

Deadline 3 Submission by National Highways Limited

NH Response to Written Questions

Application by The Drovers Solar Farm Limited for an Order granting Development Consent for the construction, operation, maintenance, and decommissioning of a solar photovoltaic (PV) electricity generating station, including associated development comprising a Battery Energy Storage System (BESS), ancillary infrastructure, a customer substation, and grid connection infrastructure (including a new National Grid substation).

Planning Inspectorate Reference Number: EN0110013

1. INTRODUCTION

- 1.1 This document is submitted by National Highways ("NH") for Deadline 3 in respect of application by **The Droles Solar Farm Limited ("Applicant")** for an order granting development consent for **The Droles Solar Farm** project ("**DCO**"). The Applicant seeks development consent for proposed authorised developments described in Schedule 1 of the draft DCO ("**Authorised Development**").
- 1.2 This document sets out the Examining Authority's Written Question 2 (ExQ2) directed specifically to NH and NH's response to the same.
- 1.3 In addition, it is noted that NH's **Deadline 1 Submissions** (being **NH's Response to the Examining Authority's First Written Questions and NH's Written Representations**) have not been published on the project page, nor are they noted in the Examination Library. Whilst NH believed it had submitted both documents in accordance with Deadline 1, it appears there has been an error. The Examining Authority is respectfully requested to accept both documents as a late submission. NH apologises for the oversight and for any inconvenience. It should, however, be noted that NH's Written Representation largely reflects NH's Relevant Representation, and it is therefore considered that no prejudice will result from the late submission. Copies of both documents are appended at **Appendix 1 and Appendix 2** of this document.

2. RESPONSE TO WRITTEN QUESTIONS (ExQ2)

EXQ2	Question to:	Question:	NH Response
Q5.0.4	National Highways and Norfolk County Council	Highway land and interests Could National Highway (NH) provide a response to ExQ1 Q5.0.9 [PD-007] which is repeated below. Further to NCC's response to ExQ1 Q5.0.9 [REP1-095], could NCC provide an update to their previous response to ExQ1 Q5.0.9. Are NCC and NH in their role as the Highway Authorities aware of: (i) Any reasonable alternatives to the Compulsory Acquisition (CA) or Temporary Possession (TP) sought by the applicant; and/or (ii) Any areas of land or rights sought by the applicant that they consider would not be needed.	(i) Any reasonable alternatives to the Compulsory Acquisition (CA) or Temporary Possession (TP) sought by the applicant 1. NH note that it has already responded to ExQ1 Q5.0.9 at Deadline 1. However, the response does not appear on the Planning Inspectorate's project page for the DCO and it is not listed in the Examination Library. As noted above, a copy of NH's response to ExA Q1 is appended at Appendix 1. 2. By way of an update on its previous response, which remains relevant, NH met with the Applicant on 5 June 2026. The Applicant confirmed it is seeking temporary rights over eight plots of NH land only to facilitate the movement of Abnormal Indivisible Loads with such works potentially including the temporary removal of street furniture, verge reinforcement or temporary widening work in the vicinity of the A47 junction with the A1065 during construction. The Applicant also confirmed that the works would be temporary in

EXQ2	Question to:	Question:	NH Response
			nature and only for the AIL delivery, being reinstated to the original condition post-delivery of the AIL and that the extent of works required will not be known until after the detailed design stage. 3. Where street furniture needs to be temporarily removed or repositioned or where temporary works to verges are required to allow an AIL to pass, this can be arranged in line with NH's usual processes for the notification for AIL movements on the network, with any resulting highway works authorised by way of an agreement, having followed the procedures in its template protective provisions. Accordingly, given the extent of the works proposed and given the availability of NH's normal process for enabling such works, there is no need for these works to be included in the DCO. It is understood that the above approach mirrors that adopted in the Hornsea Project Three Offshore Wind Farm Development Consent Order where the Applicant did not acquire temporary possession rights in relation to the SRN and instead entered into a mini S278 to secure AIL movements, with the enabling works undertaken by NH's maintenance contractor. (ii) Any areas of land or rights sought by the applicant that they consider would not be needed. 1. NH considers the Applicant does not need any temporary possession rights whatsoever over the NH plots set out in the Book of Reference. As set out above, all works in this location can be undertaken under via NH's normal processes for permitting works of this type on the highway. NH does not object in principle to the Applicant obtaining access to the SRN utilising this approach. 2. Unlike compulsory acquisition which is governed by express statutory conditions in S122 and S123 of the Planning Act 2008,

