

RWE Renewables UK Solar and Storage Limited

FAO Jake Stephens
The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

23/09/2025

Dear Jake Stephens,

Proposed Peartree Hill Solar Farm (Application Reference: EN010157)

Third notification of proposed changes to the DCO Application

Further to the Applicant's **Second Change Application [REP2-149]** submitted at Deadline 2, the Applicant is writing to advise the Examining Authority that it wishes to propose a small number of further changes to be submitted on or around Deadline 4. These are minor in nature, but the Applicant is requesting a change to the DCO Application in accordance with the Planning Inspectorate's guidance on requesting changes to an application after it has been accepted for examination ("the **Changes Guidance**").

During the course of the examination process, submissions have been made¹ raising concerns about the potential for disturbance to bird species caused by users of permissive paths (including dogs) having unrestricted access to the ecological mitigation areas, particularly mitigation areas 9 and 11, i.e. Fields D18 and E6.

Fields D18 and E6 have been identified as breeding and wintering bird mitigation areas for the relevant bird species associated with the Humber Estuary Special Protection Area (SPA)/Ramsar site identified in the **Habitats Regulations Assessment – Information to inform Appropriate Assessment [REP2-071]**.

To address the concerns raised during examination, the Applicant is proposing to modify some of the proposed permissive path routes.

These changes would see the removal of some permissive path routes and the addition of others. If progressed, the changes would result in an overall reduction in permissive path provision of approximately 800m but there would remain a considerable network of approximately 11.8km of permissive paths to be brought forward as part of the Proposed Development.

This change notification is the Applicant's third and uses a numbering system which continues from the **Second Change Application [REP2-149]**.

¹ <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010157/representations/100001676>

The proposed changes are as follows (further detail is provided under the heading 'proposed changes' later in this letter):

- a) **Change 10** – Change to permissive path route around Field D18.
- b) **Change 11** – Change to remove permissive path route around Field E6 and to extend permissive path route around Fields E7 and E8.
- c) **Change 12** – a package of analogous changes comprised of:
 - a. Moving the permissive path that runs through the proposed biodiversity mitigation area between Fields D16 and D17 closer to the edge of Field D16.
 - b. Moving the permissive path in Field B2 closer to the eastern edge of this field.
 - c. Moving the permissive path at the north of Field B8 closer to the northern edge of the field so that it is to the edge of the proposed biodiversity mitigation area in this field.
 - d. Moving permissive paths throughout Land Area F closer to the edge of the fields (this includes Fields F9, F10, F14 and F16).
- d) **Change 13** – The provision of additional post and wire fencing between permissive paths and ecological mitigation areas. The total length of the proposed additional post and wire fencing is approximately 6km and would be up to 1m in height.

As set out below, the Applicant considers that both individually and cumulatively (including those changes already notified to the Examining Authority) the proposed changes do not constitute material changes to the Proposed Development which was the subject of the DCO Application.

This letter constitutes Step 1 of the process for requesting a change to an application, as set out in the Changes Guidance, in which the Applicant informs the Examining Authority in writing of its intention to request a change to the accepted application.

The Applicant is launching a targeted consultation in relation to the proposed changes on Wednesday 24 September 2025. The deadline for responses is Wednesday 22 October 2025. Further details of the consultation activity which the Applicant is proposing are set out below.

Following the conclusion of the targeted consultation, it is the Applicant's intention to submit a request asking the Examining Authority to examine the changed Application, which will include a summary of the responses received and how the Applicant has considered them. The Applicant intends to make this submission on or around Deadline 4 (31 October 2025).

The Applicant understands that once the proposed changes have been submitted, the Examining Authority will need to make a Procedural Decision whether or not to accept the proposed changes into the Examination.

