



# Peartree Hill Solar Farm

## Statement of Commonality

Revision ~~67~~ (tracked)

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# 1 Introduction

## 1.1 Overview

- 1.1.1 This Statement of Commonality has been prepared on behalf of RWE Renewables UK Solar and Storage Ltd (the 'Applicant'). This document provides the Examining Authority (ExA) with the position on Statements of Common Ground (SoCG) between the Applicant and relevant statutory consultees and Interested Parties in relation to the proposed Peartree Hill Solar Farm. It will be updated throughout the course of the Examination.
- 1.1.2 The Applicant has submitted a Development Consent Order (DCO) application for a Nationally Significant Infrastructure Project (NSIP) for the construction, operation (including maintenance) and decommissioning of a solar photovoltaic (PV) array electricity generating facility, Battery Energy Storage System (BESS) and associated infrastructure (the 'Proposed Development') which would allow for the generation and export of electricity. The **Location and Land Area Plan [APP-007]** shows the Order Limits (the 'Order Limits') for the Proposed Development, which is approximately 891 hectares of land located within East Riding of Yorkshire Council (ERYC or the 'Host Authority').
- 1.1.3 The Planning Act 2008 (PA 2008) **[Ref. 1]** prescribes that the Secretary of State (SoS) is responsible for determining the DCO Application, with the power to appoint an ExA of an appointed person(s) to manage and examine the Application. The ExA, appointed through the Planning Inspectorate, will make procedural decisions and examine the Application. The ExA will make a recommendation to the SoS who will then decide whether to grant a DCO Application. Where a relevant National Policy Statement has effect the SoS will determine the application for development consent in accordance with that relevant NPS.

## 1.2 Proposed Development Description

- 1.2.1 Peartree Hill Solar Farm is a proposed solar farm that will generate energy for export to the National Grid (the 'Proposed Development').
- 1.2.2 A summary of the description of the Proposed Development can be found in Section 3.4 of the **Environmental Statement (ES) Volume 1, Chapter 3: Proposed Development Description [APP-039]**. The terminology used in this document is defined in **ES Volume 1, Chapter 0: Contents, Glossary and Acronyms [APP-036]**.

- 1.2.3 As described in the **Statement of Need** at Appendix 3 of the **Planning Statement [APP-147]**, large scale solar generation is expected to make an important contribution to achieving the Government's objectives for the UK's energy supply. As summarised in the Overarching National Policy Statement for Energy (NPS EN-1) **[Ref. 2]** paragraph 3.2.1, these objectives include ensuring that the supply of energy always remains secure, reliable, affordable, and enables the UK to transition to a low carbon economy in order to meet its carbon emission reduction commitments.
- 1.2.4 To support this objective, the Applicant's vision for the Proposed Development is to deliver a project that will seek to maximise energy yield whilst seeking to minimise any adverse effects on the environment and at the same time taking opportunities to deliver significant local benefit.

### **1.3 Structure of Statement of Commonality**

- 1.3.1 This Statement of Commonality document is structured as follows:
  - Section 2 details the structure of each SoCG document and provides a list of the SoCGs that are being produced;
  - Section 3 addresses the status of each SoCG; and
  - Section 4 sets out the commonality between SoCGs ~~and~~ a summary of their position and a summary of all matters that remain subject to disagreement.

## 2 Position

### 2.1 Structure of SoCGs

- 2.1.1 Following continuous ongoing engagement with relevant statutory consultees and Interested Parties, the Applicant has prepared a number of SoCGs prior to the acceptance of the Application.
- 2.1.2 In terms of those submitted at this stage, this includes:
  - Section 1 provides an introduction to the SoCG and a description of its purpose.
  - Section 2 details the record of engagement between the Applicant and the party.
  - Section 3 sets out the current position on different topics between the Applicant and the relevant party.

## 3 Status of SoCGs

### 3.1 Summary of Current Position

- 3.1.1 This section confirms the current status of each SoCG as of the submission of the DCO.
- 3.1.2 Table 1 provides a high-level position on the status of each SoCG and where necessary includes further detail to aid the understanding of the status.
- 3.1.3 With respect to the terms used in Table 1, these are as follows –
  - Final SoCG - the final SoCG has been agreed upon by both parties, with no outstanding matters to resolve
  - Draft SoCG - the SoCG has mainly been agreed upon between both parties, but there are a number of issues still outstanding, and it is yet to be signed off by both parties
  - Initial draft SoCG – the initial SoCG has been drafted by the Applicant (using matters identified from meetings with the party alongside responses to Statutory Consultation, Relevant Representations) and is with the party for review, this has not had feedback by the party and is not signed off.
  - Not yet submitted – the Applicant is progressing these SoCGs with the intent to submit drafts at subsequent deadlines.
- 3.1.4 Humberside Fire and Rescue, in their submission dated 05/12/2025 **[AS-024]** to the ExA, have confirmed that they are satisfied with the Applicant's **outline Battery Safety Management Plan [REP5-069]** therefore a SoCG with Humberside Fire and Rescue Service is no longer considered to be necessary.

