



FAO Sarah Norris
The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

30/04/2026

Dear Sarah Norris

Proposed Tween Bridge Solar Farm (Application Reference: EN010148)

Project update in respect of Common Land parcels

At the Preliminary Meeting on Tuesday 14 April 2026, the Applicant confirmed that a small update to the Scheme was being progressed in discussion with relevant stakeholders. The Applicant confirmed that it would be submitting further information in relation to this matter by 30 April 2026. This submission provides that further information.

The Applicant has been continuing to assess the interaction between the Proposed Development and the parcels of common land identified in Part 5 of the Book of Reference (BoR) [**APP-021**]. This further assessment was informed in part by the Applicant's consideration of relevant representations (including Natural England's relevant representation [**RR-023**]) published on 2 January 2026.

The relevant common land currently affected by the Proposed Development comprises 11 parcels as follows: 1/A, 1/B, 1/C, 1/D, 1/E, 2/A, 3/A, 3/B, 3/C, 3/D and 3/E. The parcels are shown on sheets 1, 2 and 3 of the Land Plans [**APP-008**]. No powers of compulsory acquisition or temporary possession are sought in respect of these parcels, as confirmed in section 9 of the Statement of Reasons [**APP-019**].

Whilst the land has been excluded from powers of compulsory acquisition and temporary possession, the Applicant is mindful that the legal protection afforded to the land gives rise to additional considerations. Notably, this includes consideration of the potential need to secure secondary consents under the Commons Act 2006 (the 2006 Act).

The Applicant has therefore accelerated what properly constitutes an aspect of the detailed design process to secure clarity that all of the land is necessary to enable the Proposed Development to be delivered. This submission is structured in two parts. The first part sets out the Applicant's updated position in relation to parcels 1/A, 1/B, 1/C, 1/D, 3/C, 3/D and 3E. The second part sets out the Applicant's updated position in relation to parcels 1/E, 2/A, 3/A and 3/B.

Parcels 1/A, 1/B, 1/C, 1/D, 3/C, 3/D and 3E

These parcels comprise an area totalling 524 square metres. In each case, these parcels were included within the Order Limits in order to facilitate access to the Proposed Development (Work No. 8, as shown on the Works Plans [**APP-009**]). As regards parcel 1/B, in addition to Work No. 8, the parcel was also identified for use in connection with the laying of electrical cables (Work No. 2).

The Applicant notes that all of these parcels constitute very small areas of land comprising drain (in the case of parcels 1/A, 1/B, 1/C and 1/D) and agricultural land (in the case of parcels 3/C, 3/D and 3/E). Following detailed review, the Applicant is confident that the purposes for which these parcels are currently identified can be secured in circumstances where all these parcels of land were removed from the scope of powers under the **Draft Development Consent Order (DCO) [AS-002]**. This would result in the removal of 524 square metres of land from the extent of land subject to DCO powers (in addition to land powers, which are already excluded over these parcels) within the Order Limits and, in turn, would ensure that no additional considerations or impediments arise in relation to the potential use of these parcels, in terms of the 2006 Act or otherwise.

Accordingly, the Applicant proposes that these parcels be removed from the extent of land subject to DCO powers under the Draft DCO [**AS-002**]. The Applicant proposes that this be achieved by:

- amending the Works Plans to remove the layers associated with Works Nos. 2 and 8 from these parcels;
- amending the Land Plans to show the parcels of common land in grey accompanied by the following description “Special Category Land (Common Land) – Not subject to Compulsory Acquisition, Temporary Possession or the exercise of Order powers”; and
- amending the BoR to identify each of these parcels as ‘Not Used’.

An extract of the Works Plan showing these updates is enclosed at **Appendix 1**.

If acceptable to the Examining Authority, the Applicant proposes that revised versions of the Works Plans, Land Plans and BoR be submitted at an appropriate time incorporating the relevant updates. The Applicant considers that this could reasonably be achieved in the w/c 1 June 2026, reflecting the fact that the Applicant is currently engaging with stakeholders on these proposed updates (as well as those identified below) and the deadline for comments on the same runs to mid-May (see further below regarding ongoing engagement activity).

In addition, consequential updates to the following application documents and plans would be required as a minimum and would be provided by the Applicant with the Works Plans, Land Plans and BoR:

- **ES Figure 2.2a Indicative Operational Layout Plan (Fixed Solar Panels) [APP-134]**
- **ES Figure 2.2b Indicative Operational Layout Plan (Fixed and Tracker Solar Panels) [APP-135]**

- **ES Figure 6.4 Landscape and Visual Mitigation Strategy [APP-148]**

The Applicant considers the above approach to be a legally effective and proportionate means to effect the update proposed. The Applicant does not consider it necessary to amend the Order Limits (as shown on the Works Plans and Land Plans) to remove these parcels entirely. Doing so would not secure a different outcome.

The Applicant does not consider that the exclusion of DCO powers over these parcels of common land formally constitutes a change to the Application for the purposes of the Planning Inspectorate's guidance on changes to an application after it has been accepted for examination (August 2024) (the **Changes Guidance**). Rather, the Applicant considers that this submission is properly to be regarded as disclosing a change to application information (under the heading 'new or revised information' in the Changes Guidance) which does not engage the staged process relevant to changes to a project.

However, if the Examining Authority was to take a different view on this question, the information provided above (and below) complies with the requirements of a change notification under step 1 of the Changes Guidance. The Applicant further notes in this regard that:

- the information is being provided shortly after the Preliminary Meeting, thus ensuring there is sufficient time remaining with the statutory examination timescales for the information to be considered by Interested Parties and appropriately examined; and
- for completeness, and as further detailed below, the Applicant has written to persons with an interest in these parcels (where known) and wider stakeholders (including the host authorities) to inform them of the proposed removal of these parcels of common land from the scope of DCO powers. These parties were given more than 28 days to consider the update and provide feedback.