Accommodating the changes within the Examination statutory timescales

The Applicant considers that the proposed changes can be accommodated within the statutory timescales for the examination for the following reasons:

- a) The proposed changes are not considered complex in nature.
- b) There are no anticipated materially new or materially different likely significant environmental effects compared with those reported in the Environmental Statement ("ES").
- c) No changes to the Order Limits are required in connection with any of the changes. In addition, none of them would engage the requirements of the Infrastructure Planning

(Compulsory Acquisition) Regulations 2010 or require any changes to the nature of powers which the Applicant is seeking over the Order Land.

- d) The Applicant anticipates there will generally be limited public/stakeholder interest due to the localised nature of the changes and that an extensive network of permissive paths is still proposed across the Proposed Development.
- e) No consents, permits or licences require update as a result of the proposed changes and the proposed changes to not impede the securing of any consents, permits or licences required to undertake the proposed development.
- f) The proposed changes do not alter compliance with National Policy Statement (“NPS”) policy and in fact the Applicant considers that the planning balance in favour of the development would be improved as a result of these minor changes.
- g) The changes are being requested in response to suggestions made by Natural England and the Applicant understands that the changes would help to mitigate an important outstanding concern held by Natural England in relation to the DCO Application.

The submission of the Change Application as proposed on or around Deadline 4 will provide sufficient time to review and examine any relevant stakeholder comments relating to the proposed changes.

Indicative programme

The indicative programme for the relevant steps for submitting the formal change request to the Examining Authority are set out in **Table 1**.

Table 1 Indicative programme for formal change request

Step	Indicative programme
Notification to the Examining Authority on the proposed changes	23 September 2025
Targeted non-statutory consultation	24 September 2025 – 22 October 2025
Formal change application to be submitted to the Examining Authority	On or around Deadline 4 (31 October 2025)
Examining Authority decision on whether to accept the changes and how they should be examined	At the Examining Authority’s discretion

Proposed changes

Overview of proposed changes

Table 2 provides a summary of the proposed changes and how they would represent an improvement to the DCO Application. Images of the changes are appended to this letter.

Table 2 Summary of proposed changes

Change number	Brief summary	Improvement to the DCO Application
10	<p>Change to permissive path route around Field D18.</p> <p>The DCO Application included a permissive path loop around Field D18, which would be available for horse riders. Field D18 has been identified as an ecological mitigation area for breeding and wintering bird species associated with the Humber Estuary SPA/Ramsar site.</p> <p>This change involves the removal of the permissive path loop around Field D18 but retention of a small section in the north-east corner of the field to allow access from Meaux Livery, on the other side of Meaux Lane, to the rest of the permissive path network. The retained section of path would still be available for horse riding.</p>	<p>Change seeks to address Natural England's concern of potential disturbance to SPA qualifying bird species arising from users of permissive paths (including dogs) having unrestricted access to Field D18.</p> <p>Permissive path route is now proposed in the north-east corner of Field D18 and is to be fenced off, thereby likely improving the efficacy of the proposed mitigation for the identified SPA species.</p>
11	<p>Removal of permissive path loop around Field E6 and extension of permissive paths around E7 and E8.</p> <p>Our DCO Application included a permissive path loop around Field E6, which has been identified as an ecological mitigation area for breeding and wintering bird species associated with the Humber Estuary SPA/Ramsar site.</p> <p>This change involves the removal of the permissive path loop around Field E6; re-location of the section of permissive path along the east of Field E6 to the other side of the hedge, to prevent access to Field E6, and extending the path around Fields E7 and E8 to join up with the rest of the network.</p> <p>This change would compensate for the loss of permissive path loops around Field E6 and D18.</p> <p>The new permissive path route would be made available for horse riding.</p>	<p>Change seeks to address Natural England's concern of potential disturbance from users of permissive paths (including dogs) to SPA qualifying bird species arising from proposed permissive paths in DCO Application.</p> <p>The extension of the permissive path around the south of Fields E7 and E8 ensures that the reduction in the total length of the permissive path network is kept to a minimum and maintains the connectivity of the proposed permissive path network across the site of the Proposed Development.</p>

