



Peartree Hill Solar Farm

Applicant's Comments on Relevant Representations related to Change Request 2

Contents

1	Introduction.....	2
2	Response to Relevant Representations.....	3
2.2	Environment Agency.....	3
2.3	Beverley and North Holderness Internal Drainage Board.....	4
2.4	Albanwise.....	5

1 Introduction

- 1.1.1 The purpose of this report is to provide RWE Renewables UK Solar and Storage Ltd (the Applicant's) comments to the matters raised in the Relevant Representations related to Change Request 2 for Peartree Hill Solar Farm (the Proposed Development).
- 1.1.2 The Applicant notified the Examining Authority (ExA) on 6 August 2025 that it intended to submit a request to make changes to its Development Consent Order (DCO) Application (the DCO Application) **[AS-015]**. The Applicant submitted a formal request for the proposed changes (Change Request 2) on 10 September 2025. A full description of the changes can be found in **Change Application [REP2-149]**.
- 1.1.3 As Change Request 2 (except for Change 7) would engage the prescribed procedures of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regulations) due to powers of compulsory acquisition being sought in respect of additional land, the Applicant publicised the changes that incorporated additional land in accordance with the CA Regulations. The window for submission of Relevant Representations by Interested parties concerning Change Request 2 was open from 25 September 2025 until 29 October 2025. The Relevant Representations received during this period were published on the Planning Inspectorate's project website on 5 November 2025.
- 1.1.4 A total of three Relevant Representations were received in respect of Change Request 2 and are responded to in section 2 below. Relevant Representations were received from the following parties:
- Environment Agency **[RR-052]**
 - Beverley and North Holderness Internal Drainage Board **[RR-053]**
 - Mills & Reeve LLP on behalf of Albanwise Limited, Albanwise Synergy Limited, Albanwise Farming Limited and Field House Renewables Limited **[RR-054]**

2 Response to Relevant Representations

2.1.1 Sections 2.2 to 2.4 below provide the Applicant's comments on the Relevant Representations received.

2.2 Environment Agency

2.2.1 Table 1 below provides the Applicant's comments on the Environment Agency's Relevant Representation **[RR-052]**.

Table 1: Applicant's Response to the Environment Agency's Relevant Representation

Environment Agency Relevant Representation	Applicant Response
We confirm that we have no concerns in regard to the proposed Changes 3 - 9.	The Applicant notes this response.

2.3 Beverley and North Holderness Internal Drainage Board

2.3.1 Table 2 below provides the Applicant's response to Beverley and North Holderness Internal Drainage Boards Relevant Representation **[RR-053]**.

Table 2: Applicant's Response to Beverley and North Holderness Internal Drainage Board Relevant Representation

Beverley and North Holderness Internal Drainage Board RR	Applicant Response
<p>Generally, the Board does not own any land, or watercourses – these are all riparian owned. The Board has a drainage district, which the Land Drainage Act 1991 and the Board's byelaws apply to. In this instance, the protective provisions will apply instead of the usual regulatory framework with respect to works regarding the proposed development. Any compulsory acquisition or temporary possession of land should not interfere with the way the protective provisions apply.</p> <p>The Board has previously reviewed the proposed changes by the applicant which have now been accepted by the Planning Inspectorate.</p> <p>Accordingly, the Board has no comment to make on the proposal for the provision of compulsory acquisition of additional land.</p> <p>The Board's comments have been made following consideration of the information provided by the applicant through the Planning Inspectorate and by consultation. Should these details change, the Board would wish to be re-consulted.</p>	<p>The Applicant notes this response.</p>

2.4 Albanwise

- 2.4.1 Table 3 below provides the Applicant's response to Albanwise's Relevant Representation **[RR-054]**. The Applicant acknowledges that this was also submitted as an additional submission **[AS-023]** due to a technical issue with the Project website. Appendices / attachments referenced within the below table can be found [here](#).

Table 3: Applicant's Response to Albanwise's at Relevant Representation

Albanwise Relevant Representation	Applicant Response
Albanwise's interests in the Order land	
Albanwise's interests in the Order land are summarised in the table at Appendix 3a. The new plots that RWE seek to obtain temporary possession/compulsory acquisition powers over as part of the Change Request 9 Application and Proposed Provisions are detailed in the table in red text. These form part of land owned by Albanwise Limited under Land Registry Title Numbers HS130486 and YEA11195. This land was previously used for farming but part of this land (approximately 25% of Title HS130486 & 100% of YEA11195) is currently being developed as the Field House Solar Farm (please see Appendix 3a for more information.)	The Applicant notes this response.
Engagement between Albanwise and RWE	

<p>Albanwise do not object to the Order in principle and have been in active negotiations with RWE for several months with a view to entering into a voluntary agreement and granting RWE easements over the plots of Order land listed in black in the table at Appendix 3a.</p>	<p>The Applicant notes this response.</p>
<p>The table at Appendix 3a identifies when RWE first contacted Albanwise regarding each of the plots of land that RWE wishes to acquire/acquire rights over from Albanwise. We wish to draw to the Examining Authority's attention to the disparity between the dates of first contact relating to the plots of land included in the Change Request 9 Application, and those relating to the plots of land which were previously included in the Order limits. Of particular note is the date of first contact from RWE regarding its proposal to seek temporary possession powers over Plot 2A-5, which is the plot of single most concern to Albanwise, and in respect of which first contact was made just five working days before the deadline for consultation on the Change, and eight working days before the Change Request 9 Application was submitted.</p>	<p>The Applicant refers to its Change Application Consultation Report [REP2-150] in which it sets out that, further to conversations with Albanwise's land agent, it understood that Albanwise was potentially receptive to the use of parcel 2A-5.</p>
<p>For the avoidance of doubt, Albanwise's position on each of the land plots in the table at Appendix 3a - for convenience grouped as 'A' (Plots included in the Order as originally submitted which are the subject of ongoing negotiations for a proposed voluntary agreement); 'B' (Albanwise are in principle open to entering into a voluntary agreement in respect of these plots, subject to design</p>	<p>The Applicant notes these comments but would emphasise that it continues to engage with Albanwise to seek to agree a solution which is acceptable to both parties, including in relation to Plot 2A-5. The Applicant does not agree that there are no circumstances in which an appropriate use of Plot 2A-5 could be agreed by the parties; the</p>

