Norfolk County Council

Closing Statement

The Droves Solar Farm (EN0110013)

Deadline 6: 30th October 2026

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Contents

CONTENTS **2**

GLOSSARY OF ACRONYMS 3

INTRODUCTION **4**

1. CLOSING STATEMENT 4

APPENDIX A

LLFA Comments of the draft DCO.....23

Glossary of Acronyms

AEP	Annual Exceedance Probability
ASI	Accompanied Site Inspection
BESS	Battery Energy Storage System(s)
BMV	Best and Most Versatile (agricultural land)
CNP	Critical National Priority
DCO	Development Consent Order
DIO	Defence Infrastructure Organisation
DTM	Digital Terrain Model
ES	Environmental Statement
ESSCS	Employment, Skills and Supply Chain Strategy
ExA	Examining Authority
FRA	Flood Risk Assessment
HDD	Horizontal Directional Drilling
HER	Historic environment record
ISH	Issue Specific Hearing
kV	Kilovolt
LHA	Local Highway Authority
LiDAR	Light Detection and Ranging
LLFA	Lead local Flood Authority
LIR	Local Impact Report
NaFRA	National Flood Risk Assessment
NCC	Norfolk County Council
NESO	National Energy System Operator
NGET	National Grid Electricity Transmission
NFRS	Norfolk Fire and Rescue Service
NPS	National Policy Statement
oBSMP	outline Battery Safety Management Plan
oCEMP	outline Construction Environmental Management Plan
oLEMP	outline Landscape and Ecological Management Plan
OFH	Open Floor Hearing
OHL	Overhead line
PAR	Precision Approach Radar
PRoW	Public Right of Way
PV	Photovoltaic
RAF	Royal Air Force
RR	Relevant Representation
SoS	Secretary of State
SUDs	Sustainable (Urban) Drainage Systems
SWMP	Site Waste Management Plan

Introduction

1. Closing Statement

1.1 This document sets out the Closing Statement of Norfolk County Council ("NCC" or "the County Council") in response to The Droves Solar Farm Project ("the proposed development"). The proposed development has been progressed by an application for a Development Consent Order (DCO) by The Droves Solar Farm Limited ("the Applicant").

1.2 The submission follows on from the Issue Specific Hearings (ISHs), Open Floor Hearings (OFHs) and Accompanied Site Inspection (ASI) held during the course of the Examination and NCC's previous submissions to the Examining Authority's written questions and requests for information.

1.3 NCC is the upper-tier local authority for the county of Norfolk. It has a wide range of statutory and non-statutory responsibilities to provide services and discharge regulatory functions including, among other things, as:

- Minerals and waste planning authority;
- Local Highway Authority (LHA);
- Responsibility for Public Rights of Way (PRoW);
- Lead Local Flood Authority (LLFA);
- Norfolk Fire and Rescue Service (NFRS);
- Local authority with public health responsibilities
- Provider of archaeological services; and
- Maintaining Norfolk's historic environment record (HER)

1.4 NCC responses during the Examination have reflected the responsibilities set out above, and consequently there are some matters in relation to which it has not commented, and in particular where these are more appropriately to be dealt with the Breckland District Council or the Borough Council of King's Lynn and West Norfolk as the lower-tier local authorities. In accordance with the Examining Authority's Rule 8 Letter of 13th May 2026 [PD-008], this submission sets out NCC's "final position including matters not resolved by the end of the examination "

1.5 The initial assessment of principal issues by the Examining Authority (ExA) set out in the Rule 6 Letter of 8th April 2026 [PD-006], identified the following matters, although these are stated as not necessarily being limited to items listed:

Need, Site Selection and Alternatives

- The need for the proposed development;
- The approach to alternatives, including location, scale and technology

Aviation

- Effects on precision approach radar at RAF Marham;
- Adequacy of mitigation for Glint and Glare effects, and birdstrike safeguarding

Biodiversity

- Effects on species and habitats, including bird populations
- Adequacy of proposed Skylark and Curlew mitigation areas
- Effects on designated sites and habitats of principal importance
- Effects on veteran trees and hedgerows
- Biodiversity net gain and how this would be secured

Climate

- Adequacy of greenhouse gas assessment

Cultural Heritage

- Effects on the historic environment, including archaeology, and the setting of designated heritage assets such as listed buildings and scheduled monuments

Flood Risk, Hydrology and Water Resources

- Adequacy of the Flood Risk Assessment (FRA)
- Adequacy of risk assessment regarding hydrogeological modelling and impacts from pollution on surface and ground water
- Water resources required during construction and operation

Grid Connection

- Implications arising from uncertainty of National Grid Electricity Transmission plc's new substation and the proposed development's grid connection

Land and Soil

- Effects (including cumulative) on agricultural land, best and most versatile (BMV) agricultural land and other land
- Adequacy of soil management plan
- Adequacy of waste and materials management

Landscape and visual (including good design)

- Adequacy of the Landscape Visual Impact Assessment

- Effects (including cumulative) on landscape character and visual amenity
- Adequacy of the Glint and Glare Assessment
- The extent to which good design would be demonstrated

Noise and Vibration

- Effects (including cumulative) on residential receptors
- Adequacy of proposed mitigation and how it would be secured

Population

- Effects (including cumulative) on employment, businesses and the local economy
- Effects on the public rights of way network, including the experience of its recreational users and new permissive paths and how these would be secured
- Effects on health and wellbeing
- Health and safety associated with battery energy storage system

Transport and Access

- Effects (including cumulative) on the road network and road users and the suitability of proposed highways works

2. NCC's Closing Comments on the Principal Issues

2.1 The following sections set out NCCs closing comments in relation to each of the matters listed above, where these are relevant to its statutory and non-statutory responsibilities, although headings below have been deleted where NCC has no comment or amended where appropriate to reflect the matters that remain of concern to NCC.

Need, Site Selection and Alternatives

The need for the proposed development;

2.2 While NCC accepts that NPS1 identifies that the Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure, which for electricity generation, includes all onshore and offshore generation that does not involve fossil fuel combustion, and therefore includes renewable generation including solar farms. However, this does not itself make the proposed development acceptable. NCC in its Relevant Representation has made clear it has a number of strategic concerns. These include; the cumulative impact of the proposed development and that of other proposed solar farms across Norfolk, which could result in; the cumulative loss of over 4000 hectares agricultural land across Norfolk including Best and Most Versatile (BMV) land; significant environmental impacts on the sensitive Nar Valley including the historic village of Castle Acre with its Castle and Priory; impact on local communities and businesses as a result of disruption arising from the proposed development during its construction on local residents and businesses; and a lack of benefits to both

residents and businesses in Norfolk in line with NCC's Climate and Economic Strategies. NCC has also expressed it concern about the lack of a strategic approach to the siting solar farms across the County and the cumulative impacts associated with multiple large scale solar farms will have on Norfolk's environment, local communities and businesses.

