Deadline 5 Submission by National Highways Limited

Application by The Droves 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

Deadline 5 – NH Comments on documents submitted at Deadline 4

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1 INTRODUCTION

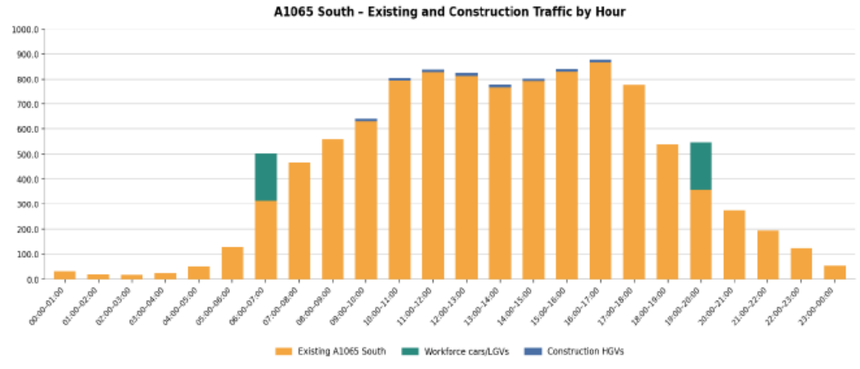
1.1 This document is submitted for Deadline 5 on behalf of National Highways ("**NH**") in respect of an application by The Droves Solar Ltd (the "**Applicant**") for an order granting development consent for The Droves Solar Project ("**DCO**"). The Applicant seeks development consent for proposed authorised development described in Schedule 1 of the draft DCO ("**Authorised Development**"). This document sets out NH's comments on The Applicant's Response to Submissions Received at Deadline 3 **[REP4-034]** submitted by the Applicant at Deadline 4 in so far as those responses relate to NH's Deadline 3 **[REP3-96]** along with comments on the Written Summary of Applicant's Oral Submissions and Responses to Action Points at ISH2 and ISH3 **[REP4-035].** For simplicity, we have replicated the table which forms the Applicant's response in **REP4-034** and added an additional column setting out NH's further comments. The same approach has been adopted in relation to **REP4-035**.

2 NH RESPONSE ON THE APPLICANT'S DEADLINE 4 RESPONSE TO NH'S DEADLINE 3 SUBMISSIONS

Applicant's responses to Prescribed Bodies

Reference	Comments	Applicant's Response	NH Comments
National Highways (Responses to ExQ2) [REP3-096]. This response was also received from PINS on the 12 August. However, it is a duplicate of REP3-096			
NH1	**EXQ2 Q5.0.4** *(ii) (...)* 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.	The Applicant has used an approach followed by other solar DCOs such as Green Hill Solar Farm (currently in the Decision phase), Lime Down Solar Park (currently in examination) and Light Valley Solar (currently in examination) all of whom are seeking temporary possession over National Highways' land. The Applicant has also reviewed consented DCOs which have taken this approach such as London Luton Airport Expansion and Yorkshire Green. The Applicant's general approach of seeking powers of compulsory acquisition and temporary possession in the **draft DCO [APP/3.1.4]** and, in parallel, conducting negotiations to acquire land and rights by agreement, accords with paragraph 26 of the Department for Communities and Local Government Planning Act 2008: Guidance related to procedures for compulsory acquisition of land (2013) (the CA Guidance). This approach is reflected in the Applicant's engagement with NH around protective provisions and a side agreement as set out in the **Land and Rights Negotiation Tracker [APP/4.4.3].** In any event, further to the form of protective provisions included for the benefit of NH in Part 4 of Schedule 15 of the **draft DCO [APP/3.1.4]**, the Applicant also notes that NH has recently agreed to the form of protective provisions for its benefit found in Part 6 of Schedule 15 of the Green Hill Solar Farm DCO, and NH has confirmed its in-principle agreement to taking the same approach to the drafting of these protective provisions for this Scheme, which the Applicant understands will address NH's concerns in relation to this matter. The Applicant and NH remain in discussions on this matter, and the Applicant will update the **draft DCO [APP/3.1.4]** to reflect this mirrored approach once finalised with NH, which the Applicant anticipates being able to do before the end of the examination.	Paragraph 26 of the Department for Communities and Local Government Planning Act 2008: Guidance related to procedures for compulsory acquisition of land (2013) (the CA Guidance) states that as a contingency measure, applicants should plan for compulsory acquisition at the same time as conducting negotiations. NH does not take issue with this as a matter of principle, but it does not address NH's point that the rights sought are neither necessary or proportionate when clearly an alternative approach is available to the Applicant. NH's position remains as set out at CAH1 held on Wednesday 9th September 2026 – see **REP4-054** for full details. The only interaction between the proposed development and the SRN relates to the land plots identified where temporary possession powers are sought solely, it is understood, to facilitate AIL movements during construction. NH maintains that an available alternative exists and thus the statutory guidance governing the grant of temporary powers is not met. In terms of the examples given by the Applicant, these are not comparable. Full details are in NH's summary of CAH1 but for completeness:- London Luton Airport Expansion DCO is not comparable, as it did not involve temporary maintenance-type works and did not relate to AILs, instead concerning access to NH land to construct permanent SRN mitigation works. In Lime Down Solar the only works affecting the SRN relate to a crossing of the M4 with an underground cable. There is no other NH operational land involved. Accordingly, the DCO is therefore for the construction of permanent works under the SRN and is therefore not comparable with the situation at The Droves. Yorkshire Green Energy Enablement DCO, the works affecting the SRN all relate to access for permanent overhead line works, which again, is not comparable with the proposals relating to the Droves.

