THE DROVES
SOLAR FARM

The Droves Solar Farm

Applicant's Response to Rule 17 Request

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1 Introduction

1.1 Purpose of this Document

1.1.1 This document has been prepared on behalf of The Droves Solar Farm Limited (the Applicant) to set out the response to the Examining Authority's (ExA) Rule 17 Letter **[PD-013]** dated 21 October 2026 requesting further information on the following topics:

- Decommissioning and restoration;
- Design Principles, Parameters and Commitments; and
- Archaeology.

1.1.2 The Applicant's responses to the queries in the Rule 17 letter are set out below.

2 The Applicant's responses to the Rule 17 letter

ExA Request **for further information**	**Applicant's Response**
Decommissioning and restoration Requirement (R) 20(1)(a) of the draft Development Consent Order (dDCO) [REP5 004] states: *"20.—(1) The date of decommissioning: (a) with respect to each part of Work No. 1 must be no later than 60 years following the initial date of final commissioning; and"* The applicant's response to the Examining Authority's (ExA) third written questions (ExQ3) [REP5-078] question (Q) 5.0.1 states: *"The Applicant has obtained the agreement of the relevant option holder(s) to disclose the duration of the lease term, which is up to 40 years for the Solar Photo voltaic (PV) Site, the Battery Energy Storage System (BESS) and the National Grid and Customer Substations."* a) Could the applicant clarify why there is a difference in the two durations given the above? b) Could the applicant clarify whether it proposes to have an option to extend the lease term from up to 40 years to up to 60 years, and if so, could further details be provided? If not, what would	(a) A lease period of 40 years is common practice in commercial agreements of this nature. An agreement longer than this risks committing the developer to a potentially unknown commercial climate to operate this technology beyond the 40-year mark. However, the Applicant seeks a 60-year consent given that it is anticipated that the landowner would be open to negotiations for a further extension (i.e. for the additional 20 years) at the 40-year mark, should the Scheme remain viable. The Applicant has the ability to negotiate a further renewal of the terms at this time. In the event the landowner does not wish to renew the lease at the 40-year mark, the Applicant would be required to decommission the Scheme at that time, which would therefore occur in compliance with Requirement 20(1) of the **draft Development Consent Order (DCO) [APP/3.1.6]** which requires this to be "*no later than 60 years following the initial date of final commissioning*". (b) This Applicant does not currently propose to have an option to extend the lease term from 40 to 60 years. There are no adverse implications of this, as negotiation of a further option or a reversionary lease to cover the remainder of the 60-year operational period can be undertaken at any time between the Applicant and the landowner prior to the original (40-year) lease expiring, once it is clear that it is viable (in the context of the Scheme) to do so. Per the above, the Applicant understands that the landowner would be open to this extension at the appropriate time (and the Applicant has the ability to negotiate a further renewal of the terms at this time). However, and also as referenced above, in

be the implications of this and should there be provision in the dDCO for scenarios whereby the decommissioning is completed prior to expiry of the lease and after the proposed development stops generating electricity for an extended continuous period for non maintenance reasons? R20 of the dDCO excludes the decommissioning of Work No. 4 (works in connection with a new National Grid substation) and Work No. 5, (works in connection with a connection to the existing overhead transmission electric line). The applicant's response to the ExA's first written questions (ExQ1) Q5.0.1 part (ii) [REP1-069] states "*The Lease to be granted pursuant to the relevant Option Agreement does not require reinstatement of any infrastructure which has been adopted by the Network Operator i.e. National Grid Electricity Transmission Plc*." c) Given the applicant's response above to ExQ3 Q5.0.1, could the applicant provide further detail on its proposals for permanently acquiring the land for Work Nos. 4 and 5 after the 40 year lease has expired?	the event the landowner does not wish to renew the lease at the 40-year mark, the Applicant would be required to decommission the Scheme at that time. Requirement 20 of the **draft DCO [APP/3.1.6]** requires the Scheme to be decommissioned. Sub paragraph (1) requires that the date of decommissioning is not later than 60 years after the earliest date of final commissioning. At least 12 months before the date of decommissioning (that is, at least 12 months before commercial use is ceased being 59 years from the date of final commissioning, or earlier), the Applicant must notify the planning authority that it intends to decommission (sub-paragraph (2)). The decommissioning plan must be submitted for approval at least 10 weeks before the intended date of decommissioning (sub-paragraph (3)). The decommissioning plan must include a timetable for its implementation (sub-paragraph (4)). The plan must then be approved (sub-paragraph (5)) and implemented as approved (sub-paragraph (6)). In light of the definitions of "date of decommissioning" and "commercial use" in Article 2(1) of the **draft DCO [APP/3.1.6]**, the decommissioning plan, including the timetable for when the decommissioning will take place, will be submitted to the planning authority for approval whilst the relevant part of the authorised development continues to generate electricity on a commercial basis. In the event that the commercial use of all or part of the Scheme ceased unexpectedly, the Applicant would need to agree an alternative timescale for approving the decommissioning plan with the relevant planning authority or seek to amend the DCO to avoid a breach. This approach ensures that a plan for decommissioning is in place at, or shortly after, the date on which commercial use ceases. Once approved, the plan must be implemented. Any failure to decommission in accordance with the plan (including timetable) would be a breach of Requirement 20 of the **draft DCO [APP/3.1.6]** and enforcement action could be taken by the planning authority.