EXQ2	Question to:	Question:	NH Response
			there is no equivalent statutory test for temporary possession. However, DCLG guidance on the Planning Act 2008: Guidance on preparing an application: Part 2 Application Contents - paragraph 5.8 provides the Statement of Reasons "<i>should set out the justification for the compulsory acquisition powers and temporary possession powers being sought in the application, and explain why these are necessary and proportionate to enable the proposed development to proceed without impediment</i>". Accordingly, the justification for temporary possession powers is framed through necessity and proportionality. In light of the above, it is clear that the proposal to acquire temporary possession over NH's land does not accord with the Government guidance on the basis that it not necessary or proportionate for these powers to be included in the DCO when clearly an alternative approach is available to the Applicant as set out above. A preference to rely on temporary possession rights, just in case these are needed because precise extent of works is not known until the detailed design stage, does not meet the necessary and proportionate test. 3. In light of the above, the inclusion of NH's plots in the Book of Reference is neither necessary or proportionate.

National Highways Limited
21 July 2026

Appendix 1 - NH's Response to the Examining Authority's First Written Questions

Deadline 1 Submission by National Highways Limited

NH Response to Written Questions

Application by The Drovers Solar Farm Limited for an Order granting Development Consent for the construction, operation, maintenance, and decommissioning of a solar photovoltaic (PV) electricity generating station, including associated development comprising a Battery Energy Storage System (BESS), ancillary infrastructure, a customer substation, and grid connection infrastructure (including a new National Grid substation).

Planning Inspectorate Reference Number: EN0110013

1. INTRODUCTION

- 1.1 This document is submitted by National Highways ("NH") for Deadline 1 in respect of application by **The Droves Solar Farm Limited ("Applicant")** for an order granting development consent for **The Droves Solar Farm** project ("**DCO**"). The Applicant seeks development consent for proposed authorised developments described in Schedule 1 of the draft DCO ("**Authorised Development**").
- 1.2 This document sets out the Examining Authority's Written Questions 1 (ExQ1) that are directed specifically to NH and NH's response to the same.

2. RESPONSE TO WRITTEN QUESTIONS (ExQ1)

EXQ1	Question to:	Question:	NH Response
Q5.0.9	National Highways and Norfolk County Council	Highway land and interests Are NCC and National Highways (NH) in their role as the Highway Authorities aware of: <u>(i) Any reasonable alternatives to the CA or TP sought by the applicant; and/or</u> <u>(ii) Any areas of land or rights sought by the applicant that they consider would not be needed.</u>	i) It is difficult to fully answer Q5.0.9 (i) in the absence of full information as to the purpose for which the temporary possession of each individual NH plot is required. NH's understanding is that temporary possession is required only to facilitate the movement of Abnormal Indivisible Loads via the temporary removal of street furniture in the vicinity of the A47 junction with the A1065 during construction. Further details are awaited from the Applicant so that a proper assessment can be made along with a determination as to whether the works required should be included in the DCO. In the absence of further information, the inclusion of these plots in the Book of Reference is not justifiable as required by the Planning Act Compulsory Acquisition Guidance since where street furniture needs to be temporarily removed or repositioned to allow an AIL to pass, this can be arranged in line with NH's usual processes for the notification for AIL movements on the network, with any resulting highway works authorised by way of an agreement, having followed the procedures in its template protective provisions.. If, on receipt of further information, it transpires that temporary possession is required for purposes other than the movement of Abnormal Indivisible Loads via the temporary removal of street furniture, NH

EXQ1	Question to:	Question:	NH Response
			will provide an updated response to this question if necessary at that time. ii) The Applicant seeks temporary rights over eight plots of land on the slip roads at the A47 junction with the A1065 for which NH owns the title and/or has an interest. NH objects to the temporary acquisition of all these plots as it would fetter its duties in respect of road safety. As set out in response to Q5.0.9(i) if it is accepted that temporary rights are not required, all works in this location can be undertaken under via NH's normal processes for permitting works of this type on the highway. NH does not object in principle to the Applicant obtaining access to the SRN utilising this approach.
Q13.0.3	The applicant Norfolk County Council National Highways Breckland District Council	Equality Impact Assessment – Noise and Vibration effects at The Splashes Campsite (Traveller Site) Paragraph 7.4.10 of the Equality Impact Assessment (EqIA) [APP-182] determines that in relation to the noise and vibration effects at The Splashes Campsite (Traveller Site), no additional equality specific measure is appropriate or required. 1. Could the applicant provide more detail on the assumption regarding the “very short duration of works” quoted in paragraph 7.4.8, EqIA? 2. How would the applicant secure the specific restrictions in the dDCO, as identified in paragraph 7.4.7, EqIA, i.e. these activities would be temporary, of short duration, and confined to normal working hours, with no evening or night-time activity expected? 3. <u>Could the Highway Authorities and BDC confirm if they are in agreement with the applicant's view that a detailed noise</u>	3. It is difficult to fully answer Q13.0.3 (3) in the absence of fully understanding the details of the proposed works in this location. NH's understanding is that the works on the SRN adjacent to The Splashes is to facilitate the movement of Abnormal Indivisible Loads and is minor in nature, for example, the temporary removal of street furniture. This would be expected to be of short duration and similar in practice to highway maintenance works, which are routinely carried out without detailed noise assessments being undertaken. However, if the works proposed are not as understood and/or are more extensive and/or of a longer duration a detailed noise assessment may be required in accordance with DMRB.