and terms); and 'C' (Albanwise wholly rejects RWE's proposal to use this plot)- is as follows:

A- Plots included in the Order as originally submitted which are the subject of ongoing negotiations for a proposed voluntary agreement- Albanwise have readily engaged in negotiations with RWE in relation to these plots and have been working towards agreeing heads of terms of a voluntary agreement. Based on the negotiations between the parties before the Examination commenced, Albanwise were confident that the impacts of the Order on these plots and their businesses could be addressed by such an agreement and, as such, did not consider it necessary to submit Relevant Representations or to participate in the Examination process prior to the Change Request 9 Application.

B- Plots included in the Change Request 9 Application in respect of which Albanwise are in principle open to entering into a voluntary agreement, subject to design and terms- Albanwise may be prepared to enter into a voluntary agreement in respect of these plots, subject to RWE providing sufficient design detail (see below) and agreement on necessary protections and commercial terms.

C- Plot 2A-5, which Albanwise categorically cannot agree to the use of by RWE- The land comprising Plot 2A-5 is critical to the construction of Field House Solar Farm and Albanwise cannot accept any interference with it. This point has been clearly and repeatedly made to RWE at every consultation point since the 29th of August 2025. No indication has ever been given by Albanwise to RWE that modifications to the design of Field House

Examining Authority has itself observed, in the context of its **Written Questions 3 [PD-019]**, that *"... it appears that there would be sufficient space through the plot for a construction access route which would avoid the substation location so as not to affect its construction or purpose of delivering electricity to the grid from the wider [Field House Solar Farm]"*. The Applicant agrees and continues to engage with Albanwise accordingly.

The Applicant, in order to provide further comfort to Albanwise, will amend Requirement 16, Schedule 2 of the draft DCO to incorporate a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this requirement has been shared with Albanwise (on 18 November 2025) and will be included in the next iteration of the draft DCO which will be submitted at Deadline 5.

<p>Solar Farm could be accommodated because the location of the infrastructure has been set out in the detailed planning permission (the Field House Solar Farm Planning Permission) and there can be no delay to the construction programme if the September 2027 connection deadline is to be met. The connection date of September 2027 is a hard date set by the DNO, Northern Powergrid, which Albanwise have to meet. Albanwise's Technical Limits Offer (Appendix 3) confirms that if the Field House Solar Farm development does not hit the progression milestones to make its September 2027 connection date, then the project's grid connection would be put back to May 2033. That would scupper the investment case for proceeding to deliver the scheme now (see below) – at a time when it is a national strategic priority to provide more renewable energy to the grid. Albanwise would not be given accommodations because of programme slippage caused by the Change Request 9 Application/Proposed Provisions. If the Proposed Provisions are accepted, Albanwise would struggle to meet its delivery programme and, in essence, be at the mercy of negotiations with the DNO to see when they could next be connected, potentially six years later. The only 'accommodation' that has been proposed by Albanwise is to allow RWE's construction vehicles to take access over an alternative scheme (see below).</p>	
<p>Negotiations between RWE and Albanwise have been ongoing since September 2023 and have principally been conducted by Albanwise's agent, Cundalls, on Albanwise's behalf, and have related to heads of terms for an agreement relating to the plots of</p>	<p>The Applicant does not accept that relevant information has not been forthcoming. First, a draft interface agreement was provided to Albanwise on 27 October 2025. Further details on the practical</p>

<p>land in group 'A' in the table at Appendix 3a (in black text). Since Cundalls were first made aware of RWE's request to utilise plots 2A-4 and 6-73, Cundalls have been attempting to gain necessary information from RWE to enable Albanwise to fully consider the impacts of the proposal on its land and businesses. However, this information has not been forthcoming.</p>	<p>management of the interface were provided on 30 October 2025, 4 November 2025 and 12 November 2025 with a meeting between the Applicant and Albanwise's transport advisors on 7 November 2025.</p> <p>The further details that were provided include:</p> <ul style="list-style-type: none"> - Detail on operation of existing farm access on worst case assumption that Peartree Hill Solar Farm, Field House Solar Farm and Carr Fam Solar are constructed concurrently - Complete tracking drawings from internal track to A1035 - Details of proposed use of bankspeople to manage traffic flows - Junction capacity review - Copies of notes/minutes between the Applicant and EYRC Highways in relation to the proposed use of the junction - Layby details south of Field House Farm - Abnormal Indivisible Load (AIL) specifications - AIL swept path along all tracks - Plans updating passing places
--	--

