



East Pye Solar
Applicant's Response to Advice and Observations at
Acceptance

Revision 1

July 2026

Planning Inspectorate Reference: EN0110014

Document Reference: APP/8.1

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1 July 2026

Planning Act 2008: Application for a Development Consent Order for East Pye Solar - Response to Section 51 Advice

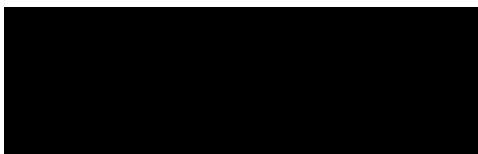
Application Ref: EN0110014

Following acceptance of the Development Consent Order (DCO) application [PD-001] for East Pye Solar, please find enclosed the Applicant's full response, as listed in the table below and enclosed, in respect of the advice issued by the Planning Inspectorate on 2 April 2026 under Section 51 of the Planning Act 2008 (PA 2008) [PD-002] and comments provided by the Planning Inspectorate on 2 April 2026 within the Section 55 checklist [PD-003].

The Applicant provided an initial response to the Section 51 advice to the Planning Inspectorate on 28 April 2026 [AS-001 – AS-029]. This letter sets out the Applicant's full response, identifying plans and documents that have been provided by the Applicant to the Planning Inspectorate or enclosed within this letter, with its submissions during the pre-examination stage before the commencement of the Preliminary Meeting, as requested under Section 51.

We trust the information below is clear, however, if we can be of any further assistance, please do not hesitate to contact us on the details above.

Yours sincerely



On behalf of East Pye Solar Limited

Enclosed:

- Draft Development Consent Order [EN0110114/APP/3.1] (Clean and Tracked versions) (Revision 2);
- Schedule of Changes to the draft Development Consent Order [EN0110114/APP/8.2] (Clean);
- Explanatory Memorandum [EN0110114/APP/3.2] (Clean and Tracked versions) (Revision 2);
- Shadow Habitats Regulations Assessment [EN0110114/APP/7.25] (Clean and Tracked versions) (Revision 2); and
- Commitments Register [EN0110114/APP/7.26] (Clean and Tracked versions) (Revision 2)
- Guide to the Application [EN0110014/APP/1.3] (Clean and Tracked versions) (Revision 2)

1 Applicant's Response

Table 1.1: Applicant's Response to Advice provided under Section 51 of the PA 2008

Planning Inspectorate Comments	Applicant's Response
Section 51 Advice [PD-002]	
Minor errors and omissions There are minor errors and omissions, as reflected in Box 30 of the acceptance checklist.	These have been addressed below. Where no immediate correction is proposed, an explanation has been provided.
Draft Development Consent Order (DCO) (Doc 3.1) Part 1 – Preliminary Article 2(1) – Interpretation: The activities defined under the interpretation of “permitted preliminary works” indicate that these are (i) lawful preparatory activities and (ii) may be undertaken prior to the granting of a Development Consent Order, such as environmental surveys. These activities do not appear to be referenced within the description of the authorised development set out in Schedule 1 of the draft DCO (Doc 3.1).	Schedule 1 to the draft DCO [EN0110114/APP/3.1] lists all of the works anticipated for the authorised development that require development consent. This includes elements of the permitted preliminary works such as the works listed in sub paragraphs (a), (e) and (n) at the end of Schedule 1. Some permitted preliminary works (such as non-intrusive surveys) may not require planning consent but have been included in the definition of permitted preliminary works to clarify that such activities do not constitute commencement of the authorised development.
Draft Development Consent Order (DCO) (Doc 3.1) Part 1 – Preliminary The applicant should confirm whether the activities defined under the interpretation of “permitted preliminary works” constitute works or operations undertaken for the purposes of, or in connection with, the construction, operation, or maintenance of the authorised development, and whether they fall within the scope of the environmental impact assessment presented in the Environmental Statement.	The Applicant confirms that some of the activities that fall within the definition of permitted preliminary works constitute works or operations undertaken for the purposes of, or in connection with, the construction of the authorised development and to the extent that they are works constituting development have been assessed in the Environmental Statement.
Draft Development Consent Order (DCO) (Doc 3.1) Part 1 – Preliminary	The draft DCO [EN0110114/APP/3.1] has been updated and is submitted with this letter as part of the Applicant's response to the Section 51 advice.

