

EAST PYE SOLAR

WRITTEN REPRESENTATION

Planning Inspectorate Reference: EN0110014

Interested Party	Christopher Humphrey
Property	[REDACTED]
Relevant part of Scheme	Site 5 / proposed 400kV substation and associated infrastructure
Submission	Written Representation - Deadline 1
Interested Party reference	F83984C72

This Written Representation develops and updates the matters raised in my Relevant Representation dated 29 April 2026. It reflects the submitted DCO documents and the design changes made around [REDACTED]

1. Executive summary

I am the owner and occupier of [REDACTED] Fritton. My property is directly affected by the Site 5 element of East Pye Solar. The scheme has evolved materially since the earlier consultation stages and I acknowledge that the Applicant has removed solar infrastructure from land close to my property and retained agricultural land around the house. This is a significant and welcome improvement.

My remaining concern is whether the residual effects of Site 5 - particularly the remaining solar arrays, the proposed 400kV substation, its permanent access infrastructure and the associated landscape mitigation - have been assessed and secured with sufficient regard to [REDACTED] as an individual residential receptor.

The central issue is not that no mitigation is proposed. The final application contains a materially stronger mitigation package. The issue is whether the mitigation relied upon to make the residual effects acceptable is sufficiently site-specific, effective from the early operational years, and secured through the DCO rather than left materially to later detailed design.

- The Applicant previously informed me during statutory consultation that the PEIR had identified significant visual effects at my property.
- The final design subsequently removed further solar infrastructure from the eastern part of Sub-Site 5B and retained additional agricultural land close to my property.
- The final LVIA nevertheless identifies a Major Adverse - Significant visual effect at Site 5 viewpoint VL5 near [REDACTED] The Street in the early operational period, reducing to Minor Adverse - Not Significant at Year 15 after mitigation has established.
- The final Residential Visual Amenity Assessment appears not to assess [REDACTED] individually because its detailed property assessment is limited to properties within 100m of the Scheme's maximum development parameters.
- The Outline LEMP provides stronger mitigation tools at Site 5, including instant hedging and hedgerows with trees, but important detail remains deferred to the later LEMP/detailed design.
- The final noise assessment now includes low-frequency noise. I therefore withdraw my earlier suggestion that no such assessment had been undertaken, but request clarification as to why the detailed Site 5 low-frequency assessment uses NSR29 rather than NSR32, which represents my residential property elsewhere in the noise assessment.

2. Relationship of [REDACTED] Site 5

[REDACTED] lies adjacent to the Site 5 area. During earlier iterations of the scheme my property was immediately surrounded by solar development on three sides (North, East and South). Following consultation and design development, the field immediately around my house is now shown as remaining unchanged/retained agricultural land – a “buffer zone”.

On the submitted Green Infrastructure Strategy, the remaining panels to the north are proposed to receive instant hedging. Panels to the west are associated with tree planting within an existing hedge. The proposed 400kV substation to the west is to receive a new native hedgerow with trees. A permanent access road is, however, shown on the [REDACTED] side of that new hedge and is in close relationship with a public right of way.

My current understanding is that the remaining panels are approximately 175m from the property, with the proposed 400kV substation approximately 320m from the property. The proposed solar arrays and substation are also at a higher elevation than [REDACTED]. This topographical relationship is relevant to the assessment of visual prominence and the effectiveness of proposed screening. Distances are approximate and measured from the property/curtilage to the relevant infrastructure shown on the submitted plans. The detailed plans necessary to establish precise distances have not yet been published.

APP/2.2 Land Plan and APP/2.3 Works Plan both identify [REDACTED] and establish the relationship of the property to the Order Limits and authorised works. The more important plans for assessing the actual visual relationship are the Indicative Masterplan and the Green Infrastructure Strategy in APP/7.4.

