



Peartree Hill Solar Farm

Schedule of Changes to the Draft Development Consent Order

Application Document Ref: EN010157/APP/8.1

June 2025

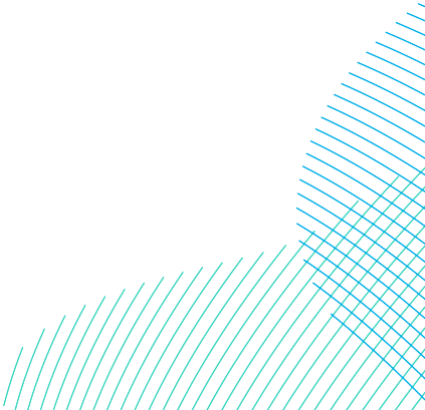
Planning Act 2008
Infrastructure Planning
(Applications: Prescribed Forms
and Procedure) Regulations
2009 -
Regulation 5(2)(c)



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1 Introduction

- 1.1.1 This document sets out RWE Renewables UK Solar and Storage Limited’s (the Applicant’s) schedule of changes to the draft Development Consent Order (DCO). It includes changes made during the pre-examination phase.

2 APPLICANT’S SCHEDULE OF CHANGES TO DRAFT DCO

Provision	Change made to the draft DCO	Explanation for change
Following Section 51 Advice on the Acceptance of the Application		
Article 2(1)	“limits of deviation” means the limits for the scheduled works referred to in article 7 (limits of deviation) and shown for each numbered work shown on the works plans;	Amendment made to simplify the definition of limits of deviation and reflect what is shown on the works plans.
Article 2(1)	The words “ and road is to be construed accordingly ” have been added to the definition of ‘street’	This has been added for clarity as the draft DCO did not include a definition of road.
Article 7	(1) The authorised development is to be carried out and maintained within the limits of deviation except where it is demonstrated by the undertaker to the local planning authority’s Secretary of State’s satisfaction and following consultation by the undertaker with the relevant planning authority, and the local planning authority certifies accordingly that a deviation in excess of the limits of deviation would	This amendment has made to align with Requirement 3 where the local planning authority is the discharging authority for detailed design which includes the vertical design parameters. A It is also consistent with article 6 of The London Luton Airport Expansion Development Consent Order 2025 where the planning authority was the body responsible for certifying that a deviation in excess of the limits of deviation would not give rise to

	<p>not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.</p> <p>(2) Part 2 (procedure for discharge of requirements) of Schedule 2 (requirements) applies to an application to the local planning authority Secretary of State for certification under paragraph (1) as though it were an approval required by a requirement under that Schedule.</p>	<p>any materially new or materially different environmental effects in comparison with those reported in the environmental statement. Consistent with the drafting in The London Luton Airport Expansion Development Consent Order 2025 a certification requirement has also been added. As the local planning authority is to be the body undertaking the certification requirement the consultation requirement is no longer required.</p>
Article 16(2)	<p>(2) Without prejudice to the specific powers in paragraph (1) and subject to paragraph (5) the undertaker, during and for the purposes of, or in connection with, the construction, operation, maintenance and decommissioning of the authorised development carrying out the authorised development may temporarily close, alter, divert, prohibit the use of, authorise the use of or restrict the use of any street or public right of way and may for any reasonable time—</p>	<p>This amendment has been made to clarify that the power in Article 16(2) applies to all phases of the development – construction, operation, maintenance and decommissioning.</p>
Article 16(7)	<p>(7) The undertaker, during and for the purposes of, or in connection with, the construction, operation, maintenance and decommissioning of the authorised development carrying out the authorised development, may temporarily close, prohibit the use of, authorise the use of, restrict the use of, alter or divert any public right of way within the Order limits which is added to the definitive map and statement (within</p>	<p>This amendment has been made to align this sub-paragraph with the amended wording in sub-paragraph (2) above.</p>

	the meaning of the Wildlife and Countryside Act 1981) on or after [].	
Article 19(5)	<p>(5) The undertaker must not exercise the powers in paragraphs (1) or (2) unless it has—</p> <p>(a) except in the case of an emergency, given not less than 14 days' notice in writing of its intention to do so to the chief officer of police and to the traffic authority in whose area the road is situated; and</p> <p>(b) not less than 7 days before the provision is to take effect published the undertaker's intention to make the provision in one or more newspapers circulating in the area in which any road to which the provision relates is situated;</p> <p>and</p> <p>(c): displayed a site notice containing the same information at each end of the length of road affected</p>	The amendment has been made to align with the wording inserted by the Secretary of State in The West Burton Solar Project Order 2025, The Cottam Solar Project Order 2024 and The Gate Burton Energy Park Order 2024.
Article 30(3)(a)	<p>(a) Schedule 2A (counter-notice requiring purchase of land not in notice to treat) to the 1965 Act as modified by article 31 Schedule 9 (modification of Part 1 of the Compulsory Purchase Act 1965 modification of compensation and compulsory purchase enactments for creation of new rights and imposition of new restrictive covenants);</p>	Amendment to correct the cross-reference to article 31 rather than Schedule 9.

