clarity around how the sites were chosen [PIR-003]. In the first information request, the Secretary of State sought further information from the Applicant on the site selection process and consideration of alternatives for intermediate substations [C1-001].
- 4.14. The Applicant responded [C1-005a] stating that, as set out in Volume 2, Chapter 8 of its Environment Statement [REP6-019], the Proposed Development (including the proposed Ossington Road intermediate substation) would not result in any significant effects on the biodiversity of Carlton Wood. The Applicant confirmed that there are no physical works proposed at Carlton Wood nor within the ancient woodland [C1-005a].
- 4.15. The Applicant confirmed that given no significant effects were identified on Carlton Wood, it was not necessary to consider alternatives but that the Applicant had nevertheless considered reasonable alternatives [C1-005a]. Due to the proposed Ossington Road intermediate substation having a different function from the existing Carlton substation, the Applicant confirmed that co-location would not be feasible [C1-005a]. The Applicant confirmed [C1-005a] that alternative locations for the four intermediate substations were explored in an iterative process [REP2-019], factoring in technical requirements and environmental and community considerations to arrive at the final proposed locations [AS-005], which it considered was consistent with EN-1 and EN-3 [REP3-018].

The Secretary of State’s Conclusion on Site Selection and Good Design

- 4.16. The Secretary of State considered the Applicant’s response to the first information request on site selection in respect of intermediate substations. The Secretary of State agrees with the ExA’s conclusion that the Applicant’s ES has provided sufficient information on reasonable alternatives to accord with EN-1 paragraph 4.3.15 [ER 3.2.34].

Agricultural Land

Permanent/temporary loss of Best and Most Versatile (“BMV”) land in enhancement areas

- 4.17. The Secretary of State notes that the Proposed Development would cover 1,765 hectares (ha) of land, of which 61.9% (1,093 ha) is classified as BMV agricultural land. This comprises no Grade 1 land, 149 ha (8.4%) Grade 2 land and 944 ha (53.5%) Grade 3a land. Natural England (“NE”) raised concerns regarding the potential loss of BMV land due to woodland creation intended as part of the mitigation and enhancement proposals which would constitute a loss of agricultural capability, meaning a permanent land use change and therefore the loss of 22.4 ha of BMV land [RR-154].
- 4.18. NE’s position was that the loss of BMV through habitat enhancement should be reflected as a permanent loss in the ES conclusions [RR-154], whereas the Applicant considered the woodland planting would not affect soil resource, and that it was therefore suitable to design the planting for maximum ecological benefit rather than the avoidance of BMV land [REP2-032]. The Applicant’s final position during the Examination was that whilst the proposed woodland planting would extend to 22.4 ha, it would not disturb the soil or land quality resource as the trees would be directly planted into the soil [REP6-064].
- 4.19. The ExA acknowledged this difference in views and stated that the proposed planting was unlikely to result in permanent physical damage to the 22.4 ha of BMV land used for woodland planting in terms of permanently degrading its soil composition [ER 3.4.56]. However, the ExA further concluded that it was reasonable to assume that the woodland planting would remain a permanent feature of the landscape post-decommissioning. Consequently, the ExA agreed with NE that the proposal would result in both a permanent loss of agricultural capability and a permanent change in land use [ER 3.4.58].
- 4.20. In response to the Secretary of State’s first information request, the Applicant provided further justification for the proposed woodland planting, stating that this habitat type had been selected because it delivers long term biodiversity and landscape benefits [C1-005a]. The Secretary of State understands the woodland planting contributes to the Applicant’s Biodiversity Net Gain (“BNG”) contribution, with the full BNG Metric tool having been provided by the Applicant also in response to the first information request [C1-005a].
- 4.21. The Secretary of State notes that the Land Use Framework for England states that it is the Government’s ambition to safeguard BMV land from permanent land use change, naming woodland creation as an example to be avoided on BMV land. The Land Use Framework also acknowledges the value of habitat restoration near agricultural land in providing landscape level benefits to soil, water quality, and pollination services. The Secretary of State acknowledges that there is no specific requirement in the DCO which requires the woodland to be removed as with the built infrastructure, nor would she welcome such a requirement. The Secretary of State believes that while woodland creation does not in itself constitute a permanent loss of the underlying soil resource, which will be retained in situ, it may represent a permanent change from agricultural use. Therefore, the Secretary of State concurs with NE that the creation of woodland may represent a permanent loss of BMV land, caveated that this loss is primarily from an agricultural use perspective, and that the soil itself will not be subject to the same magnitude of adverse impact.

The Secretary of State's Conclusion on Agricultural Land

- 4.22. The Secretary of State concurs with the ExA and NE that the areas of BMV land impacted by woodland planting would be subject to a permanent adverse effect due to the loss of their agricultural capability and the resulting change in land use, though notes that the soil itself will be preserved in situ. Although the Applicant has provided justification for the use of the woodland for ecological and landscape and visual benefits, the Secretary of State notes that the enhancement habitat of the woodland planting will be inoperable as farmland for the duration of the project lifespan, and possibly beyond, unless the woodland is removed in its entirety. The Secretary of State notes the Applicant has stated that the woodland planting would have a higher degree of permanence when considered in relation to decommissioning and restoration [REP1-068]. Based on these conclusions, the Secretary of State accepts that the Proposed Development would result in the permanent loss of approximately 26.9 ha [ER 3.4.59], when combined with the 4.5 ha of permanent loss of BMV land identified in the Applicant's assessment in ES Chapter 17 [REP2-032]. The Secretary of State considers this to constitute a significant adverse effect and, in line with the ExA's conclusions [ER 3.4.94], the Secretary of State attributes moderate negative weight to this impact in the planning balance.

Biodiversity and Ecology

- 4.23. The ExA concluded that it was satisfied that the Applicant had undertaken an adequate assessment of biodiversity and ecological effects, including cumulative effects, in accordance with the requirements of EN-1 and EN-3. The ExA concluded that appropriate mitigation, management and enhancement measures, including the delivery of BNG, would be secured through the certified environmental management plans and the requirements of the DCO. Accordingly, the ExA was satisfied that any adverse effects on biodiversity and ecological receptors would be appropriately mitigated and managed, resulting in no significant residual effects, and that the Proposed Development would accord with the relevant provisions of EN-1, EN-3 and the NPPF [ER 3.5.76].

