

Byers Gill Solar
EN010139

7.7 Statutory Undertakers Position Statement

Planning Act 2008

APFP Regulation 5(2)(q)

Infrastructure Planning (Applications: Prescribed Forms
and Procedure) Regulations 2009

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Table of Contents

Page

1.	Introduction	1
1.1.	Purpose of this document	1
2.	Summary of current position with statutory undertakers	2
	Appendix 1 – Asset Description Table	6

Table of Tables

Table 2-1	Statutory undertaker position schedule	2
Table A-I	Asset description	6

1. Introduction

1.1. Purpose of this document

- 1.1.1. This document has been prepared in support an application made by RWE (the Applicant) to the Planning Inspectorate (PINS) under section 37 of the Planning Act 2008 (the Act) for a Development Consent Order (DCO). The DCO application seeks consent for Byers Gill Solar (the Proposed Development), a solar farm capable of generating over 50 megawatts (MW) Alternating Current (AC) of electricity with co-located Battery Energy Storage Systems (BESS), located between Darlington and Stockton-on-Tees in north-east England. A detailed description of the Proposed Development can be found in Environmental Statement (ES) Chapter 2 The Project (Document Reference 6.2.2).
- 1.1.2. This purpose of this document is to set out the current position of discussions between the Applicant and statutory undertakers that have assets or operations that would potentially be affected by the Proposed Development. As set out in the Consultation Report (Document Reference 5.1), the Applicant has undertaken statutory consultation which has included notifying all relevant statutory undertakers and persons with an interest in the land under Section 42(a) and Section 42(d) of the Act respectively. The Applicant has sought to engage with statutory undertakers in response to feedback received to that consultation. Additionally, throughout the development of the Proposed Development prior to DCO application, the Applicant has sought to engage with statutory undertakers identified through diligent inquiry as land interests. The activities undertaken as part of diligent inquiry are reported in the Statement of Reasons (Document Reference 4.1). Appendix 1 Asset Description Table provides a further description of the relevant asset.
- 1.1.3. The Applicant is seeking to resolve all matters raised by statutory undertakers where possible at this stage of the project.
- 1.1.4. It is important to note that the approach taken by the Applicant to existing statutory undertaker apparatus is to avoid any conflict between the Proposed Development and that existing apparatus. The effect of that approach is that there is not presently expected to be any requirement to divert existing statutory undertaker apparatus as part of the Proposed Development. Powers are included within the draft DCO (Document Reference 3.1) which would enable the Applicant to carry out diversions where required, but it is not currently expected that those powers will need to be relied on.
- 1.1.5. This document provides a summary of the position at time of DCO application submission. It will be updated as relevant during Examination of the application, to aid the Examining Authority (ExA) in understanding the latest position.

2. Summary of current position with statutory undertakers

2.1.1. The table below provides a summary of the position between the Applicant and each relevant statutory undertaker at the time of DCO Application submission, in relation to each individual asset affected.