3. Design evolution and consultation

I raised concerns from September 2024 onwards about the proximity and extent of solar infrastructure around my home, the effect on outlook and residential amenity, the time required for planting to establish, and uncertainty concerning the substation. I repeatedly sought property-specific engagement.

During statutory consultation, the Applicant advised me that the then indicative layout provided an offset of approximately 120m and that this was being used as a primary mitigation measure because of the particular proximity and interaction with my property. In correspondence dated 30 June 2025, the Applicant also stated that the PEIR had identified significant effects for my property and that these would be explored further through development of mitigation solutions.

A site meeting took place on 3 July 2025. I identified the part of the proposed solar layout that I considered particularly harmful and explained why the combination of topography, panel height and immature/seasonal planting remained problematic. My contemporaneous record of that meeting records that the Applicant indicated that the relevant panels could potentially be absorbed into other locations, leaving that area as agricultural land.

The submitted Design Approach Document confirms that, following statutory consultation and because of visibility from nearby residential properties, further solar infrastructure was removed from an additional field in eastern Sub-Site 5B and that field was retained as agricultural land. I welcome that change. It demonstrates that layout modification and separation are practicable and effective forms of mitigation at this location.

My Written Representation therefore does not seek to disregard the Applicant's response to consultation. Rather, I ask the Examining Authority to consider whether the final design and mitigation have gone far enough to address the residual effects that remain.

4. Landscape, visual effects and residential amenity

4.1 Applicant's earlier finding of significant effects

The Applicant's June 2025 correspondence is important because it expressly acknowledged that the PEIR had identified significant visual effects at my property. The final scheme is different from the PEIR scheme, but the existence of that earlier finding makes it important that the effect of the revised layout on [REDACTED] can be followed transparently through the final assessment.

4.2 Final RVAA and the 100m assessment threshold

The submitted Residential Visual Amenity Assessment (APP/6.3.7.8) describes a wider 500m study area, but its property-by-property initial assessment is undertaken for properties within 100m of the Scheme's maximum development parameters. It states that, because none of the properties assessed within 100m crossed the relevant residential visual amenity threshold, no further initial assessment of properties beyond 100m was undertaken.

[REDACTED] does not appear to be individually assessed in the final RVAA. In my view, this creates an evidential gap. The property had previously been identified by the Applicant as experiencing significant visual effects, and the landscape team was plainly aware of it: [REDACTED] is expressly labelled on Site 5 photosheet viewpoint VL5. I ask the Applicant to explain the evidential basis on which the property ceased to require an individual residential visual amenity assessment following the design changes, rather than simply falling outside the final 100m screening distance.

I am not suggesting that the RVAA threshold has necessarily been applied incorrectly as a methodology. My concern is narrower: where a specific property had already been identified as materially affected, the final assessment should demonstrate how the revised design changed that conclusion.

4.3 Final LVIA at Site 5-VL5

The final LVIA (APP/6.1.7) assesses Site 5-VL5, close to [REDACTED] The Street, as Major Adverse - Significant during the relevant early operational assessment. The Applicant predicts that this reduces to Minor Adverse - Not Significant at Year 15 after landscape mitigation has established.

This is important because it confirms that significant visual effects remain in this locality after the layout changes. The issue for the Examination is therefore not solely the Year 15 residual position, but the nature, duration and acceptability of the effects during the intervening years and whether the proposed mitigation is sufficiently effective and certain during that period.

5. Landscape mitigation around [REDACTED]

5.1 Retained agricultural land

I welcome the retention of the agricultural field around [REDACTED]. This materially reduces the sense of encirclement present in earlier layouts and provides meaningful separation. It should be treated as an important element of the mitigation and should remain secured in the final design.

5.1A Securing the submitted layout

The mitigation relied upon in the assessment includes the retention of agricultural land around [REDACTED] and the spatial separation between the property and the remaining solar infrastructure. I therefore ask the Applicant to clarify the extent to which the submitted arrangement is fixed by the DCO.