EXQ1	Question to:	Question:	NH Response
		<i>assessment is not required for the reasons given in paragraph 7.4.8, EglA?</i>	

National Highways Limited
2 June 2026

Appendix 2 – NH Written Representations

Deadline 1: Written Representation submitted by National Highways Limited

Application by The Drovers Solar Farm Limited for an Order granting Development Consent for the construction, operation, maintenance, and decommissioning of a solar photovoltaic (PV) electricity generating station, including associated development comprising a Battery Energy Storage System (BESS), ancillary infrastructure, a customer substation, and grid connection infrastructure (including a new National Grid substation).

Planning Inspectorate Reference Number: EN0110013

1. OVERVIEW

- 1.1 This Written Representation provides a summary of National Highways' (NH) outstanding matters in connection with an application by The Drovers Solar Farm Limited for development consent for the Drovers Solar Farm (Planning Inspectorate Reference: EN0110013).
- 1.2 NH is the statutory body responsible for England's motorways and major A-roads (the strategic road network or "SRN"). NH supports the proposed development and highway mitigation works but currently **objects** to the proposed Development Consent Order (DCO). However, NH expresses willingness to engage constructively with the Applicants to resolve the outstanding matters, which it believes is achievable within the Examination period.
- 1.3 In relation to outstanding matters to be resolved, NH does not seek to rehearse those matters in this Written Representation but instead continues to rely on the positions advanced in its Relevant Representation [RR-037], which are maintained in full.

2. OUTSTANDING MATTERS TO BE RESOLVED

2.1 Traffic and Transport

- 2.1.1 NH requires junction impact assessments where peak traffic increases by 30 trips. Forecast construction traffic (532 LGVs and 96 HGVs daily) is likely to exceed this, but without trip distribution information it is unclear if peak-period impacts on the SRN will occur.
- 2.1.2 NH therefore requests further clarification of impacts on the A47 junctions (A47/A1065 and A47/Narford Road) during peak hours to determine if modelling is needed. Given the high trip volumes, further junction performance analysis may be required, including consideration of impacts just outside peak periods potentially shifting peak times.
- 2.1.3 The cumulative impacts of construction traffic from this development in combination with that arising from the High Grove Solar Farm could have a significant adverse impact on the A47 and should be properly considered.

2.2 Construction Management

Outline Construction Environmental Management Plan

- 2.2.1 Construction is expected to last 24 months (mid-2031 to end-2033). HGVs are assumed to operate between 7am–6pm and could avoid peak periods through timed deliveries; however, NH requires a clear monitoring and enforcement regime, with further detail to be included in the OCEMP.
- 2.2.2 NH supports sustainable travel measures but considers the current Construction Travel Plan lacks sufficient detail, particularly on controls, enforcement, and NH's role in safeguarding the A47 junctions.
- 2.2.3 Mitigation measures such as signage require further detail on locations and will need NH approval and a Road Safety Audit.
- 2.2.4 The proposed Road Condition Survey should cover full construction routes, including the A47/A1065 and A47/Narborough Road junctions, due to increased HGV movements and potential for damage.

Outline Construction Traffic Management Plan

- 2.2.5 The OCTMP forecasts 628 daily two-way trips (96 HGVs and 532 cars/LGVs), with more detailed trip profiles to be provided later. While acceptable, any increase in these volumes may

require reassessment of impacts on the SRN.

- 2.2.6 NH supports measures to reduce trips, such as car sharing, but notes the assumed occupancy (1.5) exceeds the typical 1.4 used in similar schemes, which could increase vehicle numbers if unmet. Further detail is required on how sustainable measures will be implemented, monitored, and enforced.
- 2.2.7 NH also seeks a more detailed outline Construction Workforce Travel Plan to ensure these measures are actively enforced and effective.
- 2.2.8 Finally, NH requests that DCO wording be amended to reflect consultation with all relevant highway authorities, including NH, not just the local authority.