Finally, if the Examining Authority concludes that the Changes Guidance applies to this submission, the Applicant will submit a formal change application (step 4 of the Changes Guidance) together with all relevant documents and plans, which it is proposed would be on or around the w/c 1 June 2026 as noted above.

Parcels 1/E, 2/A, 3/A and 3/B

These parcels comprise an area totalling 35,693 square metres. The parcels form part of the land identified as mitigation parcel M1(A) in Figure 2 of the outline Landscape and Ecological Management Plan (**oLEMP**) [APP-181]. Mitigation parcel M1(A) is identified as ecological mitigation land, contributing towards breeding and non-breeding bird mitigation, as well as providing biodiversity gains and overall ecological enhancements (Work No. 3). Mitigation parcel M1(A) is also intersected by a proposed permissive path route, as shown on sheet 2 of 12 of ES Figure 2.2a Indicative Operational Layout Plan (Fixed Solar Panels) [APP-134] and sheet 2 of 12 of ES Figure 2.2b Indicative Operational Layout Plan (Fixed and Tracker Solar Panels) [APP-135]. The permissive path route also intersects parcel 2/A, which is common land.

In addition, **ES Figure 3.1 Environmental Designations Plan [APP-140]** identifies parcels 1E and 3A as CRoW access land. This indicates that there is, in principle at least,

a right of public access to these parcels for the purposes of open-air recreation by virtue of s2 of the Countryside and Rights of Way Act 2000.

In its relevant representation [RR-023], Natural England has made submissions about the proposed permissive path route (NE key issue ref NE5). In particular, Natural England state:

“Natural England advise that the presence of human disturbance may reduce the suitability of the mitigation areas for SPA birds, impacting the core habitat available ... It should be clarified whether the proposed footpaths will be separated from the mitigation areas by stock proof fencing. We advise that if fencing is not proposed, the presence of dogs within mitigation areas can render the whole area unsuitable for the relevant species.

We consider that signage alone would not be sufficient to reduce the impact of pedestrians and dogs within the mitigation area. However, Natural England would encourage fencing to be accompanied by ‘positive’ signage highlighting the reasons for the fencing, including, for example, pictures of the relevant bird species, in order to improve public engagement with the restrictions.”

To date, the Applicant has not proposed to fence the proposed permissive path route.

If adopted, the fencing of the permissive path route through parcel 2/A has potential implications. First, since this parcel is common land, the fencing of the route would constitute a “restricted work” requiring consent for the purposes of s38 of the Commons Act 2006. Since the land is excluded from the scope of powers of compulsory acquisition and temporary possession under the Draft DCO, this consent would need to be sought separately from the present Application (see s139 of the Planning Act 2008).

Second, the status of the land as CRoW land is naturally in tension with the potential for the land to be fenced, since fencing (and any associated signage recommended by Natural England) would prevent users of the path from accessing the land (or part of it) that is otherwise available for open-air recreation.

Recognising these competing elements, the Applicant is therefore proposing to proceed as follows:

- to implement a minor modification to the proposed permissive path route so that it would avoid crossing parcel 2/A and remains wholly within the limits of parcel 2/16. This would avoid any interaction between the proposed permissive path and common land, therefore addressing the secondary consenting challenges which would arise from fencing the route as Natural England have suggested;
- to fence the remaining extent of the proposed permissive path route, therefore addressing Natural England’s concerns about the potential for the use of the permissive path to undermine the function of the bird mitigation land; and
- to re-scale mitigation parcel M1(A) to avoid the common land, therefore addressing any incompatibility between the use of the land as mitigation for breeding and non-breeding bird species and its status as CRoW access land to which the public have a right of access for the purposes of open-air recreation.

The Applicant is however proposing that the land comprising parcels 1/E, 2A, 3/A and 3/B would continue to comprise proposed species-rich neutral grassland seed mix and

would in turn continue to make a positive contribution towards the Biodiversity Net Gain (BNG) benefits that would be delivered by the Proposed Development. Accordingly, no updates to the Works Plans or Land Plans would be required. The BNG metric will take into account the potential use of these parcels due to the public right of access and measures will be included within the oLEMP to ensure that the habitat types and condition of these parcels, as detailed in the BNG metric, are achievable, whilst confirming that the BNG score for the whole Order Limits achieves a minimum 10% gain.

The Applicant considers that the above requirements can therefore be achieved by:

- amending ES Figures 2.2a and 2.2b and ES Figure 6.4 Landscape and Visual Mitigation Strategy [**APP-148**] to identify a minor modification to the proposed permissive path route through mitigation parcel M1(A), so that the route would avoid any interface with parcel 2/A (which is common land), and showing the remainder of the route with the incorporation of fencing;
- amending the oLEMP to describe and show the re-scaled mitigation area identified as mitigation parcel M1(A) and to provide management measures to ensure the BNG requirements would be achieved; and
- amending the BNG calculations (via **ES Appendix 7.12 Biodiversity Net Gain [APP-082]**) to reflect the status of these parcels as CRoW access land to which the public have (in principle) a right of access for the purposes of open-air recreation.

Extracts of the ES Figure 2.2a and the oLEMP (Figure 1) are enclosed as **Appendix 2** and **Appendix 3** to illustrate the package of updates proposed.

There would be no change to significant effects reported in the Environmental Statement (ES). As such, updates to ES chapters (if any) would be inconsequential but would be set out for completeness as part of the Applicant's formal submission for the updates to be incorporated as part of the ongoing examination). The overall breeding and non-breeding bird mitigation strategies do not rely on these land parcels and therefore mitigation within the Order Limits will not be significantly affected, with the potential likely significant effects from the Proposed Development still suitably mitigated. Furthermore, the Order Limits will still achieve a minimum 10% BNG.