**Table 1: Summary of current position of SoCGs**

<b>Document Reference</b>	<b>Party</b>	<b>Position at Deadline 1</b>	<b>Position at Deadline 2</b>	<b>Position at Deadline 3</b>	<b>Position at Deadline 4</b>	<b>Position at Deadline 5</b>	<b>Position at Deadline 5A</b>	<b>Position at Deadline 6</b>
<b>EN010157/APP/9.2</b>	East Riding of Yorkshire Council	SoCG in draft and agreed for submission into the Examination.	Updated SoCG in draft submitted into the Examination at Deadline 2.	Updated SoCG in draft submitted into the Examination at Deadline 3.	Updated SoCG in draft submitted into the Examination at Deadline 4.	Updated SoCG in draft submitted into the Examination at Deadline 5.	No further updates to draft SoCG for Deadline 5A.	<u>Final, signed SoCG submitted into the Examination.</u>
<b>EN010157/APP/9.3</b>	Environment Agency	SoCG in draft and agreed for submission into the Examination.	SoCG in draft and submitted into the Examination at Deadline 1. No further updates to draft SoCG for Deadline 2.	Updated SoCG in draft submitted into the Examination at Deadline 3.	Updated SoCG in draft submitted into the Examination at Deadline 4.	Updated SoCG in draft submitted into the Examination at Deadline 5.	No further updates to draft SoCG for Deadline 5A.	<u>Final, signed SoCG submitted into the Examination.</u>

Document Reference	Party	Position at Deadline 1	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4	Position at Deadline 5	Position at Deadline 5A	Position at Deadline 6
<b>EN010157/APP/9 .4</b>	Natural England	SoCG in draft and agreed for submission into the Examination.	SoCG in draft and submitted into the Examination at Deadline 1. No further updates to draft SoCG for Deadline 2.	Updated SoCG in draft submitted into the Examination at Deadline 3.	Updated SoCG in draft submitted into the Examination at Deadline 4.	Final, signed SoCG submitted into the Examination. All matters agreed.	Final, signed SoCG submitted into the Examination at Deadline 5. No updates at Deadline 5A.	<u>Final, signed SoCG submitted into the Examination at Deadline 5. No updates at Deadline 6.</u>
<b>EN010157/APP/9 .5</b>	National Highways	Final, signed SoCG submitted into the Examination. All matters agreed.	Final, signed SoCG submitted into the Examination at Deadline 1. No updates at	Final, signed SoCG submitted into the Examination at Deadline 1. No updates at	Final, signed SoCG submitted into the Examination at Deadline 1. No updates at	Final, signed SoCG submitted into the Examination at Deadline 1. No updates at	Final, signed SoCG submitted into the Examination at Deadline 1. No updates at	<u>Final, signed SoCG submitted into the Examination at Deadline 1. No updates at</u>

Document Reference	Party	Position at Deadline 1	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4	Position at Deadline 5	Position at Deadline 5A	Position at Deadline 6
			Deadline 2.	Deadline 3.	Deadline 4.	Deadline 5.	Deadline 5A.	<u>Deadline 6.</u>
<b>EN010157/APP/9 .6</b>	Historic England	SoCG in draft and agreed for submission into the Examination.	SoCG in draft and submitted into the Examination at Deadline 1. No further updates to draft SoCG for Deadline 2.	SoCG in draft and submitted into the Examination at Deadline 1. No further updates to draft SoCG for Deadline 3.	Updated SoCG in draft submitted into the Examination at Deadline 1. No further updates to draft SoCG for Deadline 4.	Final, signed SoCG submitted into the Examination at Deadline 1. All matters agreed.	Final, signed SoCG submitted into the Examination at Deadline 5. No updates at Deadline 5A.	<u>Final, signed SoCG submitted into the Examination at Deadline 5. No updates at Deadline 6.</u>
<b>EN010157/APP/9 .7</b>	Beverley and North Holderness Internal Drainage Board	SoCG in draft and agreed for submission into the Examination.	Updated SoCG in draft submitted into the Examination at Deadline 2.	Updated SoCG in draft submitted into the Examination at Deadline 3.	No further updates to draft SoCG for Deadline 4.	No further updates to draft SoCG for Deadline 5.	No further updates to draft SoCG for Deadline 5A.	<u>Final, signed SoCG submitted into the Examination. All matters agreed.</u>