In particular, the Applicant should confirm whether areas identified in the submitted plans as retained agricultural land, landscape mitigation or other mitigation areas could subsequently accommodate Solar PV Panels or associated infrastructure under the flexibility provided by the DCO.

If such flexibility exists, the Applicant should identify the relevant DCO provisions and explain what controls prevent the later introduction of PV panels into areas whose retention is relied upon in assessing the effects on [REDACTED]. If those areas cannot be used for Solar PV Panels, that restriction should be clearly identified as part of the secured mitigation relied upon by the assessment.

5.2 Northern panels - instant hedging

APP/7.4 identifies instant hedgerow within Sub-Site 5B. The Green Infrastructure Strategy shows instant hedging associated with the panels to the north of my property. The OLEMP states that instant hedging is intended where an immediate visual screening barrier is required and even provides for a temporary close-boarded fence with standard hedge planting as an alternative where instant hedging is unavailable.

I welcome the use of immediate screening in this location. Subject to confirmation of its precise extent, height and long-term maintenance, I do not rely on the northern panels as my principal outstanding landscape objection – although I would suggest that close-boarded fencing is not appropriate to fit in with its natural surroundings.

5.3 Western panels - tree planting within existing hedge

The panels to the west rely in part on tree planting within an existing hedge. The effectiveness of this mitigation will depend on the existing hedge's height, density, seasonal condition and the local topography, as well as the size, spacing and location of the additional trees. Photographs from [REDACTED] can be provided to the Examination to demonstrate the existing baseline and winter/leaf-off relationship – the existing hedge/border can only be described as “patchy”

I ask that the Applicant confirms the precise planting specification relied upon for this receptor and demonstrates that the predicted visual effect takes account of the actual condition of the existing hedge.

5.4 Substation - new native hedgerow with trees

The proposed substation to the west is shown with a new native hedgerow with trees. APP/7.4 states that this form of planting is proposed where there is a specific visual screening requirement. It targets a typical hedgerow height of 3m by the end of the establishment period and provides for Heavy Standard hedgerow trees. It also expressly allows denser tree planting at 2-3m centres where visual receptors are likely to experience effects in close proximity, in order to provide more immediate screening. The proposed substation is also at a higher elevation than [REDACTED] which is relevant to the prominence of the infrastructure and the performance required of the proposed screening.

This is a useful and appropriate mitigation mechanism, but the detailed landscape proposal is still to be prepared later. Given the proximity of [REDACTED] and the Applicant's earlier acknowledgement of significant visual effects, I ask that the Examination considers whether the key parameters necessary for effective screening at this location should be secured now. These could include minimum planting stock/size, appropriate tree density, establishment and replacement obligations, and retention of the planting for the life of the relevant infrastructure.

5.5 Establishment period and deferred detail

For ordinary proposed hedgerows, APP/7.4 seeks a typical height of 3m by the end of the initial establishment period. It also makes clear that the Outline LEMP is not the final detailed specification and that a future LEMP and detailed landscape proposal plans will provide further detail under Requirement 7.

I do not object to all detailed planting matters being resolved after consent. However, where the LVIA's conclusion changes from a significant adverse effect in the early operational period to a non-significant effect at Year 15 because of maturing mitigation, the characteristics of that mitigation are integral to the acceptability of the effect. The DCO should therefore secure the important performance parameters rather than leave them wholly discretionary at detailed design stage.

6. Proposed substation and permanent access road

The Green Infrastructure Strategy shows a permanent access road on the [REDACTED] side of the proposed substation planting. In landscape terms, the arrangement is therefore broadly: retained agricultural land / public right of way and access infrastructure / new hedgerow with trees / substation.

The new planting may progressively screen the substation, but it cannot screen the access road from [REDACTED] in the same way because the road lies on the residential side of the planting. The road should therefore be considered as part of the permanent change in the character of this part of the landscape, particularly where it runs parallel to or intersects the public right of way.