Ecological Data Sharing

- 4.24. As part of the first information request, the Secretary of State invited the Applicant to revise the outline Landscape and Ecological Management Plan ("oLEMP") and outline Construction Environmental Management Plan ("oCEMP") to provide for the regular sharing of pre-construction, construction, post-construction and operational survey and monitoring data with the relevant Local Environmental Records Centre(s) and relevant national and regional environmental recording schemes. In response, the Applicant proposed the inclusion of the following wording:

"Pre-construction, construction, post-construction and operational survey and monitoring data generated following consent will be shared in the appropriate formats with the Nottinghamshire Biological and Geological Records Centre (NBGRC) and relevant national and regional environmental recording schemes, if the NBGRC does not share data with such schemes."

- 4.25. The Secretary of State is satisfied the proposed wording secures the sharing of ecological survey and monitoring data generated throughout the pre-construction, construction, operational and post-construction phases of the Proposed Development with the

Nottinghamshire Biological and Geological Records Centre and, where necessary, relevant national and regional environmental recording schemes.

Biodiversity Net Gain (“BNG”)

- 4.26. The ExA concluded that the Applicant’s proposed BNG contribution of at least 40% Habitat Units, 17% Hedgerow Units and 10% Watercourse Units would accord with EN-1. The ExA further noted that the Applicant has sufficiently considered mitigation measures and the mitigation hierarchy, which will be secured through Requirement 8(2) of the ExA’s recommended Development Consent Order (“rDCO”) [ER 3.5.75].
- 4.27. The Secretary of State requested the Statutory Biodiversity Metric Calculation tool from the Applicant as part of the first information request [C1-001], as this did not appear to be included within the application documents. In response [C1-005f], the Applicant provided the completed calculation tool, which provided further information on the habitat creation and enhancement measures underpinning the proposed BNG.

Carlton Wood

- 4.28. In its post-Examination submission [PIR-003], Carlton-on-Trent Parish Council raised concerns regarding the assessment of Carlton Wood within the Applicant’s ES, noting that the woodland had not been identified as an Ancient Woodland and had instead been assessed as a Local Wildlife Site. The ExA considered that the potential effects on Carlton Wood had been appropriately assessed and that suitable mitigation measures had been secured through the oCEMP [ER 3.5.69].
- 4.29. The Secretary of State notes that Carlton Wood was identified within the Arboricultural Impact Assessment (“AIA”) [ER 6.4.8.12] as a “high priority area” requiring protection during the construction phase of the Proposed Development. The Secretary of State further notes that the oCEMP includes measures designed to avoid or minimise impacts on the woodland, including the protection of retained trees and woodland habitats during construction activities. Having considered the Applicant’s assessment, the concerns raised by the Parish Council, and the conclusions of the ExA, the Secretary of State is content that the measures contained within the AIA [ER 6.4.8.12] and oCEMP [C1-005c] prevent impacts upon the woodland and provide protection for retained trees, therefore addressing concerns from IPs regarding the protection of the Ancient Woodland during the construction phase.

The Secretary of State’s Conclusion on Biodiversity and Ecology

- 4.30. The Secretary of State welcomes the biodiversity enhancements proposed by the Applicant and is content that the oLEMP secures a minimum net gain of 40% Habitat Units, 17% Hedgerow Units, and 10% Watercourse Units (calculated using the Department for the Environment, Food and Rural Affairs’ Biodiversity Metric 4.0) [C1-005f].
- 4.31. The Secretary of State agrees with the ExA’s conclusion that the Applicant has undertaken an adequate assessment of biodiversity and ecological effects, including cumulative effects, and that appropriate mitigation, management and enhancement measures would be secured through the requirements of the DCO and the certified environmental management plans. Having considered the additional information provided by the Applicant, including the detailed BNG Metric calculations, the Secretary of State is satisfied that the Proposed Development would not give rise to significant residual effects on biodiversity and ecology

and would deliver a net benefit to biodiversity through the proposed habitat creation and enhancement measures.

- 4.32. On the matter of Carlton Wood, the Secretary of State concludes that Carlton Wood has been appropriately assessed and that adequate mitigation is in place to avoid unacceptable effects on the woodland.
- 4.33. The Secretary of State therefore agrees with the weight attributed by the ExA and affords biodiversity and ecology matters moderate positive weight in the planning balance.

Landscape and Visual

Residential Visual Amenity

- 4.34. The Residential Visual Amenity Assessment (“RVAA”) assessed 142 homes within 250 m of the Proposed Development [APP-213]. The RVAA identified nine properties that would potentially experience large or large/medium magnitude effects to their baseline visual amenity and would therefore require detailed assessment. This was reduced to six properties following changes to the scheme design [ER 3.10.22]. The RVAA concluded that the effects would not be at the highest level of magnitude for any of these properties and there would therefore be no potential for the RVAA threshold to be exceeded due to the construction and/or operation of the Proposed Development [ER 3.10.23].
- 4.35. Several IPs raised concerns around the RVAA and challenged its conclusions, including the occupants of Mainwood Farm [ER 3.10.97]. The residents of Mainwood Farm suggested various design changes, which the Applicant considered were not required to mitigate effects in the context of paragraph 5.10.26 of EN-1 [REP2-115].
- 4.36. The residents of Caunton Lodge Farm raised concerns [REP3-12] about the solar arrays dominating their southern and western outlooks from their property, particularly due to the sloping ground appearing to make the development closer [ER 3.10.102]. The ExA acknowledged that the array areas would be an intrusive addition to middle distance views [ER 3.10.118] and views to the south from this property and its curtilage would be considerably altered. The ExA considered that this intrusion would not represent such an overwhelming and oppressive visual impact that it would result in unsatisfactory living conditions [ER 3.10.118]. The overall conclusion for Mainwood Farm and Caunton Lodge Farm was that the magnitude of effects would be below the highest level of magnitude and effects would be below the RVAA threshold [ER 3.10.104].

Assessment of effects of the Proposed Development alongside existing and consented development

- 4.37. During the Examination, IPs raised concerns regarding the baseline used in the Applicant’s Landscape and Visual Impact Assessment (“LVIA”), particularly in relation to the treatment of cumulative effects [EV7-002, EV7-004, EV7-006, EV7-008].
- 4.38. The Applicant explained that the LVIA baseline incorporated existing development within the study area and the surrounding landscape context. The Applicant further clarified that consented schemes likely to be operational before the Proposed Development entered its early operational phase had been included within the baseline conditions, rather than assessed cumulatively, in accordance with its assessment methodology [EV3-001, EV3-003].

- 4.39. In response to concerns raised during the Examination, the Applicant provided additional information setting out the likely landscape and visual effects in the absence of the consented schemes [REP3-101].
- 4.40. The Secretary of State notes that NSDC agreed with the Applicant's approach [REP4-062]. However, other IPs maintained that the consented developments should be assessed cumulatively on the basis that they do not currently form part of the existing landscape and visual baseline [REP2-138, REP2-118].