Table 2-1 Statutory undertaker position schedule

Statutory undertaker (SU)	Asset/ Crossing Type	Location and Relevance to Proposed Development	Status
GTC Pipelines Ltd	Low pressure (LP) gas pipeline	Located in Carlton village, the gas pipeline crosses the proposed 132kV cable route. Appendix 1 Asset ID GTC_001	RWE has engaged with GTC and shared details of the design of the Proposed Development in relation to this asset. GTC has requested further information regarding details of interaction with the asset, which RWE is in the process of providing. It is expected that the exchange of further information will enable RWE and GTC to identify and determine necessary crossing points of the 132kV cable and the existing gas pipeline. Those crossings will be managed through a crossing agreement between RWE and GTC.
INEOS/SABIC	Ethylene Gas Pipeline	Located on Letch Lane on the approach to Norton Substation from the west. The ethylene pipeline runs north to south perpendicular to the road which the 132kV connection cable is expected to cross. Appendix 1 Asset ID I/S_001	RWE have contacted INEOS/SABIC and held a meeting to discuss the pipeline crossing. It is expected that the exchange of further information will enable RWE and INEOS/SABIC to reach an agreement regarding the 132kV cable crossing the pipeline. Further site investigations works are to be undertaken post consent to inform detailed design of the pipeline crossing to be coordinated with INEOS/SABIC and in accordance with their conditions and restrictions. This will be managed through agreement between RWE and INEOS/SABIC.
National Grid Gas	High pressure (HP) gas pipeline	Located in Panel Area A to the north of High House Lane. The pipeline runs through proposed panel area, which includes buffers to avoid the area of the pipeline. Appendix 1 Asset ID NGG_001	RWE has requested further information from the asset protection team on NGG's requirements. The gas pipeline has an easement of 12m (6m either side of the pipeline). The easement is to be maintained with the perimeter fence line and PV modules to remain outside of this area, as has been considered in the design. It is expected that this design requirement to maintain the pipeline easement area can be secured through an agreement with the undertaker.
National Grid Gas	Low pressure gas pipeline	Located in Panel Area E. Appendix 1 Asset ID NGG_002	RWE has requested further information from the asset protection team on NGG's requirements. PV modules and fencing are to be placed outside of the pipeline easement as has been considered in the design. There will be one permanent road crossing to be agreed to access inverter stations. Cabling assumed to follow same crossing point. Minimum clearances required by NGG are to be maintained. It is expected that the design requirement to maintain the pipeline easement area requested can be secured through an agreement with the undertaker.
Network Rail	Railway Bridge	Located at Norton Substation. Interaction with disused railway branch line. Cable crossing at this point to be discussed with Network Rail. Appendix 1 Asset ID NR_001	RWE is actively seeking further discussions with Network Rail and will provide detail on interaction with the railway bridge following a meeting scheduled 20 February 2024.
Northern Gas Networks	Intermediate pressure gas pipeline	Located at Panel Area A. The 33kV cable crosses over at three separate locations. Temporary road crossings and potentially one permanent road crossing expected based on inverter / road layouts.	RWE have agreed to a 50ft (15m) buffer along pipeline to be maintained for the benefit of NGN. This buffer will be adhered to in the design. RWE to provide further details to agree crossing points for the 33kV cable during detailed design.



Statutory undertaker (SU)	Asset/ Crossing Type	Location and Relevance to Proposed Development	Status
		Appendix 1 Asset ID NGN_001	
Northern Power Grid	Overhead Line (OHL)	Located at Panel Area A. 4 fencelines cross under powerlines. 1 33kV cable passes underneath. PV Modules designed beneath the OHL. Appendix 1 Asset ID NPG_001	RWE have provided further information to inform land enquiry. Required clearances to be confirmed to verify design complies with minimum distances. No consent expected to be required but NPG guidance to be followed. It is expected that all matters can be resolved in agreement with Northern Power Grid.
Northern Power Grid	OHL	Located at Panel Area A. Multiple fencelines and 2 33kV cables will cross. PV modules designed under the OHL. Required clearances to be confirmed to verify design complies with minimum distances. Appendix 1 Asset ID NPG_002	RWE have provided further information to inform land enquiry. Required clearances to be confirmed to verify design complies with minimum distances. No consent expected to be required but NPG guidance to be followed. It is expected that all matters can be resolved in agreement with Northern Power Grid.
Northern Power Grid	OHL	Located at Panel Area A. Multiple fences and a 33kV cable will cross. PV modules designed under the OHL. Required clearances to be confirmed to verify design complies with minimum distances. Appendix 1 Asset ID NPG_003	RWE have provided further information to inform land enquiry. Required clearances to be confirmed to verify design complies with minimum distances. No consent expected to be required but NPG guidance to be followed. It is expected that all matters can be resolved in agreement with Northern Power Grid.
Northern Power Grid	OHL	Located at Panel Area B. Multiple fence crossings only. Minimum separation distances from infrastructure to be clarified and confirmed in the design. Appendix 1 Asset ID NPG_004	RWE have provided further information to inform land enquiry. Required clearances to be confirmed to verify design complies with minimum distances. No consent expected to be required but NPG guidance to be followed. It is expected that all matters can be resolved in agreement with Northern Power Grid.
Northern Power Grid	OHL	Located at Panel Area B. Two fence crossings only. Appendix 1 Asset ID NPG_005	Minimum separation distances from infrastructure to be clarified and confirmed in the design. RWE have provided further information to inform land enquiry. Required clearances to be confirmed to verify design complies with minimum distances. No consent expected to be required but NPG guidance to be followed. It is expected that all matters can be resolved in agreement with Northern Power Grid.
Northern Power Grid	OHL	Located at Panel Area C. Two fence crossings only. Minimum separation distances from infrastructure to be clarified and confirmed in the design. Appendix 1 Asset ID NPG_006	RWE have provided further information to inform land enquiry. Required clearances to be confirmed to verify design complies with minimum distances. No consent expected to be required but NPG guidance to be followed. It is expected that all matters can be resolved in agreement with Northern Power Grid.
Northern Power Grid	OHL	Located at Panel Area D. No infrastructure proposed under the OHL (except fences). Positioning of inverter stations to be considered in relation to minimum separation distances and construction activities in the vicinity. Appendix 1 Asset ID NPG_007	RWE have provided further information to inform land enquiry. Required clearances to be confirmed to verify design complies with minimum distances. No consent expected to be required but NPG guidance to be followed. It is expected that all matters can be resolved in agreement with Northern Power Grid.
Northern Power Grid	OHL	Located at Panel Area E. Two 33kV crossings. PV boundary fencing to be placed outside any easement or maintain minimum clearances.	RWE have provided further information to inform land enquiry. Required clearances to be confirmed to verify design complies with minimum distances.