The approach to alternatives, including location, scale and technology

2.3 NCC has expressed concerns about the approach to alternatives, including location, scale and technology. It has made clear that it favours the use of fixed solar panels with a lower height (3.5 metres) rather than tracking panels (up to 4.5 metres) as they would have less visual and landscape impacts. The Applicant has indicated that these matters have yet to be finalised. As such there remains concern regarding the potential impacts associated with tracking solar panels, which are of greater height, and are likely to be significantly more visible across this sensitive environmental and historic area (SoCG Ref. 1.2).

2.4 NCC has also expressed its disappointment that the application has not included an underground alternative for the proposed diversion of the existing dual circuit 400kV overhead line (OHL) into the new National Grid substation (SoCG Ref.1.3).

2.5 NPS EN-5, paragraph 2.9.14 requires applicants to demonstrate due consideration of costs and benefits of feasible alternatives, and the absence of undergrounding leaves a significant gap in mitigation for landscape and visual impacts. NCC has urged the Applicant to explore additional measures to reduce, mitigate, or compensate for residual impacts in line with the mitigation hierarchy set out in NPS EN-1.

Aviation

Effects on precision approach radar at RAF Marham

2.6 NCC has expressed concern in its Local Impact Report that the impacts RAF Marham, and is aware that the Defence Infrastructure Organisation (DIO) submitted an objection to the scheme on the basis that it will be a source of multi-path reflections of the radar's transmissions and that this would cause interference to the precision approach radar (PAR) impacting upon its ability to accurately detect and track aircraft during critical stages of their approach to runway 23 at RAF Marham.

2.7 The Examining Authority will be aware from Issue Specific Hearing 1 (ISH1) and Issue Specific Hearing 3 (ISH3) that there was considerable discussion about potential mitigation, from which it emerged that this would most likely comprise the construction of additional bunds. NCC is concerned that this may result in mitigation proposals that themselves have the potential to have significant impacts on the landscape including historic landscape and flood risk and surface water management.

2.8 As set out in the NCC's Deadline 4 Submission [REP4-044], as was stated during the discussion at ISH3, NCC remains concerned that mitigation options for aviation

affects for which no details have yet been provided by the Applicant and consequently they have not been assessed as part of the Environmental Statement Chapter 6: Landscape and Visual [AS-016]. NCC is concerned, if as discussed at ISH3, that the options involve the construction of bunds and/fencing of 4.5m in height, that these would be substantial structures in their own right, with the potential to have a significant adverse landscape and visual impact. These details have still not been provided and in absence of any details including the extent and dimensions of any such bunds or fencing, NCC remains concerned that the Environmental Statement Chapter 6: Landscape and Visual [AS-016], should be updated before the application is determined, and that any decision on the application without an updated assessment is potentially unlawful.

Biodiversity

Effects on species and habitats, including bird populations

2.9 NCC considers that most impact on species are well surveyed and within existing best practice standards and guidelines.

Badgers

2.10 Safeguards with regard to Badger are detailed within the ES Appendix 7.2: Baseline Ecological Survey Report [APP-148]. Badger within the site are habituated to disturbance within close vicinity to their setts given the current agricultural use, with fields adjacent to these setts being regularly disturbed by ploughing etc.

2.11 The development and use of the site as a solar farm is not normal agricultural use, as such this will present a new disturbance type to badgers on site.

2.12 The report referenced only mentions legislation and baseline survey methods. Badger Trust Guidelines https://www.badgertrust.org.uk/planning-development-and-badgers have more up to date guidance for development.

2.13 In the NCC SoCG (SoCG Ref. 4.1) NCC has stated that the Badger Trust Guidance should be used as guidelines for reducing impact on badgers. The Applicant stated that they are following Natural England 2011 guidance that says "Badger tunnels can extend to 20m from the entrance holes and are located between 0.2 and several metres deep, depending on the soil and topography. Excavation work and heavy machinery should be kept well away from where it could result in damage to the sett or disturbance to any badger occupying the sett." which would lead naturally to the Badger Trust guidance of heavy plant being +30M away from sett entrances. The Applicant also stated that fences and solar arrays will have 4m piling, buffers should include this or follow appropriate mitigation for badgers as outlined in the above guidance documents.

2.14 The main concern is to badger during the construction period. As mentioned in the meeting, planning around the setts at this stage can be restrictive this far ahead of works. This is codified in the OCEMP [APP-188] as part of a suite of surveys that will be undertaken ahead of works, which is acceptable

Adequacy of proposed Skylark and Curlew mitigation areas

2.15 Norfolk Wildlife Trust has highlighted that mitigation areas may not be as successful due to presence of pylons. Some of these areas are close to statutory sites, the Applicant has provided evidence that the mitigation proposals will not impact the statutory sites.

Effects on designated sites and habitats of principal importance

2.16 NCC is satisfied that designated sites have none or negligible negative impact. Habitats of principal importance have none or negligible negative impact.

Effects on veteran trees and hedgerows

2.17 NCC is satisfied that the impacts to trees including veteran trees and hedgerows have been considered and, where possible, avoided or reduced as set out in the embedded mitigation measures in The Arboricultural Impact Assessment (ES Appendix 16.4 [REP2-014]). In particular the impacts of creating access onto the Highway network and the required visibility splays have been considered and no additional tree work to those proposed anticipated.

Biodiversity net gain and how this would be secured

2.18 The BNG will be provided on site with substantial increase to the number of units. The Applicant has not outlined the method of securing of these significant gains. A Habitats Maintenance and Monitoring Plan using the Natural England template will be required much of this can be derived from the OLEMP [APP-191].

Climate

Adequacy of greenhouse gas assessment

2.19 See comments on Flood Risk, Hydrology and Water Resources below.

Cultural Heritage

Effects on the historic environment, including archaeology, and the setting of designated heritage assets such as listed buildings and scheduled monuments

2.20 An amended version of ES Chapter 8, Appendix 8.7: Outline Archaeological Mitigation Strategy [APP-161] has been agreed which includes the undertaking of further trenching with the amount and location of any additional trenching being proportionate to the overall cumulative impacts, and to be confirmed following completion of the detailed design (SoCG Ref. 5.1).

Flood Risk, Hydrology and Water Resources

Adequacy of the Flood Risk Assessment (FRA)

Incomplete Evidence Base

2.21 The LLFA notes the Applicant has made some minor improvements in the preliminary drainage approach provided in the Flood Risk Assessment (FRA) [REP5-058], although the information base for the approach continues to be limited with gaps in the evidence. The LLFA notes the Applicant's response and recognises that the application is at a very early stage. The LLFA considers the information provided to be more aligned with a preliminary drainage strategy, due to a lack of supporting site specific information and suitable design detail. The LLFA confirms that at this early stage, the Applicant needs to demonstrate a viable surface water drainage design within the FRA. However, due to a lack of evidence this is not possible to determine.