Document Reference	Party	Position at Deadline 1	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4	Position at Deadline 5	Position at Deadline 5A	Position at Deadline 6
<b>EN010157/APP/9 .8</b>	Yorkshire Wildlife Trust	SoCG in draft and agreed for submission into the Examination.	SoCG in draft and submitted into the Examination at Deadline 1. No further updates to draft SoCG for Deadline 2.	SoCG in draft and submitted into the Examination at Deadline 1. No further updates to draft SoCG for Deadline 3.	Updated SoCG in draft submitted into the Examination at Deadline 4.	Final, signed SoCG submitted into the Examination.	Final, signed SoCG submitted into the Examination at Deadline 5. No updates at Deadline 5A.	<u>Final, signed SoCG submitted into the Examination at Deadline 5. No updates at Deadline 6.</u>
<b>EN010157/APP/9 .9</b>	Joint Local Access Forum	SoCG in draft and agreed for submission into the Examination.	SoCG in draft and submitted into the Examination at Deadline 1. No further updates to draft	SoCG in draft and submitted into the Examination at Deadline 1. No further updates to draft	SoCG in draft and submitted into the Examination at Deadline 1. No further updates to draft	Updated SoCG in draft submitted into the Examination at Deadline 5.	Final, signed SoCG submitted into the Examination.	<u>Final, signed SoCG submitted into the Examination at Deadline 5A. No updates at</u>

Document Reference	Party	Position at Deadline 1	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4	Position at Deadline 5	Position at Deadline 5A	Position at Deadline 6
			SoCG for Deadline 2.	SoCG for Deadline 3.	SoCG for Deadline 4.			<u>Deadline 6.</u>
<b>EN010157/APP/9 .10</b>	Albanwise	N/A	N/A	N/A	N/A	SoCG in draft and agreed for submission into the Examination.	No further updates to draft SoCG for Deadline 5A.	<u>Final, signed SoCG submitted into the Examination.</u>

## **4 Summary**

### **3.24.1 Summary of Commonality with Relevant Stakeholders**

**3.2.14.1.1** This section provides a summary of the main topics covered by the draft SoCGs submitted as part of the Application submission and identifies where there is a commonality in the topics between the SoCG parties.

**3.2.24.1.2** Table 2 has been produced to set out the topics covered across the SoCGs and the status of the matter at submission with the relevant part. The colour coding used within this table has been described below.

**3.2.34.1.3** The colours of each cell correspond to the status table in each individual SoCG.

Cell	Status
	Agreed
	Subject to further discussions
	Currently subject to disagreement
	Not applicable

**3.2.44.1.4** As each SoCG is now final at Deadline 6, the matters where there remains disagreement are described within section 4.2 below.

**Table 2: Summary of Commonality with relevant stakeholders**

Doc. Ref.	Party	Topics																				
		Agricultural Land	Air Quality	Approach to EIA	Biodiversity	Cable Routes	Construction	Consultation and Engagement	Cultural Heritage	Design of Development	Draft DCO	Glint and Glare	Human Health	Hydrology and Flood Risk	Landscape and Visual	Noise and Vibration	Principle of Development	Policy and Legislation	Population	Transport and Access	Waste	Water Resources
9.2	East Riding of Yorkshire Council																					
9.3	Environment Agency																					
9.4	Natural England																					
9.5	National Highways																					
9.6	Historic England																					
9.7	Beverley and North Holderness Internal Drainage Board																					
9.8	Yorkshire Wildlife Trust																					
9.9	Joint Local Access Forum																					

<b>9.10</b>	Albanwise																					
-	Humberside Fire and Rescue Service																					

## **4.2 Summary of All Matters Subject to Disagreement at Deadline 6**

**4.2.1** Matters where there remains disagreement at Deadline 6 are contained within Table 3 below. Each final Stakeholder position and final Applicant response for each matter that remains subject to disagreement, are identical to what is stated within the signed SoCGs.