In addition, there would be no change in the land powers sought in respect of these parcels of common land because the parcels are already excluded from the scope of compulsory acquisition and temporary possession under the Draft DCO. No associated updates to the Draft DCO would be required. In addition, the proposed modification to the permissive path route is very minor, is contained to the existing Order Limits and does not require a change to the Works Plans. However, as confirmed at Issue Specific Hearing 1 on 15 April 2026, the Applicant does propose to clarify by way of update to the Land Plans and Works Plans that no part of parcel 2/A overlaps with the Thorne & Hatfield Moors Special Protection Area, Thorne Moor Special Area of Conservation, Thorne, Crowle and Goole Moors Site of Special Scientific Interest and Hatfield Chase Ditches SSSI would be subject to the exercise of DCO powers. An extract of the Works Plan identifying this proposed update is enclosed as **Appendix 4**.

Taking the above factors into consideration, the Applicant does not consider that these proposals formally constitute a change to the Application for the purposes of the

Changes Guidance. Rather, the Applicant considers that they are properly to be regarded as disclosing a change to application information (under the heading 'new or revised information' in the Changes Guidance) which does not engage the staged process relevant to changes to a project.

However, if the Examining Authority was to take a different view on this question, the information provided above (and below) complies with the requirements of a change notification under step 1 of the Changes Guidance. The Applicant further notes in this regard that:

- the information is being provided shortly after the Preliminary Meeting, therefore ensuring there is sufficient time remaining with the statutory examination timescales for the information to be considered by Interested Parties and appropriately examined; and
- for completeness, the Applicant has written to the registered owner of the land (where known) to inform them of the proposed removal of the common land from the scope of all Order powers. The Applicant has also discussed the proposal with Natural England, as well as the host councils. Further details of engagement activity are provided below.

Finally, if the Examining Authority concludes that the Changes Guidance applies to this submission, the Applicant will submit a formal change application (step 4 of the Changes Guidance) on or around at an appropriate time, which as noted the Applicant considers would be w/c 1 June 2026.

Summary of engagement on the proposed updates

The Applicant has carried out targeted engagement in relation to the proposed updates, so that those potentially impacted can provide their views.

On 2 April 2026, the Applicant wrote to those with an interest in the impacted 11 parcels, as well as plot 2-16 (which would be affected by the proposed update to the permissive path route), as listed in the BoR [**APP-021**]. This letter explained the reasons for the updates proposed, as well as clearly setting out the current use for these parcels and their proposed use. The Applicant requested any feedback to be provided by 11.59pm on Friday 8 May 2026. This provided individuals with 36 days to consider and respond to the updates. A site notice was also erected in the vicinity of the relevant land. This was intended to provide notice to those with the benefit of the rights associated with the common land, who it has not been possible to identify.

The Applicant has also informed a number of additional stakeholders of the update and is seeking their views. Those informed were:

- City of Doncaster Council
- North Lincolnshire Council
- Natural England
- Lincolnshire Wildlife Trust
- Environment Agency
- Isle of Axholme and North Nottingham Water Level Management
- Doncaster Internal Drainage Board

- Thorne and Moorends Town Council

The Applicant considers that the targeted approach to engagement which has been adopted is proportionate to the very small geographical extent of the updates proposed. The Applicant considers that those with a likely interest in the updates comprise persons with an interest in the relevant land, who have been engaged, and selected prescribed consultees including the host authorities and environmental bodies, who have also been engaged.

To date, the Applicant has received no substantive responses, underscoring the minor and uncontroversial nature of the updates proposed, save that Thorne and Moorends Town Council

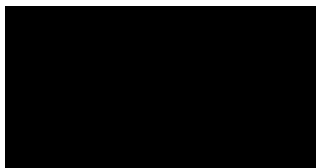
contacted the Applicant to request an extended deadline of 15 May 2026 to respond, which the Applicant has accepted.

Next steps

I trust that the information set out above and in the documents which accompany this submission are sufficient to enable the ExA to consider the Applicant's suggested approach.

I would be grateful if you would please acknowledge safe receipt of this letter and the enclosed documents.

Yours sincerely,



Paul Hunt
Senior Project Manager
RWE Renewables Solar and Storage

Enclosed:

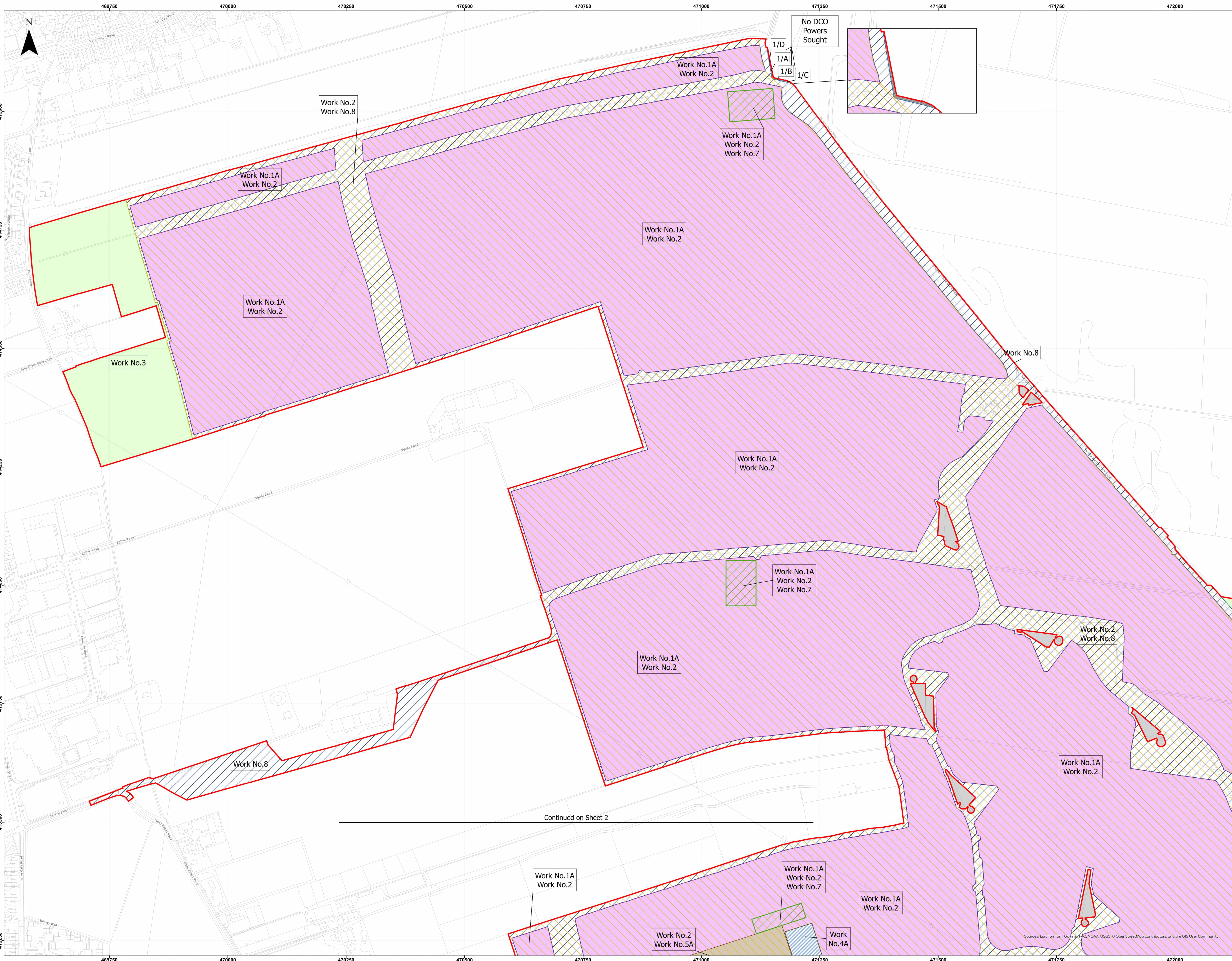
Appendix 1: Extract of Works Plans (Sheet 1 and Sheet 3)

Appendix 2: Extract of ES Figure 2.2a

Appendix 3: Figure 1 of oLEMP

Appendix 4: Extract of Works Plans (Sheet 2)

APPENDIX 1



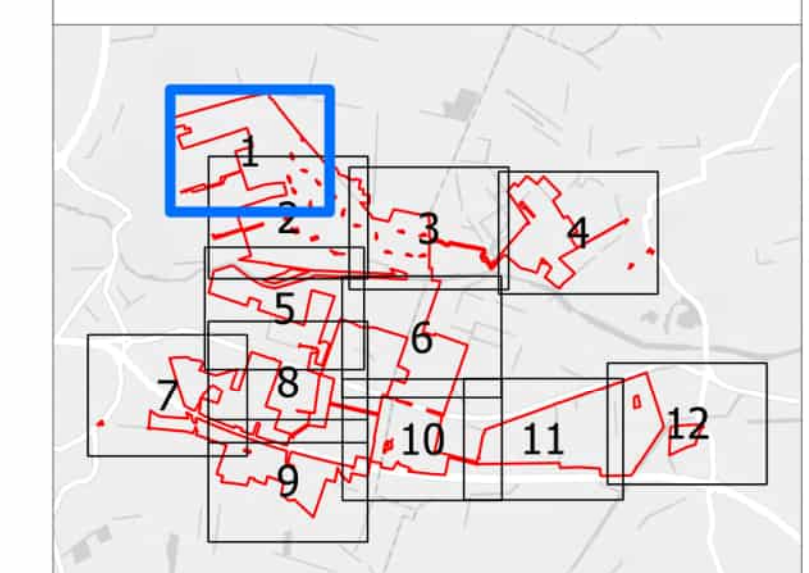
Tween Bridge Solar Farm

- Legend**
- Order Limits
 - Work No. 1
 - Work No. 2
 - Work No. 3
 - Work No. 4
 - Work No. 5
 - Work No. 7
 - Work No. 8
 - No DCO Powers Sought
 - Land not within Order Limits

Notes:

These Works Plans show the Order Limits and the works comprised in the authorised development, which are described in Schedule 1 (Authorised Development) to the draft Development Consent Order. These Works Plans should be read alongside (and are informed by) all other relevant application documentation.

These Works Plans show some works taking place in combination with each other on the same area of land. The Applicant seeks authorisation for any combination of the Work Nos. shown within that area.



Works Plans - Sheet Number : 1

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009: Regulation 5(2)(j)

0 75 150
Metres

Coordinate System: British National Grid
Projection: Transverse Mercator
Datum: OSGB 1936

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Ordnance Survey AC0000808122