It is the requests for information from RWE that were first made in the Mills & Reeve letter of 5 September (in response to RWE's consultation letters of 6, 14 and 29 August 2025) however, which Albanwise require as a matter of urgency, in order to enable Albanwise to fully understand the impacts of the Change Request 9 Application and to commence meaningful discussions with RWE with a view to coming to a mutually acceptable resolution. This information request was subsequently discussed at meetings held on 10 September and 16 October 2025 (both at Albanwise's request). A commentary on the detail which has been provided to date is given in the table at Appendix 3b, but Albanwise's key concerns can be summarised as follows:

1. Failure by RWE to provide site specific details as to what works are actually required on the land included in the Change Request 9 Application;
2. Incomplete technical assessments, such as EIA chapters referred to in the table at Appendix 3b which only consider the Proposed Project's construction traffic impacts on the public highway/A1035 and do not consider impacts on traffic using or intending to use the existing access track;
3. Key technical documents have not been updated to represent the latest design changes e.g. the flood risk and drainage works highlighted in point 11 of the table at Appendix 3b.

The Applicant has been engaging with Albanwise to provide all information requested in order to manage the potential interface between Field House Solar Farm and the Proposed Development. To the extent that is able to at this stage of design, the Applicant considers it has provided sufficient detail in order to progress discussions over a land agreement.

With specific regard to concern 3, there would be no change in the flood risk profile of the Proposed Development as a result of the proposal to take access from the A1035 in this location and, as such, the relevant document has not needed to be updated.

The hydraulic modelling shows the proposed access would not be at risk of flooding during a design flood event or during the simulated breaches. It is anticipated that there will only be approximately four permanent staff employed during the operational phase, who will be based on Site. Any operational staff would have free movement during design flood conditions, satisfying a key test of emergency planning in the Flood Risk and Coastal Change PPG. Consequently, the proposed access would not impact the conclusions of **ES Volume 4, Appendix 5.6: Flood Risk Assessment [REP1-048]**. Regardless, the Flood

	Risk Assessment has been updated and will be submitted as part of the Deadline 5 submission to reflect the Order Limits alteration.
Alternative access solution proposed by Albanwise	
When Albanwise met with RWE in their meeting of 10 September 2025, Albanwise proposed a compromise solution to RWE which would have addressed all three of Albanwise's concerns (impact on Field House Solar Farm; impact on the residents of Field House Farm; and impact on Albanwise's farming activities).	<p>The Applicant acknowledges that Albanwise provided details of an alternative route for the access track on 10 September 2025.</p> <p>The Applicant carefully considered the impacts of Albanwise's compromise proposal (which utilises the same access point from the A1035, however turns west (instead of east) once within the boundary of Field House Solar Farm for approximately 200m before turning south for approximately 1.2km, running parallel with the route of the SSE Dogger Bank Wind Farm cable route and adjoining the east west running farm track).</p> <p>The Applicant, after careful consideration, concluded that its preferred route, which would include the use of plot 2A-5, is a more appropriate option.</p> <p>The route proposed by Albanwise was not considered feasible for a number of reasons. In particular:</p>

	<ul style="list-style-type: none">• The alternative access route would require the laying of new access for a distance over 1km whereas a route through plot 2A-5 would require the laying of an access of approximately 100 metres. The amount of land required to be used is accordingly significantly less in the case of the Applicant's proposal.• The alternative access route would require the disturbance of otherwise undeveloped land with potential impacts on ecological receptors, soils, agricultural land and watercourses with consequential negative effect on Biodiversity Net Gain.• The alternative access route does not remove the interface with construction traffic for Field House Solar Farm or Carr Farm Solar. Construction vehicles would still meet at the access to Field House Farm adjacent to the junction with the A1035. The alternative access route would also rejoin the existing access track at a location where construction vehicles for both the Proposed Development and Carr Farm Solar would be present and continue to interface.• The alternative access route has a significant interface with the SSE Dogger Bank Wind
--	--

	<p>Farm cable corridor. The Applicant has reached out to SSE but has not received any feedback to date. Therefore, this would remain an unmitigated risk until such time that engagement could take place.</p> <p>The Applicant communicated its reasoning for not considering this option suitable to Albanwise in a meeting on 16 October 2025.</p>
<p>An alternative route through Albanwise's land was proposed which would utilise the same entrance/ exit from/to the A1035 but would route traffic immediately east, along an access track already consented as part of the Field House Solar Farm development and outside the fenced area (see the plan at Appendix 4). The track then meets the route of the Dogger Bank A and B export cables, for which a corridor of approximately 36 metres wide has been allowed within the design of the Field House Solar Farm. There is believed to be sufficient space within and between the two easements to allow for a construction access track to be used by RWE without it having to run over the cables themselves.</p>	<p>Please see response above.</p>
<p>It was proposed that RWE could follow this cable route for approximately 1.1km before turning off where the Dogger Bank cable corridor and the proposed route for RWE would diverge. There would then be a 74 metre stretch crossing undisturbed farmland before RWE could join an existing track which would bring them back to the southern point of parcel 6-7. In total this</p>	<p>Please see response above.</p>

<p>route is 700 metres longer than the route proposed within the Change Request 9 Application but benefits from:</p> <ol style="list-style-type: none"> 1. Not requiring overlap with the generating infrastructure of Field House Solar Farm; 2. It takes the RWE construction traffic away from the residences at Field House farm; 3. It mostly follows a different route than that used by Albanwise Farming Limited for its agricultural activities (480m of overlap as opposed to 1.16km). 	
<p>At the meeting on the 10 September RWE were directed to approach representatives of the cable easement holders⁴. At the meeting of the 16 October RWE stated that this route had been looked into but no response from the easement holder had been received. It was also stated that this route would not be preferable because:</p> <ul style="list-style-type: none"> • There would be no time to amend the DCO boundary to accommodate it; • There is virgin habitat that would be disturbed; • A valuable hedgerow would need to be crossed; • A water crossing would need to be installed. <p>4 Doggerbank Offshore Wind Farm Project 1 Projco Limited and Doggerbank Offshore Wind Farm Project 2 Projco Limited</p>	<p>As set out above, the Applicant considered the alternative route suggested by Albanwise and deemed it unsuitable for a number of reasons.</p>

