



East Pye Solar
Schedule of Changes to the Draft Development
Consent Order

Revision 1

July 2026

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The Infrastructure Planning (Examination Procedure) Rules 2010

Rules 8(1)(c)

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1 Introduction Document Purpose

1.1 Document Purpose

- 1.1.1 This document sets out the changes that have been made to the Draft Development Consent Order, relating to the Development Consent Order Application (the 'Application') for East Pye Solar (the 'Scheme').

2 Schedule of Changes to the Draft Development Consent Order

Table 1.1: Schedule of Changes to Revision 2 of the Draft Development Consent Order

In document location	Request	Rationale	Change made	Relevant document version
Contents page	The Applicant	Addition to account for the presence of special category land within the Order limits.	<u>The Secretary of State is satisfied that open space within the Order land forming special category land shown on the special category land plan (as defined in article 2 of this Order), when burdened with any new rights authorised for compulsory acquisition under the terms of this Order, will be no less advantageous than it was before such acquisition, to the persons in whom it is vested, other persons, if any, entitled to rights of common or other rights, and the public, and that, accordingly, section 132(2) of the 2008 Act applies.</u>	2
Article 2(1) (Interpretation)	The Applicant	Correction to ensure the document reference is correct and to re-order the definitions into correct alphabetical order.	<u>“archaeological mitigation strategy” means the document of that name identified in the table at Schedule 12 and which is certified by the Secretary of State as the archaeological mitigation strategy for the purposes of this Order;</u> ... “outline archaeological mitigation strategy” means the document of that name identified in the table at Schedule 12 and which is certified by the Secretary of State as the outline archaeological mitigation strategy for the purposes of this Order;	2
Article 2(1) (Interpretation)	The Applicant	Correction to ensure definitions listed in correct alphabetical order. Change to the definition of “date of decommissioning” to reflect the inclusion of	“date of final commissioning” means the date on which the authorised development commences operation by generating electricity on a commercial basis but excluding the generation of electricity during commissioning and testing; “date of decommissioning” means in respect of each part of the authorised development, the date notified under requirement 21 that the <u>commercial</u>	2

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		"commercial use" as a defined term.	use of that part of the authorised development has permanently ceased to generate electricity on a commercial basis; "date of final commissioning" means the date on which the authorised development commences operation by generating electricity on a commercial basis but excluding the generation of electricity during commissioning and testing;	
Article 2(1) (Interpretation)	The Applicant	Inclusion of a definition of a "permitted preliminary works environmental management plan" in order to reflect the addition of Requirement 13 (Construction environmental management plan) sub-paragraph (1) which requires the addition of a new control document covering permitted preliminary works. This is in response to the PINS' section 51 Advice.	"permitted preliminary works environmental management plan" means the document of that name identified in the table at Schedule 12 and which is certified by the Secretary of State as the permitted preliminary works environmental management plan for the purposes of this Order	2
Article 2(1) (Interpretation)	The Applicant	Amendment to include definitions in respect of special category land to reflect the presence of special category land within the Order limits.	"special category land" means the land shown on the special category land plan and described in the book of reference; "special category land plan" means the plan of that name identified in the table at Schedule 12 and which is certified by the Secretary of State as the streets plan for the purposes of this Order;	2
Article 3 (Development consent etc.)	The Applicant	Clarification.	(1) Subject to the provisions of this Order and the requirements in Schedule 2 (requirements) , the undertaker is granted development consent for the authorised development to be carried out within the Order limits.	2