Scale: 1:2,500 Paper Size: A0 Sheet 1 of 12

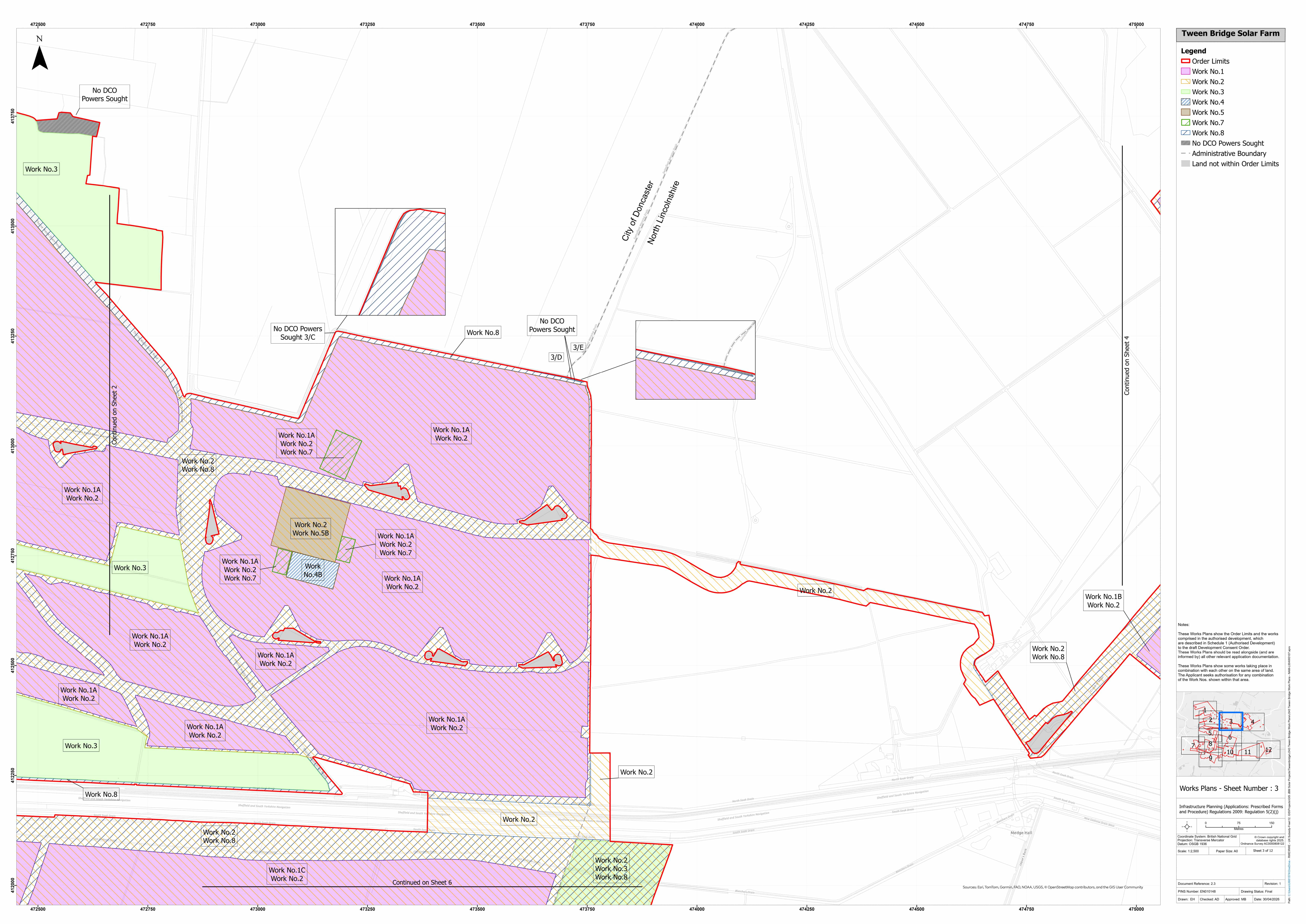
Document Reference: 2.3 Revision: 1

PINS Number: EN010148 Drawing Status: Final

Drawn: EH Checked: AD Approved: MB Date: 30/04/2025

Sources: Esri, TomTom, Garmin, HERE, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Continued on Sheet 2



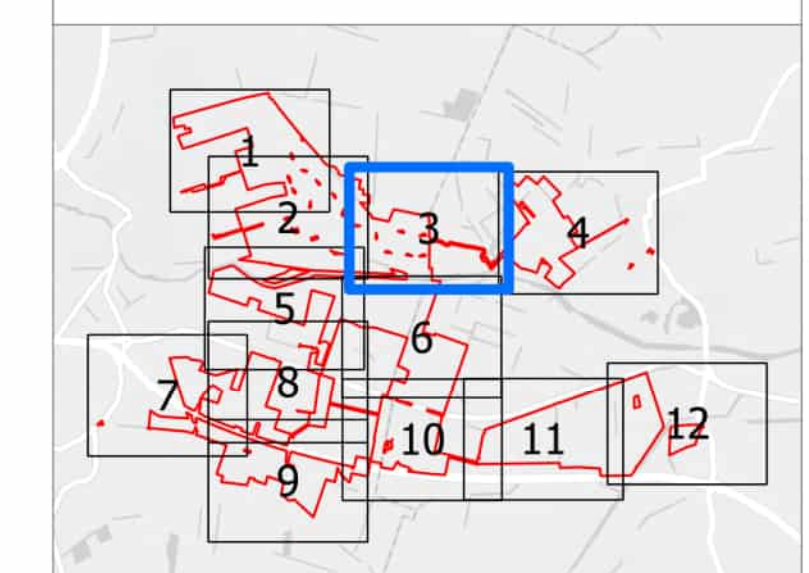
Tween Bridge Solar Farm

- Legend**
- Order Limits
 - Work No.1
 - Work No.2
 - Work No.3
 - Work No.4
 - Work No.5
 - Work No.7
 - Work No.8
 - No DCO Powers Sought
 - Administrative Boundary
 - Land not within Order Limits

Notes:

These Works Plans show the Order Limits and the works comprised in the authorised development, which are described in Schedule 1 (Authorised Development) to the draft Development Consent Order. These Works Plans should be read alongside (and are informed by) all other relevant application documentation.

These Works Plans show some works taking place in combination with each other on the same area of land. The Applicant seeks authorisation for any combination of the Work Nos. shown within that area.