	On this basis the Applicant considers that there is no need for a provision in the **draft DCO [APP/3.1.6]** for scenarios whereby the decommissioning is completed prior to expiry of the lease and after the Scheme stops generating electricity for an extended continuous period for non-maintenance reasons. All of the above equates to a commercial decision from the Applicant to currently opt for a 40-year lease and then extend that lease to cover the full 60-year term at the appropriate time – this does not constitute a planning or consenting reason for the Scheme to not be granted a 60-year operational period. The Applicant also notes that the Secretary of State's Decision Letter[1] in respect of the recently-consented Green Hill Solar Farm Order 2026 is explicitly clear that there was no reason, in similar circumstances, to limit the operational period of that project to 40 years, including for the reason that the Environmental Statement (ES) had assessed a 60-year term (which is what the ES for this Scheme has also done). (c) The Applicant's agreement with the relevant landowner includes provisions whereby the Applicant can require the landowner to grant a longer-term lease or transfer of the freehold for Work Nos. 4 and 5 to the network operator (for an additional payment).
Design Principles, Parameters and Commitments a) The Design Principles, Parameters and Commitments [REP5-038] has been updated to include a range of freeboard allowances for various proposed development components. Could the applicant confirm whether the maximum height specified for the components has taken into account the proposed freeboard	(a) The freeboard allowances are accommodated within the maximum heights that have been set out in the **Design Principles, Parameters and Commitments [APP/5.8.6]** and assessed within the ES. For example, the ES has modelled the maximum height of 13m for the entire Customer Substation compound - the freeboard allowance of 150mm would be accommodated within that maximum parameter of 13m above existing ground levels or the maximum AOD height, as set out in the **Design Principles, Parameters and Commitments [APP/5.8.6]**.

[1] https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010170-001960-Green%20Hill%20Solar%20-%20Decision%20Letter%20-%20Final%20signed.pdf

allowances? If not, are there any implications for the Environmental Statement assessments? b) While page 54 of the Design Principles, Parameters and Commitments includes a heading for Appendix 1: National Grid and Customer Substation Platform extents, page 55 appears blank. Could the applicant provide this information?	(b) The drawing included at Appendix 1 of the **Design Principles, Parameters and Commitments [APP/5.8.6]** at Deadline 5 was not optimised for viewing in a web browser, but is visible when the document is downloaded and viewed using Adobe Acrobat. In order to clarify matters, a web-optimised version of Appendix 1 has been provided in the updated **Design Principles, Parameters and Commitments [APP/5.8.6]** submitted at Deadline 6.
Archaeology Could the applicant confirm whether it will be updating R12 of the dDCO at deadline 6 to take account of Historic England's recommended wording referred to in item HER 1-16 of its statement of common ground [REP5-018].	The Applicant notes that the ExA refers to the **Statement of Common Ground with Historic England [REP5-018]**, which is signed by the Applicant and Historic England and reflects that this matter (HER 1-16) is agreed between the parties. The Applicant considers that this reflects Historic England's approval of the current form of wording for Requirement 12 of Schedule 2 of the **draft DCO [APP/3.1.6]**, given that the Applicant (at the request of Historic England) made changes directly to **ES Appendix 8.7: outline Archaeological Mitigation Strategy [REP2-016]** (to which Requirement 12 relates) during the Examination, in order to address Historic England's concerns in this regard. The Applicant, therefore, does not propose to alter the wording of Requirement 12 of the **draft DCO [APP/3.1.6]**.

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