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Article 2(1) – Interpretation: the applicant is advised to adjust the definitions of ‘commence’ and ‘permitted preliminary works’ if that is necessary to remove any site preparation works that are likely to have significant environmental effects, for example, in terms of noise or impacts on protected species or archaeological remains (see Advice Note 15 - paragraph 21.2).	Requirement 13 now secures that any permitted preliminary works will be carried out in accordance with a permitted preliminary works environmental management plan. The permitted preliminary works environmental management plan will be submitted into the Examination at Deadline 1.
Draft Development Consent Order (DCO) (Doc 3.1) Part 1 – Preliminary Article 2(1) – Interpretation: the applicant is further advised to adjust the definition of “maintain” if that is necessary for it not to authorise development which may result in significant environmental effects not already assessed (see Advice Note 15 – paragraph 18.2).	Article 5(3) confirms that the term “maintenance” does not authorise any activities that would give rise to any materially new or materially different effects in comparison with those reported in the Environmental Statement. The Applicant therefore considers that it is not necessary to amend the definition of “maintain”.
Draft Development Consent Order (DCO) (Doc 3.1) Part 7 – Miscellaneous and general Article 42 - Certification of plans and documents, etc. The applicant is encouraged to set out the reference numbers of all documents (see Advice Note 15 – paragraph 11.2). Ensure that every individual document is identified either within the development consent order itself or within a separate certified document. Ensure that each document listed is the latest version submitted to the examination and that the version number is identified accordingly.	Schedule 12 to the draft DCO [EN0110114/APP/3.1] has been updated and is submitted with this letter as part of the Applicant's response to the Section 51 advice. Schedule 12 will be kept under review and updated throughout the Examination.
Draft Development Consent Order (DCO) (Doc 3.1) Schedule 2 Requirements Part 1 of Schedule 12 of the draft DCO lists the date of issue for all documents in the schedule as “February 2026.” However, the cover pages of these documents clearly state the issue date as “March 2026”. Ensure that the date of issue shown in Schedule 12 of the draft DCO is consistent with the dates displayed on the cover pages of the referenced documents.	Schedule 12 to the draft DCO [EN0110114/APP/3.1] has been updated and is submitted with this letter as part of the Applicant's response to the Section 51 advice. Schedule 12 will be kept under review and updated throughout the Examination.
Draft Development Consent Order (DCO) (Doc 3.1) Schedule 2 Requirements	The draft DCO [EN0110114/APP/3.1] has been updated and is submitted with this letter as part of the Applicant's response to the Section 51 advice.

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Part 1 of Schedule 12 of the draft DCO identifies Document 6.3.10.6 as the "Outline Archaeological Mitigation Strategy." However, Appendix 10.6 of the submitted Environmental Statement (Doc. 6.3.10.6) is titled "Archaeological Mitigation Strategy Revision 1 – March 2026". Confirm whether the draft DCO's reference to Document 6.3.10.6 as an outline archaeological mitigation strategy is correct.	The Applicant confirms that the correct title is Archaeological Mitigation Strategy [APP-173].
Draft Development Consent Order (DCO) (Doc 3.1) Schedule 2 Requirements Part 3 of Schedule 14 of the draft DCO refers to the drainage work situated within the limits of deviation. No limits of deviation appear to be defined within the draft development consent order. This matter should be clarified.	The draft DCO [EN0110114/APP/3.1] has been updated and is submitted with this letter as part of the Applicant's response to the Section 51 advice. The Applicant can clarify that there are no limits of deviation for the Order Limits. The works can be located within the relevant area shown on the Works Plan [AS-002 and AS-003] .
Draft Development Consent Order (DCO) (Doc 3.1) Schedule 2 Requirements More broadly, the draft DCO uses a variety of different terms and formulations when referring to the stages of the authorised development. For example: "... construction, maintenance, operation, use and decommissioning ..." "... construction, operation, maintenance or decommissioning ..." "... construction or maintenance ..." "... construction or maintenance or decommissioning ..." "... construction, maintenance and decommissioning ..." "... construction, maintenance or use ..." "... erection, construction, maintenance or decommissioning ..." "... construction, maintenance, use or operation ..." "... construction, maintenance or operation ..." "... construction, operation and maintenance ..." It would be helpful if the draft DCO and associated documents followed a consistent approach to describing these stages, ensuring that each is clearly identified whenever referenced.	The terminology used depends on the context and it is not always appropriate for the same wording to be used in the draft DCO. However, the Applicant considers that the wording is clear as to what phase of the Scheme the particular power or obligation applies to.

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Explanatory Memorandum (Doc 3.2) The applicant is asked to ensure references to precedents are updated to reflect any recently made and currently unmade DCO's which may have since proceeded to decision (e.g. Fenwick Solar Farm, Beacon Fen Energy Park, One Earth Solar Farm).	The Explanatory Memorandum [EN0110114/APP/3.2] been updated and is submitted with this letter as part of the Applicant's response to the Section 51 advice.
Funding Statement (Doc 4.2) Under Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, the applicant must explain how the compulsory acquisition powers sought in the draft DCO are proposed to be funded. The applicant is therefore advised to resubmit an amended funding statement that provides information on the financial standing of the applicant companies and includes a clear, quantified estimate of the costs associated with exercising the compulsory acquisition powers sought.	As outlined within the Statement of Reasons [APP-020], the Applicant is seeking to acquire the relevant land interests and other rights over land required by agreement and option agreements have been entered into with each of the owners of the land for the Solar PV Sites. The approach of applying for powers of compulsory acquisition, in parallel to conducting negotiations to acquire land by agreements accords with paragraph 26 of the Guidance. Compulsory acquisition powers, therefore, protect the Applicant against a scenario whereby contracts are not adhered to or otherwise is set aside but are not the primary means of acquiring land. Paragraph 2.3.4 of the Funding Statement [APP-021] states that the total cost estimate of the Scheme is £1 billion - £1.05 billion including the compensation payable in respect of any compulsory acquisition powers in the DCO. Compensation costs were calculated by a Chartered Surveyor and are estimated to be £45.5m. The funding and delivery of the Scheme will be financed through private investment as is common for all large-scale energy projects in Great Britain. This model enables the development of essential low carbon infrastructure without reliance on public funds. The Applicant is ultimately owned by three investment funds, which are managed by Macquarie Asset Management on behalf of a range of investors, including a number of UK pension funds. These investors would receive returns through the funds, while Macquarie would receive management fees, as is standard. Further funding may come from commercial lenders, who would receive interest payments. The funding structure is common in the energy sector and ensures that the Scheme is financially robust and deliverable.