Works Plans - Sheet Number : 3

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009; Regulation 5(2)(j)

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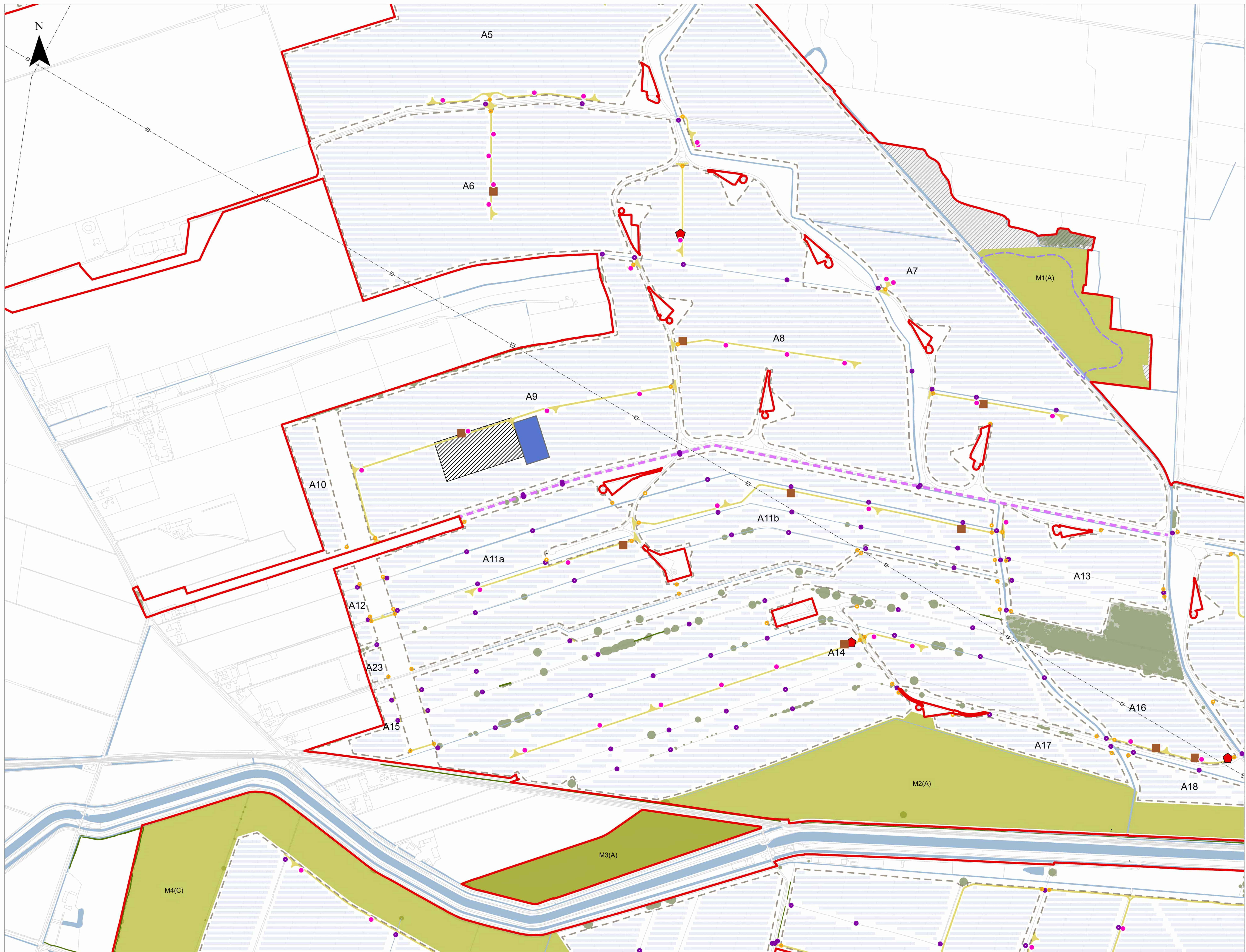
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Scale: 1:2,500 Paper Size: A0 Sheet 3 of 12

Document Reference: 2.3 Revision: 1
 PIN Number: EN010148 Drawing Status: Final
 Drawn: EH Checked: AD Approved: MB Date: 30/04/2025

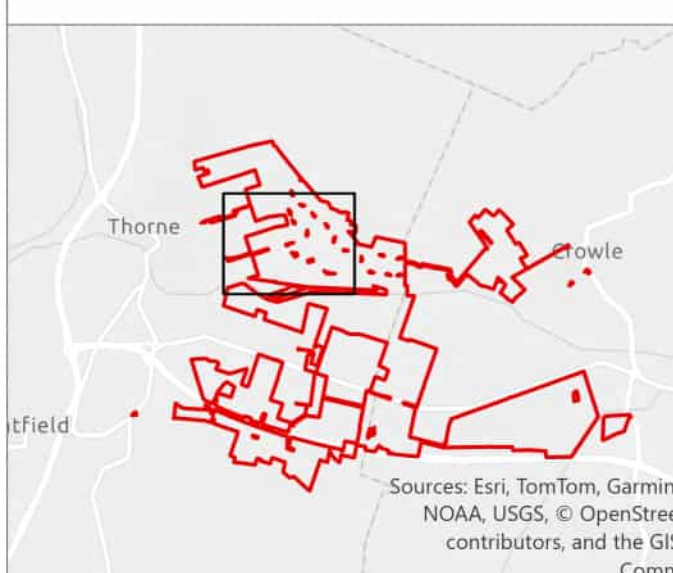
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

APPENDIX 2



- LEGEND**
- Order Limits
 - Existing Features
 - Public Rights of Way
 - Powerlines and Pylons
 - Woodland
 - Trees
 - Hedgerows
 - Waterbodies and Watercourses
 - Scheme
 - Access Points
 - Crossing Points
 - Inverters
 - Switchgears
 - Spares Containers
 - Internal Access Tracks
 - 400kV Substation
 - 132kV Substation
 - BESS
 - Permissive Path - all routes to be fenced and secure
 - Fencing
 - Indicative Areas for Mitigation, Enhancement and/or Retained Agricultural Land
 - Fixed Solar PV Modules
 - A1 Field Reference
 - No DCO Powers Sought

