



Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Green Hill Solar Farm Limited for an Order granting Development Consent for the Green Hill Solar Farm Project

Planning Inspectorate Reference Number: EN010170

SUMMARY OF ORAL REPRESENTATIONS MADE ON BEHALF OF NATIONAL HIGHWAYS AT ISSUE SPECIFIC HEARING 6

1 INTRODUCTION

1.1 This is a summary of the oral representation made on behalf of National Highways ("NH") at ISH6 held on Thursday 12 March 2026 at 2pm.

Agenda Item		NH's Response
3.1	<p>Discussion of the draft Development Consent Order (dDCO), involving the applicant and other interested parties (IPs), including:</p> <p>c) Any further comments from other IPs concerning the drafting of the proposed articles and schedules</p>	<p>Under this specific agenda item, it was explained that the only outstanding concern of NH is in relation to the Requirements in Schedule 2 of the DCO and NH's request that it is listed as a consultee.</p> <p>The Requirements of concerns are 3 (approved details and amendments to them), 10 (Fencing and other means of enclosure), 11 (surface and foul water drainage) and 13 (construction environment management plan).</p> <p>Before turning to the detail, it was noted on behalf of NH that NH's protections elsewhere in the DCO, including in the protective provisions, relate to the road works, cable works and the exercise of certain articles where the exercise is over any part of the strategic road network or land in which NH has an interest. The proposals include development that is in the vicinity of the A45 and safeguards in relation to these works need to come through the Requirements and NH being consulted on certain details prior to approval by the local planning authority.</p> <p>NH is not averse to NH approvals being dealt with elsewhere in the DCO on the matters below, but a natural place is to include NH as a consultee before approvals are given. Unless NH is stipulated as a consultee then consultation will not occur as stipulated in Schedule 16 of the dDCO. In the case of a standard planning application that consultation might occur as a matter of course.</p> <p>A summary of the comments made on the particular Requirements appears below:</p>
	Requirement:	
	Requirement 3 (1) The undertaker may submit any amendments to any approved document to the relevant planning	It was noted on behalf of NH that approved documents are the certified documents which include the works plans and access to works plans and the outline management plans. This Requirement is permitting these approved documents to be approved with the

	<p>authority for approval and, following approval, the relevant approved document is to be taken to include the amendments approved under this paragraph.</p>	<p>planning authority's agreement. It is acknowledged that variations are only permitted where there is going to be no materially new or different effects.</p> <p>NH should, however, be given an opportunity to review any variations to the approved documents and plans to ensure that any changes do not result in new or material different effects to the SRN. This is in the interest of maintaining the safe and efficient operation of the SRN.</p> <p>Post hearing note: An example of another DCO where amendments to approved details are to include reference to the relevant highway authority is London Luton Airport Expansion Development Consent Order 2025 (S.I. 2025/463)</p>
	<p>Requirement 10 (1) No part of the authorised development may commence until written details of all proposed temporary fences, walls or other means of enclosure, including those set out in the construction environmental management plan, for that part have been submitted to and approved by the relevant planning authority in consultation with National Highways or, where the part falls within the administrative areas of multiple relevant planning authorities, each of the relevant planning authorities. (2) No part of the authorised development may commence until written details of all permanent fences, walls or other means of enclosure for that part have been submitted to and approved by the relevant planning authority in consultation with National Highways or, where the part falls within the administrative areas of multiple relevant planning authorities, each of the relevant planning authorities.</p>	<p>NH is seeking to be added as a consultee. NH should be given the opportunity to review the details of any proposed fences, walls or enclosures if within the vicinity of the SRN for reasons of safety, liability, and maintenance and to ensure compliance with paragraph 57 of DfT Circular 01/2022 which sets out any structures “must be located outside of the highway boundary of the SRN. In general terms, structures should be sited sufficiently far from the highway boundary of the SRN so that they cannot topple on to the SRN or undermine its geotechnical integrity. Moreover NH is concerned about the stability of fencing near the SRN to ensure that it is not capable of being blown onto the carriageway.</p> <p>Post hearing note: An example of a DCO where NH have had a specific Requirement is The Ferrybridge Multifuel 2 Power Station Order 2015 (S.I 2015/1832). This DCO has a separate Requirement which reads as follows:</p> <p>11.—(1) The authorised development must not commence until written details of the design and construction of any fencing on the boundary of the authorised development with the A1(M) have been submitted to and, after consultation with the Highways Agency, approved by the planning authority.</p> <p>(2) The authorised development must be carried out in accordance with the approved details.</p> <p>(3) The authorised development must not be brought into commercial use until the fencing has been completed.</p>

	Requirement 11 No part of the authorised development may commence until written details of the surface water drainage scheme and (if any) foul water drainage system for that part have been submitted to and approved by the relevant planning authority in consultation with National Highways .	<p>NH is again seeking to be added as a consultee. NH should be given the opportunity to review the details of the surface water and foul water drainage system to ensure the integrity of the SRN drainage infrastructure is not interfered with and that any plans are in accordance with DfT Circular 01/2022.</p> <p>Particular attention must be given where the drainage is adjacent to the SRN or National Highways land, as changes in water management could directly affect the SRN asset. No surface water run-off from the development shall be discharged into the SRN drainage systems. No new drainage connections from third party developments will be permitted.</p> <p>Inclusion of drafting in red would address NH's concern.</p>
	Requirement 13 No part of the authorised development may commence until a construction environmental management plan for that part has been submitted to and approved by the relevant planning authority in consultation with National Highways or, where the part falls within the administrative areas of multiple relevant planning authorities, each of the relevant planning authorities.	<p>NH should be given the opportunity to review the details of the construction environment management plan to ensure mitigation of environmental impacts during the construction phase and to ensure the SRN is not adversely affected by noise, dust, or other construction- related issues. The plan does include sections on transport and access.</p> <p>Inclusion of drafting in red would address NH's concern.</p> <p>Post hearing note: It is common for relevant highway authorities to approve CEMPs and example DCO's include: M5 Junction 10 Development Consent Order 2025 (S.I. 2025/795); M25 Junction 10/A3 Wisley Interchange Development Consent Order 2022 and The Associated British Ports (Immingham Eastern Ro-Ro Terminal) Development Consent Order 2024.</p>
Agenda Item		NH's Response
3.2	Update with respect to the protective provisions included in schedule 15 of the dDCO b) Any further comments from IPs attending ISH6 concerning protective provisions.	It was confirmed on behalf of NH that the protective provisions as currently in the dDCO are not agreed but agreement has been reached on a set of protective provisions which NH understands will be incorporated into the DCO at the next deadline and, therefore, NH do not need to make any further representations on the protective provisions.