

Application by Green Hill Solar Farm Limited for an Order Granting Development Consent for the proposed Green Hill Solar Farm

The Examining Authority's schedule of proposed changes to the draft Development Consent Order (dDCO)

Issued on 28 January 2026

This document sets out the Examining Authority's (ExA) proposed changes to the latest version of the applicant's dDCO (Revision C) submitted at deadline 3 of the examination [\[REP3-024\]](#). Suggested deletions of text are shown using strike through, eg ~~abcd~~, while any changes to or insertions of text are shown in bold black text, eg **abcd**.

The numbering for articles and requirements etc used below follows that used in the deadline 3 version of the dDCO. The applicant **MUST** re-number the articles and requirements, as necessary, when it issues its final version of the dDCO.

Any comments you may wish to make on this schedule of changes to the dDCO should be submitted by examination deadline 5 (26 February 2026).

	ExA's Proposed Changes	ExA's Reasoning
Preamble		
Highways Act 1980 (o).	The first footnote (o) on page 5 should be a page 4 footnote.	Formatting error - applicant to check all footnote entries for any similar issues.
Part 1 - Preliminary		
Interpretation	The order of "date of final commissioning" and "date of decommissioning" need to be swapped to ensure they are listed in correct alphabetical order.	Typographic error.
Interpretation	"maintain" includes inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace (including scheduled replacement) and improve any part of,	The ExA notes the applicant's views on the definition of "maintain" as set out in [REP3-076] and also the presence of article 5(3) in the dDCO. However, the



	but not remove, reconstruct or replace the whole of , the authorised development and “maintenance” and “maintaining” are to be construed accordingly;”	ExA does consider that this proposed change is necessary to ensure consistency with other made DCOs. This change would align the definition of “maintain” closer to the definitions in recently made Orders for Byers Gill, Cottam and Tillbridge solar farms.
Articles		
Article 6 (Disapplication and modification of legislation, etc.)	<p>The ExA understands that there are ongoing discussions between the applicant and the lead local flood authorities regarding mitigation relating to ordinary watercourses and the disapplication of provisions of the Land Drainage Act 1991 as explained in [REP3-076].</p> <p>The ExA would ask the applicant for an update and the resulting implications, if any, for Article 6 and Schedule 3 of the dDCO.</p>	
Article 18 (Removal of human remains)	<p>The ExA would ask the applicant to consider deletion of this article, as the Secretary of State has taken the view in previously granted Orders that such an article is not considered necessary or appropriate due to separate statutory requirements. See most recently the decision letter for the Five Estuaries Offshore Wind Farm.</p> <p>If this article is removed and re-numbering is required of remaining articles, please ensure that any cross-references to later articles are amended accordingly throughout the dDCO.</p>	
Article 37 (Consent to transfer the benefit of the Order)	<p>“(5) The notification referred to in paragraph (4) must state—</p> <p>(a) the name and contact details of the person to whom the benefit of the powers will be transferred or granted;</p> <p>(b) subject to paragraph (6), the date on which the transfer will take effect;</p> <p>(c) the powers to be transferred or granted;</p>	To follow the Secretary of State’s stated information requirements for receiving such notice, as set out in the recently made Five Estuaries Offshore Wind Farm DCO.



	<p>(d) pursuant to paragraph (8), the restrictions, liabilities and obligations that will apply to the person exercising the powers transferred or granted; and</p> <p>(e) confirmation of the availability and adequacy of funds for compensation associated with the compulsory acquisition of the Order land; and</p> <p>be accompanied by—</p> <p>(a) where relevant, a plan showing the works or areas to which the transfer or grant relates; and</p> <p>(b) a copy of the document effecting the transfer or grant signed by the undertaker and the person to whom the benefit of the powers will be transferred or granted."</p>	
Article 42 (Certification of plans and documents, etc.)	Sub-paragraph (3) "Before submitting the environmental statement in accordance with paragraph (1), the undertaker must substitute any figures or appendices contained therein with the final revision of that figure or appendix that was submitted by the undertaker to the planning inspectorate Planning Inspectorate or the Secretary of State prior to the making of this Order.	Typographic error.
Schedule 1 Authorised Development		
Paragraph 2 (Authorised development)	"Work No. 1— a ground mounted solar photovoltaic generating station with a gross	Given that the Infrastructure Planning (Onshore Wind and Solar Generation) Order 2025 came into force on 31 December 2025 which amongst other things



	electrical output capacity of over 50 megawatts including—"	amended the threshold for onshore solar generating stations in England to be considered as a nationally significant infrastructure project from an installed capacity greater than 50 megawatts to one greater than 100 megawatts, the ExA would ask the applicant to consider whether the description of Work No.1 in Schedule 1 should be updated accordingly.
Paragraph 2 (Authorised development)	"and further comprising such other works or operations for the purposes of or in connection with the construction, operation and maintenance of the authorised development and which fall within the scope of the environmental impact assessment recorded in the environmental statement."	The ExA considers that the description of Works Nos.1 to 10 and further associated development is sufficiently detailed to capture all elements of the proposed development that can be reasonably anticipated and therefore a 'catch all' sub-paragraph at the end is not necessary.
Work No.1	<p>In relation to Work No.1, the ExA recommends the removal from the Works Plan (Revision D) [REP3-008] of Work Nos.1 and 1(d) from field reference AF29 (as identified in ES Figure 3.1.1 Field Numbering Plan [APP-191]) at Sheet 1 of 18 (for absolute clarity, this is the triangular field in the southern part of Green Hill A immediately to the east of Newland Road).</p> <p>Having reviewed all material submitted to the examination to date and also based on our own experience during unaccompanied and accompanied site inspections walking along Newland Road and the permissive path through site Green Hill A, were the ExA ultimately to make a recommendation to the Secretary of State that the Green Hill Solar Farm DCO be made we would not in our reasoning be able to justify the siting of solar arrays on field AF29.</p> <p>Field AF29 sits in a key position within Green Hill A and, due to its triangular shape, has a higher ratio of boundary to land area than other fields within the Order limits which are generally more regular square and rectangular shapes. From representations submitted by the local community and from our own observations it is clear that Newland Road Quiet Lane and the permissive path leading off it is a valuable and well-used recreational resource.</p>	