Statutory undertaker (SU)	Asset/ Crossing Type	Location and Relevance to Proposed Development	Status
		Appendix 1 Asset ID NPG_008	No consent expected to be required but NPG guidance to be followed. It is expected that all matters can be resolved in agreement with Northern Power Grid.
Northern Power Grid	OHL	Located at Panel Area F. 33kV and road to pass underneath the OHL. Appendix 1 Asset ID NPG_009	RWE have provided further information to inform land enquiry. Required clearances to be confirmed to verify design complies with minimum distances. No consent expected to be required but NPG guidance to be followed. It is expected that all matters can be resolved in agreement with Northern Power Grid.
Northumbrian Water	Drainage pipe & water mains	Located at Panel Area B. Drainage pipe is expected to be outside the redline boundary so crossings are unlikely. Appendix 1 Asset ID NW_00	RWE have provided further information to Northumbrian Water and are awaiting further comments or response. Minimum clearance requirements to be confirmed, it is expected these can be agreed with Northumbrian Water.
Northumbrian Water	Water pipeline	Located at Panel Area D. Buffers from assets to be observed. DC cable crossings to observe minimum clearances. Appendix 1 Asset ID NW_002	RWE have provided further information to Northumbrian Water and are awaiting further comments or response . Minimum clearance requirements to be confirmed, it is expected these can be agreed with Northumbrian Water.
Northumbrian Water	Drainage pipe	Located at Panel Area D. Close to redline boundary so buffers to be considered for placement of perimeter fencing. Appendix 1 Asset ID NW_003	RWE responded to Northumbrian Water. The pipe continues south-east and 33kV cable route may interact at this location. Minimum clearances are to be maintained in agreement with Northumbrian Water.
Northumbrian Water	Drainage pipe	Located at Panel Area D. Close to redline boundary so buffers to be considered for placement of perimeter fencing. It is assumed the pipe continues south-east and 33kV cable route may interact but minimum clearances should be maintained. Appendix 1 Asset ID NW_004	RWE responded to Northumbrian Water. The pipe continues south-east and 33kV cable route may interact at this location. Minimum clearances are to be maintained in agreement with Northumbrian Water.
Northumbrian Water	Water pipeline	Located at Panel Area F. 33kv cable crossing, no other infrastructure in this field. Road access to eastern PV field also cross the pipeline at same location. It is assumed the pipeline continue south along the existing road and will not enter into the solar PV fields. Potential for second 33kV cable crossing further south. Appendix 1 Asset ID NW_005	RWE responded to Northumbrian Water and are awaiting further comments or response. It is expected that all matters will be resolved with Northumbrian Water.
Virgin Media	Telecoms cables	Located at Panel Area E. Two 33kV crossings. PV boundary fencing to be placed outside any buffer or maintain minimum clearances. Appendix 1 Asset ID VM_001	RWE awaiting response to initial communications. RWE is awaiting minimum requirements and expects to reach agreement with Virgin Media.