The Secretary of State's Conclusion on Landscape and Visual

- 4.41. On cumulative effects, the Secretary of State agrees with the ExA's conclusions and accepts the Applicant's approach to the assessment of cumulative landscape and visual effects. In reaching this conclusion, the Secretary of State notes that the LVIA was prepared in accordance with relevant policy and guidance and that the Applicant clearly explained and assessed the implications of treating consented schemes either as part of the future baseline or as cumulative development.
- 4.42. The Secretary of State further notes that the Applicant provided additional assessment information during the Examination to illustrate the likely effects of the Proposed Development in the absence of the consented schemes. The Secretary of State is satisfied that this enabled a clear understanding of the effect of the differing assessment approaches and their implications for the significance of landscape and visual effects. Accordingly, the Secretary of State is satisfied that the cumulative landscape and visual effects of the Proposed Development have been adequately assessed and that the conclusions of the LVIA are robust [ER 3.10.93].
- 4.43. In respect of the RVAA, the Secretary of State has considered IPs' concerns, the Applicant's position and the ExA's findings. The Secretary of State agrees with the ExA's conclusions on the Applicant's RVAA judgements and considers that these are in line with EN-1 paragraph 5.10.14. The Secretary of State nonetheless agrees with the ExA's conclusion that irrespective of the mitigation measures the Applicant would employ, there would be a range of significant effects for many years to come.
- 4.44. The Secretary of State agrees with the ExA's conclusion that this should be afforded great negative weight.

Recreation

- 4.45. Nottinghamshire Area Ramblers ("NAR") raised concerns regarding the historic cross-field Public Rights of Way ("PRoW") to be diverted around field edges during the construction and operation of the Proposed Development [ER 3.12.37]. NAR considers these PRoW hold historic value and that the DCO should ensure they are restored to their original alignments during decommissioning, as opposed to relying on the local authority to decide to exercise its power under section 119 of the Highways Act 1980 [REP3-115]. Section 119 gives the relevant local authority, in this case NCC, power to move or reroute PRoW by means of a Public Path Diversion Order, subject to meeting certain tests set out in the Act.
- 4.46. The Applicant made a commitment to review the PRoW routing in collaboration with NCC as part of its outline Decommissioning and Restoration Plan ("DRP"). During this review, if it is deemed that any PRoW would be better re-located, then the Applicant would need to apply

to NCC (or the relevant body at that time) for these changes to be made through the required process [ER 3.12.33].

- 4.47. In response to NAR's concerns and its request to add a requirement into the DCO to restore the historic PRow to their original alignments, the Applicant, in its closing statement [REP6-064], stated that after 40 years of the changed routing, it is unlikely to make sense to reroute the PRow back across the middle of a field that is in use for agriculture.
- 4.48. The ExA considered the Applicant's position, that restoring the historic PRow alignment would conflict with efficient farming, to be irrelevant to recreation. Consequently, the ExA regarded this position as weighing against the Proposed Development [ER 3.12.43].
- 4.49. In the first information request [C1-001], the Secretary of State sought further information from the Applicant and NCC regarding the Applicant's position that the historical significance of the alignments would not necessarily require reinstatement of the PRow, particularly where this could adversely affect the efficient use of agricultural land [REP6-064]. At the same time, the Secretary of State sought to clarify from the NAR whether any of these historic routes constituted any part of the Robin Hood Way or Trent Valley Way.
- 4.50. In response to the first information request [C1-003], NAR confirmed that none of the four historic cross-field paths referred to in its submissions (Kelham FP7a, Weston FP10, Carlton-on-Trent FP6 and FP10) form part of either the Trent Valley Way or the Robin Hood Way. NAR also noted that whilst the Applicant suggested that reinstating the historic paths could adversely affect the efficient use of agricultural land, diversions of PRow would not usually be permitted on these grounds if the diversion is substantially less convenient to the public.
- 4.51. In response to the first information request, the Applicant noted that the commitment in the outline DRP means that any of the PRow could be reinstated to their original alignment if, during the review prior to submission of the final DRP, it is deemed that any of the PRow would better be re-located [C1-005a].
- 4.52. To strengthen the commitment to engage with local interested groups in the review of the Applicant's final DRP, in the second information request [C2-001], the Secretary of State requested that the Applicant update its Environment Statement Volume 4, Appendix A5.6: Outline DRP, to include new wording in underline as follows:

"Prior to issue of the final DRP, the Applicant will carry out a review of the Public Rights of Way (PRow) within the Order Limits, in consultation with Nottinghamshire County Council and any local footpath groups. Should it be deemed that any PRow would better be re-located, whether back to their pre-Development locations or otherwise, the Applicant will apply for these changes to be made through the required process at that time."

- 4.53. The Applicant responded by including the requested updates in the Environment Statement Volume 4, Appendix A5.6: Outline DRP [C2-005].

The Secretary of State's Conclusion on Recreation

- 4.54. The Secretary of State has considered the submissions from the Applicant, NAR and NCC regarding the historic PRow. The Secretary of State considers that requiring the historic footpaths to be restored to their original alignment at the end of the project would limit

flexibility, as circumstances and local preferences may differ in the future; for example, footpath users may wish to retain the diverted route, which would have been established for more than 40 years. The Secretary of State is satisfied that the strengthened requirement in the outline DRP adequately addresses concerns relating to restoring the routing of historic footpaths.

- 4.55. The Secretary of State concurs with the ExA's findings that the Application is consistent with the requirements of EN-1 section 5.11 and EN-3 paragraphs 2.10.40 to 2.10.45 [ER 3.12.44] and agrees that overall, neutral weight is assigned to recreation in the making of the Order.

Water Environment and Flood Risk

- 4.56. The ExA concluded that the Application contained sufficient information to enable an understanding of the likely effects of the Proposed Development on flood risk, the water environment and hydrogeological receptors. The ExA was satisfied that the Applicant had prepared a robust Flood Risk Assessment ("FRA") and Water Framework Directive ("WFD") assessment in accordance with the requirements of section 5.8 of EN-1 and paragraph 2.10.86 of EN-3 [ER 3.15.78].
- 4.57. During the Examination, several IPs raised concerns regarding flood risk, surface water management, and the application of the sequential test [RR-025, RR-049, RR-214, RR-159, RR-178, RR-101]. The Secretary of State has considered these concerns alongside the Applicant's FRA, WFD assessment and the ExA's findings.
- 4.58. The Secretary of State agrees with the ExA's conclusion that the Proposed Development would not result in significant adverse effects on flood risk, surface water quality, groundwater quality or hydrogeological receptors. The Secretary of State is also satisfied that the Applicant has appropriately applied the sequential and exception tests, where required, in accordance with section 5.8 of EN-1. Moreover, the Secretary of State acknowledges that there were no outstanding matters of disagreement with statutory consultees, as confirmed in the final signed Statements of Common Ground ("SoCGs") with the Environment Agency and Nottinghamshire County Council (NCC) [ER 3.15.79].

