Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Light Valley Solar Limited for an Order granting Development Consent for the Light Valley Solar Project.

Planning Inspectorate Reference Number: EN0110012

Deadline 4: National Highways Comments on Information Received at Deadline 3

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1 INTRODUCTION

1.1 This document is submitted for Deadline 4 on behalf of National Highways ("**NH**") in respect of an application by Light Valley Solar Ltd (the "**Applicant**") for an order granting development consent for the Light Valley Solar Project ("**DCO**"). The Applicant seeks development consent for proposed authorised development described in Schedule 1 of the draft DCO ("**Authorised Development**").

1.2 This document provides an update on the current position between NH and the Applicant and sets out NH's comments on the Applicant's Response to the Examining Authority's First Written Question Q1.17.3 **[REP3-019].** For simplicity, we have replicated the tabular form taken by the Applicant in its response. We have added an additional column setting out NH's further comments.

1.3 On 9 November 2026, the Applicant provided NH with further Land Registry information and an updated draft of the protective provisions for the benefit of NH. NH is currently reviewing this information and the updated draft of the protective provisions. The protective provisions have not yet been agreed between NH and the Applicant, and NH will provide a further update to the Examining Authority in due course.

1.4 NH response to the Applicant's response to Q1.17.3 is set out in the table below.

ExQ	Question to	Question	Applicant's Response	NH comments
Q1.17.3	The Applicant	**Interference with private rights** National Highways, in its written representation [REP1-023] and [REP1-024], referred to potential existing claims or interests affecting the plots identified in paragraph 2.10. The applicant is to: a) identify the nature and beneficiaries of those rights and interests in the Book of Reference as necessary b) explain whether extinguishment, suspension or interference with those rights is required for the proposed development and why	The Applicant can confirm that National Highways is included within the Book of Reference in respect of various rights interests. As noted within REP1-023 and REP1-024 these comprise: • Plots 10-063, 10-065 and 10-067, in relation to rights of access to maintain the highway; • Plot 10-064, in relation to rights and covenants granted by a Transfer dated 4 August 2006; • Plots 10-071, 10-083 and 11-017, in relation to rights of access;	NH notes the Applicant's response. As set out at paragraph 1.3 above, the Applicant provided further Land Registry information and an updated draft of the protective provisions on 9 November 2026. NH is reviewing these and the protective provisions have not yet been agreed. Notwithstanding this, NH welcomes the Applicant's confirmation that:

ExQ	Question to	Question	Applicant's Response	NH comments
		c) confirm whether these affected persons have been notified, and if yes signpost to the evidence.	• Plots 20-014, 20-017, 20-019 and 20-020, in relation to rights granted by a Transfer dated 21 August 2006 concerning light and air; and • Plots 20-025, 20-040 and 20-041, in relation to rights contained within a Transfer dated 5 July 2004. The Applicant therefore confirms that National Highways has been identified in the **Book of Reference [REP2-011]** in respect of the above rights interests alongside other interests not listed within REP1-023 and REP1-024. The Plots raised in REP1-023 and REP1-024 are those which National Highways hold a third-party interest in. National Highways received a s.42 notice on 24/06/2025 and a s.56 of 17/03/2026. The Applicant is confident that the rights and restrictions identified in REP1-023 and REP1-024 over land within the Order Limits are capable of subsisting alongside the project. During the detailed design phase of the Project, should it become apparent those rights or restrictions will be affected, the Applicant is committed to working with interested parties to ensure no adverse consequences. This is secured, in respect of National Highways' interests, in the Protective Provisions in Part 6 of Schedule 15 to the draft DCO which secures that powers of compulsory acquisition may only be exercised	(a) it is confident that the rights and restrictions identified in REP1-023 and REP1-024 over land within the Order Limits are capable of subsisting alongside the project; (b) it will work with interested parties to ensure there are no adverse consequences; and (c) the protective provisions will secure that powers of compulsory acquisition may only be exercised over NH's interests with NH's consent. NH will continue to engage with the Applicant to ensure that this protection is appropriately reflected in the agreed form of the protective provisions.

ExQ	Question to	Question	Applicant's Response	NH comments
			over National Highways' interests with its consent.	