Article 30(3)(c)	s Section 153(4A)	Correction of typographical error.
Article 34(3)(b) and Article 35(4)(b)	Deletion of “and/”	Amendment made to improve clarity.
Article 36(b)	Deletion of “and.”	Correction of typographical error.
Article 40(2)	Deletion of extra space in definition of “special category land”	Correction of typographical error.
Article 45(1)(c)	(c) obstructing or interfering with the passage of vehicles to the extent necessary for the purposes of construction, maintenance, operation or decommissioning of the authorised development.	This amendment has been made to clarify that the power in article 45(1) applies to all phases of the development – construction, operation, maintenance and decommissioning and to align with the wording in sub-paragraph (1)(a).
Schedule 1(1)	Amendments to the definitions of “Land Area B” to “Land Area F” to amend capitalisation	Amendments for consistency.
Schedule 1, Work No. 1	Insertion of missing space and deletion of full stop	Correction of typographical error.
Schedule 1, Work No. 2(f)	Amending cross-reference to (e)	Correction of typographical error.
Schedule 1, Work No. 5	kilovolts s	Correction of typographical error.

Schedule 1, Work No. 5(d)	Deletion of “permissive paths” from Work No. 5	Correction of an error, there are no permissive paths in Work No. 5.
Schedule 1, Work No. 6	within the National Grid substation construction of electrical substation infrastructure to facilitate connection of Work No. 1 the authorised development to the National Grid, including—	This amendment has been made for clarity as Work No.6 is associated development that is required to facilitate the connection of Work No.1, the NSIP rather than the whole ‘authorised development’.
Schedule 1, Work No. 7 and Work No. 9	Insertion of “including” at the end of the description of the work	Added for consistency with other works.
Schedule 1, Work No. 8(a), (b) and (e)	Substituting “public highway” with “street”	The term “public highway” is not used elsewhere in the draft DCO and the defined term “street” includes public highways.
Schedule 1, Work 9	Deletion of comma after “signage”	Oxford comma deleted for consistency with the rest of the draft Order.
Schedule 2, paragraph 1	Insertion of “outline” to definition of “outline OEMP”	Amendment to reflect the title of the document.
Schedule 2, paragraph 4	Construction environmental management plans	Correction of typographical error.
Schedule 2, Paragraph 15(2), 20(1)(c),	Substituting “relevant planning authority” for “local planning authority”	Amendments to align with the use of local planning authority as the defined term in the draft DCO.

23(2)(b) and 23(b)(i)		
Schedule 9, paragraph 10	article 29 (application of the 1981 Act) and article 32 (application of the 1981 Act and (application of the 1981 Act and modification of the 2017 Regulations) in respect of the land to which the notice to treat relates.	Amendment for clarity.
Schedule 11, Part 2, paragraph 4(4)(a)	Updated sub-paragraph (a) to reference the DCO	Correction of error.
Schedule 12, Part 3, paragraph 17	Deletion of “East” in the definition of “specified work”	Correction of error.
Schedule 12, Part 4	Various amendments	<p>The amendments the protective provisions in Part 4 of Schedule 12 represent the Applicant’s preferred protective provisions. A number of these amendments have been made to reflect the Environment Agency’s standard provisions. These amendments have been shared with the Environment Agency. The key drafting, which the Applicant seeks to be included, and is yet to be agreed to by the Environment Agency, is set out below:</p> <p>Paragraph 26: “emergency risk” means an occurrence which presents a material risk of —</p>

		<p>Paragraph 30(1): If there is any failure by the undertaker to obtain consent or comply with conditions imposed by the Agency in accordance with these protective provisions and where the Agency acting reasonably considers it necessary to avoid any of the risks specified in sub-paragraph (2), the Agency may serve written notice requiring the undertaker to cease all or part of the specified works as may be specified within the notice within such reasonable period as specified in the notice, and the undertaker must cease constructing the specified works or part thereof until such time as it has obtained the consent or complied with the condition specified within the notice served.</p> <p>Paragraph 34: If by reason of the construction of any specified work or the failure of any such work, the Agency's access to flood defences or equipment maintained for flood defence purposes is materially obstructed, the undertaker must notify the Agency as soon as reasonably practicable and provide suitable alternative means of access that will allow the Agency to maintain the flood defence or use the equipment no less effectively than was possible before the obstruction occurred and such alternative access must be made available as soon as reasonably practicable after the undertaker becomes aware of such obstruction, except in the case of an emergency in which case the undertaker must provide such alternative means of access</p>
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		<p>on demand unless to do so would cause danger to persons or property.</p> <p>Paragraph 36(1): The undertaker indemnifies the Agency in respect of all costs, charges and expenses which the Agency may reasonably incur—</p> <p>The text in red above reflects the Applicant's preferred drafting and has been included in the Draft DCO.</p>
Schedule 13	Amended cross-reference to Article 45 rather than article 44	Amendment made in response to Section 51 Advice.
Schedule 14	Amendments to capitalisation of document names	Amendments for consistency with the rest of the draft Order.
Schedule 14	Insertion of "outline site waste management plan"	As this document is listed as a certified document in Schedule 2 it should included in Schedule 14.
Explanatory Note	Insertion of address where certified documents can be inspected	Amendment to provide required information.

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