2.22 The LLFA notes the Applicant has not updated the FRA in relation to a large number of the LLFA's concerns. This includes a lack of supporting evidence for a number of topics including topographic information, infiltration rates, the evidencing of statements, the use of outdated information and the lack of responding to changes in the scheme's design during the examination.

2.23 The information shown in Plate 12-2 and Plate B12-1-1 show the LiDAR topography for the whole site. It is not at a suitable level of detail within the report for the reader to determine the approximate ground levels compared to the approximate water levels and design levels. There does not appear to be a site specific topographic survey available for the site. The Applicant responses to the LLFA indicate that the LiDAR data was specifically flown for the site topography, yet in the FRA in section 12.3.5, the Applicant states the LiDAR DTM was obtained from the Environment Agency open source web portal which has a course grid resolution of 2m. The Applicant has constructed a surface water hydraulic model of an ordinary watercourse using LiDAR topographic data and is not able to include channel geometry and information on structures within the watercourse such as a culvert under the road as they do not have the information to do so. Therefore, the evidence base with which the Applicant is assessing flood risk, within the technical information available for review, is incomplete and not appropriate.

2.24 The FRA assessment of ground conditions is limited to a combination of observations of surface level of soil, a few localised (and in some places incomplete) infiltration tests and a national scale desk top analysis of land and soil type. The site specific information (infiltration testing) obtained is very localised to just a small area of the proposed development site. However, other areas of development away from this location are proposing to infiltrate to ground without any relevant supporting scientific site specific evidence to determine whether discharge is viable. However, the LLFA notes that the feasibility across the site has not been established as the majority of the site was not near an infiltration test. Of the infiltration tests undertaken, some were not completed. The Applicant has confirmed that this was due to running out of time to complete the tests. There is notable variability between the infiltration test results carried out in close proximity to each other. The uncompleted infiltration tests,

due to lack of time combined with the variability in the results over short distances, indicates there may be limitations to the infiltration potential contrary to the desk top study. A more comprehensive infiltration testing strategy is required.

2.25 The LLFA notes the Applicant's hydraulic model provided does not include site specific information about either the watercourse channel, the culvert or site specific topographic features. The watercourse has been modelled as an overland surface water feature so, it is not clear what additional value the modelling provides. The Applicant confirms in Appendix F that the model has not been validated or calibrated due to lack of information. The model does not appear to extend to a point downstream where another model could be used to provide a validated downstream boundary.

2.26 In the FRA there is, on a couple of occasions, no evidence provided to support statements such as extracts of the mapping has not been included in the FRA for the reservoir Flooding and the groundwater flood risk susceptibility mapping. Furthermore, the nearest tidal extent along a watercourse has not been identified.

2.27 The LLFA notes the Applicant confirms their position of not being able to provide evidence to demonstrate there is no increase in flood risk through the assessment of pre and post development scenarios such as through the application of the hydraulic model. At present, the hydraulic model is limited in value because it is only for a pre-development scenario and does not consider the post development scenario.

2.28 The Applicant indicates the need for watercourse crossings based on the masterplan, however, they go on to state there are "no natural watercourses" and that ditches are present, which is contradictory information. The Applicant has attended site a number of times and yet, has not provided a plan that verifies the location of these watercourses and ditches on the proposed development site. Furthermore, the Applicant indicates that “No crossings of either ordinary watercourses, main watercourses or ephemeral ditches are proposed.” However, the Applicant has not provided evidence to support that statement. In addition, there are substantial sections within Table 7 in the oCEMP on the structures that could be used to facilitate watercourse crossings and culverts. However, there is still no indication of whether this is relevant to the site. Furthermore, there are contradictory messages between the ES and the FRA and even within the FRA itself, about whether there are watercourses that would need to be crossed within the order limits.

2.29 The LLFA notes the Applicant refers to the Environment Agency's What is the Risk of Flooding from Surface Water map? Report (version 2.0 April 2019). This information has been updated since the release of the NaFRA2 Risk of Flooding from Surface Water Flood Extents in March 2025. The LLFA notes that the Environment Agency has published more recent guidance in January 2025 Risk of flooding from surface water – understanding and using the map - GOV.UK and the information in this updated report supports the recently updated NaFRA2 work. The LLFA is concerned that reference to the latest information for the new maps, based on a significantly revised method, has not occurred. There are differences to the approaches and the work undertaken in the new NaFRA2 modelling and at present the FRA does not reflect these differences. The Applicant has listed a mitigation

measure they consider including, which focused on avoidance of known flood risk as mapped by the Environment Agency from Rivers and the Sea and the Surface Water flow route in relation to the BESS although no topographic, water or design levels are given. There continues to be concerns about the accuracy and use of the surface water flow path model along the existing watercourse.

Incomplete Assessment

2.30 The Applicant is now proposing to include the PAR mitigation for RAF Marham. However, this mitigation was proposed and agreed during the examination process. This mitigation has not been assessed within the environmental statement. The LLFA notes the proposed mitigation would include either significant areas of bunding between the Solar PV arrays or alternatively high fences / barriers. Both have a significant impact on the proposed drainage strategy in the Solar PV areas. For example, should bunds be built between the Solar PV Arrays, the Solar PV Array would no longer be draining to the natural ground formation that is considered part of the proposed drainage system. Both the introduction of the bunds and /or the fences would result in the disruption of the surface water flow paths that is likely to result in an increase of flood risk on site or possibly elsewhere. The current FRA has not considered the PAR mitigation in its assessment or drainage strategy. At present, Requirement 21 makes no provision for the LLFA and other relevant organisations to be involved in the development of the shielding structures mitigation that would have wider environmental and infrastructural impact. Furthermore, it is not clear what the environmental impacts of the PAR mitigation are at this time due to its late inclusion at the examination stage of the scheme development. At present, the Applicant has very little information available about the proposed design of the mitigation which, in combination with an incomplete FRA, drainage strategy and the supporting evidence base for this work, results in an incomplete assessment on an incomplete evidence base. The reassessment and consideration of the FRA and surface water drainage strategy is necessary for the appropriate inclusion of the significant PAR Mitigation to ensure a viable flood risk management approach is made and that the PAR Mitigation is included and considered in the Environmental Statement.