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granted by this Order)			[...]	
Article 7(1) (Defence to proceedings in respect of statutory nuisance)	The Applicant	Correction to remove duplicated wording as “nuisance” is already used at paragraph (1) and applies to sub-paragraph 1(c).	(c) the nuisance is a consequence of the use of the authorised development and that it cannot be reasonably avoided.	2
Article 10 (Power to alter layout, etc., of streets)	The Applicant	Clarification. This power is intended to apply to all phases of the development.	[...] (2) Without prejudice to the specific powers conferred by paragraph (1), but subject to paragraphs (3) and (4), the undertaker may, for the purposes of constructing, operating or maintaining, <u>or decommissioning</u> the authorised development, alter the layout of any street and, without limitation on the scope of this paragraph, the undertaker may— [...]	2
Article 17 (Discharge of water)	The Applicant	Wording included from Article 16 (Discharge of water) in the West Burton Solar Project Order 2025 to clarify that, where a watercourse, public sewer or drain belongs to or is under the control of a drainage authority, this is governed by the protective provisions for the protection of drainage authorities contained at Part 3 of Schedule 14 to the Order.	[...] <u>(5) Where the undertaker discharges water into, or makes any opening into, a watercourse, public sewer or drain belonging to or under the control of a drainage authority, the provisions of Part 3 of Schedule 14 (protective provisions) apply in substitution for the provisions of paragraphs (3) and (4).</u> (5) <u>(6)</u> The undertaker must take such steps as are reasonably practicable to secure that any water discharged into a watercourse or public sewer or drain pursuant to this article is as free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension. (6) <u>(7)</u> This article does not authorise the entry into controlled waters of any matter whose entry or discharge into controlled waters requires a	2

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			licence pursuant to the Environmental Permitting (England and Wales) Regulations 2016. (7) (8) In this article— (a) <u>“drainage authority” means the drainage board concerned within the meaning of section 23 of the Land Drainage Act 1991;</u> (a) (b) “public sewer or drain” means a sewer or drain which belongs to Homes England, the Environment Agency, an internal drainage board, a joint planning board, a local authority, a National Park Authority, a sewerage undertaker or an urban development corporation; and (b) (c) other expressions, excluding watercourse, used both in this article and in the Water Resources Act 1991 have the same meaning as in that Act.	
Article 24 (Compulsory acquisition of rights)	The Applicant	Amendment to reflect the presence of special category land within the Order limits.	[...] (8) This article is sSubject to article 49 (Crown rights), <u>so much of the special category land as is required for the purposes of exercising the powers acquired by the undertaker pursuant to this article is discharged from all rights, trusts and incidents to which it was previously subject, so far as their continuance would be inconsistent with the exercise of those rights.</u>	2
Article 31 (Temporary use of land for constructing the authorised development)	The Applicant	Amendment to reflect the presence of special category land within the Order limits.	[...] (13) Nothing in this article prevents the taking of temporary possession more than once in relation to any land that the undertaker takes temporary possession of under this article. (13) (14) <u>Subject to article 49 (Crown rights), so much of the special category land as is required for the purposes of exercising the powers pursuant to this article is temporarily discharged from all rights, trusts and incidents to which it was previously subject, so far as their continuance would be inconsistent with the exercise of those powers, and only for such time as any special category land is being used under this article.</u>	2

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Article 32 (Temporary use of land for maintaining the authorised development)	The Applicant	Amendment to reflect the presence of special category land within the Order limits.	[...] (10) Section 13 (refusal to give possession to acquiring authority) of the 1965 Act applies to the temporary use of land under this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 (application of compulsory acquisition provisions) of the 2008 Act. (10) (11) Subject to article 49 (Crown rights), so much of the special category land as is required for the purposes of exercising the powers pursuant to this article is temporarily discharged from all rights, trusts and incidents to which it was previously subject, so far as their continuance would be inconsistent with the exercise of those powers, and only for such time as any special category land is being used under this article. (11) (12) In this article “the maintenance period” means— (a) the period of five years beginning with the date of final commissioning of the part of the authorised development for which temporary possession is required under this article; or (b) in relation to landscaping, such period as is set out in the landscape and ecology management plan which is approved by the relevant planning authority pursuant to requirement 7, beginning with the date on which that part of the landscaping is completed.	2
Article 42 (Certification of plans and documents, etc.)	The Applicant	Correction.	[...] (3) Before submitting the environmental statement in accordance with paragraph (1), the undertaker must substitute any figures or appendices contained therein with the final revision of that figure or appendix that was submitted by the undertaker to the planning inspectorate Planning Inspectorate or the Secretary of State prior to the making of this Order. [...]	2