The Secretary of State's Conclusion on Water Environment and Flood Risk

- 4.59. For the reasons set out above, the Secretary of State is satisfied that the likely effects of the Proposed Development on flood risk, the water environment and hydrogeological receptors have been adequately assessed and that appropriate mitigation measures would be secured through the DCO. The Secretary of State therefore agrees with the ExA's conclusions and attributes neutral weight to these matters in the overall planning balance.

Glint and Glare

- 4.60. With regard to highway matters, there remained a few areas of disagreement between the Applicant and National Highways ("NH") and the Applicant and NCC [ER 7.4.8]. The ExA did not consider it necessary to recommend changes to the Applicant's final DCO with regard to those matters, except in relation to glint and glare [ER 7.4.9].
- 4.61. The Applicant stated that a detailed glint and glare strategy would be designed to match the final PV array design in consultation with relevant stakeholders and would be submitted for approval to the planning authority prior to construction as secured by Schedule 2, Requirement 22 [ER 3.16.12]. In its final submission, NH requested to be an approver, rather

than a consultee, of the mitigation strategy, citing the potential for the strategy to directly affect the safety of the travelling public [ER 3.16.35-36].

- 4.62. The ExA proposed to accept the wording put forward by NH that would require NH approval of the glint and glare mitigation strategy. This would be in addition to the local planning authority also approving the strategy, as set out in Requirement 22. Given that parties did not have the opportunity to comment on the wording put forward by NH, the Secretary of State invited the Applicant and NCC to comment on this in the first information request [C1-001].
- 4.63. NCC responded to the first information request noting that Requirement 22 is required to be discharged by NSDC, not NCC [C1-004]. This was also noted by the ExA [ER 3.16.12]. NCC confirmed that it had no comments on NH's proposed wording set out in the first information request. NCC did, however, note that the submitted glint and glare assessment identified glare exceedances on sections of the A616 and A617 as well as the A1. NCC recommended that given those roads fall under the responsibility of NCC as the Local Highways Authority, that NCC be added as a specified consultee for Requirement 22 [C1-004]. In a further response to the second information request, NSDC confirmed that it had agreed with NCC that NSDC should be the approving body subject to seeking consultation advice from NCC [C2-006].
- 4.64. The Applicant responded stating that it does not support the proposed wording and that it would be unnecessary and disproportionate for NH to become an approving authority in addition to NCC [C1-005a]. The Applicant stated that this additional regulatory step would increase complexity in the discharge process without corresponding benefit and would run contrary to the Government's emphasis on timely delivery of Nationally Significant Infrastructure Projects ("NSIPs").
- 4.65. In the second information request, the Secretary of State invited NSDC to comment on NH becoming a co-approving body of the glint and glare mitigation strategy in Requirement 22 alongside NSDC [C2-001]. In its response, NSDC confirmed it had no objections to NH being an approving body and that it would be particularly advantageous if NH had technical expertise in this field, noting that it did not necessarily possess the in-house expertise required to assess glint and glare mitigation strategies and may have to rely on external consultants to advise on such matters [C2-002].

The Secretary of State's Conclusion on Glint and Glare

- 4.66. The Secretary of State has considered the submissions put forward by NCC, NSDC and the Applicant on the approving bodies for the glint and glare mitigation strategy required in Requirement 22. The Secretary of State has also considered the request from NCC to be added as a consultee to Requirement 22 given potential impacts on roads within NCC's jurisdiction.
- 4.67. The Secretary of State agrees with the ExA's recommendation for NH to be added as a co-approving body, particularly given NSDC's support for this approach. The Secretary of State considers that the inclusion of NCC as a consultee and NH as a co-approving body of the glint and glare mitigation strategy is justified in the interests of public safety, notwithstanding any minor delays to the approval process. The Secretary of State has amended Requirement 22 accordingly. On the basis that the ExA's recommended revision has been made regarding NH, the Secretary of State agrees that neutral weight is assigned to this matter.

Discharge of Requirements

- 4.68. In respect of the timescales for discharge of requirements, the Applicant proposed in its draft DCO that the relevant authority must give notice to the undertaker of its decision on the application within eight weeks [ER 7.4.13]. In the final SoCG with NCC and NSDC, both local authorities stated that eight weeks was insufficient, and that twelve weeks would be preferable if the preferred 16-week timeframe could not be agreed upon [ER 7.4.14]. The ExA found the eight-week timeframe proposed by the Applicant to be comparable to recent DCOs and saw no reason to disagree with the proposed timeframe [ER 7.4.17]. In response to the second information request, NSDC noted that with regard to timescales, it would *“encourage considering increasing the timescales for discharge of conditions”* [C2-006].
- 4.69. The Applicant was unable to agree on fees for discharging requirements with NSDC and NCC. NSDC stated in its final SoCG that the proposed fees were insufficient and not reflective of its costs [ER 7.4.20]. NCC requested in its final submission that the fees payable for technical approvals associated with highways agreements should reflect the technical approval equivalent to section 278 or section 184 of the Highways Act 1980, citing Springwell Solar Farm as a recent precedent with provisions in its outline Construction Traffic Management Plan (“oCTMP”) [ER 7.4.19]. The Applicant maintained that introducing a fee mechanism in line with section 278 or section 184 processes would not be consistent with other comparable DCOs [ER 7.4.21]. In its final SoCG with NSDC, the Applicant proposed to adopt the fee structure in the Town and Country Planning Act, citing Helios Renewable Energy Project DCO as a precedent suggesting that the Secretary of State considers such an approach would be appropriate [ER 7.4.22].
- 4.70. The ExA found provisions in the made Springwell Solar Farm DCO to be very similar to the Applicant’s final draft DCO (“dDCO”) but noted that no reference is made to technical highways approvals, and so neither brought into effect processes set out in the Highways Act in relation to fees for technical highways approvals [ER 7.4.23]. The ExA noted that the wording in the North Falls Offshore Wind Farm was the most recent precedent at that time, which relied on the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 in relation to fees for the discharge of requirements. In the absence of agreement between the parties, the ExA recommended that this wording be inserted in replacement of the Applicant’s wording in Schedule 2, Part 2(5) of the Applicant’s dDCO [ER 7.4.26]. The Secretary of State agrees with the ExA’s wording in the rDCO, as this is a compromise aligned to the examples put forward by both the local authorities and Applicant.
- 4.71. In the first information request, the Secretary of State sought updates from NCC, NSDC and the Applicant on whether agreement had been reached between the parties on fees and timescales for discharge of requirements [C1-001]. In its response [C1-004], NCC did not respond in respect of the timescales but, on fees, reiterated its position in its Final Summary Statement for its preference for costs to be aligned with section 278 or section 184 applications made under the Highways Act, citing Springwell Solar Farm as a precedent with provisions in the oCTMP [REP6-066]. NSDC did not respond to the first information request.
- 4.72. There is precedent for solar farm NSIPs following the Highways Act process in relation to fees for technical highways approvals, such as in the oCTMPs for the Springwell and One Earth Solar Farms. To ensure that the highways authorities are fairly reimbursed for costs incurred for technical highways approvals, and noting there is precedent in recent solar NSIPs, the Secretary of State requested that the Applicant update its oCTMP. The rDCO is