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National Highways (Responses to ExQ2) [REP3-096]. This response was also received from PINS on the 12 August. However, it is a duplicate of REP3-096			
			In relation to Light Valley, NH's land interests are not yet clear, and the examination is at an early stage. With that in mind, Light Valley is not comparable. None of the examples quoted provide a suitable comparison as they relate to permanent works on NH operational land, as opposed to temporary works of a maintenance nature, with scope unknown pre-consent, and where an alternative established mechanism exists. NH understands that the Applicant will not agree to removing the NH plots from the Book of Reference, Order Limits and the DCO. With that in mind, if the Applicant's proposed powers over these parcels remain in the DCO, then NH requires its form of protective provisions to be agreed. The fact that NH is actively negotiating PPs with the Applicant and has agreed in principle that the PPs should reflect those agreed at Green Hill and those being agreed at Lime Down does not in any way indicate that NH agrees that the DCO should grant the Applicant powers of temporary possession. Agreeing PPs here will not address NH's concerns but rather provide a back-up plan should the ExA and/or the Secretary State find against NH on this issue.
NH2	**EXQ2 Q5.0.4 Cont.** *(ii) (...)* 1. (...)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. In light of the above, the inclusion of NH's plots in the Book of Reference is neither necessary or proportionate.	The Applicant's response to **NH1** above sets out why the approach of seeking powers of compulsory acquisition and temporary possession is in accordance with Government guidance. The Applicant's preference is to reach voluntary agreement with National Highways, rather than having to exercise its proposed powers of temporary possession, and the Applicant refers to its response to NH1 above on the matter of protective provisions in this regard. However, the temporary possession powers included by the Applicant in the **draft DCO [APP/3.1.4]** represent a necessary fall-back position to ensure that there is no impediment to the deliverability of the Scheme, as is standard practice.	Please see above. The Applicant has not set out how the rights sought accord with the Government guidance.
NH3	**Appendix 1 – EXQ1 Q5.0.9** 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	The Applicant notes this comment and refers to its responses to **NH1** and **NH2** above.	Please see above