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	Therefore, providing audited accounts or summaries will not provide evidence that the Scheme can be built by these entities using existing funds as the financing and investment set out above is still required. The Applicant notes that Article 48 of the draft DCO [EN0110114/APP/3.1] requires a parent company guarantee or other form of security to be approved by the Secretary of State prior to exercise the compulsory acquisition and temporary use powers. This provision ensures that any compensation liability arising from the use of such powers will be paid.
The Land and Rights Negotiation Tracker (Doc. 4.4) The Land and Rights Negotiation Tracker at Part 2 Statutory Undertakers and Crown Authorities, makes clear that the applicant will engage with statutory undertaker's post acceptance in relation to the negotiation of bespoke Protective Provisions. It is not clear whether the applicant has engaged statutory undertakers proportionately and early. We would advise the applicant to provide regular updates on engagement with statutory undertakers in line with the subsequent examination timetable.	The Applicant notes this comment and is engaging with statutory undertakers. In some cases, Island Green Power is also in discussions regarding protective provisions with the same statutory undertaker in respect of its other DCO projects and is seeking to agree a consistent approach across all of its projects.
Environmental Statement Volume 1 Chapter 4 (Doc 6.1.4) The scheme outlined in ES Volume 1: Chapter 4, paragraph 4.2.1, states that the applicant intends to construct three 400kV project substations. However, paragraph 3.6.4 of the Scoping Report, ES Volume 3 Appendix 2.1 (Doc 6.3.2.1), confirms that only two 400kV substations will be required within the site. Consistency and accuracy must therefore be ensured across all application documents, particularly Schedule 1 (Authorised Development) of the draft DCO (Doc 3.1), regarding the correct number of 400kV substations to be located within the order limits.	The statement in ES Volume 1, Chapter 4 – The Scheme [APP-040] that the Applicant intends to construct up to three 400kV Project Substations is correct. As such, the assessments within the Environmental Statement are based on up to three 400kV Project Substations. Since the preparation of ES Volume 3, Appendix 2.1 - EIA Scoping Report [APP-113] the design of the Scheme has been developed and was subject to targeted consultation.
Environmental Statement Volume 3 Appendix 9.1 Flood Risk Assessment & Outline Surface Water Drainage Strategy (Doc 6.3.9.1) Page 19, under the heading '4.3 Peak Rainfall Intensity', outlines the applicable climate-change allowances and specifically notes	Within the Environment Agency's 'Flood Risk Assessments: climate change allowances' guidance (2022), the Upper End peak rainfall intensity allowance for some management catchments for the 2050s epoch is greater than that for the 2080s epoch. This is the case for the Broadlands management

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that the 2050s epoch has been used when assessing the projected increase in peak rainfall intensity. The applicant is asked to explain the basis for the assumed development lifetime and how it supports the use of the 2050s epoch rather than the 2080s epoch in accordance with the Environment Agency's peak rainfall guidance (e.g., development lifetimes extending beyond 2060 typically require use of the 2070s/2080s-equivalent epoch). The applicant is also asked to demonstrate how their selection aligns with current EA climate-change allowance requirements, noting that EA peak rainfall guidance uses mid-century and late-century epochs and generally applies higher uplift values for later epochs.	catchment within which the Order Limits is located (the Upper End allowance for the 2050s epoch is higher (+45%) than that of the 2080s epoch (+40%)). The 'exception rule' applies in this case in that the higher allowance should be used despite this being for an earlier epoch. The higher allowance of +45% has therefore been used for the surface water drainage strategy presented in ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018 and AS-019]. This represents the worst-case scenario in relation to peak rainfall intensity for the Scheme.
Environmental Statement Volume 3 Appendix 9.1 Flood Risk Assessment & Outline Surface Water Drainage Strategy (Doc 6.3.9.1) Page 61 lists a series of figures under the heading "Appendix A – EA Opendata Maps." The figures are numbered from Figure 9.1 'Site Location' through to Figure 9.8 'EA Historic Flood Map'. While Figures 9.1 through 9.7 are included beneath this heading, 'Figure 9.8 (Sheets 1–19) EA Historic Flood Map' is not present in the submitted document. The applicant is therefore requested to provide 'Figure 9.8 (Sheets 1 to 19) EA Historic Flood Map', as referenced in Appendix A.	The Applicant has updated Appendix A of ES Volume 3, Appendix 9.1 - Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018 and AS-019] to include Figure 9.8. This was submitted to the Planning Inspectorate with the Applicant's initial response to the Section 51 advice [AS-001].
Environmental Statement Volume 3 Appendix 9.1 Flood Risk Assessment & Outline Surface Water Drainage Strategy (Doc 6.3.9.1) Box 29(e) of the applicant's Section 55 Checklist (Doc 1.4) signposts 'Appendix 10.1 Flood Risk Assessment [EN0110014/APP/6.3.10.1]' of the Environmental Statement as the flood risk assessment. However, this title and document number do not correspond to the actual flood risk assessment. Appendix A (Master Document Table) of the applicant's Guide to the Application (Doc 1.3) identifies the flood risk assessment as 'Appendix 9.1 – Flood Risk Assessment & Outline Surface Water Drainage Strategy' with document number '6.3.9.1'. The title	The Applicant notes this comment. The Applicant will ensure that the title and document reference of ES Volume 3, Appendix 9.1 – Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018 and AS-019] is consistently stated throughout the documentation submitted going forwards.