drafted in a way that allows for legally secured bespoke arrangements agreed between the Applicant and discharging authority to secure fees for the certain discharge of requirements (such as through the oCTMP).

- 4.73. In the second information request [C2-001], the Secretary of State asked the Applicant to update paragraph 35 of the oCTMP [EN010162/APP/6.4.5.2E] to include the following wording in underline, and delete the text in strikethrough:

35. The exact number and arrangement of submissions, which may combine a number of the above measures, will be set out as part of the final CTMP. The final CTMP will detail the exact process and number of submissions for these technical approvals. ~~Given the exact number of submissions is not yet finalised the Applicant has set out a fee for technical approval of £2,535 per submission. A minimum of 10 submissions is anticipated to cover the work committed by the highway authority. The Applicant will reimburse the highway authorities for the technical approval process at the time the applications are made, in line with costs for similar Section 278 or Section 184 applications made under the Highways Act.~~

- 4.74. In response to the second information request [C2-005], the Applicant suggested, as an alternative to the Secretary of State's wording, that NCC's request for £1,500 per access or passing place, set out in NCC's response to the first information request [C1-004], be incorporated instead. The Secretary of State considered that both parties had reached a fair and acceptable agreed position, and therefore requested that the Applicant update paragraph 35 of the oCTMP [EN010162/APP/6.4.5.2E] to include the following wording in underline, and delete the text in strikethrough:

35. The exact number and arrangement of submissions, which may combine a number of the above measures, will be set out as part of the final CTMP. The final CTMP will detail the exact process and number of submissions for these technical approvals. ~~Given the exact number of submissions is not yet finalised the Applicant has set out a fee for technical approval of £2,535 per submission. A minimum of 10 submissions is anticipated to cover the work committed by the highway authority. The Applicant will reimburse the highway authorities for the technical approval process at £1500 per site access or passing place.~~

- 4.75. The Applicant responded [C3-003c] to the third information request, noting that the Applicant's requested change to the oCTMP was submitted to the Secretary of State as part of its response to the second information request. The Secretary of State noted that whilst the Applicant's proposed wording was slightly different to the wording requested by the Secretary of State, it was aligned with the local authorities' preferences, and the Secretary of State considers that both versions would have the same effect in practice. The Secretary of State is therefore content for paragraph 35 of the oCTMP [EN010162/APP/6.4.5.2E] to include the following wording in underline, and delete the text in strikethrough:

35. The exact number and arrangement of submissions, which may combine a number of the above measures, will be set out as part of the final CTMP. The final CTMP will detail the exact process and number of submissions for these technical approvals. ~~Given the exact number of submissions is not yet finalised the Applicant has set out a fee for technical~~

~~approval of £2,535 per submission. A minimum of 10 submissions is anticipated to cover the work committed by the highway authority. As requested by NCC, and agreed by the Applicant, the technical approval fee shall be calculated on the basis of £1,500 per site access or passing place requiring technical approval.~~

The Secretary of State's Conclusion on Discharge of Requirements

- 4.76. The Secretary of State has reviewed the responses from the Applicant and NCC alongside the ExA's consideration of the fees and timescales for the discharge of requirements.
- 4.77. On timescales, having considered the submissions from NCC and NSDC, and the ExA's recommendation, the Secretary of State considers that a 10-week discharge period is reasonable and proportionate. This time period is consistent with the recently made One Earth Solar Farm project. The Secretary of State is satisfied that this timeframe would allow sufficient time for local authority consideration while avoiding undue delay to the Applicant.
- 4.78. On fees for discharge of requirements, the Secretary of State agrees with the ExA's wording in the rDCO. Following the Applicant's updates to its oCTMP, the Secretary of State is satisfied that the discharging authorities will be fairly reimbursed for costs incurred for technical highways approvals.

5. Habitats Regulations Assessment

- 5.1. This section should be read alongside the Secretary of State's Habitats Regulations Assessment ("HRA") titled Habitats Regulations Assessment for an Application under the Planning Act 2008: Great North Road Solar and Biodiversity Park (October 2026), which is published alongside this decision.
- 5.2. The Secretary of State has considered her duties under the Conservation of Habitats and Species Regulations 2017 ("the Habitats Regulations"), including whether the Proposed Development, either alone or in-combination with other plans or projects, would be likely to have a significant effect on any European site and, where required, whether it can be ascertained that the Proposed Development would not adversely affect the integrity of any such site.
- 5.3. In reaching her conclusions, the Secretary of State has carefully considered the Applicant's HRA Report [REP2-015], the ExA's Report on the Implications for European Sites ("RIES") [PD-012], the ES, representations submitted during the Examination, and the ExA's Report.
- 5.4. The Secretary of State notes that the Proposed Development is not directly connected with or necessary to the management of a European site [ER 4.5.1]. The Applicant identified the following sites for consideration within the HRA: Birklands and Bilhaugh Special Area of Conservation ("SAC"), Sherwood Forest potential Special Protection Area, Humber Estuary SAC and Humber Estuary Ramsar site [ER 4.2.2]. The Secretary of State notes that Natural England, as the Statutory Nature Conservation Body, did not dispute the European sites identified by the Applicant for consideration within the HRA [ER 4.1.18]. Having considered the evidence before her, the Secretary of State agrees with the ExA's conclusion that all European sites relevant to the assessment of the Proposed Development have been identified and appropriately considered [ER 4.5.5].