Albanwise is carrying out its own investigations into this route following this discussion based on the following counter assertions:

- The route need not be included in the Order and could be separately consented under Town and Country Planning Act consent, which would be in addition to the Order;
- 60% of this route is ground which was recently disturbed by the laying of the Dogger Bank Cables and 33% of the route lies on existing track or new track required for Field House Solar Farm;
- Albanwise cannot identify any such hedgerow that would be impacted;
- New drain crossings are being proposed on access routes elsewhere by RWE, and Albanwise see no reason in principle why one could not be utilised here.

In response to the specific counter points:

- The Applicant acknowledges there are other routes to seek consent for an access track but does not consider that the route is suitable for the reasons expressed.
- Recently disturbed ground is still undeveloped whereas the solution proposed uses existing infrastructure except for an approximate 100m strip of land within plot 2A-5.
- The value of the hedgerow is currently unknown, however, the initial searches made by the Applicant had indicated that the hedgerow may have included priority habitat. This has since been checked and no priority habitat was identified. Nevertheless, the relatively narrow working width between the Dogger Bank cable route and adjacent hedgerow would likely result in that hedgerow being disturbed unnecessarily.
- A new drain crossing would be very costly and elsewhere crossings are proposed where other practical solutions are not present. A new crossing could have environmental implications, noting the general preference of

	<p>the EA for existing crossings to be utilised wherever practicable.</p> <ul style="list-style-type: none"> The utilisation of the new route would require agreement with the owner of the adjacent Dogger Bank offshore cable. The Applicant has contacted the owner of the asset but there is no guarantee that agreement could be reached to secure the necessary rights to work within the vicinity of the cable.
Albanwise's grounds of objection to the Proposed Provisions and the Order	
<p>As explained below, the Proposed Provisions will have direct and significant adverse impacts on Albanwise's land, its Field House Solar Farm development in particular, and its agricultural business.</p> <ul style="list-style-type: none"> Incompatibility/direct conflict with Field House Solar Farm 	<p>The Applicant acknowledges this comment and is engaging with Albanwise to seek an appropriate way in which to manage the interface.</p>
<p>As explained above, Albanwise Synergy Limited has the benefit of planning permission for the Field House Solar Farm which grants consent for a solar farm on land which includes proposed additional Order land Plots 2A-4 and 2A-5. Albanwise have commenced development of the solar farm and will need to continue in earnest to meet a grid connection date in September 2027.</p> <p>The overlap of the proposed Order boundary with the consented Field House Solar Farm is illustrated in Appendix 4.</p>	<p>The Applicant is aware that Albanwise has planning permission for Field House Solar Farm but considers that a solution can be agreed whereby both projects can proceed without detriment to one another.</p>

Plot 2A-5 covers approximately 2% of the operational area of Field House Solar Farm and, represents approximately 500kW of the project because of the number of solar panels that it includes. However, of principal concern is that Plot 2A-5 includes the central gathering point of the solar and battery scheme where all the circuits are brought together to form the connection to the grid (i.e. the Field House Solar Farm substation). The substation has to be located here because the Field House Solar Farm grid connection is being made onto the existing lattice tower (pylon) within that plot (PCD34). Northern Powergrid will be modifying this tower to allow new conductors to be brought to the ground from each of the arms specifically on the eastern side of the tower. Once on the ground there is a sequence of equipment to provide system protection, control and metering; on both the Northern Powergrid side of the connection boundary and on the solar farm side. Due to the nature of the equipment, and from a safety perspective, it is beneficial to contain all the equipment, which is operating at the higher 132kV voltage level, within as small a substation compound as possible. To that end, the Field House Solar Farm substation is specifically located next to the tower, as it is shown on consented layout (Appendix 1b), and all the necessary potential adverse impacts that can arise from the substation (visual impact, noise impact, drainage etc) were assessed on the basis of it being in this location. Detailed planning permission has been obtained (and implemented) for Field House Solar Farm (the Field House Solar Farm Planning Permission) with the substation in this location.

The Applicant notes this response and as set out in **Change Request 2 – Change Application [REP2-149]** sought powers in respect of plot 2A-5 on the basis that it understood Albanwise to be receptive to the proposal and that there was flexibility in the design of Field House Solar Farm which included alternative locations for access tracks. The Applicant considers that a suitable route across plot 2A-5 can be agreed, without comprising the Field House Solar Farm proposal and notes that the Examining Authority expressed the same view in its **Written Questions 3 [PD-019]**.

The Applicant, in order to provide further comfort to Albanwise, will amend Requirement 16, Schedule 2 of the draft DCO to incorporate a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this requirement has been shared with Albanwise (on 18 November 2025) and will be included in the next iteration of the draft DCO which will be submitted at Deadline 5.