Notes
 1. The drawing is for illustrative purposes only
 2. The location of the features shown are indicative only to show the key features of Tween Bridge Solar Farm for which development is sought
 3. The indicative layout demonstrates one way that the Scheme could be undertaken within the parameters of the DCO, consent is not being sought for this layout



Tween Bridge Solar Farm

Drawing Ref: Environmental Statement Volume 4,
 Figure 2.2a: Indicative Operational Layout Plan

Coordinate System: British National Grid
 Projection: Transverse Mercator
 Datum: OSGB 1936

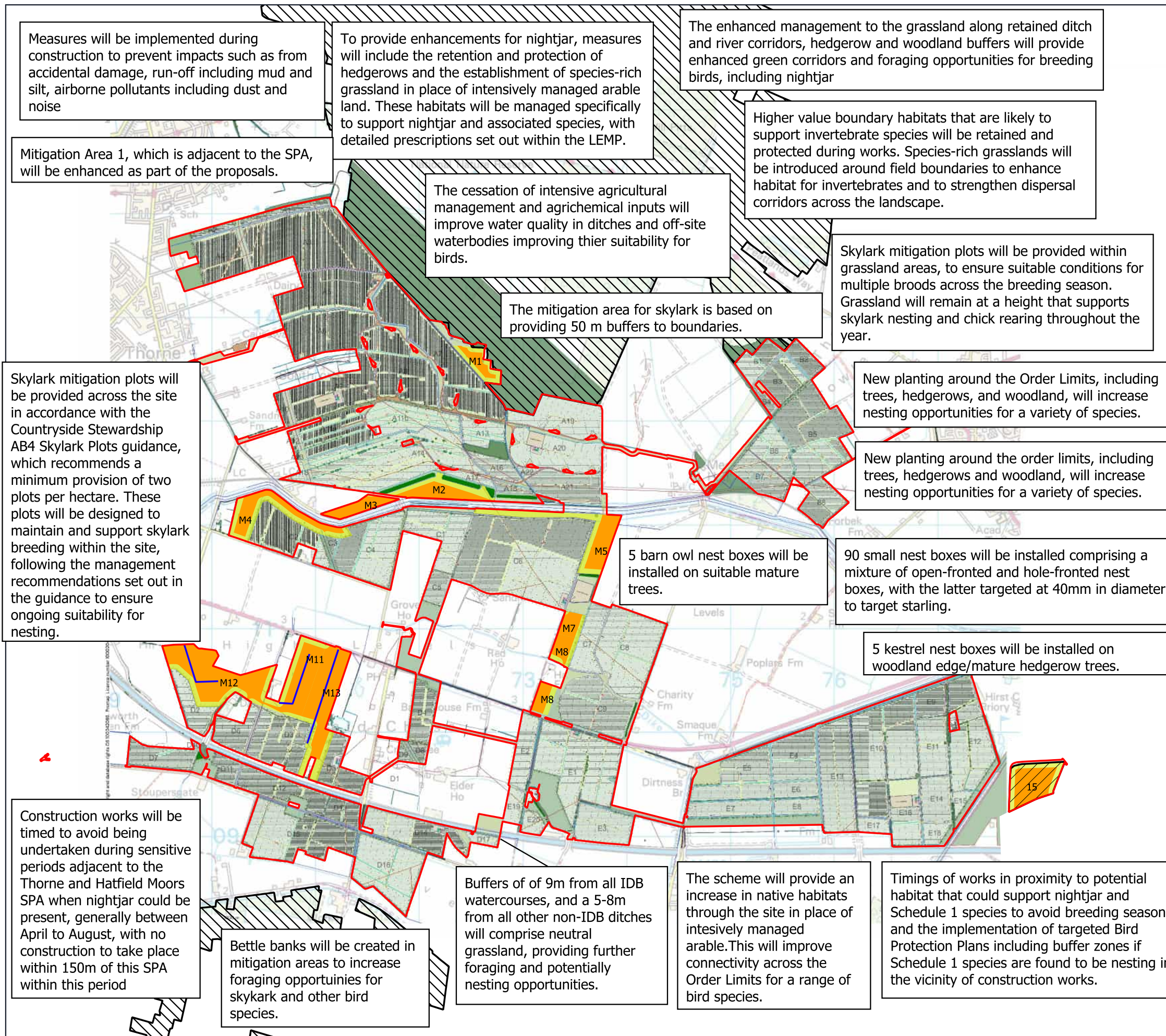
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RWE

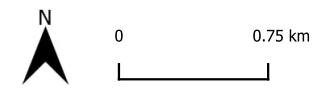
Document Reference: 6.4.2.2
 PINS Number: EN10148
 Drawn: NAM Checked: EH Approved: AD Date: 30/04/2026

Revision: 1
 Drawing Status: DCO Application

APPENDIX 3



- Order Limits
- Mitigation Land
- Mitigation Land with a 50m Buffer from Vertical Features
- Mitigation Land (Managed As Arable)
- Special Protection Area (SPA)
- Indicative Scrapes Location

