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To Henri Scanlon

(By email only)

Your Ref:

Our Ref: EN010148

Date: 23 September 2025

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Dear Mr Scanlon

## **Planning Act 2008 – section 51**

### **Application by RWE Renewables UK Solar and Storage Limited for an order granting development consent for the Tween Bridge Solar Farm project**

#### **Advice following issue of decision to accept the application for examination**

On 23 September 2025 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the applicant provided under section 51 of the PA2008 in respect of these initial observations. The applicant should pay attention to its content and consider how appropriate action might be taken in response.

#### **Grid Connection**

We acknowledge the applicant's approach to securing the grid connection. Paragraph 3.1.5 of the applicant's Grid Connection Statement (Doc 5.8) sets out various options for securing consent for the 400kV cable to the 'NGET substation'. We also note that various precedents have been referred to, where Development Consent Orders (DCOs) have been made in the absence of a consented grid connection. However, the applicant should note that in each case which it has cited, the respective applicants all applied for the grid connection (cable route) through a separate NSIP application.

One option identified by the applicant involves a potential '*change to the DCO for the Scheme to include the full extent of the 400kV export connection cable*'. Without prejudice to any future decision on any such application, the applicant should be aware that such an approach is unlikely to be accepted where it would result in delay or disruption to the examination or where it would impinge on the rights of interested and statutory parties to have their fair say in the examination.

If such an approach were acceptable then the Inspectorate would not have indicated an intention to refuse acceptance of the original application for the reasons outlined in our s51 advice dated 15 August 2025.

The applicant is advised that it should provide certainty on the proposed means of consenting. The grid connection statement should be updated to clarify this, as opposed to providing various options. Furthermore, if a third party would be responsible for undertaking this development, then evidence will need to be provided to support such an assertion. This information should be included in a revised grid connection statement. It is acknowledged that the applicant may not have finalised a strategy in this regard. However, certainty on the approach to be taken is required as soon as possible.

### **Additional surveys**

Consultation Report (Doc 5.1) appendix 3.4 identifies that additional/ supplementary ecological surveys are anticipated in September and October 2025. The applicant should bear these dates in mind when considering the timing of the relevant representation period.

### **Draft Development Consent Order (dDCO) (Doc 3.1)**

The description of Work No.2 in Schedule 1 of the dDCO refers to 'electrical cables connecting Work No.4H to the NGET substation'. This should be amended to clarify that these cables would only extend up to the order limit boundary.

### **Design Parameters Document (Doc 5.6.1)**

#### *Maximum Heights and Flood Level*

Whilst the maximum dimensions of the solar panels are expressed, the maximum height of the mounting structures is not. The document (page 5) states in part:

*'The mounting structures will be fixed to the ground by galvanized steel or other material poles which are **typically** driven into the ground to a maximum depth of 3m' (emphasis added)*

This needs to be addressed (tightened up). The implications for any requirement for raising panels above flood levels should be fully taken into account and assessed in the relevant ES chapters.

It is noted that the Design Parameters Document also states in part:

*'Solar PV modules which are affected by simulated fluvial flooding will be raised to mitigate against fluvial flood risk. All proposed solar panels and associated infrastructure within the Order Limits will be raised above the modelled 1 in 1,000 year fluvially dominated flood levels on site plus a 100mm allowance for freeboard.'*

It would be beneficial if the applicant could produce a colour coded plan showing maximum panel, solar station, substation and BESS heights across the order limits based on 1 in 1000 flood levels. It is noted that FRA Appendices F and G include data for 1 in 1000 flood levels (+ 100mm freeboard). However, the applicant should provide a similar plan for each component (solar, BESS etc) of the development showing maximum heights. The applicant should consider linking this plan to the Design Parameters Document and should ensure that these maximum heights are reflected in the worst-case scenario assessment for each respective ES topic.

#### *Solar station locations*

The Design Parameters Document (page 7) states in part as follows:

*'Inverters will be located a minimum of 300m from existing sensitive residential receptors unless it can be demonstrated to the satisfaction of the Host Authorities that the location of inverters within*

*300m of existing residential receptors, would not give rise to materially new or materially different noise effects compared to those reported within ES Chapter 13 Noise and Vibration [Document Reference 6.2.13].'*

The applicant should consider how the DCO would facilitate this in practice and whether the worst-case scenario assessments for each ES topic take account of the potential for inverters to be located closer than 300m to 'sensitive residential receptors.' In addition, the definition of 'sensitive' residential receptor applied to the assessment should be provided. Alternatively, the applicant should consider referring to 'residential receptors' as opposed to those that are 'sensitive' to remove subjectivity.

### *Electrical Cabling*

The Design Parameters Document (pages 8 and 9) refers to maximum and minimum figures for the depths of electrical cabling. In each case a caveat is included which outlines that final dimensions will be subject to ground conditions, up to the maximum figures. However, this would appear to allow for cable depths shallower than the minimum figures. It is recommended that the caveat refers to both maximum and minimum figures.

The document also states in part (page 9):

*'Cable ploughing will be utilised where ground conditions and other site factors allow. Where this is not possible, other methods such as open cut trenching or horizontal directional drilling (HDD) will be used'*

However, this is too vague and should be tied to other documents (for example plans submitted which already indicate HDD crossing locations) and addressed in the dDCO.

### *On-Site Substations*

There do not appear to be any parameters which require that substations are located above the 1 in 1000 flood level (+ freeboard). However, FRA paragraph 5.10 implies that all infrastructure will be located above this level. This could be because Work No.4 on the submitted works plans would be located in areas where no raising is required. If not, the applicant is advised to update the Design Parameters Document.

## **Summary**

Please pay close attention to the advice set out in this letter and act on it accordingly. It is requested that you action these points before the commencement of the relevant representation period. This will contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

Sarah Norris  
**Case Manager**

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