Reference to Other Schemes

2.31 The Applicant has made fleeting references to other schemes in the FRA but with no meaningful information from these schemes. The Applicant the notable differences between the schemes referenced to the proposed development. For example, Cleve Hill, a 373MW facility in Kent, where the solar panels form a roof like structure that prevent daylight and surface water reaching the ground in a manner that does not appear to mimic the existing natural processes and is not consistent with the Droves design. While Mallard Pass Solar Farm, a smaller 240 MW facility that has just been consented, but is not built. The Great North Road Solar, 800 MW facility, that is yet to be determined as it is still going through the examination process. The LLFA notes the Applicant has not provided any relevant detail from the referenced schemes in terms of the approaches and methods applied. Therefore, as there is no meaningful information from the referenced schemes included in this application about the methods used, the references are out of the Norfolk area and relate to notably different schemes therefore, these references are not relevant to this application.

Lifetime of the Proposed Scheme

2.32 The LLFA notes that the National Grid Substation is proposed to be permanent, while a substantial amount of the key equipment elements (such as solar PV Panels, BESS Units and other pieces electrical equipment are to be replaced between 1 and 5 times in the 60 year lifetime. Therefore, as the Applicant has proven that it is possible to continue the life of the proposed development, the development could be considered to be a permanent development. The Applicant is not clear at this time on how they would decommission the proposed scheme and whether this would result in an increase in flood risk during the decommissioning process. The Applicant acknowledges in the flood risk assessment and other supporting documents that there is a lack of information as it is not clear what they are to construct. Therefore, the Applicant should be assessing and designing the whole scheme on the basis that it is a permanent development.

Lack of Runoff Rate Assessment

2.33 The LLFA notes that while a significant area of Works no. 1 remains permeable under Solar PV Arrays, there are still access tracks, electrical infrastructure and temporary construction compounds and associated infrastructure which provide an impermeable area. Therefore, the requirement for pre-development and post-development runoff calculations for the Solar PV areas remains relevant. The LLFA notes the Applicant has continued not to provide this information and therefore is not able to provide suitable technical evidence to support the FRA. EN-1 is clear in section 5.8.15 bullet point 11 sub point 2 which states “Information should include: ….. Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. Detail the proposals for restricting discharge rates;”. This is a standard expectation across all major and NSIP developments. While it is appreciated there is an ambition for the development’s surface water to be infiltrated to ground (although this is likely to be affected in the PAR Mitigation areas), it is still necessary to prepare the pre-development runoff rates across all areas of the site. This will need to be prepared for each discreet catchment area on the site and a catchment review will therefore be necessary too. The drainage catchments identified in the FRA relate to other areas of the proposed development in the post development phase, such as the substations and the BESS, but not the vast majority of the area that the Solar PV Arrays is upon. Therefore, the Applicant has not completed the assessment of the pre and post development runoff rates in accordance with EN-1 requirements.

Adequacy of Risk Assessment Regarding Hydraulic Modelling

2.34 The Applicant provides confirmation that they have undertaken a pluvial (surface water) model for an area that is shown to have ordinary watercourses. The Applicant confirms that the model was not extended to the existing Environment Agency fluvial model where the downstream model results could have provided a point of validation and comparison to the Applicant model. The Applicant has stated that “It was not intended to simulate detailed hydraulic behaviour within ordinary watercourses or provide a fluvial flood model of those channels.” The LLFA remains unclear why the

Applicant did not intend for the hydraulic model to reflect the source of flood risk, which was intended to inform the Flood Risk Assessment.

2.35 As the model provided does not include site specific information about either the watercourse channel, the culvert or site specific topographic survey and the watercourse has been modelled as an overland surface water feature, it is not clear what additional value the modelling provides. The Applicant confirms in Appendix F that the model has not been validated or calibrated due to lack of information. The model does not appear to extend to a point downstream where another model could be used to provide a validated downstream boundary.

2.36 The Applicant has confirmed their intention that the site walkover was to confirm conditions on the ground from the desk top datasets that the FRA and hydraulic model have been founded upon. The LLFA suggests that undertaking a topographic survey and collecting other site specific datasets, along with extending the hydraulic model to connect with a validated nearby hydraulic model, would have provided more technical insight than the site walk over. The LLFA notes the information from the walkover did not lead to appropriate amendments to the model or localised additional data sets such as surveying of the ordinary watercourse or the existing culvert. Therefore, the FRA is principally based upon national level strategic datasets that are generally used for screening and which the Environment Agency generally state that site specific flood risk assessments could be used as a starting point, but that developers should undertake site specific work. The Applicant indicates that the LiDAR data was specifically flown for the site topography yet in the FRA in section 12.3.5, the Applicant states the LiDAR DTM was obtained from the Environment Agency open source web portal.

2.37 The LLFA has queried a number of technical issues within the model's parameters on a number of occasions, including the application of the rainfall across the model area. The Applicant has not addressed the issue identified relating to the spread of rainfall (rainfall zone) across the model area (model extents) which would alter the intensity of the rainfall in the model. At present, these two areas are notably different. The Applicant has not justified why these areas are different.

2.38 The storm duration has been stated as "3 hours", with a further statement that "the critical storm duration was the summer 3-hour storm duration as it resulted in the greatest surface water depths". However, there has been no explanation of the process used to determination the critical storm duration and the range of storms that were tested and whether it was appropriate. The Applicant has since indicated that “Multiple storm durations were assessed as part of the modelling process and the 3-hour summer storm was identified as the critical duration because it generated the greatest flood depths within the model domain”. However, the Applicant has not provided the evidence to demonstrate this statement.

Appropriateness and Readability of Model Result Plans

2.39 The LLFA notes that in the Model results section in 12.5.1, no summary discussion on the model results is provided but rather a reference to information in Appendix 2. The results are not shown at a suitable scale to review the results in relation to the proposed development plans. It is still not possible to determine the differences

between the depths and extents shown on the plans at this scale. The LLFA recommends an appropriate set of Change Mapping Plans. The LLFA has reviewed the plans and continues to note that it is difficult to determine the differences between the depths and extents shown on the plans at this scale. The plans provided contain information that is appropriate for use. However, the scales are not suitable as they are too small to interpret, and the detail is unclear to read.

2.40 The LLFA notes that on review of the information in Appendix 2, there is no comparison of the Environment Agency flood model results with the development prepared 2D model. It is also clear that there is no summary of depth at key locations on the site, which would be appropriate especially in areas of interest around the proposed development and any existing structure elsewhere that could be affected by the development.

2.41 The Applicant continues to indicate their expectation of the reader to be able to place the plans side by side to undertake a visual comparison themselves. The LLFA notes it is normal practice within the industry to provide a plan with coloured areas to denote where changes in flood risk are recorded. It is reasonable to provide this information as supporting evidence to the Applicant's statements to demonstrate the amount of change.