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page of Appendix 9.1 confirms the same title and document number presented in the Guide to the Application. Please ensure that the title of the Appendix 9.1 is stated consistently throughout the application materials.	
Outline management plans and other documents Across the nine outline management plans (Doc's 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, & 7.9) qualifying phrases are used, including terms such as "where practicable," "as far as is reasonably practicable," and similar unbounded expressions. While the use of qualifiers may in some cases be appropriate to recognise the need for flexibility during detailed design, their repeated and wide-ranging application throughout the submitted outline plans may reduce the clarity and precision of the measures relied upon within the Environmental Statement and proposed to be secured through the draft Development Consent Order. The applicant is advised to consider whether the extent of such qualifiers could affect the examinability and testability of the commitments set out in the outline management plans, and whether further specificity or clearer decision-making parameters should be provided to ensure that the measures can be adequately assessed during the examination.	The Applicant acknowledges this comment and has considered the extent of qualifying phrases in the outline management plans. These outline management plans establish a framework for the details to be secured through the DCO Requirements. The qualifying phrases are considered appropriate by the Applicant at this stage given the outline nature of the management plans, the need for flexibility to take into account detailed design, construction methodologies, logistics and programming, technology advances and evolution in best practice. For example, the Applicant has sought to retain flexibility around cable routing, vehicular access points and highway visibility requirements, public access to Public Rights of Way, vegetation retention and removal to reflect the details that will be subject to the detailed design stage. Vegetation removal/pruning and reinstatement will also depend on seasonal considerations, for example. The Applicant has also sought to retain flexibility where the timing of implementing measures will be subject to agreeing details with the relevant planning authority, for example, in relation to the timing for any repairs required as a result of the Scheme in relation to Public Rights of Way and construction haul routes. Further to the above, the specificity will be provided in the detailed management plans, which will be substantially in accordance with these outline management plans, that will be submitted to and approved by the relevant planning authority, in consultation with relevant statutory consultee, where specified in the draft DCO [EN0110014/APP/3.1]. The approval of the detailed management plans is secured by the Requirements in the draft DCO [EN0110014/APP/3.1]. Paragraph 2(4) of Schedule 15 to the draft DCO [EN0110014/APP/3.1] requires the Applicant to confirm when submitting the final plan for approval whether it would give to any materially new or materially different environmental effects in comparison with those reported in the Environmental Statement. This ensures that any mitigation measures identified in the Environmental Statement are contained in the final plans or an explanation is provided as to why there is a change (for example,

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	if a mitigation measure is no longer required as technology has advanced and the impact will no longer occur). It's the Applicant's opinion that the qualifying phrases of the outline management plan do not reduce the clarity of the measures relied upon within the Environmental Statement nor does flexibility they allow affect the likely residual effects of the Scheme as presented identified in the Environment Statement. As such, the Applicant does not believe that changes to the qualifying phrases are considered necessary and that the outline management plans can be adequately assessed during Examination.
Outline Landscape and Ecological Management Plan (OLEMP) (Doc 7.4) Appendix B of the OLEMP contains the Green Infrastructure Strategy. This material is extensive and presented across Sheets 1 to 10 of Figure 2, illustrating the proposed landscape and ecological measures across the scheme. As this figure is likely to be referred to frequently during the examination, it would assist usability and navigation if it were provided as a standalone document.	The Applicant has provided the Green Infrastructure Strategy that was included in Appendix B of the Outline Landscape and Ecology Management Plan [APP-199] as a standalone document [AS-005]. This was submitted to the Planning Inspectorate with the Applicant's initial response to the Section 51 advice [AS-001].
Outline Employment, Skills and Supply Chain Strategy (Doc 7.10) Box 29(q) of the applicant's Section 55 Checklist (Doc 1.4) lists other documents considered necessary to support the application. In this list, application document 7.10 is titled "Outline Skills Supply Chain and Employment". However, this does not match the actual title of document 7.10, "Outline Employment, Skills and Supply Chain Strategy". The Guide to the Application (Doc 1.3) also refers to document 7.10 as "Outline Employment, Skills and Supply Chain Strategy". Please ensure that the title of document 7.10 is stated consistently throughout the application materials.	The Applicant notes this comment. The Applicant will ensure that the title of Outline Employment, Skills and Supply Chain Strategy [APP-205] is consistently stated throughout the documentation submitted going forwards.