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	National Highways (Responses to ExQ2) [REP3-096]. **This response was also received from PINS on the 12 August. However, it is a duplicate of REP3-096**		
	in principle to the Applicant obtaining access to the SRN utilising this approach.		
NH4	**Appendix 1 – EXQ1 Q13.0.3** 3. (...) 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.	The Applicant confirms that the works adjacent to The Splashes would be to facilitate the Abnormal Indivisible Load (AIL) deliveries only and are limited to temporary works, such as minor widening or reinforcement of kerbs or the removal of street furniture. These works are not required as permanent mitigation (they are only temporary), as secured through the section 7 of the **oCTMP** [AS-082].	As stated in its initial response, NH concurs that a detailed noise assessment is unlikely to be required due to the nature and scale of works expected to be required, albeit it is premature to confirm these. NH points out, however, that permanence of works is not in itself a determinant of whether a noise assessment is required in accordance with DMRB. Temporary works can require a noise assessment to be undertaken if they are of a significant scale and extensive duration. NH points out that this question only arises because the temporary works required to facilitate the movement of AILs are included in the dDCO. In NH's view this is unnecessary and can be dealt with through NH's established ESDAL procedures.
NH5	**Appendix 2 – Paras. 2.1.1 to 2.1.3** 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. 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. 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.	This matter was discussed with NH at a meeting on 14 July 2026, where additional information was provided to NH to confirm the requirement for junction modelling. As detailed within the SoCG with National Highways [AS-074], it has been confirmed by NH that modelling would not be required, based on the expected impacts not being sufficient to warrant further assessment. As detailed within ES **Appendix 9.2: Traffic Assessment** [APP-163], construction staff will work in 12 hour shifts (07:00-19:00), with staff typically arriving before 07:00 and departing after 19:00 outside of peak hours. All deliveries and trips will be restricted to avoid the AM peak (08:00-09:00) and PM peak (17:00-18:00) hours as secured through the **oCTMP** [AS-082], thus there would be no material impact from the Scheme during peak hours. On a worst-case assumption that all 266 staff vehicles arrive in the AM and depart in the PM, the comparison of the impact is provided in the figure below. HGVs are restricted to be between 09:00-17:00 (equivalent circa 12 two-way vehicles per hour associated with the Scheme).  With the addition of the temporary construction traffic flows being added to the baseline flows along the A1065 between 06:00-07:00 and 19:00-20:00, the overall number of vehicles expected still falls below the level of traffic that would otherwise happen during the day from 08:00 to 18:00. On this	