**Table 3: Matters that remain subject to disagreement between the Applicant and each Stakeholder**

<b>Party</b>	<b>Matter subject to disagreement</b>	<b>Final Stakeholder Position (as stated within the signed SoCG)</b>	<b>Final Applicant Response (as stated within the signed SoCG)</b>
<b>East Riding of Yorkshire Council</b>  <u>SoCG reference: EN010157/APP/9.2 Revision 6</u>	<u>Construction traffic (HGVs) along Park Lane, Cottingham</u>  <u>Transport and Access</u>  <u>Reference within SoCG: ERYC42</u>	<p>East Riding of Yorkshire Council disagrees with the proposed routing of construction traffic (HGVs) along Park Lane, Cottingham due to potential impacts on local residents. Instead, East Riding of Yorkshire Council suggests utilising the proposed new access route off the A1079 associated with Creyke Beck substation extension work (Wanlass Beck), which is subject to a planning application by other developers. East Riding of Yorkshire Council recommended engaging with National Grid and Orsted to better understand their timeframes.</p> <p>East Riding of Yorkshire Council confirmed via email on 30 October 2025 that it welcomes the addition to the Outline CTMP regarding exploring the use of the alternative access off the A1079 but sought assurances that use of the alternative access would remove the use of Park Lane.</p> <p>East Riding of Yorkshire Council confirmed via email on 25 November 2025 that whilst they welcome and agree to the addition of "In the event that the Applicant is in a position to utilise the alternative access off the A1079, it would no longer seek use of Park Lane", they are not in agreement with the fallback option from this being the use of Park Lane.</p>	<p>The Applicant has investigated using the proposed new access route off the A1079 and has sought to reach out to other relevant parties, i.e. NGET and Orsted, however engagement with Orsted has halted due to the discontinuation of the Hornsea 4 offshore wind farm project. The Applicant maintains its position that Park Lane is the most appropriate option given the short duration of the works in this location (several months to complete the laying of the final 700m of underground cable and connection works into the National Grid Creyke Beck substation) and the low volume of vehicle movements required (10 HGVs per day, i.e. 20 HGV movements, plus 10 LGVs, i.e. 20 LGV movements) especially in comparison to other consented schemes utilising Park Lane (e.g. 23/03926/STPLF), as well as the lack of certainty over when the access route off the A1079 will be delivered, meaning the Applicant cannot rely on it to provide access to the Proposed Development.</p> <p>Management of construction related HGVs and other vehicles would be controlled through the Construction Traffic Management Plan, which will be substantially in accordance with the Outline CTMP [EN010157/APP/7.7 Revision 7] and which will provide protection to other road users on Park Lane. The Outline CTMP [EN010157/APP/7.7 Revision 7] has been updated to include a commitment to no construction traffic along Park Lane during school pick-up/drop-off times. This will avoid construction traffic along the nearby road network (e.g. Northgate Road/Harland Way depending on the final traffic routing) during the pick-up and drop-off times of primary and secondary schools in Cottingham.</p> <p>Following ongoing discussions with East Riding of Yorkshire Council and as part of item 8 of the Issue Specific Hearing 2 [EV6-002], the Outline CTMP [EN010157/APP/7.7 Revision 7] has been updated to state the following: "The Applicant will explore the use of an alternative access which is planned to be created off the A1079 and is associated with the construction of the Wanlass Beck substation as an alternative to the proposed access on Park Lane, should the access off the A1079 have been constructed and made operational, at an appropriate time to avoid disruption or delay to the construction programme of the Proposed Development and subject to all necessary agreements and rights being able to be obtained to use the</p>