- 5.5. The Proposed Development had the potential to have a Likely Significant Effect on the following protected sites in regard to project alone effects and effects in-combination with other plans or projects:
- Humber Estuary Special Area of Conservation; and
 - Humber Estuary Ramsar site.
- 5.6. The Secretary of State has undertaken an Appropriate Assessment of the implications of the Proposed Development for the protected sites identified above, in view of their Conservation Objectives, to determine whether the Proposed Development, either alone or in-combination with other plans or projects, will result in an Adverse Effect on the Integrity of those protected sites. Having regard to the information available to her and taking account of the mitigation measures secured through the Order, the Secretary of State is satisfied that the Proposed Development, either alone or in-combination with other plans or projects, will not adversely affect the integrity of those protected sites. The Secretary of State's full reasoning and conclusions are set out in the HRA which has been published alongside this decision letter.

6. Land Powers

- 6.1. The ExA concluded [ER 6.10.1] that:
- The application site has been appropriately selected;
 - All reasonable alternatives to CA have been explored;
 - The Applicant would have access to the necessary funds for the Proposed Development and the rDCO provides an appropriate and clear mechanism to guarantee the availability of these funds;
 - There is a need to secure the land rights required to construct, operate, maintain, and decommission the proposed development within a reasonable timeframe, and the Proposed Development would represent a significant public benefit to weigh in the balance;
 - The private loss to those affected would be mitigated through the selection of the land, as well as the minimisation of the extent of the rights and interests sought through CA powers, and where relevant, protective provisions ("PPs") in favour of those protected;
 - In all cases relating to individual objections and issues, CA and TP are justified to enable implementation of the Proposed Development. There is a compelling case in the public interest for the land and rights to be acquired compulsorily;
 - The powers sought satisfy the conditions set out in sections 122 and 123 of the Planning Act and the CA guidance;
 - The powers sought in relation to statutory undertakers ("SUs") meet the conditions set out in sections 127 and 138 of the Planning Act and the CA guidance.
- 6.2. The ExA found there is a compelling case in the public interest for the CA and TP powers sought [ER 6.10.2].
- 6.3. By the close of Examination, all requested PPs in the Applicant's final dDCO had been agreed with the relevant SUs, except for National Gas Transmission, Network Rail and National Grid Electricity Transmission [ER 7.4.27].

PPs for National Gas Transmission (NGT)

- 6.4. After initial agreement between the Applicant and NGT, NGT sought to re-open negotiations in relation to PPs and agreement remained outstanding at the close of Examination [ER 6.8.4]. NGT stated that its position remained that there was the potential for the Proposed Development to interfere with its apparatus and therefore the need for both consultation with, and approval of assessment and works by NGT meant it would be appropriate to include NGT's PPs in the dDCO [ER 7.4.39].
- 6.5. The Applicant considered the PPs included in its dDCO to be proportionate to the impact of the Proposed Development on NGT's undertaking, noting that NGT has no land or apparatus within the Order limits, with the nearest NGT asset approximately 700 m from the Order limits [ER 7.4.40]. The ExA found that, despite the relatively large distances involved, it agreed with NGT's position, noting that guidance extends to separate distances of up to 1,000 m [ER 7.4.41].
- 6.6. The Secretary of State requested updates from the Applicant and NGT in the first, second and third requests for information [C1-001, C2-001, C3-001]. The Applicant responded to the third information request [C3-003c] that an agreement in principle had been reached, with final agreement subject to completion of a side agreement. NGT also confirmed [C3-002] that the parties had reached an agreed position on the PPs and withdrawal of its objection would follow shortly. On 23 October 2026 NGT confirmed that it had withdrawn its objection following agreement with the Applicant to include NGT's PPs.

The Secretary of State's Conclusion

- 6.7. The Secretary of State has noted the responses received from the Applicant and NGT and that agreement on PPs had been reached between the parties. The Secretary of State has included the agreed PPs, as provided by the Applicant, in the Order.

PPs for National Grid Electricity Transmission (NGET)

- 6.8. By the close of Examination, PPs in the Applicant's final dDCO had not been agreed with NGET, with disagreement relating mainly to commercial and financial matters. NGET identified potential interfaces between the Proposed Development and proposed NGET infrastructure projects, in particular the upgrade of high voltage electricity transmission lines in the Staythorpe area. NGET sought PPs to ensure its existing and future assets and interests are adequately protected [ER 6.8.8]. The Applicant highlighted concerns around NGET's application for a Compulsory Purchase Order (CPO) which includes land located within the Order limits and argued that this could conflict with the Proposed Development and that as such bespoke PPs would be required [ER 6.8.12-13].
- 6.9. The ExA concluded that NGET's position is well supported by recent precedent and saw no reason to disagree with its proposal to include its preferred PPs in the rDCO [ER 7.4.28]. In the absence of agreement between the parties, the ExA recommended replacement of the Applicant's version of PPs for the protection of NGET with the version provided by NGET [REP6-074].
- 6.10. In the first information request, the Secretary of State asked the Applicant and NGET whether PPs had been agreed and whether NGET had any outstanding objections [C1-001]. The Applicant confirmed that negotiations were ongoing regarding the interface between the Proposed Development and NGET's interests, including NGET refurbishment works which

would likely require a separate agreement to manage the interface which would supplement the PPs. As the interface relationship would be managed through the separate agreement, the Applicant maintained that the PPs for the benefit of NGET in Part 7 of Schedule 13 of the dDCO [REP6-004] were proportionate to protect NGET's interests [C1-005a]. NGET confirmed that it agreed with the Applicant's response regarding ongoing engagement between the parties but reiterated its position as set out in its final submission at Deadline 6 on 23 April 2026 [REP6-074] and therefore maintained its objection [C1-006].

The Secretary of State's Conclusion

- 6.11. The Secretary of State has noted the response received from the Applicant and objections raised by NGET. The Secretary of State notes that whilst parties agreed that negotiations were ongoing, several issues were outstanding in relation to the agreement to manage the interface alongside the PPs.
- 6.12. As negotiations were incomplete, the Secretary of State agrees with the ExA's recommendation to accept NGET's preferred form of PPs within the DCO. The Secretary of State is satisfied that the powers sought by the Applicant would be necessary and that the Proposed Development can be delivered without serious detriment to NGET's undertaking. The Secretary of State considers that the tests in sections 127 and 138 of the Planning Act would therefore be met.