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	National Highways (Responses to ExQ2) [REP3-096]. **This response was also received from PINS on the 12 August. However, it is a duplicate of REP3-096**		
		basis, the impact associated with construction traffic from staff is unlikely to lead to any material change from what happens on the network or the existing queuing on the A47 slip roads. With respect to cumulative traffic, it is considered that any overlap would be temporary in nature and still fall below what would otherwise be generated on the A1065 and thus the A47 slip roads. The assessment shows that even if the cumulative schemes generated the same amount of traffic as the Scheme (effectively doubling the additional traffic added to the baseline flows), it would still fall below what otherwise happens on the A1065 on a typical day and well within typical levels of daily traffic fluctuation, which are recognised within ES **Chapter 9: Transport and Access** [REP1-036] as being in the order of 10% on a typical day.	
NH6	**Appendix 2 – Paras. 2.2.1 to 2.2.4** (...) NH requires a clear monitoring and enforcement regime, with further detail to be included in the OCEMP. 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. Mitigation measures such as signage require further detail on locations and will need NH approval and a Road Safety Audit. 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.	This matter was discussed with NH at a meeting on 14 July 2026, where confirmation was provided to NH to confirm the vehicle caps and monitoring protocol. The **oCTMP** [AS-082] was updated at Deadline 3 to confirm that the daily vehicle cap applies to both total vehicles and HGVs. With the additional restrictions on daily vehicular activity secured through the **oCTMP** [AS-082]. The **oCTMP** [AS-082] also included the additional details on the monitoring and enforcement protocol to assist with managing construction traffic, as requested by NH. As detailed within the **SoCG with National Highways** [AS-074], NH was satisfied that this was sufficient assurance that the appropriate measures would be implemented via the detailed Travel Plan to ensure the vehicle cap is not exceeded, as the vehicle cap restriction inherently requires the contractor to reduce daily vehicle traffic and promote sustainable transport, through measures such as the shuttle service or promoting car sharing. Further details on the implementation, monitoring and review of construction vehicle activity is included within section 8 of the **oCTMP** [AS-082] at NH's request. In the event that physical mitigation measures are required on the NH network, including signage, the details of this would be subject to a Road Safety Audit which would be included within the detailed CTMP that is secured by way of requirement in the **draft DCO [APP/3.1.4]** and is initially secured through section 7 of the **oCTMP** [AS-082]. However, as these details are not yet available and construction is not at an appropriately advanced enough stage to agree signage, this would be addressed as part of the detailed CTMP once details are known and confirmed by the contractor. The scope of the condition survey section within the **oCTMP** [AS-082] has been updated to include both the A47 / A1065 and the A47 / Narborough Road junctions.	NH is content with the Applicant's response on this matter and has no further objections regarding the oCTMP.
NH7	**Appendix 2 – Paras. 2.2.6 to 2.2.8** 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. NH also seeks a more detailed outline Construction Workforce Travel Plan to ensure these measures are actively enforced and effective. Finally, NH requests that DCO wording be amended to reflect consultation with all relevant highway authorities, including NH, not just the local authority.	The Applicant refers to response NH6 in relation to the vehicle cap, secured via the **oCTMP** [AS-082], to provide the required sustainable transport measures, which was agreed via the **SoCG with National Highways** [AS-074]. In relation to NH's request to be a named consultee in relation to the detailed CTMP, it is noted that Requirement 15(2) of Schedule 2 of the **draft DCO [APP/3.1.4]** states that "before approving the construction traffic management plan the relevant planning authority must consult with the relevant highway authority". This wording is standard practice across many consented solar DCOs. As part of this approval, the relevant planning authority must consult with the relevant highway authority. However, the relevant planning authority is also entitled to consult with any other organisation if they deem it necessary to do so (though consultation with the relevant highway authority is already prescribed). It is therefore unnecessary to amend the **draft DCO [APP/3.1.4]** in the manner suggested by NH.	NH is content with the Applicant's response on this matter and has no further objections on traffic grounds. NH does not agree that the wording in Requirement 15(2) of Schedule 2 is sufficiently clear and requests that a change is made to refer to "relevant highway authority or authorities" to avoid any ambiguity. This change was agreed in relation to the recent East Park Energy DCO application and is explicit in the current Merdian Solar DCO drafting, for example. NH does not consider this to be neither onerous nor detrimental to the Applicant
NH8	**Appendix 2 – Paras. 2.3.1 to 2.3.2**	The Applicant understands that an approach to consultation with NH under the various Requirements in Schedule 2 of the Green Hill Solar Farm DCO is nearly agreed with NH. Should that agreement be reached, the Applicant will discuss with NH whether the same approach is agreed for this Scheme	NH notes the Applicant's comments and points to its comments above in relation to Requirement 15 (2). NH considers that the same should be applied in respect of Requirement 20 (4).

