

Emailed 25 November 2025 to:

East Pye Solar (Island Green Power)
info@eastpyesolar.co.uk

Copied to:
Planning Inspectorate – NSIP Pre-Application Team
eastpyesolar@planninginspectorate.gov.uk

Claire Curtis
Area Planning Manager & Nationally Significant Infrastructure Project Lead Officer
South Norfolk Council
claire.curtis@southnorfolkandbroadland.gov.uk

Stephen Faulkner
Norfolk County Council
stephen.faulkner@norfolk.gov.uk

Alison Thomas
County Councillor
alison.thomas.cllr@norfolk.gov.uk

John Cook
District Councillor
john.cook@southnorfolkandbroadland.gov.uk

Ben Goldsborough, MP
ben.goldsborough.mp@parliament.uk

Response to Targeted Consultation – Saxlingham Nethergate Parish Council

Introduction

1. Saxlingham Nethergate Parish Council (“PC”) fully endorses the submission prepared by BEPS, copy attached, and wishes to make these further formal representations in response to the *East Pye Solar Targeted Consultation (October–November 2025)*.
2. Whilst East Pye Solar describes the proposed alterations as “minor and localised,” the PC considers the cumulative effect of these changes—particularly the increase in the boundaries of the proposal, the Abnormal Indivisible Load (AIL) routes, construction HGV access routes, increased capacity and height of the substation and additional photovoltaic arrays at Site

7D – to constitute material and significant changes to the scheme. The PC particularly endorses the BEPS view that for this reason the current consultation is unlawful.

3. These revisions will cause substantial and unjustified harm to the historic, rural, and ecological character of Saxlingham Nethergate and Saxlingham Green and, in particular, their conservation areas.

Highway and Traffic Impacts

4. The Parish Council maintains that the existing rural lanes are entirely unsuitable for AIL and HGV use. They are narrow, lack footways, pass directly through residential areas, a primary school zone and two designated Conservation Areas.
5. The proposed AIL vehicles – up to 45 m long, 5 m wide, and 150 tonnes in weight – would require verge removal, tree pruning, and signage dismantling. This is wholly incompatible with the Design Manual for Roads and Bridges (DMRB) standards and National Highways AIL Guidance (2023), both of which require pre-clearance routes that avoid protected or unsuitable areas.
6. Under s.130 of the Highways Act 1980, the Highway Authority has a statutory duty to protect public rights and the safe use of highways; these proposals directly conflict with that duty.
7. The proposed AIL route from Poringland to Saxlingham Nethergate also has the potential to cause significant congestion and inconvenience to other users of the road and for this reason and the other reasons set out above is quite simply unacceptable.
8. The weight of the load, in excess of 150 tonnes, will be running adjacent to the stream alongside the Street (1m or less away) which feeds into the River Tas. The vertical side to the stream will be vulnerable to collapse and the load will also have to pass over under-road culverts entering and leaving the village. All the houses along The Street have under-road sewage pipes joining the main sewer which runs alongside the stream under the road.

Heritage and Conservation

9. Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose on decision-makers a *positive duty* to preserve or enhance the character and appearance of Conservation Areas. We anticipate some 34 listed buildings will be directly affected by the AIL routing proposal and there are real fears of structural damage being caused to these buildings, many of which have no foundations, by vibration from the 45 x 5 metre transporter with its 150-ton load.
10. In the heart of the Saxlingham Conservation Area there is a grade 1 church and two listed grade 2* houses which will be affected by the proposal. The War Memorial is also grade 2 listed and has recently been renovated which

we believe will be affected by the transporter manoeuvring around the bend of The Street.

11. The proposal to remove the hedge of the grade 2* listed building that runs adjacent to Church Hill through the village would also involve the removal of the wall which is also grade 2* listed and will have a devastating long-term effect on both the house and the conservation area.
12. The works proposed along the AIL route – tree and hedge removal, verge realignment, and night-time convoys through Saxlingham Green and Saxlingham Nethergate – would erode the defining historic street patterns and landscape enclosures that underpin their designation.
13. The National Planning Policy Framework (2023) further requires (paras 208-212) that *great weight* be given to the conservation of heritage assets and that *substantial harm* to such assets be *wholly exceptional*.

