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NSIP Case Manager
The Planning Inspectorate

19 December 2025

Dear Sirs

RWE Renewables UK Solar and Storage Limited (“RWE”/“the Applicant”)

Proposed Peartree Hill Solar Farm Order (“Order”)

Deadline 6 (19 December 2025) submission on behalf of Albanwise Limited, Albanwise Synergy Limited, Albanwise Farming Limited, and Field House Renewables Limited, collectively “Albanwise” (IP F04E592CD)

Mills & Reeve continue to be retained by Albanwise.

We have set out below Albanwise’s responses to the Applicant’s comments on Albanwise’s Written Representations [REP5A-031]. To avoid unnecessary repetition, we have not provided comments on a paragraph-by- paragraph basis but have summarised the key themes in black text, including some relevant quotations from [REP5A-031], and set out Albanwise’s position on those key points/themes in blue text.

Albanwise are also submitting the following documents at Deadline 6:

- Albanwise’s written summary of its oral case put at CAH2;
- Albanwise’s written summary of its oral case put at ISH3; and
- Albanwise’s closing submissions.

Albanwise have been liaising with the Applicant and have provided comments on the final draft oCTMP which the Applicant is submitting at Deadline 6. Ultimately, this does not go far enough and further measures need to be agreed by way of an Interface Agreement.

Albanwise’s comments on [REP5A-031]

1. *Suggestion that the geometry of plot 2A-5 was designed as a result of consultation with Albanwise and their agent- “The geometry of plot 2A-5 was designed as a result of consultation with Albanwise and their agent. The Applicant had understood that Albanwise did not have a fixed layout for its Field House Farm project and there could be optimisation of its proposed site. The Applicant’s understanding was that*

there could be such variations. The Applicant therefore wanted to maintain the flexibility that any shared access track would align with the proposals for Albanwise's solar farm layout."

Albanwise response: Albanwise first became aware of the Applicant's proposal to use Plot 2A-5 in the Applicant's Change 9 consultation letter of 29th August 2025. This proposal was not mentioned to Albanwise or its agents, Cundalls, prior to or within the Applicant's consultation letters of 6th & 14th August 2025.

Albanwise have not given the Applicant any indication that the use of Plot 2A-5 by the Applicant would be acceptable to Albanwise nor stated any preference as to its geometry and made clear their objection to the use of Plot 2A-5 in their 5 September response to the abovementioned consultation letters.

As explained at pages 12 and 13 of Albanwise's Relevant Representation **[RR-054]**, and pages 3 to 5 of Albanwise's Written Representation **[REP4A-006]**, the layout of Field House Solar Farm has been fixed by its implemented detailed planning permission and cannot be materially modified if its September 2027 connection date is to be met.

2. Justification for Plot 2A-5. The Applicant stated "In summary, change 9 would result in:

- ***Removal of 26,181m² of land identified for permanent acquisition from the Order Limits.***

Albanwise response: The Plots removed are Plots 12-13 and 12-14. These are located along the boundary between two agricultural fields. As such, their use for the Peartree project would result in minimal interference with their current agricultural use, particularly when compared to the significant adverse impact there will be on the existing and planned use of Plots 2A-4, 6-7, and 2-A5 in particular which is being developed as Field House Solar Farm (as explained in detail in **[RR-054]** and **[REP4A-006]**). Furthermore, this statement takes no account of the fact that the Change 9 request involves the compulsory acquisition of permanent rights over Plot 2A-4 and 6-7 and the temporary possession of Plot 2A-5, which together comprise an area of 42,090.82 square meters, so there is in fact a significant overall increase in the amount land to be subject to powers under the Order.

- ***Elimination of the interface with veteran tree T381 as shown on Drawing No. 3 of the Tree Constraints Plan appended to ES Volume 3, Appendix 7.11: Arboricultural Impact Assessment [APP-115]. ERYC has expressed full support for the removal of this impact, noting that it overcomes a significant objection from the ERYC in relation to ecology and tree impacts, as set out at row ERYC23 of the Draft Statement of Common Ground (SoCG) with ERYC [REP5-083].***

Albanwise response: Order application document **APP-115, ES Volume 3, Appendix 7.11: Arboricultural Impact Assessment, p.38, §4.2.4** states as follows:

"T381 sits within the Order Limits and has a new access road proposed within its RPA. Prior to works commencing, the RPA must be fenced off in its entirety until,

under arboricultural supervision, a 'no dig' construction load spreading road is laid using a 3D cellular confinement system product for example Greenfix Geoweb. This will protect the soil from compaction and minimise the root impacts."