Change number	Brief summary	Improvement to the DCO Application
12	a) Moving the permissive path that runs through the proposed biodiversity mitigation areas between Fields D16 and D17 closer to the edge of Field D16. The realigned section of path would still be available for horse riding.	Change seeks to minimise potential disturbance from users of permissive paths (including dogs) to ground nesting bird species, while maintaining the proposed permissive path route in Fields D16/D17 and the overall connectivity of the proposed permissive path network.
	b) Realignment of permissive path in Field B2 to run closer to the eastern edge of this field.	Change seeks to minimise potential disturbance from users of permissive paths (including dogs) to ground nesting bird species, while maintaining the proposed permissive path route in Field B2 and the connectivity with the existing Riston Footpath No. 2.
	c) Moving permissive path at the north of Field B8 closer to the northern edge of the field, to the edge of the proposed biodiversity mitigation area in this field.	Change seeks to minimise potential disturbance from users of permissive paths (including dogs) to ground nesting bird species, while maintaining the proposed permissive path route in Field B8 and the connectivity between Carr Lane and the existing Riston Footpath No. 2.
	d) Moving permissive paths throughout Land Area F closer to the edges of the fields (namely in Fields F9, F10, F14 and F16).	Change seeks to minimise potential disturbance from users of permissive paths (including dogs) to ground nesting bird species, while maintaining the proposed permissive path route throughout Land Area F and the overall connectivity of the proposed permissive path network.
13	<p>Installation of post and wire fencing between permissive paths and ecological mitigation areas.</p> <p>The total length of the proposed additional post and wire fencing is approximately 6km and would be up to 1m in height.</p>	<p>This will provide further protection for ecological mitigation areas located along the permissive path routes from disturbance by users of the paths.</p> <p>Fencing will be accompanied by signage highlighting the reasons for it and the purpose of the mitigation areas, including information on relevant bird species for the benefit of permissive path users.</p> <p>Due to the fencing's low profile, no significant landscape and visual effects are anticipated as a result of the proposal.</p>

Need for and description of proposed changes

In accordance with the requirements of the Changes Guidance, this section provides a description of the proposed changes and the rationale and need for making the changes during the examination period.

The DCO Application included a proposed network of permissive paths within the Land Areas, measuring approximately 12.6km in length and connecting to the existing public rights of way network to increase accessibility around the local area.

In Natural England's relevant representation (item NE1b) **[RR-012]**, they noted that the proposed permissive path network included walking routes around mitigation areas 9 (Field D18) and 11 (Field E6) and advised that the presence of human disturbance may reduce the suitability of these mitigation areas for SPA qualifying bird species. Natural England also requested clarification on whether the proposed permissive paths would be separated from the mitigation areas by fencing. Consequently, the Applicant suggested some changes to the relevant sections of the proposed permissive path network. The proposed changes were shared with Natural England via email on 4 September 2025. Natural England responded on 10 September 2025 to confirm that they welcomed the proposed changes, specifically the removal of the permissive path loops around Fields D18 and E6, and to provide further comments, such as advising that all footpaths should be separated from the relevant mitigation areas with stock proof fencing. The amendments were discussed further with Natural England in an online meeting on 11 September 2025 and subsequently refined by the Applicant.

Change 10 – Field D18 is intended to provide ecological mitigation areas for areas of functionally linked land for the relevant bird species associated with the Humber Estuary SPA/Ramsar site. In order to address concerns raised regarding the potential disturbance to birds arising from users of permissive paths (including dogs) having unrestricted access to the identified ecological mitigation areas, the Applicant has proposed the removal of the permissive path around the majority of Field D18.

Change 11 - Field E6 is intended to provide ecological mitigation for areas of functionally linked land for the relevant bird species associated with the Humber Estuary SPA/Ramsar site. In order to address concerns raised regarding the potential disturbance to birds arising from users of permissive paths (including dogs) having unrestricted access to the identified ecological mitigation areas, the Applicant has proposed the removal of the permissive path around Field E6.