<b>Party</b>	<b>Matter subject to disagreement</b>	<b>Final Stakeholder Position (as stated within the signed SoCG)</b>	<b>Final Applicant Response (as stated within the signed SoCG)</b>
<b>Environment Agency</b>  SoCG reference: <b>EN010157/APP/9.3</b> <b>Revision 5</b>	<u>Surface Water Drainage Strategy</u>  <u>Water Resources</u>  <u>Reference within SoCG: EA18</u>	<p>In their relevant representation <a href="#">[RR-0051]</a> (EA16), the Environment Agency requested that the Applicant provide a detailed drainage strategy that demonstrates how surface water will be managed, including at BESS compounds, converters, substation and inverter locations to ensure pollution prevention measures are robust given the sensitive groundwater receptors beneath the Site. This should include measures to protect controlled water receptors from contamination. This should be supported by the completion of conceptual site model outlining possible pollutants, pathways and receptors. In their Comments on the Deadline 1 Submissions <a href="#">[REP2-1531]</a>, the Environment Agency reiterated this request, stating that a BESS fire that is either put out with firewater or left to burn, with adjacent units damped down, can still lead to the introduction of chemicals into the firewater.</p> <p>The Environment Agency confirmed in its additional submission <a href="#">[AS-025]</a>, submitted in lieu of attendance at Issue Specific Hearing 3, that it would request a sealed drainage system for the BESS for the reasons set out in its Comments on the Deadline 3 Submissions <a href="#">[REP4-083]</a>.</p>	<p>access. In the event that the Applicant is in a position to utilise the alternative access off the A1079, it would no longer seek use of Park Lane.”</p> <p><b>ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping</b> <a href="#">[REP5A-007]</a> follows a source-pathway-receptor approach to demonstrate, with evidence from BESS fires globally, BESS fires have a very low chance of occurrence and, with mitigation, a very low chance for contaminants to escape to the environment. Consequently, the Applicant has, with evidence, demonstrated the release of contamination to groundwater is negligible. In addition, this demonstrates that <b>ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping</b> <a href="#">[REP5A-007]</a> has not only assessed the likelihood of fires occurring, but also the potential impact on the water environment, recommending mitigation to minimise this risk.</p> <p>Furthermore, a review of the chemical components of typical battery units used by the Applicant shows that none of the chemical components would be classified as ‘hazardous’ according to the WFD Confirmed Hazardous Substances List referenced in the EA guidance Protect Groundwater and Prevent Groundwater Pollution. Some of the substances are classified as non-hazardous. Part of the guidance states that “you must limit non-hazardous pollutants from entering groundwater...”. The evidence and mitigation presented in the <b>ES Volume 4, Appendix 5.5: Water Framework Directive Screening and Scoping</b> <a href="#">[REP5A-007]</a> demonstrates how the Proposed Development would limit the mobilisation of non-hazardous materials.</p> <p>The Applicant maintains its position that a sealed drainage system for BESS is disproportionate and not necessary for the reasons set out above and in its <b>Response to Deadline 4 Submissions</b> <a href="#">[REP5-078]</a>. The approach taken by the Applicant is consistent with consented schemes across their portfolio, including the recently consented Byers Gill Solar Farm DCO (EN010139).</p>
<b>Yorkshire Wildlife Trust</b>  SoCG reference: <b>REP5-093</b>	<u>Statutory and non-Statutory wildlife sites</u>  <u>Biodiversity</u>  <u>Reference within SoCG: YWT01</u>	<p>In their relevant representation <a href="#">[RR-0171]</a>, Yorkshire Wildlife Trust welcomes the removal of Land area A and Cable A-B from the Order Limits. However, Yorkshire Wildlife Trust still has concerns regarding Leven Canal Site of Special Scientific Interest (SSSI), Tophill Low SSSI, and Pulfin Bog SSSI and Yorkshire Wildlife Trust Reserve being sensitive receptors during construction. These sites form part of the Leven Carrs Wetland Scheme.</p> <p>Yorkshire Wildlife Trust confirmed via email on 17 October 2025 that it feels the Leven Carrs Wetland Scheme should be considered as a sensitive receptor as it is ecologically linked to the three SSSIs mentioned above.</p>	<p>As set out within Table 7-3 of <b>ES Volume 2, Chapter 7: Biodiversity</b> <a href="#">[EN010157/APP/6.2 Revision 2]</a>, since the removal of Land Area A and Cable A-B from the Order Limits prior to submission of the DCO Application (as set out in Table 4-3 of <b>ES Volume 1, Chapter 4: Alternatives and Design Iteration</b> <a href="#">[APP-040]</a>), Tophill Low SSSI (approximately 5.3km from the Order Limits) and Leven Canal SSSI (approximately 1.1km from the Order Limits) have been scoped out of the assessment due to distance from the Site, lack of hydrological linkages to the Proposed Development, and intervening features between the Proposed Development and the SSSIs.</p> <p>Pulfin bog SSSI is approximately 3.4km from the Proposed Development (i.e. outside of the 2km study area for national statutory designated sites as set out in <b>ES Volume 2, Chapter 7: Biodiversity</b> <a href="#">[EN010157/APP/6.2 Revision 2]</a>) and is separated from the Site by the busy A1035 road and extensive areas of farmland, therefore has not been included within the assessment.</p>