Reference	Comments	Applicant's Response	NH Comments
	National Highways (Responses to ExQ2) [REP3-096]. **This response was also received from PINS on the 12 August. However, it is a duplicate of REP3-096**		
	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. A Decommissioning Traffic Management Plan (DTMP) is also expected to be prepared by the contractor prior to decommissioning.	and, if so, would update the **draft DCO [APP/3.1.4]** to replicate the relevant wording of those Requirements. These discussions remain ongoing between the parties. In relation to the proposed DTMP, the **oDS** [REP3-067] states, at paragraph 2.3.2, that "*the traffic management mitigation measures set out in the **outline Construction Traffic Management Plan [REP3-075]** are also applicable to decommissioning and will be secured via a requirement in the DCO*". Further, at paragraph 2.6.2, it states that "*a Decommissioning Traffic Management Plan (DTMP) will be developed by a contractor prior to decommissioning in consultation with the appropriate Local Planning Authority. The DTMP will use the detailed CTMP to reflect the circumstances prevailing during the period in which decommissioning is to be carried out*" and at paragraph 2.6.3 that "*the measures defined in the DTMP will ensure that the impacts from decommissioning traffic on the local community (including local residents and businesses and users of the surrounding transport network) are minimised, where reasonably practicable*". See further references in Tables 4 and 15 of the **oDS** [REP3-067] which confirms that the contractor must prepare a DTMP prior to decommissioning.	
NH9	**Appendix 2 – Para. 2.2.3** [Comments made in relation to land interests] (...) The Applicant is asked to confirm whether NH has any interest in any other plots beyond those listed. [Comments made in relation to land interests] (...) The Applicant is asked to confirm whether NH has any interest in any other plots beyond those listed.	The Applicant can confirm NH does not have any interest in any other plots beyond those listed but welcomes the ongoing engagement on the matter.	Noted
NH10	**Appendix 2 – Para. 3.1** NH objects to numerous articles (...) on the basis that they grant the Applicant powers over the SRN or NH's land without requiring NH's consent. Key concerns include: - Street works and highway powers (...) - Land and access powers (...) - Trees (...) - Deemed consent (...) - Schedule 2 Requirements (...); and - Schedule 16 (...). NH's consistent position is that inclusion of paragraph 7(2) of its proposed protective provisions (...) 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.	Further to the form of protective provisions included for the benefit of NH in Part 4 of Schedule 15 of the **draft DCO [APP/3.1.4]**, the Applicant also notes that NH has recently agreed to the form of protective provisions for its benefit found in Part 6 of Schedule 15 of the Green Hill Solar Farm DCO, and NH has confirmed its in-principle agreement to taking the same approach to the drafting of these protective provisions for this Scheme. The Applicant and NH remain in discussions on this matter, and the Applicant will update the **draft DCO [APP/3.1.4] t**o reflect this mirrored approach once finalised with NH, which the Applicant anticipates being able to do before the end of the examination. Crucially, and in any event, the Applicant notes that these protective provisions include an agreed form of the wording in paragraph 7(2) of NH's proposed protective provisions, which NH state will address their objection to these articles.	Negotiations on the form of protective provisions are on-going. Latterly it has been agreed that the form of PPs will reflect those agreed for Green Hill Solar Farm and those being agreed for Lime Down Solar Farm.
NH11	**Appendix 2 – Para. 4.1**	The Applicant refers to its response to **NH10** above on this matter (with the ongoing negotiations regarding an agreed form of protective provisions also covering the impact on the SRN).	See above

Reference	Comments	Applicant's Response	NH Comments
	National Highways (Responses to ExQ2) [REP3-096]. **This response was also received from PINS on the 12 August. However, it is a duplicate of REP3-096**		
	The proposed protective provisions in Schedule 15, Part 4 are unacceptable to NH and do not provide sufficient protection to the SRN. The proposed protective provisions in Schedule 15, Part 4 are unacceptable to NH and do not provide sufficient protection to the SRN.		