PPs for Network Rail

- 6.13. Network Rail ("NR") explained in its relevant representation [RR-155] that although it has no apparatus within the Order limits, works associated with the Proposed Development could affect the safe and efficient operation of the railway network. NR therefore requested appropriate PPs and/or requirements in the DCO [ER 7.4.30].
- 6.14. The final position between the Applicant and NR was set out in the final signed SoCG [AS-090]. PPs had not been agreed, and NR's comments showed several outstanding commercial matters [ER 7.4.33].
- 6.15. In the first information request, the Secretary of State asked the Applicant and NR whether PPs had been agreed [C1-001]. The Applicant responded, confirming that negotiations were ongoing with the outstanding points now relating to just three definitions [C1-005a]. NR did not respond.
- 6.16. In the second information request, the Secretary of State asked whether PPs had been agreed [C2-001]. The Applicant confirmed that PP wording had been agreed between the parties and that the Applicant would shortly provide those provisions to the Secretary of State [C2-005]. NR confirmed agreement on the form of PPs and was hopeful that a side agreement documenting this would be entered into within the next few days [C2-003]. NR provided a further response to the second information request on 12 October 2026 confirming that PPs had been agreed between NR and the Applicant and NR's objection had been withdrawn [C2-007].

The Secretary of State's Conclusion

- 6.17. The Secretary of State has noted the responses received from the Applicant and NR and that agreement on PPs had been reached between the parties. The Secretary of State has included the agreed PPs, as provided by the Applicant, in the Order.

PPs for RWE Generation Ltd (RWE)

- 6.18. RWE has rights over land within the Order limits relating to the operation and maintenance of the Staythorpe Power Station. At the close of Examination, the Applicant confirmed that RWE had yet to comment on the unilateral undertaking issued by the Applicant in February 2026 [ER 6.8.29]. A post-Examination submission from RWE on 30 June 2026 confirmed that its previous representation could be withdrawn [PIR-002].
- 6.19. In the first information request, the Secretary of State asked the Applicant and RWE to clarify whether agreement had been reached and whether both of RWE's objections no longer stand [C1-001]. The Applicant confirmed that agreement had been reached with RWE in the form of a unilateral undertaking to address RWE's concerns [C1-005a]. RWE confirmed that agreement had been reached and its objections no longer stand [C1-002].

The Secretary of State's Conclusion

- 6.20. The Secretary of State has noted the responses received from the Applicant and RWE and that agreement has now been reached in the form of a unilateral undertaking as set out in the rDCO. The Secretary of State agrees with the ExA's conclusion that sections 127 and 138 of the Planning Act would be met.

7. Secretary of State's Consideration of the Planning Balance and Conclusions

- 7.1. The Secretary of State acknowledges the ExA's recommendation that the Secretary of State should make the Order for the Proposed Development in the form recommended at Appendix A to the ExA's Report [ER 8.4.1].
- 7.2. The Secretary of State agrees with the ExA's conclusions and the weight it has ascribed in the overall planning balance in respect of the following issues:
- Need and Alternatives – Substantial positive weight
 - Site Selection and Good Design – Neutral weight
 - Agricultural Land – Moderate negative weight
 - Biodiversity and Ecology – Moderate positive weight
 - Climate Change – Neutral weight
 - Cultural Heritage and Archaeology – Limited negative weight
 - Cumulative and Inter-Related Effects – Limited negative weight
 - Ground Conditions and Land Contamination – Neutral weight
 - Landscape and Visual – Great negative weight
 - Noise and Vibration – Limited negative weight
 - Recreation – Neutral weight
 - Socio-Economics – Limited positive weight
 - Traffic and Transport – Limited negative weight
 - Miscellaneous (Air Quality, Glint and Glare, Human Health, Major Accidents or disasters and Fire Safety, Electromagnetic Fields and Waste) – Neutral weight
- 7.3. All NSIPs will have some potential adverse impacts. For the Proposed Development the ExA has assessed most potential impacts as not having breached EN-1 and EN-3, subject in

some cases to suitable mitigation measures being put in place to minimise or avoid the impacts completely as required by NPS policy. The Secretary of State considers these mitigation measures have been appropriately secured.

- 7.4. For the reasons given in this letter, the Secretary of State concludes that the benefits of the Proposed Development, including the substantial positive weight ascribed to its need, outweigh the totality of its adverse impacts.
- 7.5. The Secretary of State concludes that development consent should be granted for the Great North Road Solar and Biodiversity Park project. The Secretary of State does not consider that the national need for the Proposed Development as set out in the relevant NPSs is outweighed by the Proposed Development's potential adverse impacts, as mitigated by the proposed terms of the Order.
- 7.6. In reaching this decision, the Secretary of State confirms that regard has been given to the ExA's Report, the relevant Development Plans, the LIRs submitted by NSDC and NCC, the NPSs, NPPF, Planning Practice Guidance, and to all other matters which are considered important and relevant to the Secretary of State's decision as required by section 104 of the Planning Act 2008. The Secretary of State confirms for the purposes of regulation 4(2) of the EIA Regulations that the environmental information as defined in regulation 3(1) of those Regulations has been taken into consideration.
- 7.7. The Secretary of State has therefore decided to accept the ExA's recommendation to make the Order granting development consent, including the modifications set out in section 9 of this document.

8. Other Matters

Equality Act 2010

- 8.1. The Equality Act 2010 includes a public sector "general equality duty" ("PSED"). This requires public authorities to have due regard in the exercise of their functions to the need to eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited under the Equality Act 2010; advance equality of opportunity between people who share a protected characteristic and those who do not; and foster good relations between people who share a protected characteristic and those who do not in respect of the following "protected characteristics": age; gender reassignment; disability; marriage and civil partnerships⁵; pregnancy and maternity; religion and belief; race; sex and sexual orientation.
- 8.2. In considering this matter, the Secretary of State (as decision-maker) must pay due regard to the aims of the PSED. This must include consideration of all potential equality impacts highlighted during the Examination. There can be detriment to affected parties but, if there is, it must be acknowledged and the impacts on equality must be considered.
- 8.3. The Secretary of State has had due regard to this duty and has not identified any parties with a protected characteristic that might be discriminated against as a result of the decision to grant consent to the Proposed Development.

⁵ In respect of the first statutory objective (eliminating unlawful discrimination etc.) only.

- 8.4. The Secretary of State is confident that, in taking the recommended decision, the Secretary of State has paid due regard to the above aims when considering the potential impacts of granting or refusing consent and can conclude that the Proposed Development will not result in any differential impacts on people sharing any of the protected characteristics. The Secretary of State concludes, therefore, that granting consent is not likely to result in a substantial impact on equality of opportunity or relations between those who share a protected characteristic and others or unlawfully discriminate against any particular protected characteristics.

Natural Environment and Rural Communities Act 2006

- 8.5. The Secretary of State notes the “general biodiversity objective” to conserve and enhance biodiversity in England, section 40(A1) of the Natural Environment and Rural Communities Act 2006 and considers the application consistent with furthering that objective, having also had regard to the United Nations Environmental Programme Convention on Biological Diversity of 1992, when making this decision.
- 8.6. The Secretary of State is of the view that the ExA’s Report together with the Environmental Impact Assessment consider biodiversity sufficiently to inform the Secretary of State in this respect. In reaching the decision to give consent to the Proposed Development, the Secretary of State has had due regard to conserving biodiversity.