APP/7.7 confirms that access tracks within the Sites will be retained after construction for operational use. It also identifies Site 5 accesses A23, A24, A25 and A26 for operational use. Routine operational activity is expected to be limited, with maintenance visits generally up to five visits per month to any Site and normally involving cars, 4x4 vehicles or light vans, with occasional HGV use for component replacement.

I therefore do not suggest that routine operational traffic will necessarily be intensive. My concern is principally the permanent physical presence and landscape relationship of the access road, together with the need for clarity over its actual operational function. APP/7.7 states that specific routes for routine maintenance do not need to be defined because movements are expected to be infrequent.

I request clarification of whether the access road near [REDACTED] is intended to provide operational access to the Site 5 Project Substation and/or other Site 5 infrastructure; the expected vehicle types and frequency on that particular track; and the permanent arrangements where operational vehicles interact with the public right of way.

APP/7.7 contains protective measures for PRow users during relevant works, including yielding to walkers and equestrians, traffic marshals where required and speeds of 5-10mph near PRowS. The Applicant should clarify which equivalent protections apply during the operational life where the retained access route intersects or runs alongside the PRow.

7. Noise and low-frequency noise

My Relevant Representation raised concern that low-frequency transformer noise had not been assessed. Having reviewed the final Environmental Statement, I acknowledge that an operational low-frequency noise assessment has now been undertaken using NANR45 criteria. I therefore do not maintain the earlier point that the application contains no low-frequency noise assessment.

[REDACTED] is represented by NSR32 elsewhere in the noise assessment and is treated as a high-sensitivity residential receptor. The construction and piling assessment for NSR32 predicts a calculated sound level of 57 dB against a 65 dB SOAEL threshold, resulting in a Low magnitude of impact and Minor Adverse effect. I do not rely on ordinary construction/piling noise as a principal objection on the evidence presently available.

My remaining noise point is narrow. In the detailed Site 5 low-frequency tables in APP/6.3.12.2, the Site 5 receptor presented appears to be NSR29, described as commercial facilities on Bungay Road. NSR32 is not individually presented in that Site 5 low-frequency table.

I request that the Applicant explains why NSR29 provides an appropriate worst-case low-frequency assessment for the residential receptor NSR32, including the relative distances/exposure to the relevant substation plant and whether predicted one-third-octave levels at NSR32 would be lower across the relevant frequency bands. If NSR29 is demonstrably the more exposed receptor and bounds NSR32, confirmation of that would substantially address this aspect of my concern.

8. Construction and replacement activity

I recognise that the submitted assessments predict limited construction noise effects at NSR32 and that the normal operational traffic forecast is low. My concern is therefore not that Site 5 will experience continuous heavy traffic throughout operation.

APP/7.7 does, however, anticipate periodic replacement activity over the proposed 60-year operational life, including HGV movements during panel replacement and potential transformer replacement. These are intermittent rather than continuous effects, but they reinforce the need for the retained access arrangements and PRow protections to be clearly controlled for the lifetime of the Scheme.

These are intermittent rather than continuous effects. They reinforce the need for the retained access arrangements and PRow protections to be clearly controlled for the lifetime of the Scheme.

9. Public right of way - existing recreational amenity and everyday use

The public footpath close to [REDACTED] is not simply a line on a plan or an occasional recreational route. It is an established part of my family's everyday use of the local countryside. I use it frequently for walking, leisure and wildlife-spotting activities with my young family.

The route also provides a valuable way of walking locally without relying on the nearby 50mph road. That practical distinction matters to us: the footpath provides a quieter off-road environment in which adults and children can walk and experience the surrounding rural landscape and wildlife.

I recognise that a public right of way does not confer a right to an unchanged view. My point is instead that the frequency and nature of existing use should inform the assessment of visual and recreational amenity and the management of any interaction with the permanent Site 5 access track. Changes experienced from this route would not be theoretical or occasional for my household; they would be encountered repeatedly during ordinary recreational use.