The application for the Order was therefore made on the basis that tree T381 could be appropriately retained and protected. If that had not been the conclusion, the Applicant could easily have sought to lay the proposed access to the north or south of the field boundary and tree T381. The Applicant did not do that because there is no issue with impact on tree T381.

- ***Reduction of the need for associated hedgerow and vegetation clearance between the points marked A/02/01 and A-02/02 on sheet 2 of the Streets, Rights of Way and Access Plans [PDA-005].***

Albanwise response: It is not clear why the provision of an access would require the removal of more than circa 20m of hedgerow at this point. No assessment has been made of the requisite hedgerow removal from the proposed new access track (Change 9) and so no comparative analysis has been made by the Applicant. It would appear that circa 40m of hedgerow would need to be removed where at the southern edge of Field House Solar Farm, Plot 2A-4 and the proposed access track turn 90 degrees to the south east. This hedge is identified in REP4-004 but not marked as being subject to removal, although designs supplied to Albanwise by the Applicant show an overlap with the proposed passing bay. The limited amount of hedgerow removal referred to by the Applicant cannot possibly amount to a compelling case in the public interest, especially when it is not even a negative given the amount of hedgerow that will likely need to be removed to enable Change 9 access to be utilised.

- ***Reduction in the use of Meaux Lane during construction by approximately 25% for traffic accessing Land Area E and by 50% for traffic accessing Land Area D. The Applicant considers this to be particularly important as the route via Meaux Lane is constrained – it is a narrow route with existing weight restrictions in force.***

Albanwise response: This point is somewhat odd given that at the time the Order application was submitted the conclusion of the detailed work which informed the Transport Assessment was that the predicted residual effects on Meaux Lane are all "Minor adverse and Not significant" ([APP-050], 6.2 Environmental Statement Volume 2 Chapter 14 Transport and Access, pp.90-91, Table 14-34: Assessment Summary). This is repeated in [REP02-016], the September version of the EIA Transport Chapter.

On the Applicant's assessment the use of the proposed new access does not materially change the predicted effects on Meaux Lane and those effects were in any event acceptable prior to the Change 9 application. Again, that cannot be a sound basis on which to suggest the legal tests for compulsory acquisition are met.

- ***The use of an access route directly off the A1035 would provide additional resilience to any incidents or closures on Meaux Lane which would impact the Applicant's ability to access the Proposed Development during***

construction and/or operation. Separate access points provide the Applicant with flexibility and ensure that the programme is not unnecessarily delayed

Albanwise response: This is overstated given that Meaux Lane is being retained within the Order application and being relied upon exclusively for access to substantial areas of the proposed development. In any event, it is not suggested that resilience in itself is required or would justify the use of compulsory powers.

3. **Requirement 16 protection for Albanwise- “The Applicant has put forward robust drafting which would ensure that the two projects can co-exist and welcomes Albanwise’s confirmation that this is a welcome addition. This is secured via Requirement 16 of the Draft DCO [REP5- 004]. The Applicant notes that requirements are legally binding and failure to comply would result in a breach of the terms of the DCO which is an offence under section 168 Planning Act 2008.”**

Albanwise response: The drafting of Requirement 16 has been agreed between Albanwise and the Applicant as explained in Albanwise’s closing submissions. However, as set out in Albanwise’s response to ExA Q3 [REP5-103], binding commitments in an Interface Agreement are also required to provide Albanwise and prospective funders with the certainty they need.