Water Resources Required During Construction and Operation

Adequacy of Construction Phase Flood Risk Management Assessment

2.42 Inconsistent commitment to the sustainable surface water management of construction compounds.

2.43 EN-1 is very clear in section 5.8.15 that a viable surface water drainage system will be integrated into and support the proposed development's design as part of the flood risk assessment. EN-1 is also clear that there should be no increase in flood risk for the lifetime of the development includes the construction and decommissioning phases. While the FRA and the Design Principles, Parameters and Commitments have slightly improved, there continues to be an inconsistent commitment to the application of the proposed design parameters. For example, in Works 5 the Applicant has now included drainage to serve the access tracks which was not previously there however, there is no commitment to drainage for the 1 hectare (100m x 100m) construction compound impermeable areas which are understood to be different to the construction compounds under Works No 7. While in Works No. 7 the commitment made to the oCEMP details rather than a set of design principles and parameters. The outline Construction Environmental Management Plan is divided into the mitigation and monitoring for the Solar PV Site, BESS and Customer Substation and the NG Substation and connection as sections. Neither section contains a surface water drainage strategy that is site specific. The latest oCEMP [REP5-062] simply states “Drainage from the Site will include elements of Sustainable Drainage Systems (SuDS) design”. Therefore, the Applicant continues to make no commitments to the surface water management arrangements for the some of the temporary construction features which is likely to result in an increase in surface water runoff and associated flood risk increase.

Pre-seeded Grassland Drainage System Management During Construction

2.44 The Applicant has confirmed in Section 7.3.8 of the oLEMP the commitment to pre-seeding of grassland as part of the preliminary works. However, as the Applicant has also confirmed that the grassland is also the drainage system, the LLFA questions how the Applicant will protect the pre-seeded and vegetated area from damage during the construction process, while enabling access for pile driving equipment and other construction vehicles that are likely to compact the soil and vegetation acting as the formal drainage system. Furthermore, it is also not clear to the LLFA how this grassland drainage system will be repaired once the Solar PV Arrays are in situ.

2.45 The latest version of the oSMP and notes the references to the reinstatement activities relate to the restatement of the stripped topsoil in the areas of the temporary access tracks and construction compounds. There is reference in section 4.36 of the oSMP to the monitoring of soil compaction, where it states: “If compaction is identified, remedial action must be taken while the ground remains accessible to the machinery required to relieve compaction and before the PV panels are fixed.”. However, there is no reference to how the grassland areas used for access between the solar arrays will be reinstated in relation to soil compaction and the information provided appears to only consider the short period between the construction of the PV mounting structures and the fitting of the PV panels. Therefore, there is no further consideration for the compaction of the proposed drainage system for this area throughout the lifetime of the development. The Applicant has not provided an answer to the LLFA.

Inappropriate Use of the oCEMP and oLEMP

2.46 The Applicant notes that “the purpose of the oCEMP is not to provide detailed engineering designs for temporary drainage infrastructure.” However, on a number of occasions in the Applicant has used the oCEMP to do that such as in the FRA and the Design Principles, Parameters and Commitments document. This is another example of an inconsistency. The Applicant, on a number of occasions, has not provided suitable information and made reference to the oCEMP. EN-1 is very clear in section 5.8.15 that a viable surface water drainage system will be integrated into and support the proposed development's design as part of the flood risk assessment. At present, the FRA and the Design Principles, Parameters and Commitments have slightly improved. However, there continues to be an in consistent commitment to the application of the proposed design parameters. For example, in Works 5 the Applicant has now included drainage to serve the access tracks, however, there is no commitment to drainage for the 1 hectare construction compound impermeable areas which are understood to be different to the construction compounds under Works No 7. While in Works No. 7 the commitment made to the oCEMP details rather than a set of design principles and parameters. The outline Construction Environmental Management Plan is divided into the mitigation and monitoring for the Solar PV Site, BESS and Customer Substation and the NG Substation and connection as sections. Neither section contains a surface water drainage strategy that is site specific. The latest oCEMP [REP5-062] simply states “Drainage from the Site will include elements of Sustainable Drainage Systems (SuDS) design”.

2.47 For Works Nos. 9 and 11, the habitat management areas does include “drainage”, “earth works including bunds, embankments, ponds, trenching and swales” and “means of access” in the list of activities, this does appear to be a list of surface water management features that will require design commitments. A review of the latest version of the oLEMP [REP5-060] indicates that is no mention of drainage, SuDs, Swales, surface water attenuation ponds or basins. There is only one mention of surface water and that is in relation to the benefits that vegetation can provide to the improvement of surface water quality prior to the discharge to watercourses. Based on the lack of information in the oLEMP, the LLFA notes there is a potential overstatement from the Applicant that the oLEMP would provide the information in relation to the drainage and surface water management commitments. Works 10 in part a states: “ramps, bridges and other means of access” which may have drainage implications if watercourse crossings facilitated by culverts or bridges are included in the design. Although this is difficult to determine due to a lack of information.

2.48 Overall, the information provided in the Design Principles and Parameters document continues to have notable gaps in the preliminary drainage strategy. While the FRA continues to contain an incomplete drainage strategy with a notable lack of site specific evidence to support the limited design principles provided at this time.

Site Access Concerns

2.49 The LLFA has reviewed the Concept Masterplan [AS-022] referenced by the Applicant. It shows there are three access points along the eastern site boundary; Two accesses are on the A1065 and one is on the South Acre Road just to the west of the A1065 junction onto the existing access track. Both the northern access to field 26 from the A1065 and the existing access track to the north of Field 26 are at risk of surface water flooding. The southern access from the A1065 appears to be not at flood risk.

2.50 Paragraph 47 of NPPG states “Access considerations should include the voluntary and free movement of people during a ‘design flood’, as well as the potential for evacuation before a more extreme flood, considering the effects of climate change for the lifetime of the development. Access and escape routes need to be designed to be functional for changing circumstances over the lifetime of the development.”

2.51 The Applicant has indicated the FRA assesses the worst case scenario and that "the access point could be taken further north". It is not clear whether response refers to using the existing access track which is already shown to be at surface water flood risk. It is also noted that to access either of the northern access points to the proposed development in times of flood or potential flood, users would need to pass through areas of flood risk. Therefore, only the southern access point is shown to be consistently not at flood risk. It is not clear to the LLFA why the southern access point is not the primary access point to the site. The LLFA also notes that FRA in section 12.2.29 to 12.2.31 states "It should be noted that the existing access point off the A1065 in the northeast of the CSA is likely to flood to depths of up to 0.4m during the 1% AEP event (or higher return period). As such, the existing alternative access route will be retained in order to access the Scheme during times of flood. The risk of flooding to access to the Scheme is Negligible."

2.52 The LLFA notes the 0.4m depth of flooding is not in relation to the extreme event (0.1% AEP) but the design event (1% AEP). The LLFA notes that there is no change in the flood risk at the access point as no embedded or additional mitigation measures to manage the surface water flood risk in this location have been included in the proposed development. Therefore, the risk of flooding to the scheme access remains the same and the statement in section 12.2.31 is not correctly applied.