I therefore ask that the Applicant confirms how the effects on users of the relevant footpath have been assessed in the vicinity of [REDACTED] and the Site 5 Project Substation/access track, and how safe and convenient use of the route will be maintained during construction, operation, maintenance and periodic replacement activity. Particular attention should be given to locations where the operational track runs alongside or intersects the PRow.

10. Duration, reversibility and the planning balance

The Applicant seeks a time-limited consent for the solar generation scheme and Project Substations of up to 60 years, after which those elements are intended to be decommissioned. The Planning Statement separately explains that the National Grid Substation and associated Grid Connection Infrastructure are anticipated to remain permanently; that National Grid asset is not the Site 5 Project Substation addressed in this representation.

I recognise that an environmental effect may properly be described as temporary or reversible if it will ultimately cease when infrastructure is removed. However, I respectfully ask the Examining Authority to

distinguish between reversibility and duration. An effect that persists for several decades, or potentially for the whole 60-year operational period, may be reversible at the end of the consent but is nevertheless a long-term lived effect for nearby residents and users of the landscape.

The Applicant's planning balance recognises the relevance of long-term benefits and long-term adverse impacts. I therefore ask the Examining Authority to apply a consistent approach to duration when weighing the benefits and adverse effects of the Scheme. Where a significant visual effect is experienced for a substantial part of the period before mitigation establishes, the fact that the effect is ultimately reversible should not by itself reduce its weight.

This is particularly relevant at Site 5. The Applicant predicts a Major Adverse - Significant visual effect at Site 5-VL5 during the early operational period, reducing to a non-significant effect only as landscape mitigation establishes. The fact that the solar development is ultimately intended to be removed does not reduce the importance of the number of years during which residents and users of the public rights of way experience the earlier significant effect.

11. Land interests and Category 3

I have separately sought clarification from the Applicant as to whether my property should be treated as a Category 3 interest for the purposes of the Planning Act 2008 and the Book of Reference. I first pursued this during 2025 and sought a substantive explanation of the Applicant's assessment.

The Applicant subsequently advised that I may not have been identified as a Category 3 interest in the submitted Book of Reference. I preserve my position in relation to any land, compensation or statutory rights that may arise. I do not, however, rely on general property value or perceived devaluation as a principal planning objection in this Written Representation.

I would welcome a clear property-specific explanation from the Applicant of the basis on which [REDACTED] assessed for Category 3 purposes.

12. Matters requested of the Examining Authority

I respectfully ask the Examining Authority to examine the following matters and, where necessary, seek additional information or secured commitments from the Applicant:

- Require the Applicant to explain why [REDACTED] was not individually reassessed in the final RVAA despite the Applicant's earlier statement that the PEIR identified significant visual effects at the property.
- Confirm that the retained agricultural land around [REDACTED] and the material Site 5 layout changes relied upon as mitigation are secured through the final authorised design.
- Test the acceptability of the early operational visual effects in the Site 5-VL5 locality, rather than relying only on the predicted Year 15 position.
- Confirm the precise extent and specification of the instant hedging to the north and the tree planting within the existing hedge to the west.
- For the substation, secure sufficiently robust hedgerow/tree planting parameters, including appropriate stock size, density, establishment, replacement and long-term retention where these are necessary to deliver the mitigation assumed by the LVIA.
- Clarify the function and expected use of the permanent access road near [REDACTED] including its relationship with the public right of way and the controls applying to operational vehicle/PRoW interaction.
- Require the Applicant to demonstrate why NSR29 provides a suitable worst-case Site 5 low-frequency noise assessment for NSR32/[REDACTED] or provide the corresponding assessment for NSR32.