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Schedule 1 (Authorised Development) Work No. 1	The Applicant	Clarificatory inclusion of “foundations”. To clarify the works powers required for the infrastructure related to the solar PV generating station.	[...] (c)33 kV sub-distribution switch rooms, conversion units including <u>foundations</u> , inverters, transformers, switchgear, and monitoring and control systems; and [...]	2
Schedule 1 (Authorised Development) Work No. 2	The Applicant	Amendment to enable flexibility in the type of piling used for BESS, for example to allow for steel piling.	[...] (b)a structure protecting the battery energy storage cells comprised in Work No. 2(a) and ancillary equipment, being either one enclosure or multiple enclosures joined to each other, mounted on a reinforced concrete foundation slab or concrete piling; (c)interconnection units including heating, ventilation and air conditioning, or liquid cooling systems and temperature management either housed within the containers comprised in Work No. 2(b), attached to the side or top of each of the containers, or located separate from but near to each of the containers; [...]	2
Schedule 1 (Authorised Development) Work No. 3	The Applicant	Clarificatory inclusion of “foundations”. To clarify the works powers required for the infrastructure related to the up to 400kV project substation and 132 project substation.	(a)Work No. 3A— a substation with works comprising— (i) an up to 400 kV substation, with associated transformer bays, feeder bays, transformers, switchgear buildings and ancillary equipment including reactive power units; (ii) control building or container relay rooms with associated offices, storage and welfare facilities; (iii) monitoring and control systems for Work Nos. 1, 2 and 3A; (iv) maintenance compound; (v) electrical cabling; and (vi) <u>earthworks</u> , including soil stripping and site levelling; <u>and</u>	2

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			(vi)(vii) foundations. (b)Work No. 3B— a substation with works comprising— (i) an up to 132 kV substation, with associated transformer bays, feeder bays, transformers, switchgear buildings and ancillary equipment including reactive power units; (ii) control building or container relay rooms with associated offices, storage and welfare facilities; (iii) monitoring and control systems for Work Nos. 1, 2 and 3B; (iv) maintenance compound; (v) electrical cabling; and (vi) earthworks, including soil stripping and site levelling; and (vi)(vii) foundations.	
Schedule 1 (Authorised Development) Work No. 4A	The Applicant	Clarificatory inclusion of “foundations”. To clarify the works powers required for the infrastructure related to the new National Grid substation.	(a) Work No. 4A— a new National Grid substation with works comprising— (i) a new 400kV AIS substation consisting of four feeder bays, one coupler bay, one section bay, reactive power units and the Applicant’s generation bay. This also includes typical substation infrastructure in line with good working practice and standards, including foundations, control building or container relay rooms with associated offices, storage and welfare facilities; and monitoring and control systems for Work Nos. 1, 2, 3 and 6; and	2
Schedule 2 (Requirements) Requirement 2 (Commencement of the authorised development)	The Applicant	A requirement to provide details of the phasing of construction and a timeline has been added to allow South Norfolk Council to have greater sight of when applications to discharge Requirements will be made. This drafting was included in	[...] (2) No part of the authorised development may commence until a written scheme setting out the phase or phases of construction of the authorised development has been submitted to the relevant planning authority. (3) The written scheme submitted pursuant to sub-paragraph (2) must include a timetable for the construction of the phase or phases of the authorised development and a plan identifying the phasing areas.	2

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		the West Burton Solar Project Order 2025.	(2) (4) The undertaker must notify the relevant planning authority within fourteen days of the date of final commissioning for a part or parts of the authorised development that the final commissioning of that part or parts has taken place.	
Schedule 2 (Requirements) Requirement 5 (Detailed design approval)	The Applicant	Clarification.	(1) No part of Work Nos. 1, 2 or 3 may commence until details of— (a) the layout; (b) scale; (c) proposed finished ground levels; (d) external appearance; (e) hard surfacing materials; and (f) vehicular and pedestrian access, parking and circulation areas, relating to that part have been submitted to and approved by the relevant planning authority. [...]	2
Schedule 2 (Requirements) Requirement 9 (Biodiversity net gain)	The Applicant	Clarification.	(1) No part of the authorised development may commence until a biodiversity net gain strategy for that part has been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body. [...]	2
Schedule 2 (Requirements) Requirement 10 (Fencing and other means of enclosure)	The Applicant	Clarification to address the fact that fencing in respect of permitted preliminary works will not be controlled by Requirement 10. Such fencing works will be controlled via the permitted preliminary works	[...] (2) (3) Sub-paragraph (1) does not apply to temporary fences, walls or other means of enclosure required as a result of permitted preliminary works. (3) (4) The written details provided under sub-paragraph (2) must be substantially in accordance with the relevant design principles, parameters and commitments.	2

