Tween Bridge Solar Farm

8.2 Applicant Response to S51 Advice – Covering Letter Nov 2025

Planning Act 2008
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

APFP Regulation 5(2)(q)

Document Reference: 8.2

November 2025

Revision 1

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Your ref. EN010148
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13/11/2025

Dear Sir/Madam,

Planning Act 2008 – Response To Advice Following Issue Of Decision To Accept The Application For Examination (Section 51 Advice)

Application Reference: EN010148

On 23 September 2025, the Planning Inspectorate (PINS) issued a decision by the Secretary of State (SoS) to accept an application made by RWE Renewables UK Solar and Storage Limited (Registered Company No: 14539260) (the Applicant) for an Order Granting Development Consent for Tween Bridge Solar Farm (the Scheme).

In issuing that decision, PINS also issued advice relating to its initial observations of the application. This letter provides a response to that advice and accompanies the submission of updated application documents where appropriate and relevant. The advice issued by PINS requested that the points raised are actioned prior to commencement of the Relevant Representations period.

The updated application documents submitted with this letter are:

- Document Reference 3.1 Development Consent Order (Version 2, clean and tracked);
- Document Reference 5.3 Report to Inform Habitat Regulation Assessment (Version 2, clean and tracked);
- Document Reference 5.6.1 Appendix A: Parameters Document (Version 2, clean and tracked);
- Document Reference 5.8 Grid Connection Statement (Version 2, clean and tracked);
- Document Reference 6.1.0 ES Chapter 0 Contents, Glossary and Abbreviations (Version 2)
- Document Reference 6.2.7 ES Chapter 7 Ecology and Nature Conservation (Version 2, clean and tracked);

- Document Reference 6.3.7.2 Breeding Bird Survey Report (Version 2)
- Document Reference 6.3.7.2a Breeding Bird Survey Report Figure 11 (Confidential) (Version 1)
- Document Reference 6.3.7.3 Non-Breeding Bird Survey Report (Year 1 and Year 2) (Version 2);
- Document Reference 6.3.7.6 Confidential Report – Otter and Water Vole Survey Report (Version 2);
- Document Reference 6.3.7.7 Great Crested Newt Prescence (eDNA) Survey Report (Version 2);
- Document Reference 6.3.7.13 Bat Activity Report (Version 2);
- Document Reference 8.1 Application Document Tracker (Version 1);
- Document Reference 8.2 Response to S51 Advice – Covering Letter Nov 2025

Document Reference 8.1 'Application Document Tracker' has been created and enclosed in this submission. This document will be used to outline the new and superseded documents from now and through the examination. Document Reference 8.1 should be read alongside the Guide to Application [Document Reference 1.3].

For the avoidance of doubt, clean and tracked versions have been provided of the main reports. Clean versions only have been provided for the Technical Appendices as these present the data without any changes to the environmental assessment or the conclusions made by the Applicant.

We confirm that, as communicated to PINS in advance of issuing this letter, the Relevant Representations period is scheduled to begin on Monday 17 November 2025. We understand that PINS will endeavour to publish the revised documentation enclosed prior to that date.

Table 1 - The Applicant's Response to the Section 51 Advice

Section 51 Advice	Applicant 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	The Applicant has updated the Grid Connection Statement [Document Reference 5.7] to delete references to the earlier consenting strategy that involved a change to the DCO for the Scheme to include the entire 400kV export connection cable.

(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	The Applicant has received the additional ecological survey data that were referred to

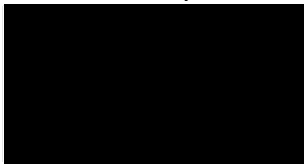
Consultation Report (Doc 5.1) appendix 3.4 identifies that additional/ supplementary ecological surveys are anticipated in September and October 2025. The applicant should bear these dates in mind when considering the timing of the relevant representation period.	within the application documents and has updated the following documents with new information: • Document Reference 6.3.7.2 Breeding Bird Survey Report (Version 2); • Document Reference 6.3.7.3 Non-Breeding Bird Survey Report (Year 1 and Year 2) (Version 2); • Document Reference 6.3.7.6 Confidential Report – Otter and Water Vole Survey Report (Version 2); • Document Reference 6.3.7.7 Great Crested Newt Presence (eDNA) Survey Report; • Document Reference 6.3.7.13 Bat Activity Report. No conclusions of ES Chapter 7 Ecology and Nature Conservation [Document Reference 6.3.7] and Report to Inform Habitat Regulations Assessment [Document Reference 5.3] have changed as a result of the additional survey data.
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.	The draft DCO [Document Reference 3.1] has been amended to update the description of Work No.2 in Schedule 1 for the purpose of clarifying that the electrical cables for the purposes of connecting Work No.4H to the NGET substation may only be provided within the Order limits.
Design Parameters Document (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	The term 'typically' has been removed from the Design Parameters and Principles for Work No.1 (Ground Mounted Solar Photovoltaic Generating Stations) to provide a maximum depth of 3m. The Applicant has provided a Figure that has been appended to the Parameters Design Document [Document Reference 5.6.1] to show the heights of the infrastructure within the Order Limits and also the 1 in 1000 flood levels (+100mm freeboard). The Applicant also confirms that the maximum heights of the infrastructure shown in the Parameters Design Document has been assessed within

these maximum heights are reflected in the worst-case scenario assessment for each respective ES topic. <u>Solar station locations</u> 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. <u>Electrical Cabling</u> 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 Environmental Statement Aspect Chapters [Document Reference 6.2.6-6.2.18] The term 'sensitive' has been removed from the Design Parameters and Principles for Work No.1 (Ground Mounted Solar Photovoltaic Generating Stations). The Design Parameter and Principles for Work No. 2 (Electrical Underground Cabling) has been amended to include the minimum cabling depths within the caveat for ground conditions during construction.

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. <u>On-Site Substations</u> 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.	The Design Parameter and Principles for Work No. 2 (Electrical Underground Cabling) has been amended to state the locations where horizontal directional drilling (HDD) is expected to take place during the construction phase. The locations are shown on the Indicative HDD Crossing Plan [Document Reference 6.4.2.4]. The locations where the substation are situated within the Order Limits has been chosen to avoid areas of flood risk, preventing the requirement for any substations to be raised above the 1 in 1000 flood level (+ freeboard).

Yours sincerely,



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