- Provide a clear property-specific response regarding the Applicant's Category 3 assessment of [REDACTED]
- Clarify how the effects on frequent users of the public footpath near [REDACTED] have been assessed, including the interaction with the Site 5 operational access track and the measures securing safe and convenient use throughout construction and operation.
- Ensure that long-duration adverse effects are not afforded reduced weight merely because they are ultimately reversible, and apply a consistent temporal approach when weighing long-term benefits and long-term adverse effects.
- Provide a concise Site 5/receptor schedule drawing together the assessments, mitigation commitments and DCO controls relevant to [REDACTED] and the immediately surrounding PRoWs.

13. Accessibility and usability of the application documentation

As an affected resident, I have found it difficult to identify the complete assessment of Site 5 and [REDACTED] across the application documentation. The application is necessarily divided into technical topics, but this means that understanding the effects on one location requires a resident to search across numerous plans, Environmental Statement chapters, appendices, management plans and design documents.

For example, the position relevant to [REDACTED] has required cross-reference between the Works Plan, Land Plan, Indicative Masterplan, Site 5 photosheets, LVIA, Residential Visual Amenity Assessment, noise assessment and modelling appendices, Outline LEMP, Operational Traffic Management Plan and Design Approach Document. Important information about one receptor is therefore distributed across documents rather than presented as a single site- or receptor-based assessment.

I do not suggest that this document structure is itself a reason to refuse consent, and I recognise the need for technical assessments to be organised by environmental topic. However, it has made meaningful participation by an affected resident more difficult and increases the risk that a site-specific issue is missed when information is dispersed across the library.

I would therefore welcome the Applicant providing, during the Examination, a concise Site 5 response or schedule that draws together the final design, relevant receptor assessments, mitigation commitments and DCO controls applicable to [REDACTED] and the immediately surrounding public rights of way. This would assist both my participation and transparent examination of whether the various assessments and mitigation measures are internally consistent.

14. Conclusion

The scheme around [REDACTED] has improved substantially since the earlier consultation stages. I welcome the removal of panels close to the property, the retention of agricultural land and the introduction of stronger landscape mitigation. Those changes demonstrate that the Applicant has recognised the particular sensitivity of this location and that design changes can materially reduce effects.

The remaining issue is whether the final application provides a sufficiently complete and secured response to the residual effects. The final LVIA still predicts a significant early operational visual effect at Site 5-VL5, while the final RVAA does not appear to reassess [REDACTED] individually. At the same time, important details of the planting relied upon to reduce effects over time remain for later detailed design.

I therefore ask the Examining Authority to ensure that the Applicant provides a transparent property-specific explanation of the final assessment and that the mitigation necessary to protect residential amenity at [REDACTED] is effective, timely and enforceable through the DCO.

I have suggested my property as a location for a site visit, but if this doesn't happen, I am willing to provide dated photographs from [REDACTED] and the nearby public right of way showing the existing views toward the northern panels, western panels and proposed substation/access corridor if these would assist the Examination.

15. Key application documents referred to

- APP/2.2 - Land Plan (Sheet 13 of 19 relevant to [REDACTED])
- APP/2.3 - Works Plan (Sheet 13 of 19 relevant to [REDACTED])
- APP/6.1.7 - Environmental Statement Volume 1, Chapter 7: Landscape and Visual
- APP/6.3.7.5 - Environmental Statement Volume 3, Appendix 7.5: Photosheets - Site 5
- APP/6.3.7.8 - Environmental Statement Volume 3, Appendix 7.8: Residential Visual Amenity Assessment
- APP/6.1.12 - Environmental Statement Volume 1, Chapter 12: Noise and Vibration
- APP/6.3.12.2 - Environmental Statement Volume 3, Appendix 12.2: Noise Modelling and Calculations
- APP/7.4 - Outline Landscape and Ecology Management Plan
- APP/7.7 - Outline Operational Traffic Management Plan
- APP/7.17 - Design Approach Document
- Draft DCO APP/3.1 - including Requirement 7 relating to the LEMP
- APP/7.14 - Planning Statement (including Scheme lifetime, decommissioning and planning balance)