



Great North Road Solar and Biodiversity Park

Statement of Common Ground with Network Rail Infrastructure Ltd

Document Reference – EN010162/APP/8.40B10C

Revision number 34

~~February~~March 2026

EP Rule 8(1)(e) Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010



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Revision History

Revision	Revision Date	Authorised By	Position	Comment
Issue 1	25/11/25	ES	Head of Planning	Draft for comment
	10/12/25	JM	Associate (Pinsent Masons on behalf of NR)	Comments on Issue 1
Issue 2	16/1/26	ES	Head of Planning	D2 updates
<u>Issue 3</u>	<u>17/3/26</u>	<u>ES</u>	<u>Head of Planning</u>	<u>D4 updates</u>

1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support an application (the Application) for a Development Consent Order (DCO) from the Secretary of State (SoS) for Energy Security and Net Zero under Section 37 of the Planning Act 2008 (PA 2008) for the proposed Great North Road Solar and Biodiversity Park Development (the Development). The Application has been submitted by Elements Green Trent Limited (the Applicant).
- 1.1.2 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the Parties, and where agreement has not (yet) been reached.
- 1.1.3 SoCGs are an established means in the planning process of allowing all Parties to identify and focus on specific issues that may need to be addressed during the examination. This SoCG will be revised and updated as discussions between the Parties progress during the Examination.

1.2 PARTIES TO THIS STATEMENT OF COMMON GROUND

- 1.2.1 This SoCG has been prepared by (1) Elements Green Trent Limited as the Applicant and (2) Network Rail (collectively, ‘the Parties’).

1.3 TERMINOLOGY

- 1.3.1 In the table in the Issues section of this SoCG:
- “Agreed” (Green) indicates where the issue has been resolved;
 - “Under discussion” (Amber) indicates where a matter is the subject of ongoing discussion; and
 - “Not Agreed” (Red) indicates a final position.
- 1.3.2 Where Network Rail expresses agreement, it does so only in so far as it has considered the issue with regards to its statutory remit and on the basis of the information provided by the Applicant. Agreement is offered without prejudice to the submissions of other interested Parties who may have greater knowledge of technical or site-specific issues.

1.4 RECORD OF RELEVANT CORRESPONDENCE

1.4.1 The Applicant has undertaken consultation and engagement with Network Rail throughout the development of the Application. The Applicant consulted Network Rail in accordance with Section 42 of the PA 2008, about the Development and environmental impact assessment as part of the formal pre-application consultation and publicity procedures. This process afforded Network Rail the opportunity to provide responses to the information provided at various stages of the pre-application process.

1.4.2 Table 1-1 identifies the discussions and correspondence that has taken place between the Parties to date.

Table 1-1 Record of Correspondence

Date	Type (meeting, etc.)	Topic
03/07/2025	Email	The applicant reached out to Network to establish a framework of agreement regarding Protective Provisions.
17/07/2025	Email	Network Rail confirm the draft agreement has been passed onto their solicitors.
22/09/2025	Email Exchange	Network Rail request the details of EG's solicitors to begin discussion regarding the establishment of Protective Provisions. EG Obliges.
9/11/2025	Email	Network Rail provide a request for undertaking in order to commence official engagement.
10/12/2025	Email	Pinsent Masons (on behalf of NR issued comments on the SoCG)
6/1/2026	Email	Applicant issued NR with an undertaking and asked for comments on the draft PPs and details regarding land interest. Applicant is awaiting a reply.
16/1/2026	Email	Applicant issued Draft SoCG for sign-off
21/1/2026	Email	Applicant issued comments on the draft Protective Provisions to Network Rail's solicitors.
25/02/2026	Email	Network Rail's solicitors responded to the Applicant's comments on the Protective Provisions.
18 March 2026	Email	Applicant requested that Network Rail provides a copy of any required Framework Agreement.



- 1.4.3 It is agreed that this is an accurate record of the key meetings and consultation undertaken between the Parties in relation to the issues addressed in this SoCG.