Cable Trenching During Construction

2.53 The LLFA notes the Applicant's response and that no additional information is provided like approximate location, whether watercourses crossings are likely, the estimated duration trenches would be open for, the depth of the cables, whether they will be below the groundwater level and whether these trenches will need to be dewatered and where any dewatering would be discharged to. The Applicant has indicated in their latest response that HDD would also be considered for use. While the LLFA appreciates that the proposed development is at the preliminary stage of design, other solar farms, BESSs and energy installations in the county at a comparable stage are able to identify cable corridors and typical design information, while this scheme has not been able to provide this information.

Comments on the Draft DCO

2.54 Additionally, the LLFA has a number of detailed comments on the draft DCO which are set out on Appendix A at the end of this statement.

<u>Grid Connection</u>

Implications arising from uncertainty of National Grid Electricity Transmission plc's new substation and the proposed development's grid connection

2.55 As set out in NCC Local Impact Report (LIR) part of the DCO application the grid connection is shown on the Applicant's masterplan in the north-eastern part of the site and involves the proposed 400kV substation connecting into the 400 kV transmission network. The proposed development envisages the diversion of the existing 400 kV overhead line south to connect to the solar farm substation.

2.56 It was confirmed by the Applicant at ISH1 that it does not yet hold a gate 1 grid connection offer from the NESO. It was also noted that National Grid Electricity Transmission (NGET) are not currently developing proposals to build a new substation within the project's order limits. The location of the new substation is still to be confirmed with siting studies to be reviewed post connection reform, and therefore maybe sited in a different location. Furthermore, NGET in its relevant representation has confirmed that it is not currently developing proposals to build a new substation within the project's order limits.

2.57 NCC remains concerned that it is not possible to fully assess the impacts of the proposal, in what is a sensitive natural and historic landscape.

Land and Soil

Effects (including cumulative) on agricultural land, best and most versatile (BMV) agricultural land and other land

2.58 As set out in the NCC's Relevant Representation (RR) [RR-043] and its Local Impact Report (LIR) [REP1-094], NPS EN-1, paragraph 5.11.12 makes clear that applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the agricultural land classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) and EN-5. Paragraph 3.10.136 states that the Secretary of State (SoS) should take into account the economic and other benefits of the best and most versatile agricultural land.

2.59 The SoS should ensure that the Applicant has put forward appropriate mitigation measures to minimise impacts on soils or soil resources.

2.60 As set out in its RR [RR-043], NCC strongly opposes plans for the proposed Droves solar farm which sits on 840 ha of agricultural land to the north of Swaffham. In addition to this proposal there are other major solar farms across Norfolk, which are of a large enough scale which means they will need to be determined as NSIPs, including the neighbouring High Grove solar farm project (1,400 ha); the East Pye solar farm in South Norfolk. NCC has repeatedly expressed concerns regarding the loss of best and most versatile (BMV) agricultural land in the context of this and other solar projects. It is understood that over 54% of the land taken up by this proposed solar farm would be on BMV land (i.e. Grade 1; 2; and 3a).

Adequacy of Soil Management plan

2.61 NCCs primary concern in relation to the management of soils, otherwise relates to the management of surface water runoff and the concerns it has raised that grazing could lead to soil compaction, bare ground and increased runoff (SoCG Ref. 9.17)

Adequacy of Waste and Materials Management

2.62 As set out in NCC Local Impact Report it does not consider that the proposed development will result in needless sterilisation of safeguarded mineral resources. This is due to the temporary, all be it a long-term temporary, nature of the project, the founding methods to be used for the project, and the limited areas of safeguarded mineral resources within the project boundary (SoCG Ref. 10.1).

2.63 NCC is also pleased to note that the ES Chapter 16: Other Environmental Matters contains an assessment of the waste management capacity in the vicinity of the project boundary and considers the potential impacts from the waste quantities generated by the construction and operation of the project. An outline Construction Environmental Management Plan (oCEMP) [APP-186] has been developed based on these assessments and will be secured through the DCO. A Site Waste Management Plan (SWMP) will be developed as part of an Operational Environmental Plan to address waste prevention, reuse, recycling and recovery during the operational phase, a SWMP for the construction phase will be submitted

under a requirement of the DCO. NCC as the mineral and waste planning authority considers that the measures within the draft DCO are appropriate to address the potential mineral and waste issues raised by the proposed development (SoCG Ref. 10.2).

Landscape and visual (including good design)

Adequacy of the Landscape Visual Impact Assessment

2.64 NCC Considers that the Landscape and Visual Impact Assessment (LVIA) provides adequate information and is approached correctly. NCC welcomes the additional information and revisions that have been provided. However, NCC still questions the ability of the measures proposed to provide appropriate and adequate mitigation. As set out in the SoCG (SoCG Ref. NCC 1-1) NCC remains concerned about the impact of the height of the infrastructure involved in the Scheme, and how this has the potential to have a significant impact on visibility across a sensitive environmental and historic area. NCC is disappointed (SoCG Ref.1.2) that the height of the solar modules is retained at 4.5m, and that a height of 3.5m would have less of a landscape and visual impact. NCC (SoCG Ref.1.3) remains concerned that the absence of undergrounding of the OHL diversion leaves a significant gap in mitigation for landscape and visual impacts. NCC remains concerned that the Applicant has put an emphasis on the lack of national or local designations, and that this approach risks underrepresenting values such as experiential and perceptual value, recreational value, and the contribution of historical landscape features (SoCG Ref. 1.5).

Effects (including cumulative) on landscape character and visual amenity

2.65 There are significant impacts on the landscape character and visual amenity from the development. These are sometimes difficult to understand from the representative photographs. The proposed mitigation including woodland planting, gapping up of hedges, increasing height of hedges whilst potentially effective at screening the development will themselves impact on the visual amenity and experience of the landscape, significantly reducing the open character and glimpses of the landscape experienced whilst moving through the area particularly on PRoW and long distance trail. NCC remains concerned that the change in landscape character may be more substantial than reflected in the Applicant's conclusions, as the effect for recreational users is cumulative rather than experienced at individual viewpoints (SoCG Ref. 1.6).

Adequacy of the Glint and Glare Assessment

2.66 NCC has raised concerns over the need to consider the impacts of glint and glare as recommended by the Ministry of Defence and Civil Aviation Authority (SoCG Ref. 3.1). NCC considers that the glint and glare assessment is adequate.

2.67 *The extent to which good design would be demonstrated*

2.68 Good design appears to be demonstrated however NCC questions the ability to mitigate the visual impact of this on the landscape (SoCG Refs 1.1 to 1.6).