<p>A significant amount of work would need to be carried out to change the design and planning for Field House Solar Farm via a section 73 application under the Town and Country Planning Act 1990 to move the Field House Solar Farm project out of the way of RWE's tracks. Introducing significant planning and design changes with uncertain outcomes and timelines would create new and very difficult risks to the Field House Solar Farm project programme. Those delays, redesign and planning issues are very significant for the investment case of this project and that is before one considers the impact of overlapping traffic during construction. Furthermore, Albanwise have no indication - let alone assurances- from the DNO - that they will allow the connection that has been consented to be modified.</p>	<p>The Applicant considers that providing a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission avoids the need for a section 73 application under the Town and Country Planning Act 1990. The wording of this requirement has been shared with Albanwise and will be included in the next iteration of the draft DCO which will be submitted at Deadline 5.</p>
<p>On the 17th of October 2025 RWE provided Albanwise with a draft cooperation provision proposed to be included in the Order as a new Requirement 16 'Interaction with Field House and Carr Farm Solar Farms'. The draft Requirement requires RWE to use reasonable endeavours to minimise any conflict arising between the carrying out and maintenance of the Proposed Development and the carrying out and maintenance of the Field House Solar Farm and Carr Farm Solar Farm developments; to co- operate with Albanwise so as to co-ordinate construction programming to minimise disruption to the construction and maintenance of Field House Solar Farm and Carr Farm Solar Farm; to provide a point of contact for continuing liaison; and to exercise compulsory acquisition and temporary possession powers in a manner that</p>	<p>The Applicant is committed to seeking to reach agreement with Albanwise and emphasises that issues will be resolved once commercial terms are agreed. In any event, if agreement is not reached then the provisions now set out within the draft DCO [REP4-005] ensure that the Proposed Development would not prejudice the development of Field House Solar Farm and Carr Farm Solar, respectively.</p> <p>This approach to the management of interfaces between distinct projects is preceded in The Thurrock Flexible Generation Plant Development Consent Order 2022 which provided assurance to National Highways in relation to their Lower Thames</p>

<p>minimises disruption to Field House Solar Farm and Carr Farm Solar Farm.</p> <p>Unfortunately, this proposed Requirement does not include binding commitments to Albanwise so as to provide Albanwise with the certainty it needs that Carr Farm Solar Farm, and Field House Solar Farm in particular, will be able to proceed unhindered and be completed in time to meet their connection deadlines. It falls very far from the mark of what is required to base an investment decision on the Field House Solar Farm project on.</p>	<p>Crossing scheme and The Portishead Branch Line (MetroWest Phase 1) Order 2022 which included a co-operation requirement with National Grid. The Applicant notes that the level of interface in those schemes was significantly greater than that which exists in the circumstances of this case.</p> <p>The Applicant has made further amendments to Requirement 16, Schedule 2 to provide further comfort to Albanwise. This includes providing a commitment to ensure that the route of a relevant access to and from the authorised development, within plot 2A-5, does not require the removal of any above ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this requirement has been shared with Albanwise (on 18 November 2025) and will be included in the next iteration of the draft DCO which will be submitted at Deadline 5.</p>
<p>In order for Field House Solar Farm to remain on programme and meet its September 2027 connection deadline, RWE would need to enter into a legally binding agreement with Albanwise which secures an access arrangement for the Proposed Development which is mutually acceptable to both parties and includes an undertaking by RWE not to exercise any temporary possession or compulsory possession powers in respect of Plots 2A-4, 2A-5 or 6-7 should such powers be granted in the Order. Albanwise's position remains that due to its significant adverse impact on the</p>	<p>The Applicant notes that a draft interface agreement was provided to Albanwise on 27 October 2025. Further details on the practical management of the interface were provided on 30 October 2025, 4 November 2025 and 12 November 2025 with a meeting between the Applicant and Albanwise's transport advisors on 7 November 2025. The Applicant nevertheless maintains its request for the temporary possession and compulsory acquisition</p>

Field House Solar Farm development the Proposed Provisions should not be included in the Order as made.	of the relevant plots, should an agreement not be reached or otherwise prove to be defective or unenforceable, so that this nationally significant infrastructure project can be delivered.
<p>The table at Appendix 4a illustrates how the Field House Solar Farm development could proceed alongside the Proposed Development in three illustrative scenarios:</p> <p>Scenario A Delivery timeline for Field House Solar Farm without the Proposed Provisions.</p> <p>Scenario B Delivery timeline for Field House Solar Farm with Change Request 9 Application accepted as is currently proposed and without any binding agreement between RWE and Albanwise.</p> <p>Scenario C Delivery timeline for Field House Solar Farm with Change Request 9 Application accepted but with a binding agreement between RWE and Albanwise, with suitable commercial terms, allowing RWE to progress with an access design acceptable to both parties (which may utilise plots 2A-4 or follow the Albanwise proposed alternative route mentioned above).</p>	<p>The Applicant notes the detail contained in Appendix 4A and reiterates its willingness to reach a suitable agreement with Albanwise that would provide appropriate interface measures.</p> <p>Further, the Applicant will continue to consider how construction phasing may be arranged to best accommodate the timely and coordinated delivery of the Proposed Development, Field House Solar Farm and Carr Farm Solar.</p>
In the event that Change Request 9 Application were refused and no agreement had been reached between RWE and Albanwise, taking access off the A1035 and through Albanwise land may remain open to RWE, however, a voluntary agreement on access would need to be concluded and consent for such works would	The Applicant notes the comment and reiterates its commitment to reaching agreement with Albanwise on interfaces including those on the agricultural operations who also utilise the existing access track.