2 CURRENT POSITION OF THE APPLICANT AND NETWORK RAIL

2.1 PROTECTIVE PROVISIONS

Table 2-1 Protective Provisions

Ref	Relevant Document	Description of Matter	Network Rail's Position	Applicant's Position	Status
2.1.1	Paragraph 3-4 RR	Protective Provisions	<p><u>Current Position:</u> <u>Network Rail is reviewing the scope of impacts and the required protection to address such impacts, including the form of protective provisions being sought. Network Rail will continue to liaise with the Applicant in order to reach agreement on this matter.</u></p> <p><u>Deadline 3 Position:</u> Whilst the Scheme does not include any land owned by Network Rail within the Order limits, the Promoter proposes as part of the Scheme to carry out works in close proximity to the Railway. On this basis Network Rail wishes to object to the making of the Order on the ground that the proposed works might interfere with the safe and</p>	<p><u>Current Position:</u> <u>The form of protective provisions for the protection of railway interests remains under discussion between the Applicant and Network Rail. While the Applicant wishes to ensure that Network Rail has the benefit of adequate protective provisions to ensure the safe and efficient operation of the Railway, the Applicant considers that the standard protective provisions are not proportionate given there is no direct interface between Network Rail's interests and the Development. Network Rail has referred to indirect interfaces 'including the transportation of the battery by boat under a railway bridge and construction traffic passing over</u></p>	Under discussion

Ref	Relevant Document	Description of Matter	Network Rail's Position	Applicant's Position	Status
			<p>efficient operation of the Railway.</p> <p>In order for Network Rail to be in a position to withdraw its objection Network Rail will require adequate protective provisions and/or requirements to be included within the Order and an agreement with the Promoter to ensure that the works for the Scheme are carried out in regulated manner to prevent adverse impacts to the Railway.</p>	<p><u>a level crossing'. Neither of these 'indirect interfaces' are within the Order Land. In the Applicant's view, these are activities in the ordinary course of any operation or construction traffic passing in the vicinity of a railway and do not warrant the extensive set of provisions Network Rail is seeking. In particular, the Applicant does not consider that unlimited liability and indemnities in favour of Network Rail are appropriate where there are no Network Rail interests within the Order Land.</u></p> <p><u>The Applicant is continuing to engage with Network Rail to seek to agree suitable and proportionate protective provisions for Network Rail and remains confident that agreement can be reached before the end of examination.</u></p> <p><u>Deadline 3 Position:</u></p> <p>The Applicant has been engaging with Network Rail Infrastructure Limited with</p>	

Ref	Relevant Document	Description of Matter	Network Rail's Position	Applicant's Position	Status
				<p>regard to the issues raised in their Relevant Representation. The Applicant considers that Draft Development Consent Order [EN010162/APP/3.4G]1D [REP3-004] submitted with the Application includes adequate protection for Network Rail Infrastructure Limited in Part 3 of Schedule 15 of the Draft Development Consent Order [EN010162/APP/3.4G]-(1D) [REP3-004] Protective Provisions for the protection of railway interests), in line with their standard protective provisions in accordance with the Planning Inspectorate Guidance "Nationally Significant Infrastructure Projects - Advice Note Fifteen: drafting Development Consent Orders". The Order Land does not include any land or land interest owned by Network Rail Infrastructure Limited and there is no direct interface between Network Rail Infrastructure</p>	



Ref	Relevant Document	Description of Matter	Network Rail's Position	Applicant's Position	Status
				<p>Limited assets and the Development.</p> <p>Nonetheless, the Applicant continues to engage with Network Rail Infrastructure Limited to address the points in Network Rail Infrastructure Limited's Relevant Representation and is confident that the points raised by Network Rail Infrastructure Limited can be resolved before the end of the examination period. On 21 January 2026, the Applicant issued a draft set of the Protective Provisions in favour of Network Rail for Network Rail's consideration and their comments are awaited.</p>	

3 SIGNATURES

3.1.1 The above SoCG is agreed between the Applicant and Network Rail, as specified below.

Duly authorised for and on behalf of Elements Green Trent Limited	Name
	Job Title
	Date
	Signature

Duly authorised for and on behalf of Network Rail Infrastructure Ltd	Name
	Job Title
	Date
	Signature