Noise and Vibration

Effects (including cumulative) on residential receptors

2.69 See comments on The Effects on Health and Wellbeing below.

Adequacy of proposed mitigation and how it would be secured

2.70 See comments on The Effects on Health and Wellbeing below.

Population

Effects (including cumulative) on Employment, Businesses and the Local Economy

2.71 NCC welcomes the Outline Employment and Skills Plan and the commitment to a full Employment, Skills and Supply Chain Strategy (ESSCS), to be approved by the NCC prior to commencement. The full strategy will be developed in consultation with NCC's Skills and Employment Team. On this basis, the Council is satisfied that its employment and skills matters have been appropriately addressed and considers this matter resolved (SoCG Ref 2.1).

Effects on the public rights of way network, including the experience of its recreational users and new permissive paths and how these would be secured

2.72 NCC has no comments on the Outline Public Right of Way and Permissive Path Management Plan at this stage. A more detailed discussion regarding the scope and nature of the works will be required (SoCG Ref. 7.1). Where new permissive paths are created we would wish to see long-term secure agreements to preserve these throughout all stages of the development and in perpetuity.

2.73 NCC note that all PRoWs and Byways should be kept open or diverted if unable to open, and requested further detail required on what the stopping up would consist off and for how long it would last (SoCG Ref. 7.2).

2.74 NCC is however concerned that there will be significant impacts on the experience of the landscape and view across the area that will be caused by the mitigation measures proposed. In particular raising height of hedges, gapping up hedges and development of woodland blocks. Panels and electricity infrastructure and the potential installation of a bund will all reduce or remove the open agricultural and tree/woodand landscape feel for those moving through the area via Public Rights of Way (PRoW) or the Peddars Way (SoCG Ref. 1.6).

Effects on Health and Wellbeing

2.75 NCC Public Health welcome the inclusion of a Human Health Chapter in the Environmental Statement in which impacts to mental health outcomes are considered alongside changes to physical health outcomes.

2.76 NCC Public Health's main concerns were around mental health and wellbeing from changes to the local environment (i.e. around landscape character) and perceived EMFs.

2.77 Regarding landscape character, it is noted that there will be new woodland, hedgerow and tree planting to mitigate potential views from the nearby PRoW, roads and residential dwellings both within and in close proximity to the Site (SoCG Ref. 1-7).

2.78 Regarding perceived EMFs, it is noted that the Applicant will provide clear information to the public on EMF levels and compliance through the Community Liaison Group to reduce the likelihood of any perceived effects leading to measurable health outcomes.

2.79 It is noted that the development may have positive effects in relation to employment, education and training, and physical activity and that the provision of 4.7km of new permissive paths may improve opportunities for recreational access and support physical activity. All of these can play a role in improved mental health.

Health and safety associated with battery energy storage system

2.80 Norfolk Fire an Rescue Service (NFRS) has reviewed the outline Battery Safety Management Plan (oBSMP) [REP4-026] submitted with the application and have consulted with the Applicant about the plan and site as a whole.

2.81 NFRS has no concerns in respect to the plan implementation and the ongoing operation of the site in accordance with the plan. NFRS expects to carry out routine site visits and work in co-operation with the site operator to ensure that any emergency attendance required is well planned and effective.

Transport and Access

2.82 The principal issues were identified as the effects (including cumulative) on the road network and road users and the suitability of proposed highways works.

2.83 NCC as the Highway Authority is satisfied that the proposed mitigation adequately addresses the traffic and transport impacts associated with the development, including the assessed cumulative traffic effects. Subject to the agreed mitigation and highway measures being appropriately secured through the DCO, the Highway Authority raises no further objection on highway grounds.

Appendix A – LLFA Comments on the draft DCO

Disapplication of Land Drainage Act in Part 2 Article 6.1

1.1 The LLFA continues to object to the proposed disapplication of the Land Drainage Act in Part 2 article 6.1 in particular relation to section 23. The examiner previously indicated their support for the retention of the application of the Land Drainage Act.

1.2 As previously stated, the LLFA acknowledges the Applicant has provided a preliminary drawing [APP-115] that provides an initial indication of some ephemeral watercourses, but not all the watercourses. The LLFA notes that ephemeral watercourses are not necessarily wet all year round, but this does not mean that the watercourses are not connected to the wider network. Normally, a topographic survey is provided for a development site (including those taking an NSIP planning route). The topographic survey identifies watercourse channels, structures within a watercourse and the topographic geometry of the site prior to development. This has not been undertaken or provided by the Applicant. However, the watercourses have only been shown based on the OS background mapping with breaks in the marked channel. However, no watercourse tracing investigation has been undertaken to demonstrate whether or not there is a connection such as 'lost' culverts between these segments of watercourse that are all along the mapped surface water flow route. There has not been any investigation as to where these ephemeral watercourses discharge to. These watercourses are in the vicinity of existing ponds, and it is not clear if these watercourses are hydraulically connected to the ponds. The Applicant has not provided evidence of ongoing watercourse flow monitoring.

1.3 In relation to the hydraulic modelling the Applicant has undertaken on the eastern side of the site, the Applicant's own surface water modelling exercise identifies an overlap with the identified watercourses (APP-115 and Appendix 2 of the FRA REP3-066). It is noted the area modelled by the Environment Agency fluvial model for the River Nar Tributary (Check the the long term flood risk for an area in England - GOV.UK) that runs alongside the road between Bailey Street to Castle Acre Road (A1065) (thought to be called Lexham Lane) up to the western side of the A1065.

1.4 Furthermore, some of the flood extents on the Environment Agency's flood risk maps for surface water and from rivers and the sea align with the approximate location of some of the ordinary watercourses. The Applicant has shown that ordinary watercourses are within the site area. Therefore, the Land Drainage Act would apply. The LLFA notes the Environment Agency supports the view that Ordinary Watercourses are present on site in their ExQ2 response (REP3-095).

1.5 The LLFA notes the Applicant has indicated ordinary watercourse consents are considered a duplication of consenting. This is not the case. Other NSIP schemes in Norfolk, such as the Sheringham and Dudgeon Wind Farm Extension, A47 North Tuddenham to Easton Improvement, Norfolk Vanguard, Norfolk Boreas and Norwich to Tilbury, are all examples where the Land Drainage Act has been preserved in the DCO as protective provisions. The Land Drainage Act is an important tool in the management of flow in ordinary watercourses. At present, there are no protective

provisions within the current draft DCO to reinstate relevant Land Drainage Consenting activities. Therefore, the LLFA does not consider it appropriate to disapply section 23 of the Land Drainage Act 1991. As the Applicant has demonstrated that there is at least one ordinary watercourse on site, the LLFA considers the Applicant's proposed disapplication of the Land Drainage Act appears to be a premature and inappropriate approach as the Land Drainage Act remains relevant.