<p>need to be obtained via a consent under the Town and Country Planning Act 1990.</p> <ul style="list-style-type: none"> • Incompatibility/direct conflict with existing users of existing access track <p>The proposed new construction and maintenance access for the Proposed Development (Plots 2A-4 and 6-7) is an existing access track ("Existing Access Track") which is the main access to approximately 360 hectares of Albanwise's farmland south of the A1035. Not only is this a critical access for Albanwise's own agricultural operations (used by combine harvesters, tractors and trailers, tankers etc for the purposes of our agricultural businesses, with many activities being time-sensitive) but the access is also heavily used by those third parties who hold contracts to farm parts of this land.</p>	
<p>As well as it being the access for Albanwise's residential tenants at Field House Farm House and Cottage, it also provides access for other residents/ businesses operators/employees that live and work in the area to the south of the A1035 who require access multiple times daily, plus delivery and emergency service vehicles.</p> <p>RWE's proposal to increase the traffic along this existing narrow access route, particularly with HGV construction traffic, would (in practical terms) be at best very difficult and at worst near impossible during harvesting time since combine harvesters take up the full width of the Existing Access Track. It would also have serious safety implications and likely cause significant congestion</p>	<p>The Applicant is proposing to provide passing places along the access track and other management procedures such as the delivery booking system and provision of bankspeople. The Applicant will take a collaborative approach with other parties to identify potential conflicts. The management is secured through the Outline Construction Traffic Management Plan (CTMP) [REP4-031]. These proposed management procedures are considered by the Applicant to be proportionate and in line with best practice. In collaboration with the main other users of the track,</p>

<p>adversely affecting Albanwise's farming operations and Albanwise's tenants' farming operations, particularly during times of peak farming activity (February to April and July to October).</p>	<p>the Applicant can also look at potentially managing when they use the track particularly at peak farming periods (for example, there may be periods of the day when farm traffic reduces and when it would be more convenient for Peartree traffic). The proposed collaborative approach is secured through Requirement 16 of the draft DCO [REP4-005].</p>
<p>This does not appear to have been fully considered or assessed by RWE and as such the EIA of the Change Request 9 Application is flawed and unreasonable. The Updated ES (Environmental Statement Volume 4, Appendix 14.1: Transport Assessment (Tracked) (Revision 3) (REP 2-134) acknowledges that no baseline assessment has been undertaken. Rather assumptions have been made based on the characteristics of the Existing Access Track:</p> <p>"4.7.4 No baseline data has been collected for the private farm track off the A1035. For the purposes of this assessment, it is assumed that there are 0 daily vehicles on the basis that it is likely to generate only a small number of daily vehicles associated with the small number of residential dwellings and a farm."</p> <p>"14.12.3 The addition of the farm access off the A1035 as an access occurred during the examination phase of the DCO application process. The absence of baseline data has been overcome by assessing the characteristics of the track to make assumptions on the level of traffic expected. Given that it is a private track and that the surface quality of the track to the south</p>	<p>The EIA assessment was based on the worst case from an assessment perspective, i.e. low or no baseline traffic results in a larger magnitude of effect. The assessment was therefore considered to be a robust assessment of potential environmental effects.</p> <p>The EIA assessment does not require assessment of privately maintained roads. However, the Applicant has subsequently undertaken an assessment of the private farm track off the A1035 in order to ensure that no significant environmental effects would be experienced by the receptors on this link. The assessment was robust in that it assumed the worst case route (the existing access track which runs closest to the residential dwellings) would be used, although the Applicant has made appropriate provision for an alternative route across plot 2A-5 which would increase the separation of construction vehicles from these receptors. The assessment determined that there would be no</p>

<p>of the farm and the residential dwellings is unsurfaced and muddy, it is assumed to only provide access to the agricultural land. The track is surfaced between the A1035 and the farm and residential dwellings, so it is assumed that the only purpose of the track is to provide access to the small number of dwellings and the farm, which is likely to be a very low number of daily vehicles compared to other roads in the study area. On this basis, a traffic survey on the private track was not considered to be necessary.”</p>	<p>significant environmental effects on the basis that there is anticipated to be a low number of daily vehicles generated by the Proposed Development on this link and that management procedures and traffic restrictions (HGV deliveries between 9am and 4pm and no right turns at the junction with the A1035) would be implemented.</p> <p>The Applicant's view is that the assessment and proposed mitigation are proportionate to the impact anticipated to be experienced by the Proposed Development's construction traffic.</p>
<p>The Change Request 9 Application has therefore been promoted on the basis of no baseline data having been collected for the private track, despite the applicant being well aware that this track serves:</p> <ul style="list-style-type: none"> (1) Two solar farm schemes which are in the process of implementation; (2) The properties at Field House Farm; and (3) Albanwise's 360 ha. agricultural holding to the south; <p>Despite this, the untenable assumption is made that the farm track is not currently subject to any use whatsoever. Cumulative use and therefore cumulative effects have been entirely ignored.</p>	<p>The Applicant has liaised with Albanwise and estimates of the existing traffic on the private farm track have been provided by Albanwise which have provided a baseline level of traffic using the track.</p> <p>The use of the private farm track for other purposes, such as for accessing agricultural land, has been considered in detail in the management measures proposed. Additionally, the Applicant has liaised with East Riding of Yorkshire Council (ERYC) to identify any particular concerns in relation to the impact on the local road network as a result of the sites operating concurrently. ERYC stated that the main area of concern from its perspective was providing sufficient space for two HGVs to pass in close proximity to the junction with the A1035, as there</p>