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		environmental management plan.	(4)(5) Any construction site must remain securely fenced in accordance with the approved details under sub-paragraph (1) or (2) at all times during construction of the authorised development. (5)(6) Any temporary fencing must be removed on completion of the part of construction of the authorised development for which it was used. (6)(7) Any approved permanent fencing for a part of the authorised development must be completed before the date of final commissioning in respect of that part.	
Schedule 2 (Requirements) Requirement 11 (Surface and foul water drainage)	The Applicant	Amendments for clarity.	(1) No part of the authorised development may commence until written details of the surface water drainage scheme and (if any) foul water drainage system for that part have been submitted to and approved by the relevant planning authority in consultation with the Environment Agency, Norfolk County Council as lead local flood authority and Anglian Water Services Limited or its successor in function as the relevant water undertaker. <u>(2) Before approving the written details under sub-paragraph (1), the relevant planning authority must consult with the Environment Agency, Norfolk County Council as lead local flood authority and Anglian Water Services Limited or its successor in function as the relevant water undertaker.</u> (2)(3) Any approved scheme must be implemented as approved.	2
Schedule 2 (Requirements) Requirement 12 (Archaeology)	The Applicant	Clarification.	(1) The authorised development must not be commenced until a programme of archaeological investigation has been carried out in accordance with the outline archaeological mitigation strategy. [...] (3) The written scheme of investigation must be substantially in accordance with the outline archaeological mitigation strategy.	2

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Schedule 2 (Requirements) Requirement 13 (Construction environmental management plan)	The Applicant	Inclusion of sub-paragraph (1) to require a new control document covering permitted preliminary works. Amendment aligns the Draft Development Consent Order with recent amendments to the draft The Green Hill Solar Farm Order 202[*] and the draft The Lime Down Solar Park Order 202[*]. Addition of sub-paragraph (3) to reflect the inclusion of the Environment Agency as a consultee.	(1) The permitted preliminary works must be carried out in accordance with the permitted preliminary works environmental management plan. (2) No part of the authorised development may commence until a construction environmental management plan for that part has been submitted to and approved by the relevant planning authority. (3) Before approving the construction environmental management plan the relevant planning authority must consult with the Environment Agency. (1) (4) The construction environmental management plan must be substantially in accordance with the outline construction environmental management plan. (2) (5) All construction works associated with the authorised development must be carried out in accordance with the approved construction environmental management plan.	2
Schedule 2 (Requirements) Requirement 14 (Operational environmental management plan)	The Applicant	Addition of sub-paragraph (2) to reflect the inclusion of the Environment Agency as a consultee.	[...] (2) Before approving the construction environmental management plan the relevant planning authority must consult with the Environment Agency. (1) (3) The operational environmental management plan must be substantially in accordance with the outline operational environmental management plan. (2) (4) The operational environmental management plan must be implemented as approved.	2
Schedule 2 (Requirements) Requirement 15 (Construction	The Applicant	Correction.	(1) No part of the authorised development may commence until a construction traffic management plan for that part must be has been submitted to and approved by the relevant planning authority. [...]	2

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traffic management plan)				
Schedule 2 (Requirements) Requirement 19 (Skills, supply chain and employment)	The Applicant	Clarification to align with the document title of the certified document.	References to “skills, supply chain and employment plan” amended to “employment, skills and supply chain strategy”	2
Schedule 2 (Requirements) Requirement 21 (Decommissioning and restoration)	The Applicant	Clarification.	(1) The date of decommissioning: (a) with respect to <u>for</u> each part of Work No. 1 must be no later than 60 years following the date of final commissioning <u>for that part</u> ; and [...]	2
Schedule 2 (Requirements) Requirement 21 (Decommissioning and restoration)	The Applicant	Amendment to sub-paragraph (5) to reflect the inclusion of National Highways (in its capacity as relevant highway authority) as a consultee. Amendment made to sub-paragraph (7) to clarify that the notification requirement applies by reference to the cessation of commercial use as opposed to electricity	[...] (5) No decommissioning works must be carried out until the relevant planning authority has approved the decommissioning environmental management plan submitted in relation to those works, in consultation with the Environment Agency <u>and the relevant highway authority</u> . [...] (7) Within 28 days of any part of the authorised development permanently ceasing to generate electricity on a <u>be in</u> commercial basis <u>use</u> , the undertaker must notify the relevant planning authority.	2