<b>Party</b>	<b>Matter subject to disagreement</b>	<b>Final Stakeholder Position (as stated within the signed SoCG)</b>	<b>Final Applicant Response (as stated within the signed SoCG)</b>
			<p><u>Leven Carrs Wetland Scheme is not a statutory or non-statutory designated site and therefore has not been assessed as an ecological receptor.</u></p> <p><u>Furthermore, Pulfin Bog SSSI, Leven Canal SSSI and Tophill Low SSSI are all situated upstream of the River Hull. Measures aimed to reduce potential effects to the River Hull will be included within the Construction Environmental Management Plan, if required. However, given that works within 50m of the River Hull are restricted to horizontal directional drilling associated with the grid connection cable route under the river (a commitment for HDD launch/receptor pits to be positioned a minimum of 50m from Main Rivers is secured in the Outline Construction Environmental Management Plan [EN010157/APP/7.2 Revision 7]), it is anticipated that the measures within the Outline Construction Environmental Management Plan [EN010157/APP/7.2 Revision 7] ensure there would be no significant effects to the SSSIs associated with the Leven Carrs Wetland Scheme.</u></p>
	<u>Functionally linked land</u>  <u>Biodiversity</u>  <u>Reference within SoCG: YWT05</u>	<u>In their relevant representation [RR-017], Yorkshire Wildlife Trust agrees with the conclusions of the Habitats Regulations Assessment (HRA) that the surrounding agricultural land is functional land for lapwing, golden plover and other species. However, Yorkshire Wildlife Trust believes marsh harrier should also be considered, as two breeding pairs are known to reside in Tophill Low SSSI and Yorkshire Wildlife Trust believes the Applicant should consider this site as a sensitive receptor to potential impacts of the Proposed Development.</u>	<u>Tophill Low SSSI is approximately 5.3km from the Order Limits and the breeding habitat associated with this designated site will not be affected by the Proposed Development. As detailed within ES Volume 4, Appendix 7.3: Breeding Bird Survey Report [APP-107], no breeding marsh harriers have been recorded within or adjacent to the Proposed Development.</u>
	<u>Biodiversity Net Gain (BNG) and longevity of habitat creation</u>  <u>Biodiversity</u>  <u>Reference within SoCG: YWT09</u>	<u>As discussed in an online meeting on 31 July 2025, Yorkshire Wildlife Trust accepts that the Proposed Development is temporary (with an anticipated lifetime of 40 years, after which it would be decommissioned) and subject to landowner agreements. However, it maintains its position that areas of habitat creation/ enhancement, and therefore benefits of Biodiversity Net Gain, should be secured in perpetuity (as set out in its relevant representation [RR-017]). Yorkshire Wildlife Trust does not consider the proposal to allow the area of habitat creation to be potentially returned to a different use to be appropriate.</u>	<p><u>The BNG proposed to be delivered as part of the Proposed Development is presented in ES Volume 4, Appendix 7.10: Biodiversity Net Gain Assessment [APP-115]. The maintenance and management of the BNG proposed is secured for the lifetime of the Proposed Development in the Outline Landscape and Ecological Management Plan [EN010157/APP/7.5 Revision 3] which is secured by Requirement 9 of the Draft Development Consent Order [EN010157/APP/3.1 Revision 4].</u></p> <p><u>Further information will be released on the mechanism to secure the gains for the lifetime of the Proposed Development during the post-examination period.</u></p> <p><u>As set out in the Outline Decommissioning Environmental Management Plan [EN010157/APP/7.4 Revision 2], at the end of the Proposed Development's lifetime areas of community accessible land and environmental mitigation and enhancement areas will be returned to the landowner in private ownership.</u></p> <p><u>The Applicant notes the recent decision from the Tillbridge Solar DCO. In that case, the Secretary of State agreed that BNG need only be maintained for the</u></p>

<b>Party</b>	<b>Matter subject to disagreement</b>	<b>Final Stakeholder Position (as stated within the signed SoCG)</b>	<b>Final Applicant Response (as stated within the signed SoCG)</b>
			<p>lifetime of the development. This is in line with paragraph 5.4.44 of the overarching National Policy Statement for Energy (EN-1) which requires that “Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer”.</p>
<b>Joint Local Access Forum</b>  <u>SoCG reference: REP5A-034</u>	<u>PRoW – enhancement of existing PRoW</u>  <u>Design of Development</u>  <u>Reference within SoCG: JLAF06</u>	<p>In their relevant representation [RR-0211] (point no.5), East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum requests that the Applicant identify how the project will enhance existing PRoW in the development area and in the vicinity in accordance with the National Planning Policy Framework (Revised; para. 105). Given the size and scale of the proposed development, the JLAF requests that a one-off fund be provided to East Riding of Yorkshire Council to deliver improvements to existing public rights of way (e.g. improvements to signs/waymarking, bridges and structures, surfacing, as required). This would be in addition to the proposed annual community benefit fund and in addition to the network of new permissive paths proposed, and in accordance with National Policy Statement EN-1 and NPPF paragraph 105. Enhancements to existing PROW should be undertaken with the Council's PROW/Countryside Access officers rather than in consultation with the Community Liaison Group.</p> <p>East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum added via email on 16 October 2025 that it would consider a one-off contribution of £150,000 to be reasonable, to be used by East Riding of Yorkshire Council's Countryside Access Team to identify and effect local PRoW enhancements within the lifetime of the Proposed Development, either on-site or off-site in the parishes impacted by the Proposed Development.</p> <p>East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum added via email on 12 November 2025 that it recognises that the Applicant has offered, as enhancement, to establish Permissive Paths and to consider their signposting at some future date. The Applicant has, subsequent to the original DCO application and through a Targeted Consultation, proposed reducing the lengths of these Permissive Paths in order to avoid wildlife disturbance, and, recognising the value of the issue, the JLAF has raised no objection. The view of the</p>	<p><b>ES Volume 1, Chapter 3: Proposed Development Description [APP-039]</b> provides details of the proposals to provide a network of new permissive paths as part of the Proposed Development design. The new permissive paths aim to maintain and improve connectivity in and around the Site and in the local area through connecting to existing PRoW. This is in accordance with the Overarching National Policy Statement for Energy (EN-1), which states that applicants should “take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access” and the National Policy Statement for Renewable Energy Infrastructure (EN-3), which states that “applicants should consider and maximise opportunities to facilitate enhancements to the public rights of way and the inclusion, through site layout and design of access, of new opportunities for the public to access and cross proposed solar development sites (whether via the adoption of new public rights of way or the creation of permissive paths), taking into account, where appropriate, the views of landowners.”</p> <p>As stated in ref. JLAF04 in this table, the updated <b>Outline Landscape and Ecological Management Plan [EN010157/APP/7.5 Revision 3]</b>, which is submitted at Deadline 1, states that the surfacing and waymarking of permissive paths are yet to be determined, but the Applicant would explore options in consultation with the Community Liaison Group. The Applicant will also consult with the Community Liaison Group regarding waymarking of existing PRoW that cross the Site. Beyond this, no enhancement of existing PRoW is proposed given that significant effects of the Proposed Development on PRoW are limited to visual effects on three PRoW, one of which is only for the first year of operation (see Table 11-15 in <b>ES Volume 2, Chapter 11: Landscape and Visual [REP5-016]</b>), taking into account the measures proposed in the <b>Outline Rights of Way and Access Management Plan [EN010157/APP/7.9 Revision 2]</b>. Further details will be provided in the Landscape and Ecological Management Plan and the Rights of way and Access Management Plan, which are secured by Requirements 9 and 10 respectively of the <b>Draft Development Consent Order [REP3-005]</b>, and which require approval by East Riding of Yorkshire Council.</p> <p>The new permissive paths are restricted to the Land Areas (and not the grid connection cable route) as this land will remain in the control of the Applicant for the lifetime of the Proposed Development.</p>