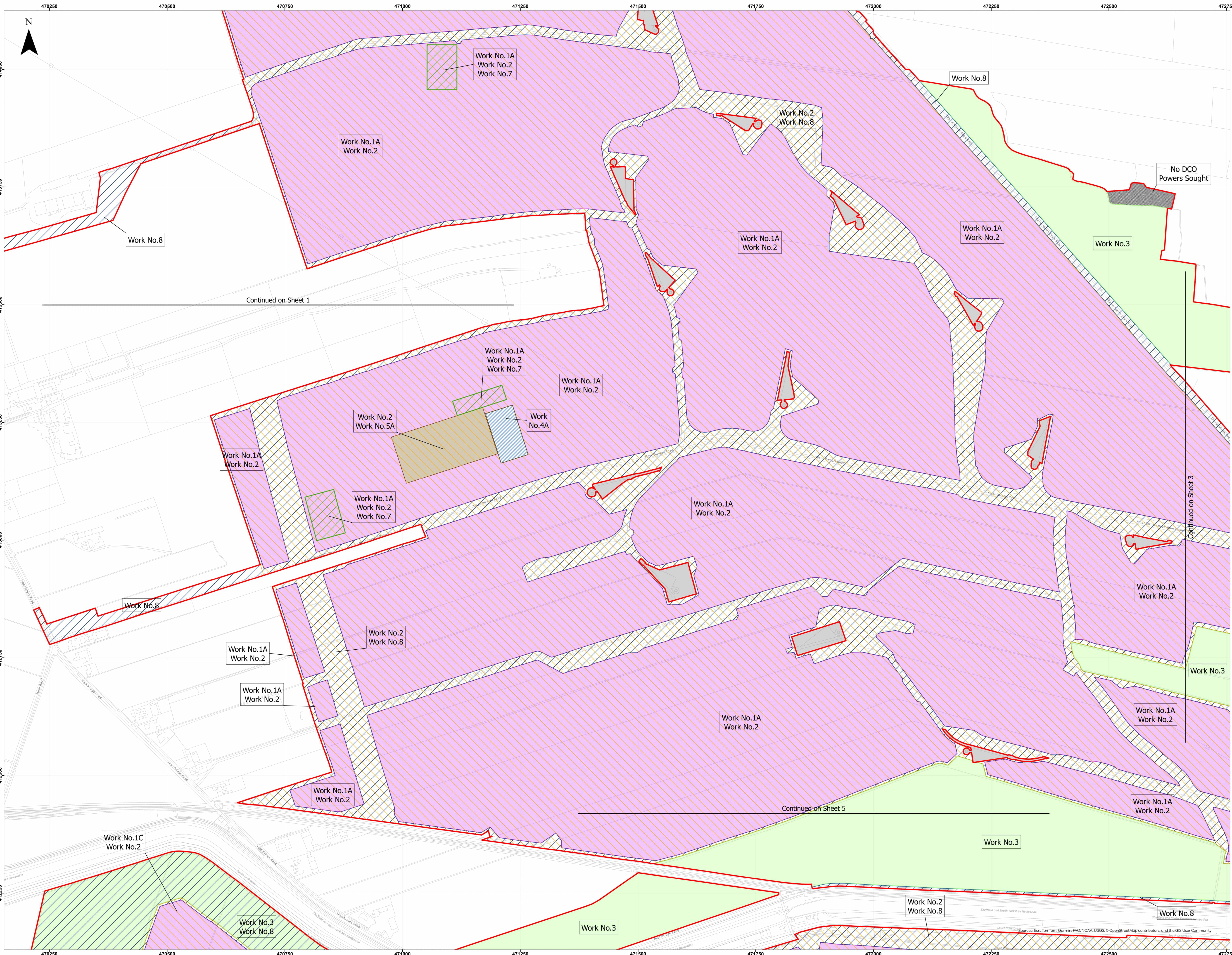


Project	Tween Bridge
Drawing Title	Breeding Bird Mitigation Plan eith Common Land Removed
Scale	As Shown (Approximate)
Drawing No.	16413/P17
Date	April 2026
Checked	TLR/RR



Town House, 3rd Floor, 11-15 Dix's Field, Exeter, EX1 1QA
 T: 01392 447 588 E: info@tylergrange.co.uk W: www.tylergrange.co.uk

APPENDIX 4



Tween Bridge Solar Farm

- Legend**
- Order Limits
 - Work No.1
 - Work No.2
 - Work No.3
 - Work No.4
 - Work No.5
 - Work No.7
 - Work No.8
 - No DCO Powers Sought
 - Land not within Order Limits

No DCO Powers Sought

Continued on Sheet 1

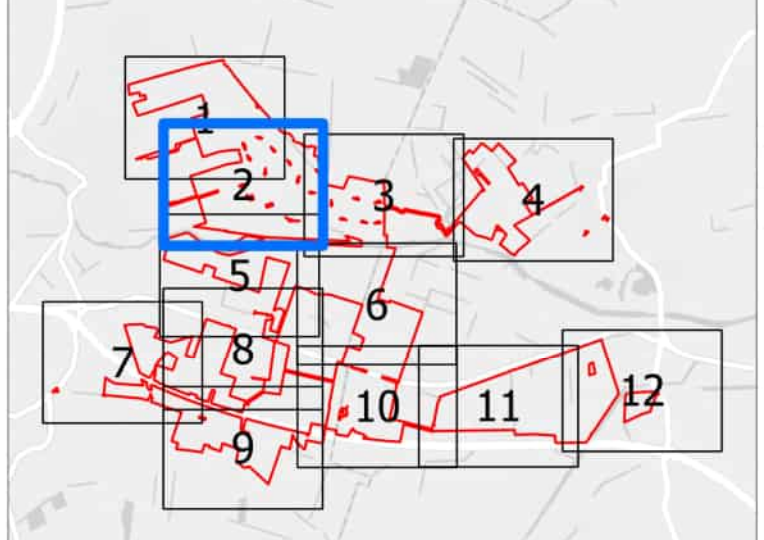
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Notes:

These Works Plans show the Order Limits and the works comprised in the authorised development, which are described in Schedule 1 (Authorised Development) to the draft Development Consent Order. These Works Plans should be read alongside (and are informed by) all other relevant application documentation.

These Works Plans show some works taking place in combination with each other on the same area of land. The Applicant seeks authorisation for any combination of the Work Nos. shown within that area.



Works Plans - Sheet Number : 2

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009: Regulation 5(2)(j)

0 75 150
Metres

Coordinate System: British National Grid
 Projection: Transverse Mercator
 Datum: OSGB 1936
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Document Reference: 2.3 Revision: 1
 PINS Number: EN010148 Drawing Status: Final
 Drawn: EH Checked: AD Approved: MB Date: 30/04/2025

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