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		generation. The Applicant has included “commercial use” as a defined term.	[...]	
Schedule 11 (Hedgerows to be removed) Part 1 (Removal of hedgerows)	The Applicant	Footnotes have been added below the tables in Parts 1 and 2 of Schedule 11 to signpost to the landscape and ecology management plan as the relevant control mechanism.	(1) The extent to which each hedgerow listed in this table may be removed is controlled by the landscape and ecology management plan, pursuant to article 40(4) of the Order.	2
Schedule 11 (Hedgerows to be removed) Part 1 (Removal of important hedgerows)	The Applicant	Footnotes have been added below the tables in Parts 1 and 2 of Schedule 11 to signpost to the landscape and ecology management plan as the relevant control mechanism.	(2) The extent to which each hedgerow listed in this table may be removed is controlled by the landscape and ecology management plan, pursuant to article 40(4) of the Order.	2
Schedule 12 (Documents and plans to be certified) Part 1 (Documents and plans)	The Applicant and the Planning Inspectorate	Correction in response to section 51 advice to align dates listed in Schedule 12 to the dates of Application documents submitted and to include additional documents (being the permitted preliminary works environmental management plans and special category land plan).	[Changes not reproduced.]	2

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Schedule 12 (Documents and plans to be certified) Part 1 (Documents and plans)	The Applicant	General updates to application document references relevant for the certified documents.	[Changes not reproduced.]	2
Schedule 14 (Protective provisions) Part 3 (For the protection of Drainage Authorities) paragraph 23	The Applicant and the Planning Inspectorate	Correction in response to section 51 advice to align terminology within the Draft Development Consent Order.	(1) Subject to sub-paragraph (5), the undertaker must, from the commencement of the construction of the specified work, maintain in good repair and condition and free from obstruction any drainage work which is situated within the limits of deviation Order limits on land held by the undertaker for the purpose of or in connection with the specified work, whether or not the drainage work is constructed under the powers conferred by this Order or is already in existence. [...]	2
Schedule 14 (Protective provisions) Part 5 (For the protection of National Gas Transmission Plc) paragraph 51	The Applicant	Correction.	(1) Regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference to the Order, the undertaker may not otherwise than by agreement (such agreement not to be unreasonably withheld or delayed)—	2

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Schedule 14 (Protective provisions) Part 6 (For the protection of Anglian Water Services Limited) paragraph 67	The Applicant	Correction.	(1) Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement, such agreement not to be unreasonably withheld or delayed if the acquisition is required in connection with an approval or consent granted under this Part of this Schedule.	2
Schedule 14 (Protective provisions) Part 8 (For the protection of Eastern Power Networks Plc) paragraph 107	The Applicant	Correction.	Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not acquire any apparatus otherwise than by agreement.	2
Schedule 15 (Procedure for discharge of requirements) Paragraph 1 (Interpretation)	The Applicant	Updated definition to clarify that the relevant bodies are to be consulted on amendments to approved documents, rather than being left to the discretion of the relevant planning authority. This amendment applies to all consultees identified in Requirements.	[...] requirement consultee” means — (a) any body or authority named in a requirement as a body to be consulted by the relevant planning authority in discharging that requirement; and (b) <u>in relation to an application made under requirement 3 to amend an approved document (as defined in requirement 3), any body or authority that was required to be consulted in relation to the approval of that approved document; and</u>	2

In document location	Request	Rationale	Change made	Relevant document version
			[...]	
Schedule 15 (Procedure for discharge of requirements) Paragraph 1 (Interpretation)	The Applicant	Amendment to provide clarification that each application for discharge of a requirement or other consent will be treated as separate applications, even if made at the same time.	(2) In the event an application is made to discharge more than one consent, agreement or approval, this must be treated as though separate applications were made for the discharge of each consent, agreement or approval.	2
Schedule 15 (Procedure for discharge of requirements) Paragraph 2 (Applications made under requirement)	The Applicant	Correction. .	[...] (3) Subject to sub-paragraph (4), in the event that the relevant planning authority does not determine an application within the period set out in sub-paragraph (2)(4), the relevant planning authority is to be taken to have granted all parts of the application (without any condition or qualification) at the end of that period. [...]	2