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		JLAF is that the proximity of security fencing and the solar panel arrays to the Permissive Paths, as well as to existing Public Rights of Way, significantly decreases the amenity of both, and does not enhance Public Rights of Way as advised by the National Planning Policy Framework, even though the Permissive Paths would provide some increased countryside access. It is in this context that JLAF continues to press for a one-off monetary contribution to East Riding of Yorkshire Council, to be ringfenced for enhancements of existing local PRoW in order to mitigate the negative impacts on landscape amenity that will arise from installation of the solar farm.	
<b>Albanwise</b>  <u>SoCG reference: EN010157/APP/9.10 Revision 2</u>	<u>Principle of use of Land parcel 2A-4 for construction of the Proposed Development. The Applicant is seeking temporary powers for construction purposes and permanent rights over the land.</u>  <u>Draft DCO</u>  <u>Reference within SoCG: AW02</u>	<p>The material submitted in the DCO application including change 9 does not provide an acceptable design of safe systems of work to allow the project to progress safely alongside the construction of FHSF</p> <p>It also presents a level of uncertainty which jeopardises the investment transaction currently underway and therefore the ability of the project to progress.</p>	<p>The Applicant considers that the information submitted as part of the DCO application, Change Request 2 and subsequently exchanged with Albanwise provides the foundation for a robust management arrangement to be agreed.</p>
	<u>Principle of use of Land parcel 2A-4 for construction of the Proposed Development. The Applicant is seeking temporary powers for construction purposes and permanent rights over the land.</u>  <u>Construction</u>	<p>2A-4 could be used for the Pearmtree traffic but the volume of traffic proposed presents an unacceptable safety and logistical risk.</p> <p>Designs have been proposed but will need to be improved before agreement is reached.</p> <p>Albanwise set out in its Post Hearing Submission Summaries of Oral Submissions made at CAH2 and ISH3 how fundamentally unsafe the proposed designs of the highway junction are to users of the highway, project personnel and public and has called on the Applicant to revise the designs to improve safety in the designs.</p>	<p>The Applicant considers that the use of 2A-4 for construction traffic, in the event that it is unable to secure the necessary rights to utilise 2A-5, can be suitably accommodated utilising appropriate traffic management procedures. As set out in AW04, the Applicant has provided technical information in response to a request from Albanwise to demonstrate the acceptability of the route and will continue to engage with Albanwise to come to a mutually agreeable arrangement.</p> <p>Further, the Applicant considers that the low volume of traffic (approximately 1 LGV per week) during the operational phase is acceptable and would not impact other construction or operational movements from the Albanwise's agricultural holdings, Field House Solar or Carr Farm Solar.</p>

