

Our Ref: RP/EH/East Pye Solar Scheme
Your Ref:

Please reply to Harleston office
6 October 2026

Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

eastpyesolar@planninginspectorate.gov.uk

Dear Sirs

Re: East Pye Solar Scheme

Please find enclosed herewith our further comments regarding the proposed scheme on behalf of our client. We would request a right to speak on their behalf at the Compulsory Acquisition Hearings later in the year. We continue to engage with the applicant as they try to negotiate the acquisition of the various rights that they wish to acquire. Should the Inspectorate be interested in an update as to progress to date we would be happy to provide one.

Unjustified Land Take

1. Introduction

This representation is submitted on behalf of our clients in relation to the proposed compulsory acquisition of rights through their land for the East Pye Solar Scheme cable route. The Applicant has failed to demonstrate that the extent of land sought is necessary, proportionate, or compliant with the statutory tests under the Planning Act 2008. The land take is therefore unjustified and should not be authorised.

2. Legal Framework

Under the Planning Act 2008, compulsory acquisition may only be authorised where:

The land is required for the development - The layout of the scheme un-necessarily covers a huge geographical area linking disparate blocks of solar panels via our clients land to the proposed substation. The scheme has been designed to connect landowners who have signed up to include their land within the scheme rather than looking to acquire land closer to the proposed grid connection to reduce the length of the cable route. It seems entirely logical that the location of the panels should be based on the proximity to the substation and therefore the un-necessary cable requirement would fall away.

There is a compelling case in the public interest – this is debatable in respect of the East Pye Scheme given the number of other schemes in the planning process.

The public benefit outweighs the private loss.

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01986 872553
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AUCTION ROOMS
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The Old School House
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NR34 9UE

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0870 112 7099
Cashel House
15 Thayer Street
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W1U 3JT

The Applicant bears the burden of proof. In this case, the evidence presented falls materially short of the statutory threshold.

3. Failure to Demonstrate Necessity

The Applicant has not provided adequate justification that the specific land in question is required for the construction, operation, or maintenance of the proposed cable route. In particular:

No engineering evidence has been supplied to demonstrate that the alignment cannot be reasonably adjusted to avoid the landowner's holding.

No explanation has been provided as to why alternative corridors—identified in earlier scoping material—were discounted.

The Applicant has not demonstrated that the width of the permanent easement or temporary construction corridor is the minimum necessary. The maximum widths have been quoted within Heads of Terms but these are excessive.

In the absence of such evidence, the statutory requirement of necessity is not met.

4. Inadequate Assessment of Reasonable Alternatives

National Policy Statements EN 1 and EN 3 require applicants to undertake a proportionate but robust assessment of reasonable alternatives. The Applicant has not:

Provided a comparative appraisal of alternative cable routes;

Demonstrated consideration of existing utility corridors, road verges, or less sensitive land;

Assessed trenchless construction methods (e.g., HDD) that could materially reduce surface impacts and avoid the need for permanent land take.

The absence of a transparent alternatives assessment renders the proposed land take unjustified.

5. Disproportionate Impact on the Landholding

The proposed route imposes a significant and avoidable burden on the landowner's agricultural operations. The cable corridor would:

Impose third party rights over the holding;

Restrict access for machinery;

Impose long term constraints on cropping, drainage, and land management;

Reduce the economic viability of the farm.

Where a route disproportionately impacts a single landholding, the Applicant must provide compelling justification. None has been provided.

6. Unproven and Excessive Easement Width

The Applicant seeks a permanent easement and a wide temporary construction corridor but has not supplied:

Engineering drawings; for example where cable junction boxes will be sited, size frequency etc

Safety calculations; depth of cable

Reinstatement protocols; soil and water management plans are lacking

Justification for permanent restrictions on cultivation, drainage, or structures.

Without this evidence, the extent of land required cannot be verified as necessary or proportionate.

7. Permanent Sterilisation Not Justified

The proposed easement would impose permanent restrictions on the landowner's ability to:

Undertake deep cultivation;

Install or repair drainage;

Erect buildings or structures;

Plant trees or undertake environmental enhancement.

The Applicant has not demonstrated why such restrictions are required for the lifetime of the project, nor whether modern cable protection systems could mitigate or eliminate these constraints.

8. Failure to Satisfy Compulsory Acquisition Tests

Given the deficiencies identified above, the Applicant has not satisfied the statutory tests. Specifically:

The land is not proven to be required.

The Applicant has not demonstrated a compelling case in the public interest.

Reasonable alternatives have not been assessed.

The public benefit does not outweigh the private loss, particularly where the harm is avoidable.

Accordingly, the compulsory acquisition powers sought should be refused.

9. Inadequate Engagement with the Landowner

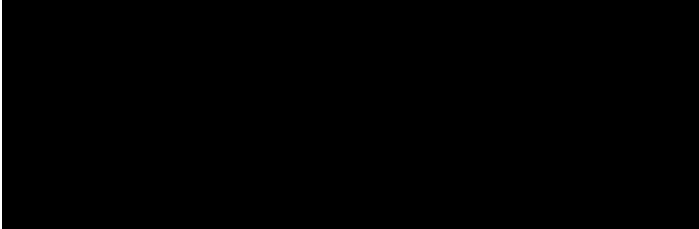
The Applicant has not engaged in meaningful consultation with the landowner. Requests for route adjustments, technical justification, and mitigation have not been addressed. This falls short of the standards expected under the Planning Act 2008 and undermines the credibility of the Applicant's case. The Applicant has been aggressive in their approach to negotiations to acquire the necessary right on a voluntary basis. There has been no meaningful attempt at negotiations. The meetings that have been held have been un-constructive and the Applicant's position has been that we will obtain consent for our scheme and the statutory framework for compensation will prevail and there is no reason for us to exceed the statutory basis. This is not a negotiating position this is a closed position which is difficult for a landowner to comprehend.

A voluntary agreement offers the landowner materially greater control over the extent of land taken, the terms of access, the construction methodology, and the level of compensation. It enables the negotiation of protective provisions and bespoke reinstatement obligations that are not available under compulsory acquisition. It also avoids the uncertainty, delay, and adversarial nature of the compulsory acquisition process. For these reasons, entering into a voluntary agreement may be preferable where the landowner can secure terms that adequately protect their interests and mitigate the impacts of the proposed scheme, this has not been possible in respect of the East Pye Scheme.

Conclusion

For the reasons set out above, the Applicant has failed to demonstrate that the proposed land take is necessary, proportionate, or justified. The compulsory acquisition powers sought in respect of the landowner's holding should therefore be refused.

Yours sincerely



Harleston Office

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