Abnormal Indivisible Loads

- 2.2.9 Chapter 7 of the OCTMP confirms Abnormal Indivisible Loads (AILs) will be required and are expected to use the A47. NH's Water Preferred Policy applies, meaning loads should arrive via the nearest suitable port. While the AIL route has been agreed in principle, final approval must be secured through the ESDAL process, which may override earlier agreements.
- 2.2.10 Minor works at the A47/A1065 junction are proposed to accommodate AILs. Although accepted in principle, these require a Road Safety Audit and technical approval, with any recommendations addressed

2.3 Decommissioning

- 2.3.1 Requirement 20 of the DCO (point 4) states the Decommissioning Strategy will be agreed with local planning authorities. NH requests this is amended to include NH as the SRN highway authority.
- 2.3.2 A Decommissioning Traffic Management Plan (DTMP) is also expected to be prepared by the contractor prior to decommissioning.

2.2 Land Interests

- 2.2.1 The Applicant's draft DCO includes powers of temporary possession over a number of plots in which NH holds land interests for the temporary use (including access and compounds) to facilitate the construction of Work Nos. 1 to 11. NH considers this purpose to be very wide and vague, and seeks further clarity as to why temporary possession is required in respect of each individual plot so that it can fully assess the impact on the Strategic Road Network (SRN).
- 2.2.2 The Book of Reference sets out details of eight plots over which NH has an interest, being plots 5-47, 5-49, 5-50, 5-51, 5-53, 5-54, 5-55, and 5-56. In respect of each plot, NH is identified as either a Category 1 person (as Owner/Occupier) or a Category 2 person (holding rights granted by a Deed of Exchange dated 17 December 1984).
- 2.2.3 For each plot, NH requires further details of the proposed works and requests consultation before works take place where there are potential traffic management implications. The Applicant should be required to obtain NH's consent before undertaking any activities affecting the SRN or any land in which NH has an interest. As a public body, NH it is under a duty to act reasonably in providing such consent, and this duty is expressly reflected in paragraph 7(4) of NH's proposed protective provisions at Appendix 1 to NH's Relevant Representations. In addition, the Applicant is asked to confirm whether NH has any interest in any other plots beyond those listed.

3 DRAFT DCO ARTICLES

3.1 NH objects to numerous articles (8, 10, 12, 14, 16, 17, 19, 20, 21, 24, 25, 27, 30, 31, 32, 33, 34, 40, and 47) on the basis that they grant the Applicant powers over the SRN or NH's land without requiring NH's consent. While the draft includes some protective provisions for NH, NH considers them insufficient. Key concerns include:

- **Street works and highway powers** (Articles 8, 10, 12, 16, 17): The Applicant would gain powers to break up streets, alter layouts, temporarily close roads, regulate traffic, and use drainage on or near the SRN—including the A47 Slip Road—without adequate NH control.
- **Land and access powers** (Articles 19, 20, 21, 24, 27, 30, 31, 32, 33): The Applicant could enter NH land for surveys, acquire land compulsorily, impose restrictive covenants, take temporary possession, interfere with NH's rights, and use subsoil/airspace over the SRN—without requiring NH's consent.
- **Trees** (Article 40): Powers to fell or lop trees may affect NH's environmental commitments, particularly hedgerows CRH170, CRH173, and CRH172 near the network boundary.
- **Deemed consent** (Article 47): NH objects to the six-week deemed consent period as insufficient and unsafe. As an alternative, NH are content to accept a position whereby following a request from the undertaker for consent, it has an initial period of 28 days to notify the undertaker of its decision. If NH does not respond within that initial 28-day period, the undertaker may serve a written notice on NH requiring a decision within a further 28 days. If NH still fails to respond by the end of that second 28-day period, it is deemed to have given the relevant consent.
- **Schedule 2 Requirements**: NH seeks to be consulted on amendments to approved documents, design, traffic management, landscape and ecological plans, means of enclosure, CEMP, operational environmental management plan, construction traffic management plan and decommissioning (requirement 3, 5, 7, 8, 10, 11, 13, 14, 15, 20).
- **Schedule 16**, Concern about timings and opportunity to comment on additional information. In addition, NH considers the five-day consultation timetable inadequate. At least 28 days is required.

3.2 NH's consistent position is that inclusion of paragraph 7(2) of its proposed protective provisions (Appendix 1 of its Relevant Representation) would resolve these objections by requiring the Applicant to obtain NH's prior consent before exercising any DCO powers affecting the SRN or NH's land interests.

4 PROTECTIVE PROVISIONS

4.1 The proposed protective provisions in Schedule 15, Part 4 are unacceptable to NH and do not provide sufficient protection to the SRN. To facilitate the withdrawal of NH's objection to the DCO and Authorised Development, NH requests that the Applicant includes the NH protective provisions, which were provided in Appendix 1 to its Relevant Representation, in the draft Order at the next deadline.

5. STATEMENT OF COMMON GROUND

5.1 NH is currently reviewing the latest version of the SOCG and will provide comments to the Applicant shortly.

National Highways Limited
2 June 2026