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	<u>Reference within SoCG: AW03</u>	<p>Forms of traffic management and priority (beyond that which is in the DCO application inc Change 9 request) will need to be agreed in order to ensure safety and make the access safer than would otherwise be achievable by Pearmtree's originally proposed access of Meaux Lane</p>	
	<u>Principle of use of Land parcel 2A-4 for construction of the Proposed Development. The Applicant is seeking temporary powers for construction purposes and permanent rights over the land.</u>  <u>Construction</u>	<p>The principle of use of the access is not agreed. It is not justified where there is an alternative as originally proposed (Meaux Lane) which does not cause on the Applicant's own assessment any significant adverse effects.</p> <p>That said, if the powers are granted it should be possible to manage the projects interface and in this regard matters have progressed outside of the DCO process to secure a voluntary agreement which will cover matters of project access design and management but Albanwise will need these agreements completed in order to be satisfied works can progress safely and remove the risk to the investment that currently stands.</p>	<p>The Applicant considers that it has provided sufficient detail to Albanwise to demonstrate that, in principle, construction access could be safely accommodated and appropriately managed. Further to discussions with Albanwise, the Applicant has provided:</p> <ul style="list-style-type: none"><li>- Detail on operation of existing farm access on worst case assumption Pearmtree Hill Solar Farm, Field House Solar Farm and Carr Farm Solar are constructed concurrently</li><li>- Complete tracking drawings from internal track to A1035</li><li>- Details of proposed use of banksmen to manage traffic flows</li><li>- Junction capacity review</li><li>- Copies of notes/minutes between the Applicant and EYRC Highways in relation to the proposed use of the junction</li><li>- Layby details south of Field House Farm</li><li>- AIL specifications</li><li>- AIL swept path along all tracks</li><li>- Plans updating passing places</li></ul>
	<u>Reference within SoCG: AW04</u>	<p>There is no justification for the proposed temporary possession of 2A-5. It is said to be required for access but is (at its widest) 130m wide. No access track requires that amount of space. The DCO application provides no detail of how 2A-5 is otherwise required. The inclusion of plot 2A-5 is unjustified and represents an unacceptable risk to the progression of FHS because of the location of the project substation.</p> <p>Requirement 16 is insufficient because:</p> <ul style="list-style-type: none"><li>- It does not provide necessary details</li><li>- It does not provide any binding agreement between the parties and rather relies on the local authority as an intermediary</li><li>- It will not allay investor concerns</li></ul>	<p>The Applicant considers that there is sufficient space within 2A-5 so as to accommodate an additional access track for use by construction traffic of the Proposed Development. In tandem with the Applicant's position on item AW03, above, the Applicant has further updated Requirement 16 of the <b>draft Development Consent Order [REP4-005]</b> to commit that no solar panels or the substation relating to Field House Solar Farm would be impacted by the temporary use of parcel 2A-5 for construction purposes. The Applicant issued the updated drafting of Requirement 16 to Albanwise on 18/11/25.</p> <p>It further considers that the provision of Requirement 16 provides sufficient comfort that the Applicant is required to minimise conflict and appropriately manage the interface between construction of the Proposed Development, Field House Farm Solar and Carr Farm Solar</p> <p>The Applicant has accepted all final comments made by Albanwise in relation to Requirement 16.</p> <p>For clarity, the Applicant is seeking the use of 2A-5 in response to feedback received to Change Request 2. The Applicant wishes to retain a degree of separation between its construction vehicles and the residential properties to the north of parcel 2A-4 (Field House Farm).</p>

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	<u>Interface Agreement.</u> <u>Construction</u> <u>Reference within SoCG: AW06</u>	<p><u>Albanwise is agreeable to entering an Interface Agreement but it will need to include commitments to follow an agreeable design and form of traffic management (beyond that set out in the oCTMP)</u></p> <p><u>Comments were returned to RWE on 20/11/25 following a review of the proposal and the design information also supplied.</u></p>	<p><u>The Applicant provided a draft interface agreement to Albanwise on 27/10/25 which would secure detailed arrangements between the parties. Since the initial drafting, there has been further engagement between the Applicant and Albanwise, however, no agreement has been reached and a number of key points remain unresolved.</u></p> <p><u>The Applicant has repeated the relevant arrangements within the draft oCTMP which has been shared with Albanwise.</u></p> <p><u>A revised interface agreement has been received from Albanwise which the Applicant is currently considering.</u></p>

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# References

**Ref. 1:** Planning Act 2008. Available online:  
<https://www.legislation.gov.uk/ukpga/2008/29/section/14>

**Ref. 2:** Department for Energy Security and Net Zero (2023). Overarching National Policy Statement for Energy (EN-1). Available online:  
<https://www.gov.uk/government/publications/overarching-national-policy-statement-for-energy-en-1>

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