3 NH RESPONSE ON THE APPLICANT'S SUMMARY OF ORAL SUBMISSIONS AT ISH2

Extract from Table 1-1 Applicant's Summary of Oral Submissions

#	Agenda Item	Summary of Submissions	
3 – Item 1	Draft Development Consent Order (DCO)-Requirements	*"Julie Russell, for NH, confirmed that Mr Tresadern's summary of the current position was accurate. In response to further points made by Ms Russell regarding Requirements 3 and 5, as well as submissions regarding NH's preferred approach to consultation on amendments to certified documents and the extent of NH's involvement in the discharge of certain requirements where matters may affect the Strategic Road Network, Mr Tresadern acknowledged that Requirement 3 had remained an issue of disagreement on other projects promoted by the Applicant's parent company. Mr Tresadern confirmed that the Applicant would consider the points raised by NH in relation to this Scheme and respond in writing at an appropriate time, whilst noting that the parties may ultimately remain in a position of agreeing to disagree. The ExA asked Ms Russell whether the protective provisions proposed would address NH's concerns. In response, Ms Russell stated that NH's concerns in relation to certain Requirements would remain notwithstanding the protective provisions*".	NH made similar submissions set out above in connection with the Green Hill Solar Park DCO. The Green Hill Solar Park DCO, reference EN010170, was made on 8 October 2026. On that point the ExA did not agree to change Requirement 3. Notwithstanding the above, NH's position remains that it is best placed to assess whether any amendment to an approved document, however seemingly minor, may impact the SRN. NH accepts however that it would not proportionate for the Applicant to consult with NH on every change to a certified document. To address this, NH proposes a minor amendment to Requirement 3 to secure that NH is consulted on amendments to certified documents, but only insofar as those amendments relate to the operation of the SRN or any land in which NH holds an interest. The following change (shown in red below) would address NH's concerns *The undertaker may submit any amendments to any approved document to the relevant planning authority for approval (in consultation with National Highways where relevant, in the context of the operation of the Strategic Road Network or any of its interests in land), and, following approval, the relevant approved document is to be taken to include the amendments approved under this paragraph.*
	Draft Development Consent Order (DCO)-Schedule 16 – Procedure for discharge of requirements	"*The ExA asked the Applicant to comment on requests for proposed changes to paragraph 3(3) of Schedule 16 of the draft DCO [APP/3.1.4] from the EA for 15 working days to respond, and NH for 28 days to respond. Mr Tresadern explained that as part of the discharge process, the Applicant is required (under paragraph 2(1) of Schedule 16 to the draft DCO [APP/3.1.4]) to submit a copy of the documentation to the relevant named consultee at the same time as submitting it to the relevant planning authority. As a result, consultees such as the EA have access to the documentation from the first day of the eight-week determination period provided for under paragraph 2(2) of Schedule 16. In addition, paragraph 3(2) of Schedule 16 allows consultees a further ten working days to request additional information. The relevant planning authority can consider this information and/or request further information. Mr Tresadern emphasised that it is not in the*	The ExA has indicated in the schedule of proposed changes to the DCO published on 29 September 2026 that the time periods in Schedule 16 3(2) and (3) should be changed to provide greater response times. NH is grateful to the ExA for revising the time periods, but the revised drafting still does not solve NH's issue. Under the revised drafting, the time NH has to review an application depends on how much of its own time allowance the local authority uses. If the authority uses its full allowance, NH

		Applicant's interest to submit documents for discharge without discussion in advance, as doing so would be likely to delay the process rather than facilitate efficient determination. Mr Tresadern further submitted that there is no need for a specific statutory requirement for pre-submission consultation. Early engagement is already in the Applicant's interests, as it supports the timely and efficient discharge of Requirements. The discharge process also covers a broad range of plans and documents of varying complexity. While some submissions may concern relatively minor matters that can be reviewed quickly, others are likely to be more detailed and warrant the full determination period. Mr Tresadern noted that the wording and timeframes proposed in paragraph 3(3) of Schedule 16 to the draft DCO [APP/3.1.4] are precedented in the Longfield Solar Farm Order 2023 and the Tillbridge Solar Order 2025, both of which were made by the Secretary of State with those timings agreed. The Applicant therefore does not propose to depart from this established precedent by making the amendments sought. In addition, the Applicant understands that an approach to the wording of paragraph 3 of Schedule 16 to the Green Hill Solar Farm DCO is close to being agreed with NH. Should agreement be reached, Mr Tresadern stated that the Applicant would discuss with NH whether the same approach and wording can be adopted for the Scheme. Mr Tresadern acknowledged that discussions on this issue remain ongoing, particularly with NH".	could have as little as 5 working days, from day 5 to day 10, to review the application, prepare a response and make any request for further information. That is not enough time to review technical submissions of the kind expected under these requirements. The Applicant says that NH is protected because it can work from the copy of the application it receives under paragraph 2(1), rather than waiting for the authority's formal consultation. We do not accept that this gives adequate protection. Paragraph 2(1) gives NH no right to be consulted and no right to have its request passed on. It also does not stop the day-20 cut-off from running. This is particularly important where the consequence of missing the cut-off is loss of the opportunity to obtain further information. NH therefore request that the drafting is amended so that NH has a suitable guaranteed minimum period of 15 working days, running from the date it receives the formal consultation. The authority's determination period and the day-20 cut-off should be extended to 25 working days to accommodate that period, so that the time allowed to the consultee cannot be reduced by the time the authority itself takes and the authority should be under an obligation to issue the consultation in a shortened period of 5 working days. This would mean that if the authority uses its full allowance at each stage, NH still get 15 working days to decide whether further information is required.