	<p>was an increased chance of this occurring with the sites being constructed concurrently. This consultation has been taken into account when developing the proposed layout of the access junction and access track and management measures are proposed to ensure that the access is managed in a simple and collaborative way that can effectively ensure the safe use of the access and track and for all other road users.</p> <p>The Applicant considers that, with the mitigation measures proposed, the use of the access track can be managed safely and efficiently for all parties.</p>
<p>This is the basis on which the ES concludes that there would be no significant environmental effects. This is a major failing in terms of EIA. Until that assumption is revisited, rectified and re-consulted on (such that cumulative effects with the farming operations, FHF tenants' use and two solar schemes are considered) the ES does not provide a lawful basis to proceed with the changes. It is unreasonable and fails to provide the requisite environmental information to the Examining Authority.</p> <p>The fact that RWE has decided to make a change part way through the Examination should not affect the robustness of the assessment being undertaken.</p>	<p>The Applicant does not agree that this is a major failing in terms of EIA assessment. As is outlined above, the rationale for the ES assessments using no baseline in ES Volume 2, Chapter 14: Transport and Access [REP4-019] is to emphasise the magnitude of impact of the Proposed Development which would increase the likelihood of significant effects.</p> <p>The existing use of the private farm track off the A1035 comprises trips to/from a small number of residential dwellings and a farm. ES Volume 2, Chapter 14: Transport and Access [REP4-019] has undertaken an assessment on a publicly maintained road, Carr Lane (Long Riston), which</p>

	<p>has similar characteristics to the private farm track in terms of accessing a farm. A seven day automatic traffic count was undertaken in September 2023, a neutral month, on Carr Lane which identified that across the week traffic flows were very low (approximately 30 vehicle movements per day). The Applicant considered that it would not be proportionate to undertake several surveys on Carr Lane across different months of the year to determine the effect of seasonal variations and variations in farming activities due to the fact that the Proposed Development is anticipated to generate a low volume of daily traffic on this link, for a short period of time and the construction phase is temporary in nature. The same assumptions were applied to the private farm track off the A1035 to ensure consistency across the assessment of links. The same outcome is reached on the basis that the Proposed Development is anticipated to generate a low volume of traffic for a short period of time during the construction phase which is temporary in nature.</p> <p>The assessment undertaken is considered to be robust with several assumptions applied (as outlined in Section 14.4 of ES Volume 2, Chapter 14: Transport and Access [REP4-019]) which in the Applicant's view are above and beyond what</p>
--	--

	<p>could be expected of a robust assessment, an example of these assumptions are:</p> <ul style="list-style-type: none"> • The working hours would indicate that workers would arrive and depart outside of network peak hours, however the assessment assumes a worst case of all staff trips occurring during the network peak hours. • The indicative construction programme is set out for assessment purposes and assumes that the Land Areas which generate the highest volume of traffic on the same links would occur at the same time, such as Land Areas D and E which are both accessed via the private farm track. Additionally, it assumes that there is a flat profile of peak construction traffic across each construction phase. It is likely that the construction programme, once finalised by the Contractor, will result in peak construction activities for each Land Areas occurring asynchronously. <p>Overall, this resulted in a highly robust calculation of the trip generation of the Proposed Development. These assumptions are clarified in ES Volume 2, Chapter 14: Transport and Access [REP4-019] and it is stated that the details would be finalised by the Contractor and included in the CTMP post-</p>
--	---

	consent. The Applicant's view is that the assessment is highly robust and that the management procedures put in place to mitigate conflicts are proportionate and in line with best practice.
Albanwise are so concerned that the Change Request 9 Application and Proposed Provisions would cause significant disruption/congestion and safety concerns for existing users, including business and residential users, that they have felt it necessary to appoint a transport consultant to undertake their own assessment to inform Albanwise's further Written Representations and to appear on behalf of Albanwise at forthcoming hearings.	The Applicant continues to liaise with Albanwise and their appointed transport consultant and the Applicant welcomes further Written Representations.
The Existing Access Track is also the construction access route for Carr Farm Solar Farm which, as noted above, recently received consent following an appeal (Planning Appeal Reference APP/E2001/W/25/3360978). It is feasible that the construction programmes for Carr Farm Solar Farm and the Proposed Development will overlap (and so too the cumulative impact of construction traffic associated with both developments), in addition to existing users of the Existing Access Track. This is not mentioned in RWE's assessment and does not appear to have been properly considered or assessed by RWE. While paragraph 9.3.4 of RWE's Change Request 9 Application states that "The cumulative effects of Change 9 alongside the committed developments of Carr Farm Solar Farm (22/03648/STPLF) and	<p>ES Volume 2, Chapter 15: Cumulative Effects [REP2-083] has assessed the cumulative effects of the proposed and committed developments on the public highway roads which are shared for vehicle routing, the A165 and A1035, and has concluded that there are no likely significant effects anticipated.</p> <p>The management of traffic on the private farm track has been considered and measures are proposed to ensure the safe operation of the track including passing places at regular intervals, use of bankspeople and a delivery booking system.</p> <p>As is outlined above, the Applicant has assessed based on a robust scenario which assumes the</p>