	<p>Were solar panels to be constructed in field AF29 then mitigation, by way of the standard proposal to increase the height of boundary hedges would be introduced. This would, in the view of the ExA, create an unacceptable degree of harm to the landscape and character of Newland Road Quiet Lane and the permissive path off it. The experience of walking the permissive path in particular would be dominated by field after field of solar panels on both sides and a tunnelling effect of tall hedges with no respite.</p> <p>Leaving field AF29 in farming use or setting it aside for Work No.9 as a habitat management area would in the ExA's view significantly lessen the impact of Green Hill A on the local community and the landscape of the area. It would mean that the field boundary hedges of AF29 could be left at current heights as there would be no alien man-made features to screen. This would retain a more rural character to users of Newland Road Quiet Lane. Being at the entrance to the permissive path, it would also make the start of any walk along the path more attractive and welcoming to walkers.</p>	
Schedule 2 Requirements		
Requirement 5 (Detailed design approval)	"...relating to that part have been submitted to and approved by the relevant planning authority for that part or, where the part falls within the administrative areas of multiple relevant planning authorities, each of the relevant planning authorities. "	<p>Typographic error.</p> <p>Additional text to acknowledge that the Order limits fall within multiple local authority areas and therefore approval of detailed design of Work Nos. 1, 2 or 3 might be required from more than one relevant planning authority.</p>
Requirement 7 (Landscape and ecological management plan)	"(3) The landscape and ecological management plan must be implemented as approved and maintained throughout the operation of the relevant part of the authorised development to which the plan relates. "	<p>To ensure that any necessary maintenance works are undertaken on site throughout the operational phase.</p>



Requirement 8 (Ecological protection and mitigation strategy)	“(3) The ecological protection and mitigation strategy must be implemented as approved and maintained throughout the operation of the relevant part of the authorised development to which the plan relates. ”	To ensure that any necessary maintenance works are undertaken on site throughout the operational phase.
Requirement 9 (Biodiversity net gain)	“(3) The biodiversity net gain strategy must be substantially in accordance with the outline landscape and ecological management plan and must be implemented as approved and maintained throughout the operation of the relevant part of the authorised development to which the plan relates. ”	To ensure that any necessary maintenance works are undertaken on site throughout the operational phase.
	<p>The ExA recognises that, further to discussions at issue specific hearing 3 (ISH3), the applicant is considering whether requirement 9 should secure a greater than 10% gain in habitat units.</p> <p>In [REP3-076] the applicant stated an update would be provided at deadline 4. In [REP4-001] the applicant states that update will now instead be provided at deadline 5.</p> <p>The ExA requests that the applicant does respond at deadline 5 on this matter with no further delay, to inform the final round of hearings during the week of 9 March 2026.</p>	
Requirement 12 (Archaeology)	“(3) The written scheme(s) of investigation must be substantially in accordance with the archaeological mitigation strategy. (4) The written scheme(s) of investigation must be implemented as approved.”	Pluralised to be consistent with sub-paragraph (2), which recognises that multiple written schemes of investigation may be prepared, which cover different parts of the proposed development.
Requirement 14 (Operational)	“(3) The operational environmental management plan must be implemented as approved and	To ensure that any necessary maintenance works are undertaken on site throughout the operational phase.



environmental management plan)	maintained throughout the operation of the relevant part of the authorised development to which the plan relates.”	
Requirement 21 (Decommissioning and restoration)	“(6) No decommissioning works must be carried out until the relevant planning authority has approved the decommissioning plan submitted in relation to those works, in consultation with the Environment Agency, the relevant statutory nature conservation body and the relevant highway authority. ”	<p>The ExA considers that the request made by National Highways during the examination [REP4-042] to be added as a consultee to requirement 21 is a reasonable one.</p> <p>The ExA also considers that Natural England should be consulted on the decommissioning plan, following the approach in the made Orders for Cottam and Tillbridge solar farms.</p>
Schedule 13 Documents to be certified		
All documents listed	In the final version of the dDCO Schedule 13 must be updated to ensure it includes reference to the most up to date version of each and every document to be certified under article 42 by the Secretary of State.	To ensure the correct documentation is cited and can be certified.
Schedule 15 Protective Provisions		
	The applicant and other interested parties with an interest in protective provisions should note that the ExA at this time is not suggesting any changes to the protective provisions included in the extant version of the dDCO [REP3-024] . That is because the ExA is aware that there are ongoing negotiations relating to the various sets of protective provisions.	



Whilst not suggesting changes to the proposed provisions at this stage to allow negotiations to continue, the ExA notes the concerns of National Highways in [\[REP3-093\]](#) and [\[REP4-042\]](#) requesting that the words "Save in an emergency..." should be removed from the protective provisions for their benefit at paragraph 58(3) of Part 6. This request appears reasonable to the ExA, and we would request that the applicant affords due regard to this suggested amendment.

As part of the forthcoming third round of written questions from the ExA (ExQ3) and during the final round of hearings held in the week of 9 March 2026 we will be asking for updates from the applicant and interested parties on progress towards agreeing finalised protective provisions before the close of the examination.