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Design Principles, Parameters and Commitments (Doc 7.18) The qualifiers “where practicable” / “as far as practicable” are used repeatedly to qualify the proposed locations of infrastructure items (e.g. sub-distribution switch rooms, conversion units, fibre communication units). These unbounded qualifiers should be replaced with quantified and testable commitments.	The Applicant acknowledges this comment and has considered the extent of qualifying phrases regarding the proposed locations of infrastructure items in the Design Principles, Parameters and Commitments [APP-213]. The 33kV Sub-Distribution Switch Rooms and Conversion Units would be located within Work No.1 and Work No.3 shown on the Works Plan [AS-002 and AS-003] and the Fibre Communications Chambers within Work No.1 and Work No.6. The specific locations of the Sub-Distribution Switch Rooms, Conversion Units and Fibre Communication Chambers are subject to detailed design and therefore flexibility is sought in relation to the precise location to reflect technical considerations, post-consent work and innovation in technology.
Design Principles, Parameters and Commitments (Doc 7.18) Table 4.1: Work No. 1, under the entries for 'Electrical Cabling and Communications' sets out the design parameters for the width and depth of trenches. No minimum depth is specified to indicate the shallowness of the trenches. It is recommended that the design parameters refers to both maximum and minimum figures.	The Electrical Cabling and Communications specified in Table 4.1 of the Design Principles, Parameters and Commitments [APP-213] relates to the cabling within and beneath the areas of the Solar PV Panels, connecting from the Solar PV Panels above ground to where buried below ground. It is therefore the Applicant's opinion that specifying a minimum depth of the trenchless associated with this cabling is not considered necessary.
Shadow Habitats Regulations Assessment (Doc 7.25) Box 29(q) of the applicant's Section 55 Checklist (Doc 1.4) lists application document 7.25 with the title “Shadow Habitats Regulations Assessment – Screening Stage 1”. However, this does not match the actual title of document 7.25, “Shadow Habitats Regulations Assessment”. The Guide to the Application (Doc 1.3) also refers to document 7.25 as “Shadow Habitats Regulations Assessment”. Please ensure that the title of document 7.25 is stated consistently throughout the application materials.	The Applicant notes this comment. The Applicant will ensure that the title of Shadow Habitats Regulations Assessment [EN0110114/APP/7.25] is consistently stated throughout the documentation submitted going forwards.
Shadow Habitats Regulations Assessment (Doc 7.25) A copy of the citation/Natura 2000 data sheets for each European site considered in the HRA report has not been submitted within the HRA report e.g. as an appendix to the HRA report.	The Applicant has updated the Shadow Habitats Regulations Assessment [EN0110114/APP/7.25] to include within Appendix C the Citation/Natura 2000 data sheets for the European Sites considered. The updated Shadow

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	Habitats Regulations Assessment [EN0110114/APP/7.25] is submitted with this letter as part of the Applicant's response to the Section 51 advice.
Commitments Register (Doc 7.26) The Commitments Register's level of detail needs to be improved. Please refer to the Nationally Significant Infrastructure Projects: Commitments Register guidance and use the accompanying template to ensure completeness.	The Applicant has updated the Commitments Register [EN0110114/APP/7.26] and is submitted with this letter as part of the Applicant's response to the Section 51 advice. This includes an additional level of detail in response to the Planning Inspectorate's advice and the following new columns: 'Commitment Reference'; and 'Delivery and Responsibility', to reflect the level of information set out within the Planning Inspectorate's Commitments Register template. In updating the Commitments Register [EN0110114/APP/7.26] the Applicant has made further updates focused on enhancing the Commitments Register as a clear and comprehensive record, including: ■ Presenting commitment descriptions as quoted in the Environmental Statement, consistent with the Planning Inspectorate's guidance; ■ Reducing repetition across the Commitments Register, for example where commitments appear both in the Health Summary Statement within ES Volume 1, Chapter 18 – Other Environmental Matters [APP-054] and in the relevant topic ES chapters; ■ Refining text so that entries focus clearly on the commitment with no additional analysis, enhancing clarity and usability.
Plans and Figures The applicant is asked to submit revised Volume 2 and 6 documents that eliminate rendering issues and allow multiple files to be opened concurrently. This applies to several figures (such as documents 6.2.5.4, 6.2.7.5 (10), 6.2.7.6, 6.2.7.7, and 6.2.15.1), which range in size from 42.5 MB to 90.8 MB, plan document numbers 2.3 (69 MB) and 2.12 (78.1 MB), as well as to appendices attached to Environmental Statement chapters, such as document 06.03.18.01, which is 145.9 MB.	Reduced file size versions of the following DCO Application documents were provided to the Planning Inspectorate with the Applicant's initial response to the Section 51 advice [AS-001]. Where reducing the size of documents was not feasible, the document has been split into Parts. ■ Works Plan. Part 1 and Part 2 [AS-002 and AS-003]. ■ Hedgerow and Tree Protection Order Plan [AS-004].