Environmental Impact Assessment (EIA)

14. Under the EIA Regulations 2017 (Reg. 26), any modification likely to cause materially different environmental effects must be reassessed and subject to public consultation.
The applicant's own *Change Note* acknowledges "potential impacts not assessed in the PEIR." These include:
 - new construction and traffic impacts from altered AIL and HGV routes;
 - vegetation clearance and verge works within Conservation Areas; and
 - additional landscape and noise effects arising from the enlarged substation and new solar arrays.
15. The PC will therefore request that the Planning Inspectorate refuse to accept any DCO submission unless a revised Environmental Statement and Heritage Impact Assessment are provided and subject to full public consultation.

Biodiversity and Habitats

16. The proposed additional solar panels on Site 7D, together with vegetation clearance for AIL access, risk net biodiversity loss contrary to the Environment Act 2021 and Defra's 10% Biodiversity Net Gain requirement.
17. Given the network of woods, ponds and drains nearby, there is potential impact on great crested newts and other protected species including Lapwings and the Barbastelle bat roosts and breeding area in Saxlingham Grove under the Habitats Regulations 2017.
18. No evidence has been presented to show that suitable mitigation or compensation is achievable or been considered. The PC therefore seeks disclosure of a Biodiversity Net Gain calculation (Defra metric) and associated ecological surveys.

Landscape and Cumulative Impacts

19. The South Norfolk Local Plan Policies DM 4.5 and DM 4.6 and the Norfolk County Council Landscape Character Assessment protect key rural vistas and landscape features.
20. The expanded photovoltaic fields at Site 7D constitutes an extension of the industrial intrusion into an area defined by small-scale fields, hedgerows, and tranquil rural character.
21. Under NPS EN-1 and NPS EN-3, cumulative impacts on landscape, heritage, and transport must be assessed; the PC submits that these cumulative effects now exceed the threshold of acceptability envisaged by those national policies.

Procedural and Legal Precedents

22. Recent case law underscores the risks of granting or examining solar-farm proposals without properly addressing these issues:
 - R (Galloway) v Durham CC [2024] EWHC 367 (Admin) – Permission quashed where a solar farm’s footprint and capacity exceeded what was justified; demonstrates that over-development beyond consultation renders a decision unlawful.
 - R (Fiske) v Woodington Solar Ltd [2022] EWHC 1111 (Admin) – Changes under s.73 that fundamentally altered the approved development were ruled impermissible; applies here where major infrastructure changes are described as “minor.”
 - R (Bramley Solar Farm Residents Group) v SSLUHC [2023] EWHC 2842 (Admin) – Reaffirms that procedural fairness and adequate consultation are essential; substantial changes introduced after earlier consultation risk rendering the process defective.
 - Lullington Solar Park Ltd v SSLUHC [2024] EWHC 295 (Admin) – Confirms that harm to best and most versatile agricultural land requires robust justification, which is currently lacking here.
23. Collectively, these authorities show that if the applicant’s revised scheme differs materially from the consultation documents and fails to present clear environmental and heritage evidence. Any subsequent consent is at serious legal risk of challenge.

Summary and Requests

24. The PC therefore formally requests that the applicant:
 1. Suspends the current targeted consultation pending publication of a revised Environmental Statement, Heritage Impact Assessment, and Cumulative Landscape and Visual Impact Assessment before DCO submission.
 2. Provides topographical survey drawings (at appropriate scale) for all works within or adjacent to Conservation Areas.
 3. Removes or reroutes all AIL and HGV traffic from Saxlingham Nethergate, Saxlingham Green, and their Conservation Areas.
 4. Supplies a Biodiversity Net Gain metric calculation demonstrating a minimum 10% gain.

5. Undertakes full and transparent re-consultation on these altered proposals prior to any DCO submission.

Conclusion

25. The PC supports the principle of renewable energy but cannot support a scheme that would irreversibly harm the historic environment, landscape quality, ecological integrity, and safety of our communities.
26. The proposed changes described as “minor” are in fact material and significant, and they warrant a full reassessment under statutory environmental and planning frameworks. Until such evidence is provided and due process followed, Saxlingham Nethergate PC must object in the strongest possible terms to the East Pye Solar proposals as currently presented.