9. Modifications to the draft Order

- 9.1. Following consideration of the recommended Order provided by the ExA, the Secretary of State has made the following modifications to the recommended Order:
- Article 7(3)(b) has been deleted for consistency with the Secretary of State’s preferred wording;
 - Article 8(4) has been deleted because it is not necessary and for consistency with the Secretary of State’s preferred wording;
 - Article 14(1) has been amended for consistency with the Secretary of State’s preferred wording;
 - Article 16(1)(a) has been amended to correct a reference to another part of the Statutory Instrument;
 - Article 18(1) has been amended for consistency with the Secretary of State’s preferred wording;
 - Article 22(2)(f) has been deleted to correct an error;
 - Article 27 has been amended to remove the references to airspace, because it is not necessary and for consistency with the Secretary of State’s preferred wording;
 - Article 28(3) has been amended for consistency with the Secretary of State’s preferred wording;
 - Article 28(5) has been amended for consistency with the Secretary of State’s preferred wording;
 - Article 28(7) has been deleted because it is not necessary;
 - Article 28(8) has been deleted because it is not necessary;
 - Article 31(5) has been deleted because it is not necessary;

- Article 31(6)(e) has been amended for consistency with the Secretary of State's preferred wording;
- Article 32(4) has been deleted for consistency with the Secretary of State's preferred wording;
- Article 39(1) has been amended for consistency with the Secretary of State's preferred wording;
- Article 40(5) has been added for consistency with the Secretary of State's preferred wording;
- Article 48 has been deleted for consistency with the Secretary of State's preferred wording;
- Article 49 has been deleted for consistency with the Secretary of State's preferred wording;
- Schedule 2 Requirement 6 has been amended for consistency with the Secretary of State's preferred wording;
- Schedule 2 Requirement 10 has been amended for consistency with the Secretary of State's preferred wording;
- Schedule 2 Requirement 22(1) has been amended to reflect the request from NCC to be added as a consultee;
- Schedule 2 Requirement 26(1)(a) and (b) have been amended to reflect the Secretary of State's decision that 10 weeks is the appropriate timescale for the approval of applications for any consent, agreement or approval by a relevant authority.

9.2. In addition to the above, the Secretary of State has made various changes to the draft Order which do not materially alter its effect, including changes to conform with the current practice for statutory instruments and changes in the interests of clarity and consistency.

10. Challenge to decision

10.1. The circumstances in which the Secretary of State's decision may be challenged are set out in Annex A to this letter.

11. Publicity for decision

11.1. The Secretary of State's decision on this Application is being publicised as required by section 116 of the Planning Act 2008 and regulation 31 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

11.2. Section 134(6A) of the Planning Act 2008 provides that a compulsory acquisition notice shall be a local land charge. Section 134(6A) also requires the compulsory acquisition notice to be sent to the Chief Land Registrar, and this will be the case where the Order is situated in an area for which the Chief Land Registrar has given notice that it now keeps the local land charges register following changes made by Schedule 5 to the Infrastructure Act 2015. However, where land in the Order is situated in an area for which the local authority remains the registering authority for local land charges (because the changes made by the Infrastructure Act 2015 have not yet taken effect), the prospective purchaser should comply with the steps required by section 5 of the Local Land Charges Act 1975 (prior to it being amended by the Infrastructure Act 2015) to ensure that the charge is registered by the local authority.

Yours sincerely,



Deputy Director, Energy Infrastructure Planning Delivery

ANNEX A: LEGAL CHALLENGES RELATING TO APPLICATIONS FOR DEVELOPMENT CONSENT ORDERS

Under section 118 of the Planning Act 2008, an Order granting development consent, or anything done, or omitted to be done, by the Secretary of State in relation to an application for such an Order, can be challenged only by means of a claim for judicial review. A claim for judicial review must be made to the Planning Court during the period of six weeks beginning with the day after the day on which the Order or decision is published. The decision documents are being published on the date of this letter on the Planning Inspectorate website at the following address:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010162>

These notes are provided for guidance only. A person who thinks they may have grounds for challenging the decision to make the Order referred to in this letter is advised to seek legal advice before taking any action. If you require advice on the process for making any challenge you should contact the Administrative Court Office at the Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6655).

ANNEX B: LIST OF ABBREVIATIONS

Abbreviation	Reference
AIA	Arboricultural Impact Assessment
BESS	Battery Energy Storage System
BMV	Best and Most Versatile
BNG	Biodiversity Net Gain
CA	Compulsory Acquisition
CPO	Compulsory Purchase Order
CP2030	Clean Power 2030 Action Plan
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
dDCO	draft Development Consent Order
DRP	Decommissioning and Restoration Plan
EMF	Electromagnetic Fields
EN-1	Overarching National Policy Statement for Energy
EN-3	National Policy Statement for Renewable Energy Infrastructure
EN-5	National Policy Statement for Electricity Networks Infrastructure
ER	Examining Authority's Report paragraph reference
ES	Environment Statement
ExA	The Examining Authority
FRA	Flood Risk Assessment
HRA	Habitats Regulations Assessment
IP	Interested Party
JPAG	Joint Parishes Action Group
LIR	Local Impact Report
LVIA	Landscape and Visual Impact Assessment
MW	Megawatt
NAR	Nottinghamshire Area Ramblers
NBGR	Nottinghamshire Biological and Geological Records Centre
NCC	Nottinghamshire County Council
NE	Natural England
NGET	National Grid Electricity Transmission
NGT	National Gas Transmission
NH	National Highways
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NR	Network Rail
NSDC	Newark and Sherwood District Council
NSIP	Nationally Significant Infrastructure Project
oCEMP	outline Construction Environmental Management Plan
oCTMP	outline Construction Traffic Management Plan
oLEMP	outline Landscape and Ecological Management Plan
PPs	Protective Provisions

PRoW	Public Rights of Way
PSED	Public Sector Equality Duty
PV	Photovoltaic
rDCO	ExA's recommended Development Consent Order
RIES	Report on the Implications for European Sites
RR	Relevant Representation
RVAA	Residential Visual Amenity Assessment
SAC	Special Area of Conservation
SoCG	Statement of Common Ground
SU	Statutory Undertaker
The EIA Regulations	The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017
The Habitats Regulations	The Conservation of Habitats and Species Regulations 2017
TP	Temporary Possession
WFD	Water Framework Directive