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	■ Environmental Statement Volume 2: Figure 5.4 – Alterations to the Site Boundary between the PEIR and Submission [AS-006]. ■ Environmental Statement Volume 2: Figure 7.5.10 – Site 1 Zone of Theoretical Visibility [AS-007]. ■ Environmental Statement Volume 2: Figure 7.6 – Visual Receptors Plan [AS-008]. ■ Environmental Statement Volume 2: Figure 7.7 – View Locations and Visualisations [AS-009]. ■ Environmental Statement Volume 2: Figure 15.1 - ALC Results [AS-010]. ■ Environmental Statement Volume 3 Appendix 7.5 Photosheets – Cable Route Corridor. Part 1 and Part 2 [AS-011 and AS-012]. ■ Environmental Statement Volume 3 Appendix 7.5 Photosheets – Site 7. Part 1 and Part 2 [AS-013 and AS-014]. ■ Environmental Statement Volume 3 Appendix 7.6 Figure 7.6.7 Visualisations – Site 7. Part 1 and Part 2 [AS-015 and AS-016]. ■ Environmental Statement Volume 3: Appendix 8.1– Ecological Desk Study and Extended Habitat Survey [AS-017]. ■ Environmental Statement Volume 3: Appendix 9.1– Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018 and AS-019]. ■ Environmental Statement Volume 3: Appendix 10.2 – Archaeological Desk-Based Assessment. Part 1 and Part 2 [AS-020 and AS-021].

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	■ Environmental Statement Volume 3: Appendix 10.3 – Archaeological Geophysical Survey Report [AS-022]. ■ Environmental Statement Volume 3: Appendix 10.4 – Aerial Investigation Mapping. Part 1 and Part 2 [AS-023 and AS-024]. ■ Environmental Statement Volume 3: Appendix 18.1 – Glint and Glare Assessment. Parts 1 to 5 [AS-025 to AS-029].
Consultees identified on a precautionary basis Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the examination of the application. On this basis, the applicant should serve notice on Pulham Market Parish Council and Framingham Earl Parish Council listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008, unless there is a specific justification why this is not necessary.	The Applicant has taken a precautionary approach and served notice of the accepted application under S56(2)(a) of the PA 2008 on all bodies listed, including Pulham Market Parish Council and Framingham Earl Parish Council.
Section 55 Checklist [PD-003]	
Section 42: Duty to consult It appears therefore inconclusive as to whether Pulham Market Parish Council was included in each stage of the pre-application consultation process. The Planning Inspectorate notes the comments of Norfolk County Council that the "Targeted Consultation Information Change Note (October 2025) produced by the applicant at the time of the consultation, while referencing the statutory consultation, did not provide direct links to the statutory consultation materials on the applicant's website, nor did it invite previously unconsulted statutory consultees to provide a response to the statutory consultation materials." However, the Planning Inspectorate considers that the Parish Council would have had access to the consultation material in full on the applicant's website following notification of the targeted	Please note the response above and the Applicant's initial response to the Section 51 advice [AS-001].

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consultation phase and could have made comments on the totality of the proposed development (not just the changes to the Order Limits at targeted consultation stage) if it chose. Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the examination of the application. On this basis, the applicant should serve notice on Pulham Market Parish Council and Framingham Earl Parish Council when it serves notice of the accepted application under s56(2)(a) of the PA2008, unless there is a specific justification why this is not necessary.	
S50(3) Regard to guidance about pre-application procedure Additionally, Appendix 1: Statement of Compliance (Doc 5.2) to the Consultation Report (Doc 5.1) sets out how the applicant has had regard to advice provided by the Planning Inspectorate under s51, such as relevant published Advice pages. However, it is not clear as to whether the applicant has had regard to all the advice issued by the Inspectorate, such as the advice issued relating to the applicant's Adequacy of Consultation Milestone statement. It is noted that the applicant submitted an Issues Tracker during the pre-application stage, which forms part of the primary service features of the Planning Inspectorate's '2024 Pre-application Prospectus'. However, it is unclear whether the applicant has had regard to all the advice issued in response. However, having reviewed the application, the Planning Inspectorate is satisfied that the applicant has identified and had regard to the relevant statutory guidance.	The Applicant notes that the Planning Inspectorate is satisfied that the Applicant has had regard to the relevant statutory guidance. The Applicant notes the comments received on the Issues Tracker that was issued to the Planning Inspectorate and that informed the Potential Main Issues for Examination [APP-211]. The Applicant has engaged with consultees during the pre-application stage and will continue to engage to inform the development of the Statement of Common Ground through Examination.
Box 30 Draft Development Consent Order (DCO) (Doc 3.1) Part 1 – Preliminary Article 2(1) – Interpretation. Adjust the definitions of 'commence' and 'permitted preliminary works' if that is necessary to remove any site preparation works that are likely to have significant	Please note the response above.