Change 12 – The minor amendments that make up change 12 (i.e. moving proposed permissive paths to the edges of Fields F9, F10, F14 and F16) are proposed in order to reduce potential disruption from users of the proposed permissive paths to the ecological mitigation areas for ground nesting birds.

Change 13 – The Applicant proposes to install post and wire fencing between permissive paths and ecological mitigation areas. This will provide further protection for ecological mitigation areas located along the permissive path routes from disturbance by users of the paths. The total length of the proposed additional post and wire fencing is approximately 6km and would be up to 1m in height.

Environmental appraisal

The Applicant has undertaken an initial review of the proposed changes in the context of all the topics within the Environmental Impact Assessment to understand if any of the proposed changes, either individually or cumulatively, would give rise to any materially new or materially different environmental effects beyond those already reported in the Environmental Statement.

The Applicant has concluded that the proposed changes would not, individually or cumulatively, give rise to any materially new or materially different environmental effects beyond those reported in the ES. Further details are provided below in relation to each proposed change.

Changes 10 to 12 – since the proposed permissive path network has not been treated as environmental mitigation in the Environmental Impact Assessment (EIA) or ES, and therefore was not used to reduce or avoid potential environmental impacts, these changes are not anticipated to result in any new or different significant environmental effects to those reported in the ES.

Change 13 - Post and wire fencing approximately 6km in length would be low level (up to 1m in height) in order to form a barrier between permissive path users (including dogs) and the ecological mitigation areas. Due to the fencing's low profile, no significant landscape and visual effects are anticipated as a result of the proposed fencing.

Proposed changes consultation

The Applicant is proposing to launch a targeted consultation in relation to the changes described above on Wednesday 24 September. This will run for a 28 day period until 11:59pm on Wednesday 22 October 2025.

Who the Applicant is consulting

The Applicant will consult the following bodies and groups in relation to the proposed changes:

- Persons with an interest in the land affected by the proposed changes;
- Prescribed consultees and relevant local authorities for the purposes of section 42(1)(a) and (b) of the Planning Act 2008;
- Other properties within the vicinity of the changes (these properties were determined by mapping the boundaries of the proposed changes and then extending this boundary in order to capture properties that were in reasonably close proximity of the proposed changes); and
- Organisations or individuals who had commented on the permissive paths in the statutory consultation, who the Applicant has contact details for.

The Applicant will also email key elected members about the targeted consultation and will be doing a social media post to capture those that may be interested in the changes.

The Applicant has produced a short brochure outlining the changes, including extracts of plans presented in the DCO Application and those showing the proposed changes to support understanding and a short feedback form. All identified consultees will be sent links/copies of these materials.

The brochure and feedback form will also be hosted on the project website <https://peartreehill-solar.co.uk/>

In addition, copies of the consultation materials will be placed at Beverley Library as a deposit location and site notices put up with a QR code to the project website.

The Applicant considers that the targeted approach to consultation is commensurate with the scale and impacts of the proposed changes. The primary objective has been to ensure that persons impacted by the changes are consulted about the proposals and have an opportunity to comment.

The Applicant would welcome any comments and advice that the Examining Authority may have in relation to the Applicant's approach to consultation on the proposed changes.

Proposed change application

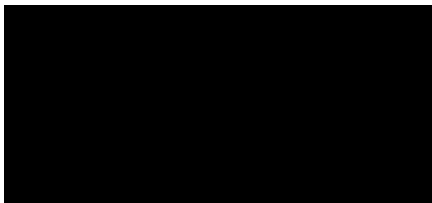
Should the Applicant progress with a formal change request in respect of the additional changes identified in this letter, following procedural advice from the Examining Authority and

consultation, the request will include the information identified in Step 4 of the Changes Guidance.

Infrastructure Planning (Compulsory Acquisition) Regulations 2010

The Applicant confirms that the proposed changes do not involve the Applicant seeking further powers of compulsory acquisition and therefore these Regulations do not apply in this case.

Kind regards,



Mike Greslow

Lead DCO Development Project Manager

RWE Solar and Storage UK Ltd