4. **Risk to financing and delivery of Field House Solar Farm to meet its connection date. “The Applicant understands the fixed nature of September 2027 as the Field House Farm connection date and notes Albanwise’s submissions regarding the costs involved should this not be met. The Applicant does not consider that Change 9 will have the effect on the construction programme for Field House Solar Farm which Albanwise suggest it will nor in the Applicant’s view will its proposals affect the ability of Field House Solar Farm to meet its 2027 grid connection date.”**

Albanwise response: As explained at pages 12 and 13 of Albanwise’s Relevant Representation [RR-054], and pages 3 to 5 of Albanwise’s Written Representation [REP4A-006], the layout of Field House Solar Farm has been fixed by its implemented detailed planning permission and cannot be materially modified if its September 2027 connection date is to be met. As explained above, proposed Requirement 16 does not give Albanwise or potential investors in the Field House Solar Farm the certainty they require and this is causing serious concerns about securing funding for the scheme. Indeed, the Commercial Director of the third-party investment advisory firm who is supporting the investment deal has raised the following concerns:

“The introduction of the modified Peartree proposal at this stage creates material uncertainty that investors will view as a significant risk. Granting rights for their construction traffic to pass through the Field House Solar Farm, particularly over asset-critical infrastructure, raises concerns about operational integrity and long-term reliability. These factors directly impact investor confidence and the project’s attractiveness in the marketplace. Timely completion of this deal is essential to secure funding to order long-lead items, and maintain the critical path toward the grid connection date. Any delay or perceived exposure to these risks could erode value and compromise the project’s competitiveness. It would be a real setback for a project that is otherwise ready to proceed and deliver much-needed renewable electricity to the grid.” (p5 of [REP4A-006]).

5. Concurrent construction highway safety

Albanwise response: The concurrent use of the A1035 access junction by two different sets of construction traffic represents a critical safety issue for all road users. The Applicant has stated in the Hearings that the junction needs to have a booking system and a banksman / traffic marshall in order for the junction to operate as intended.

During the Hearings, representatives for the Applicant noted that the use of bankmen was entirely normal for construction projects of this nature. Whilst this is true for low speed applications within construction compounds, it is not the case for personnel being placed in the verge of a 50mph speed limit road as noted by Albanwise's transport planning and construction safety expert witnesses. The fact that the booking system and a banksman are required, indicates that the design of the A1035 junction and its use for two concurrent projects does not comply with the Construction (Design and Management) Regulations 2015, which requires designers to remove risks. No evidence of different physical mitigation have been provided to illustrate any attempt to mitigate out risks by design.

The ERYC transport officer noted that the anticipated traffic levels did not raise junction capacity concerns. Albanwise agree with this, however do query why a Road Safety Audit has not been requested, in line with guidance GG119¹, when traffic levels are subject to a significant increase, should both projects be constructed concurrently.

Expert witness evidence has been raised on the safe operation of the junction by a Chartered Engineer and by a construction safety specialist. It would seem reasonable that ERYC would at the very least, consider a request for safety audit to inform any advice to the Examining Authority, at the very least to avoid any future liability issues, should an accident occur.


The layout of the access track will have a constraining factor on the ability of traffic to pass or be manged at the junction. Given that the Applicant's swept path drawings show that HGV traffic needs the full width of the junction to pass, the presence of a slow vehicle trying to access the access track or an Amazon van departing the residential properties at the junction, could lead to traffic blocking back onto the public road (the A1035), resulting in the basic requirements for an accident to occur.

In the hearings, the Applicant noted that they will also consider the use of mirrors at the junction to assist the banksmen. Mirrors are no longer allowed on the public road without special permission and do not work during periods of fog, frost, low sun light and can cause blinding issues where headlights are on. This mitigation does not appear to be suitable for the level of risk that can occur during a long construction period. This mitigation has been suggested following ERYC's formal comments and it is not clear if the further details proposed by the Applicant have been commented upon by ERYC.

Albanwise remain of the opinion that minor physical works to the junction can be provided that would allow unfettered two-way traffic movements at the junction and that the Applicant should consider these measures in preference to a theoretical system that can, and often does, break down in practical use.

¹ Department for Transport, et al, "Design Manual for Roads and Bridges: GG119 Road Safety Audit" Available online: <https://standardsforhighways.co.uk/search/html/69517ebd-ed8d-4558-b101-c1e80611000a?standard=DMRB>

Yours sincerely

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Principal Associate
for Mills & Reeve LLP