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environmental effects, for example, in terms of noise or impacts on protected species or archaeological remains. [Advice Note 15 - paragraph 21.2]. Article 2(1) – Interpretation. Adjust the definition of “maintain” if that is necessary for it not to authorise development which may result in significant environmental effects not already assessed. [Advice Note 15 – paragraph 18.2].	
Box 30 Draft Development Consent Order (DCO) (Doc 3.1) Part 2 – Principal Powers Article 6 – Disapplication and modification of legislative provisions. Notwithstanding any precedent, provide justification in the Explanatory Memorandum for each disapplication or amendment. Provide information on the purpose of the legislation; the persons/body having the power being disapplied; an explanation as to the effect of disapplication and whether any protective provisions or requirements are required to prevent any adverse impact arising as a result of disapplying the legislative controls; and (by reference to s120 and Schedule 5 of the Planning Act 2008) how each disapplied provision constitutes a matter for which provision may be made in the Development Consent Order.	The Applicant has set out the reasons for the proposed disapplications in paragraph 4.2.13 of the Explanatory Memorandum [EN0110114/APP/3.2]. The Applicant will be seeking consent to the disapplication from the relevant bodies as part of the Statements of Common Ground.
Box 30 Draft Development Consent Order (DCO) (Doc 3.1) Part 7 – Miscellaneous and general Article 42, Certification of plans and documents, etc. The applicant is encouraged to set out the reference numbers of all documents [Advice Note 15 – paragraph 11.2]. Ensure that every individual document is identified either within the development consent order itself or within a separate certified document. Ensure that each document listed is the latest version submitted to the examination and that the version number is identified accordingly.	Please note the response above.
Box 30 Draft Development Consent Order (DCO) (Doc 3.1) Requirements	Please note the response above. As set out in ES Volume 3, Appendix 10.6 - Archaeological Mitigation Strategy [APP-173], the written schemes of

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Requirement 12 of the draft DCO provides for the submission of a written scheme of investigation. We recommend that an outline written scheme of investigation is supplied for consideration during the examination.	investigation will be appended to the Archaeological Mitigation Strategy for each phase of works.
Box 30 Draft Development Consent Order (DCO) (Doc 3.1) Schedules Schedule 12, Part 1 of the draft DCO (Doc. 3.1) lists the date of issue for all documents in the schedule as "February 2026." However, the cover pages of these documents clearly state the issue date as "March 2026". Ensure that the date of issue shown in Schedule 12 of the draft DCO is consistent with the dates displayed on the cover pages of the referenced documents. Schedule 12, Part 1 of the draft DCO (Doc. 3.1) identifies Document 6.3.10.6 as the "Outline Archaeological Mitigation Strategy." However, Appendix 10.6 of the submitted Environmental Statement (Doc. 6.3.10.6) is titled "Archaeological Mitigation Strategy Revision 1 – March 2026". Confirm whether the draft DCO's reference to Document 6.3.10.6 as an outline archaeological mitigation strategy is correct. Schedule 14, Part 3 of the draft DCO refers to the drainage work situated within the limits of deviation. No limits of deviation appear to be defined within the draft development consent order. This matter should be clarified.	Please note the response above.
Box 30 Draft Development Consent Order (DCO) (Doc 3.1) General General: The draft DCO contains a range of different formulations when referring to the stages of the authorised development, for example: "... construction, maintenance, operation, use and decommissioning ..." "... construction, operation, maintenance or decommissioning ..."	Please note the response above.

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"... construction or maintenance ..." "... construction or maintenance or decommissioning ..." "... construction, maintenance and decommissioning ..." "... construction, maintenance or use ..." "... erection, construction, maintenance or decommissioning ..." "... construction, maintenance, use or operation ..." "... construction, maintenance or operation ..." "... construction, operation and maintenance ..."	
Explanatory Memorandum (Doc 3.2) The applicant is asked to ensure references to precedents are updated to reflect any recently made and currently unmade DCO's which may have since proceeded to decision (e.g. Fenwick Solar Farm, Beacon Fen Energy Park, One Earth Solar Farm).	Please note the response above.
The Land and Rights Negotiation Tracker (Doc. 4.4) The Land and Rights Negotiation Tracker (Doc. 4.4) at Part 2 Statutory Undertakers and Crown Authorities, makes clear that the applicant will engage with statutory undertakers post acceptance in relation to the negotiation of bespoke Protective Provisions. It is not clear whether the applicant has engaged statutory undertakers proportionately and early. We would advise the applicant to provide regular updates on engagement with statutory undertakers in line with the subsequent examination timetable.	Please note the response above.
Outline management plans and other documents Across the nine outline management plans (Docs 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, and 7.9) a total of approximately 320 qualifying phrases are used, including terms such as "where practicable," "as far as is reasonably practicable," and similar unbounded expressions. While the use of qualifiers may in some cases be appropriate to recognise the need for flexibility during detailed design, their repeated and wide-ranging application throughout the submitted outline plans may reduce the clarity	Please note the response above.

