

Application by The Drovers Solar Farm Ltd for an Order Granting Development Consent for The Drovers Solar Farm

Agenda for issue specific hearing 2 (ISH2)

Hearing	Date and Time	Location
Issue specific hearing 2 (ISH2)	Tuesday 8 September 2026 Hearing starts: 10.00am Registration and seating available at venue from: 9.30am Virtual Registration Process from: 9.30am	The Duke's Head Hotel 5-6 Tuesday Market Place Kings Lynn PE30 1JS and By virtual means using Microsoft Teams

Agenda

1. Welcome and arrangements for the hearing

The Examining Authority (ExA) will welcome participants and address housekeeping matters.

2. Purpose of the issue specific hearing and introductions

The ExA will explain the purpose of the hearing and lead introductions.

3. Issues

Item 1 – draft Development Consent Order (dDCO)

Part 1 – Interpretation

- The applicant will be asked about the definitions of:
 - ‘permitted preliminary works’ and ‘commence’ in relation to the Environment Agency’s (EA) concern that remediation of the site could take place without the controls and mitigation commitments offered by the Construction Environmental Management Plan.
 - ‘permitted preliminary works’ in relation to the Borough Council of King’s Lynn & West Norfolk’s (BCKLWN) concern that it would have the opportunity to allow significant works before the detail of works or management plans have been confirmed; and its suggestion that the definition of ‘maintain’ is also amended.

Part 2 - Principal Powers

- Article 6(1) (a) to (c) - the applicant will be asked about Norfolk County Council's concern that there is not enough evidence for the disapplication of the Land Drainage Act.
- The applicant will be asked about article 6(1)e in relation to the EA's view that it is not necessary to disapply Regulation 12 because no Flood Risk Activity Permits (FRAP) are required given the Order limits are not within the floodplain of a main river.

Part 6 – Miscellaneous and General

- Article 40 Felling or lopping of trees and removal of hedgerows - the applicant will be asked to comment on a concern raised by BCKLWN regarding the flexibility provided by the current wording.
- Article 49 Maintenance of drainage works – the applicant will be asked to comment on the EA's view that it does not consider these provisions are necessary.

Schedule 2 – Requirements

- Requirement (R)(5) – The applicant will be asked to clarify whether the vertical limits of deviation for the proposed pylons are included in Design Principles, Parameters and Commitments document.
- R13(1) – The local authorities and the EA will be asked to comment on the applicant's proposal for approval of the permitted preliminary works environmental management plan (refer to the applicant's response to ExQ2 Q7.4.4 [REP3-088]).
- R3(1), R5, R7(1), R8(1), R10(1) and (2), R11, R13, R14, R15 (1) to (3), R20(5) - Whether the applicant accepts that National Highways (NH) should be given an opportunity to review and approve various details.
- The applicant will be asked to comment on concerns raised by Breckland District Council (BDC) regarding:
 - R7, R9 & R17 that Natural England (NE) should be expressly identified, whilst allowing reference to any successor body where relevant;
 - R11 that Norfolk County Council (NCC) in its role as the Lead Local Flood Authority should also be specifically referenced in this instance.
 - R12 that consultation with Norfolk County Council Historic Environment Service should be specifically referenced.
- The applicant will be asked to provide an update on the disagreement with the EA regarding its concern with the use of the word 'substantially' on numerous requirements.
- New requirements:
 - Whether the applicant accepts the Defence Infrastructure Organisation's (DIO) additional requirements detailed in its relevant representation [RR-051] relating to the Construction Management Plan, Glint and Glare Management Plan and safeguarding measures to manage birdstrike hazard; and

- The applicant will be asked to provide an update on its proposed conditions and requirements in relation to the options for mitigating the potential impact upon the Precision Approach Radar (PAR) at Royal Air Force (RAF) Marham.

Schedule 13 – Documents to be certified.

- The applicant will be asked whether the Design principles, parameters and commitments document provides adequate parameters to address concerns raised by NCC regarding whether ground reinstatement relates to pre-development or finished ground levels, nor whether imported materials used to create platforms will be fully removed

Schedule 15 - Protective Provisions.

- The applicant will be asked for an update on progress of any negotiations relating to the agreement of protective provisions including:
 - National Grid Electricity Transmission plc
 - National Highways
 - Environment Agency

Schedule 16 – Procedure for discharge of requirements

- The applicant will be asked to comment on requests for proposed changes to 3(3):
 - (i) From the EA for 15 working days to respond; and
 - (ii) From NH for 28 days to respond.