1.6 The Applicant has not undertaken sufficient investigation and design development at this time to adequately define the works proposed and their location. Ordinary Watercourse Consents would only apply to a small area of the site when works would need to occur within the channel. It should be noted that if there is no need for works in a watercourse, then there would be no requirement for an application under the Land Drainage Act. NCC encourages applicants to discuss their potential in-channel works with our consenting officers to determine whether a consent is required. Therefore, at this time, there is not enough evidence for the disapplication of the Land Drainage Act as it is shown to be a relevant consideration to the proposed development.

1.7 The LLFA reminds the Applicant that to disapply the legislative regime, those with relevant consenting activities under that legislation need to give consent to for its disapplication. As there are ordinary watercourses on site, the Applicant has not undertaken or provided a suitable evidence base and has not proposed any relevant protective provisions, the LLFA would not consent under Section 150 of the Planning Act 2008 to the removal of consent requirements of Section 23 of the Land Drainage Act.

1.8 The LLFA notes that in Article 31.1 (c) the LLFA notes that applicant has indicated they are seeking to build temporary bridges over watercourses but have to date been unable to identify where these bridges are located and whether they would potentially create a flood risk. As the Applicant has previously indicated that they have no watercourses to cross which was in part their justification for the disapplication of the land drainage act, the need for constructing temporary bridges in article 31.1 (c) is unclear. Therefore, this highlights the need for the retention of the land drainage act in relation to this scheme to ensure the scheme does not increase flood risk.

<u>Article 49 - Maintenance of Drainage Works</u>

1.9 The LLFA continues to object to the proposed inclusion of article 49. The examiner previously indicated their support for the removal of Article 49 but it remains within the draft DCO.

1.10 The LLFA has reviewed Article 49 and the Environment Agency's comments on Article 49. The LLFA has also reviewed previous NSIP in Norfolk, both recent and older, and is unable to find a similar Article in the made on draft DCOs.

1.11 The LLFA do not see the requirement for Article 49. The occupier / owner of land within the proposed site boundary would normally be responsible for the maintenance and management of the land and its drainage. Norfolk LLFA, the Environment Agency and the IDB's within the Norfolk area are all clear that if you live on, own or

lease land next to a watercourse you have rights and responsibilities for its maintenance. It is the presumption in common law, in the absence of any evidence to the contrary. This is made clear in the Norfolk LLFA online guidance Living Next to a Watercourse, which is supported by the Environment Agency and the IDB guidance too.

Requirement 11 - Surface Water and Foul Drainage

1.12 The drainage strategy is the main mitigation approach to managing the surface water flood risk from the proposed development to the development and elsewhere. The LLFA is the lead authority for managing surface water flood risk which is a local flood risk. The LLFA notes that Requirement 11 of the draft DCO does not reference the LLFA as a consultee. This is incorrect and demonstrates the Applicant's lack of understanding of the water and flood risk management jurisdictions. As the Environment Agency and Anglian Water do not hold the responsibility of statutory consultee on surface water flood risk or the management of local flood risk associated with surface water flood risk, they are not appropriate to comment on surface water flood risk and its management. Therefore, to ensure consistency with the national and local planning policies, the LLFA require that R11 includes reference to the LLFA as a consultee.

1.13 The drainage strategy is necessary to support the assessment of flood risk to demonstrate there is no increase in flood risk onsite or elsewhere. At present, the drainage strategy is not able to confirm where the proposed surface water drainage system would discharge due to a lack of information about the site conditions and it is not possible to determine whether the drainage is viable at this time. Therefore, it is not possible for the flood risk assessment to confirm that there is no increase in flood risk at this time.

1.14 Finally, the LLFA notes that there is no mention of the different phases of the proposed development in relation to the drainage system. A present, the current wording would require both the construction and operational phase drainage design prior to any site enabling works could begin. This approach is likely to delay the construction phase from starting as schedules as at present the Applicant is proposing to delay the data collection that the design is based upon until they have consent (should it be obtained). The data collection to inform the proposed drainage design could take between 3-12 months. This links back to the point the LLFA makes in this response, relating to a lack of site specific information to base the preliminary or detailed drainage design on.

Requirement 13 - Construction Environment Management Plan

1.15 The LLFA identifies that within requirement 13 there is no provision for the development of a construction surface water management plan or similar that will develop a temporary surface water drainage design for the temporary construction phase structures. This was previously indicated as an element to be provided within the Applicant previous responses. However, the LLFA observes there is no provision for the Applicant provide this information under the construction environmental management plan. The LLFA request that the text of this requirement is updated to reflect the indicative commitments the Applicant has made within their previous

dialogue. A copy of the comments tracker between the Applicant and the LLFA will be made available Norfolk County Council. The LLFA notes that Requirement 13 of the draft DCO does not reference the LLFA as a consultee even though they applicant has directly indicated the need for the LLFA to engage on the management of surface water management in the construction phase in the CEMP.

1.16 Furthermore, it remains unclear what facility for construction activities will need to remain in place throughout the duration of the scheme's operational phase due to the regular replacement off solar inverters, BESS units, and other electrical components supporting this scheme. The LLFA has not to date observed any consideration or mention of such an ongoing construction compound supporting this scheme.

Requirement 14 - Operational Environment Management Plan

1.17 The LLFA notes that Requirement 14 of the draft DCO does not reference the LLFA as a consultee even though the Applicant has directly indicated the need for the LLFA to engage on the management of surface water management in the operational phase in the OEMP.

Requirement 20 - Decommissioning and Restoration

1.18 The LLFA notes that Requirement 20 of the draft DCO does not reference the LLFA as a consultee even though the Applicant has directly indicated the need for the LLFA to engage on the surface water management in the decommissioning and restoration phase.

Requirement 21 - Mitigation at RAF Marham

1.19 The LLFA notes the need for the PAR mitigation for RAF Marham. However, this mitigation was agreed within the examination process. This mitigation has not been assessed within the environmental statement. The LLFA notes the proposed mitigation would include either significant areas of bunding between the solar PV arrays or alternatively high fences. Both have a significant impact on the proposed drainage strategy in these areas. For example, should bunds be built, the solar PV arrays would no longer be draining to the natural ground formation that is considered part of the proposed drainage system. Both the introduction of the buns and or the fences would result in the disruption of the surface water flow paths that is likely to result in an increase of flood risk on site or possibly elsewhere. The current FRA has not considered this mitigation in its assessment or drainage strategy. At present, requirement 21 makes no provision for the LLFA and other relevant organisations as appropriate to be involved in the development of the shielding structures mitigation. Furthermore, it is not clear what the environmental impacts of this mitigation are at this time, due to its late inclusion during the examination stage of this scheme’s development. At present, the Applicant has very little information available about the proposed design of the mitigation. This is in combination with an incomplete FRA, drainage strategy and the supporting evidence base for this work. The LLFA requires revisions to be made within requirement 21 to develop a surface water drainage strategy that is viable in relation to the significant mitigation scheme or a risk that previously had not been recognised or considered in the environmental statement.