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and precision of the measures relied upon within the Environmental Statement and proposed to be secured through the draft Development Consent Order. The applicant is advised to consider whether the extent of such qualifiers could affect the examinability and testability of the commitments set out in the outline management plans, and whether further specificity or clearer decision-making parameters should be provided to ensure that the measures can be adequately assessed during the examination.	
Outline Landscape and Ecological Management Plan (OLEMP) (Doc 7.4) Appendix B of the OLEMP contains the Green Infrastructure Strategy. This material is extensive and presented across Sheets 1 to 10 of Figure 2, illustrating the proposed landscape and ecological measures across the scheme. As this figure is likely to be referred to frequently during the examination, it would assist usability and navigation if it were provided as a standalone document.	Please note the response above.
Design Principles, Parameters and Commitments (Doc 7.18) The qualifiers “where practicable” / “as far as practicable” are used repeatedly to qualify the proposed locations of infrastructure items (e.g. sub-distribution switch rooms, conversion units, fibre communication units). These unbounded qualifiers should be replaced with quantified and testable commitments. Table 4.1: Work No. 1, under the entries for 'Electrical Cabling and Communications' sets out the design parameters for the width and depth of trenches. No minimum depth is specified to indicate the shallowness of the trenches. It is recommended that the design parameters refers to both maximum and minimum figures.	Please note the response above.

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Commitments Register (Doc 7.26) The Commitments Register's level of detail needs to be improved. Please refer to the Nationally Significant Infrastructure Projects: Commitments Register guidance and use the accompanying template to ensure completeness.	Please note the response above.
General During the acceptance process, issues arose with plan layer rendering and computer memory being exceeded when multiple Volume 2 plans, Volume 6 figures and appendices and Volume 7 documents were opened simultaneously. These problems stem from the large file sizes of several documents, which appear more suited to high-quality hard copy printing than on-screen use. Similar difficulties are likely during examination. The applicant is expected to manage document size. Provide revised Volume 2, 6, and 7 documents that eliminate rendering issues and allow multiple files to be opened concurrently.	Please note the response above.
Environmental Statement Volume 3 Appendix 9.1 Flood Risk Assessment (FRA) (Doc 6.3.9.1) The fluvial flood risk modelling underpinning the flood risk assessment utilises the 2050s epoch which extends to the year 2069. However, the development is proposed to be in operation until 2091. On this basis, the 2080s epoch should have been applied. For fluvial modelling, the EA 2014 model +35% (Higher Central) and +65% (Upper End) are used instead of the more recently updated 2022 model (+20% (Higher Central) and +44% (Upper End)). ES Volume 3 Appendix 9.1 Figure 9.8 is referenced within the FRA but not included with Appendix A of the FRA.	The Applicant acknowledges that the climate change allowances for peak river flow utilised within ES Volume 3, Appendix 9.1– Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018 and AS-019] are from the 2050s epoch for the 2014 model. These are significantly higher than the updated allowances for the 2080s epoch 2022 model and therefore represent a worst-case scenario. This is acknowledged in Section 4.2 of ES Volume 3, Appendix 9.1– Flood Risk Assessment & Outline Surface Water Drainage Strategy [AS-018 and AS-019] and further clarification is provided below. The Environment Agency has provided detailed hydraulic model outputs, which include the 1 in 100 annual probability (AP) flood incorporating climate change scenarios of +25%, +35% and +65%, based on the applicable range of allowances in guidance at that time. The current applicable climate change allowance for essential infrastructure is +20% ('Higher Central' allowance, 2080s epoch (2070 to 2125)).

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	The Environment Agency further requested that the 'Upper End' allowance of +44% be used as a sensitivity test ('Upper End' allowance, 2080s epoch (2070 to 2125). As these allowances are both for the 2080s epoch projection, they allow for climate change as far as the year 2125 - i.e. beyond the anticipated design life of the Scheme. The Environment Agency modelled +35% scenario has been used as a conservative proxy for the applicable +20% design scenario. As this is a higher value, it is a conservative approach. The Environment agency modelled +65% scenario has been used as a conservative proxy for the applicable +44% sensitivity test, which as is a higher value, it is a conservative approach. As such, a precautionary approach has been adopted in all cases. The climate change allowance is an uplift of the peak river flow in the hydraulic model and therefore the particular epoch of the previously modelled scenarios is considered by the Applicant to be of no relevance, only the percentage uplift has therefore been considered.
Environmental Statement Volume 1 Chapter 4 (Doc 6.1.4) The description of the development provided in ES Volume 1 Chapter 4 includes an additional 400KV substation from the description provided in the Scoping Report. This is not deemed to constitute a materially different development from that scoped. Inconsistencies have been noted between the descriptions in the DCO and the ES.	The Applicant notes this comment.
Shadow Habitats Regulations Assessment (Doc 7.25) A copy of the citation/Natura 2000 data sheets for each European site considered in the HRA report has not been submitted within the HRA report. It is recommended that these are submitted as an appendix to the HRA report. Section 51 advice has been issued to the applicant and is available to view on the Find a National Infrastructure Project website: Section 51 advice following acceptance letter.	Please note the response above.