<p>Field House Solar Farm (22/00824/STPLF) are anticipated to be not significant' it is not clear to what extent the potential conflict in use of the Existing Access Track has been considered in Revision 3 of Chapter 15: Cumulative Effects of Volume 2 of the Environmental Statement [REP2-084] (page 70).</p>	<p>peak of each Land Area's construction activities occurs concurrently. The final construction programme is anticipated to result in fewer daily vehicle movements than those used in the assessment. Additionally, whilst there is a possibility of overlap between the Proposed Development and Carr Farm Solar construction phases, the Applicant considers it to be unlikely that the peak of construction activities would occur simultaneously. However, in the unlikely event that they did occur simultaneously this would result in 15 daily HGVs by Carr Farm Solar and 39 HGVs by the Proposed Development which are considered by the Applicant to be a low number of peak HGVs that would not result in any significant environmental effects and can be adequately managed by the proposed traffic management measures and restrictions.</p>
<p>Albanwise Farming Limited do not have interests in the Order land. However, as explained above, RWE's proposals to use the Existing Access Track for construction traffic will significantly adversely affect Albanwise Farming Limited's agricultural operations.</p> <p>For example, the amended Order boundary that has been proposed is too wide and unnecessarily takes up too much land. The basis of Albanwise's request to see details of site-specific tracks, swept paths, passing bays, drain crossing works areas etc is to come to a reasonable agreement on the land that that is</p>	<p>The Applicant is in liaison with Albanwise to seek to agree a suitable access route which would mitigate impacting the land required by Albanwise for constructing the solar site and undertaking agricultural activities. The Applicant is proposing to provide passing places along the access track which will provide opportunities for vehicles to safely pass, this is considered to be an improvement on the existing situation where there are no passing</p>

<p>required. Appendix 4 indicates specific areas where there is much a greater amount of land included within the proposed DCO boundary than other documents/ details suggest is required. For instance, the tracks in land parcel 6-7 are expected to be 4m wide, however the DCO boundary corridor is 20m wide at this point. This results in potentially approximately 11,000m² (2.7 acres) of farmland being occupied within this field alone that need not be.</p> <p>As such, Albanwise Farming Limited and Field House Renewables Limited also object to the Proposed Provisions and the Order and wish to become an interested parties so as to be able to participate further in the Examination process.</p>	<p>places for farm vehicles to pass each other during peak farming activities.</p> <p>Additionally, the Applicant is proposing to manage the access tracks with bankspeople, a delivery booking system and HGV deliveries are restricted to between 9am and 4pm. The measures proposed are considered to be appropriate to ensure that the access tracks can operate safely and efficiently for all users. Traffic management measures are secured through the Outline CTMP [REP4-031].</p> <p>The Applicant welcomes further written representations from Albanwise and continues to liaise in order to reach agreement on the issues raised.</p>
<p>Request for consent to the inclusion of compulsory acquisition/temporary powers over parcels 2A-4, 2A-5 and 6-7.</p> <p>For the reasons set out above, Albanwise confirmed in their response to RWE's consultation on the Proposed Provisions that Albanwise Limited and Albanwise Synergy Limited do not consent to the inclusion of powers of compulsory acquisition and temporary possession of over parcels 2A-4 and 6-7, and 2A-5 respectively in the Order and consider – for the reasons set out herein and elaborated in further detail in Albanwise's written summary of oral representations made at CAH-1 (see Appendix 5), that the Examining Authority should recommend that those provisions are not confirmed in the DCO.</p>	<p>The Applicant has set out why it is not considered that the Proposed Development would prejudice the delivery of either Field House Solar Farm or Carr Farm Solar within Appendix 1 - Summary of Applicant's position in relation to Albanwise of the Summary of Applicant's Oral Submissions at the Compulsory Acquisition Hearing 1 [REP4-038].</p>

Conclusion	
<p>Albanwise will continue to engage constructively with RWE in an effort to find an alternative access solution during the remainder of the Examination and welcome the receipt from RWE of an initial draft interface agreement which will be considered as part of the negotiations, and detailed design information is still awaited. However, given that the Proposed Provisions would make the consented Field House Solar Farm development unfundable and undeliverable, thwart adherence to its grid connection date in 2027 and significantly impact on Albanwise Farming Limited's agricultural operations, Albanwise must strongly object to the Proposed Provisions and thus the Proposed Order until there has been satisfactory resolution of its concerns by way of an agreed design and a completed agreement.</p> <p>Albanwise reserves its right to make further representations should that be necessary and formally requests in these Representations to appear at issue specific and compulsory acquisition hearings on the Proposed Provisions during the course of the remainder of the Examination.</p>	<p>The Applicant remains committed to seeking to reach agreement with Albanwise and emphasises that issues will be resolved once commercial terms are agreed. In any event, if agreement is not reached then the provisions set out within the draft DCO [REP4-005] ensure that the Proposed Development must not prejudice the development of the Field House Solar Farm and Carr Farm Solar.</p> <p>This approach to the management of interfaces between distinct projects is preceded in The Thurrock Flexible Generation Plant Development Consent Order 2022 which provided assurance to National Highways in relation to their Lower Thames Crossing scheme and The Portishead Branch Line (MetroWest Phase 1) Order 2022 which included a co-operation requirement with National Grid. The Applicant notes that the level of interface in those schemes was significantly greater than that which exists in the circumstances of this case.</p> <p>The Applicant has made further amendments to Requirement 16, Schedule 2 to provide further comfort to Albanwise. This includes providing a commitment to ensure that the route of a relevant access to and from the authorised development, on plot 2A-5, does not require the removal of any above</p>

	ground infrastructure constructed pursuant to the Field House Solar Farm planning permission. The wording of this requirement has been shared with Albanwise (on 18 November 2025) and will be included in the next iteration of the draft DCO which will be submitted at Deadline 5.
--	---

RWE Renewables UK Limited

Windmill Hill Business Park,
Whitehill Way,
Swindon,
Wiltshire,
England,
SN5 6PB
www.rwe.com