Item 2 – Aviation

- The applicant will be asked for a progress update, to include cumulative effects, on how it proposes to:
 - avoid interference from the proposed development with Royal Air Force (RAF) Marham's Precision Approach Radar and whether its proposed approach has been agreed with the DIO.
 - mitigate glint and glare, and whether its proposed approach has been agreed with the DIO.
- The applicant will be asked for further detail on how it proposes to secure its commitment to consult with the DIO, in relation to aerodrome height safeguarding, once the transmission line details are available.
- The DIO will be asked whether it accepts the applicant's update to the outline Construction Environmental Management Plan to commit to:
 - consult with the MoD, prior to the commencement of construction works onsite, regarding the methodology for the possible use of cranes, high reaching plant equipment or temporal structure during the construction phase of the proposed development; and
 - consult with the MoD on birdstrike safeguarding measures before construction.
- The DIO will be asked whether it accepts the applicant's updates to the outline Operational Environmental Management Plan to commit to consult with the MoD during the operational phase regarding birdstrike hazard to ensure that the proposed development does not increase the risk of impact.

Item 3 – Biodiversity

- Biodiversity Net Gain (BNG) assessment and level of BNG secured within the dDCO will be discussed with the applicant and Local Authorities.
- BDC will be asked to comment on whether the applicant's proposals for securing the final access track alignment addresses its arboriculture concern regarding root protection areas.
- The applicant will be asked for an update regarding the disagreement with NCC over its assertion that there are foreseeable negative impacts to trees adjacent to the highway that have not been assessed within Section 16.4 of the Environmental Statement.

Item 4 – Noise & vibration

- The applicant will be asked for an update on discussions with the BCKLWN on its outstanding concerns with the modelling and magnitude of operational noise effects.
- The applicant will be asked questions regarding BDC's outstanding concern with cumulative operational noise effects.

Item 5 – Transport & Access

- The applicant will be asked for an update about whether queries and comments raised by NCC, regarding access and cumulative traffic impacts respectively, have been adequately resolved.

Item 6 - Land and soil

- The applicant will be asked questions on outstanding concerns from NE, particularly in relation to:
 - Demonstrating how impacts (including cumulative) to Best and Most Versatile (BMV) land have been avoided where possible and that siting and design has minimised permanent loss of BMV land.
 - The thresholds used for determining the significance of effect of permanent land take on soils.
- The applicant will be asked questions on outstanding concerns from BDC relating to:
 - The National Grid substation is proposed to be located within Field 27 which includes Grade 2 Agricultural Land Classification. BDC considers that permanent infrastructure should be sited on the lowest quality agricultural land within the Order Limits.
 - Cumulative agricultural implications should be viewed in the context of the wider pattern of renewable energy development coming forward across the county.
 - Effects of the proposed development on agricultural land use, beyond land classification alone, require further consideration.
 - The effects on food production and the rural economy at a local level are not fully evidenced and require further examination.

4. Next steps

5. Closing Remarks

Purpose of ISH

The main purpose of the Issue Specific Hearing is to clarify and get views on matters relating to each of the subjects set out in the agenda above.

Attendees

The ExA would find it helpful if the following parties could attend this hearing.

- Applicant (All ISH2 items)
- Borough Council of King's Lynn and West Norfolk (All ISH2 items)
- Breckland District Council (All ISH2 items)
- Defence Infrastructure Organisation, (ISH2, Item 1 – draft DCO and Item 2 - Aviation)
- Environment Agency (ISH2, Item 1 – draft DCO)
- Natural England (ISH2, Item 3 – Biodiversity and Item 6 – Land & Soil)
- National Grid Electricity Transmission Plc (ISH2, Item 1 – draft DCO)
- National Highways (ISH2, Item 1 – draft DCO and Item 5 – Transport and Access)
- Norfolk County Council (All ISH2 items)
- Norfolk County Council (lead local flood authority role): (ISH2, Item 1 – draft DCO)

However, this does not indicate that other parties will not be able to contribute. All interested parties (IP) are invited to attend and make oral representations on the matters set out in the agenda, subject to the ExA's ability to control the hearing.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the hearing. The details set out above are indicative and the ExA may find it necessary to include additional agenda items or to amend the order in which the items are dealt with.

Anyone wishing to attend the hearing in person, who has not already advised the case team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage of the National Infrastructure Planning](#) website closer to the hearing date. IPs and members of the public who wish to observe the hearing can therefore view and listen to the hearing using the livestream, or view and listen to the recording, after it has concluded.

Registration process

Parties who have registered to speak (both in person and virtually) will receive a joining instruction email shortly before the hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the hearing to start on time at 10.00am those attending virtually should join promptly at 9:30am to ensure that all virtual attendees can complete the registration process in good time.

Procedure at ISH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at hearings. Questioning at the hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.