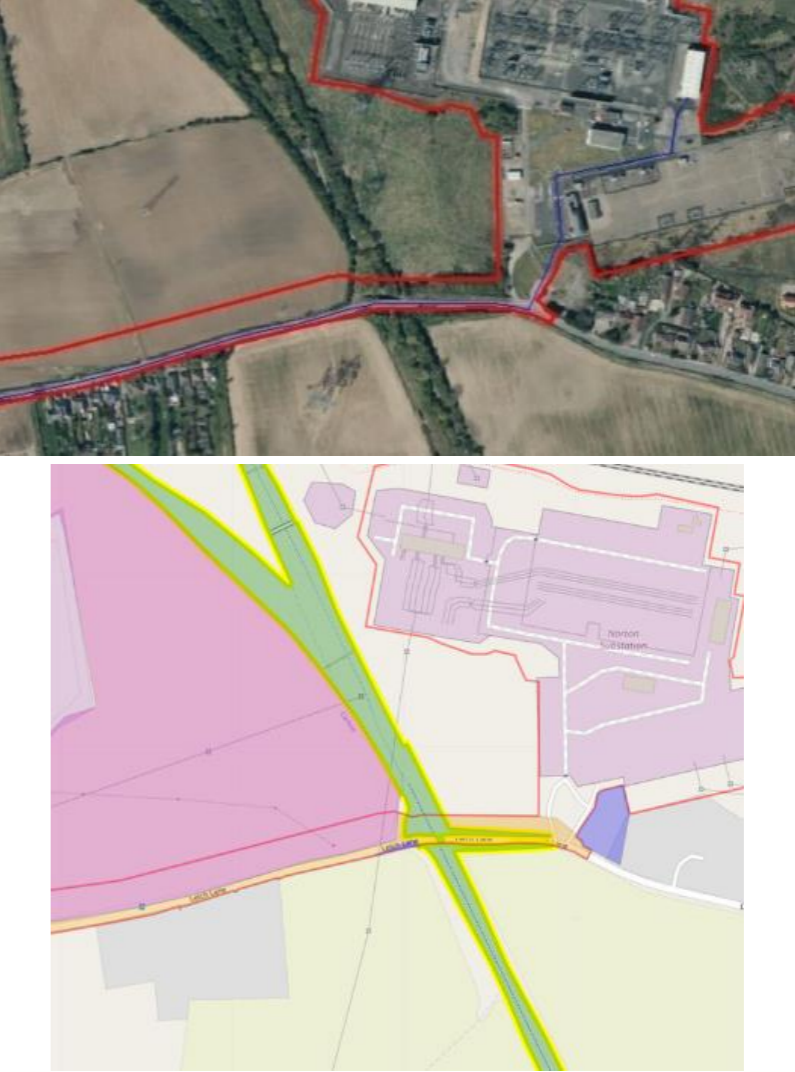

Statutory undertaker (SU)	Asset/ Crossing Type	Location and Relevance to Proposed Development	Status
Virgin Media	Telecoms cables	<p>Located at Panel Area D. Close to redline boundary so easements to be considered for placement of perimeter fencing.</p> <p>It is assumed the cable continues south-east and 33kV cable route may interact but minimum clearances should be maintained.</p> <p>Appendix 1 Asset ID VM_002</p>	RWE awaiting response to initial communications. RWE is awaiting minimum requirements and expects to reach agreement with Virgin Media.
Zayo	Telecoms cables	<p>Located at Panel Area A. Telecomms cable in private land and therefore anticipated that a buffer would be required to be maintained.</p> <p>Current design avoids the cable (no infrastructure over the asset except fencing), easement areas would need to be confirmed.</p> <p>DC cable crossing would need to comply with minimum clearances. Construction traffic crossing may also need agreement.</p> <p>Appendix 1 Asset ID Z_001</p>	<p>The current design does not include any infrastructure over the asset except fencing. RWE are awaiting further information to be provided on required easement areas to be confirmed and maintained as part of the design.</p> <p>DC cable crossing would need to comply with minimum clearances. Construction traffic crossing may also need agreement for crossing design in accordance with asset owner's requirements.</p> <p>RWE to respond and demonstrate compliance with Zayo requirements to be achieved through detailed design. It is expected that agreement can be reached on these matters with Zayo.</p>
Zayo	Telecoms cables	<p>Located at Panel Area C.</p> <p>Potential road crossing at exit from PV field along 33kV cable route.</p> <p>Appendix 1 Asset ID Z_002</p>	<p>Telecomms cable in private land and therefore anticipated that an easement is to be maintained.</p> <p>The current design does not include any infrastructure over the asset except fencing. RWE are awaiting further information to be provided on required easement areas to be confirmed and maintained as part of the design.</p> <p>DC and 33kV cable crossings would need to comply with minimum clearances.</p> <p>RWE to respond and demonstrate compliance with Zayo requirements to be achieved through detailed design. It is expected that agreement can be reached on these matters with Zayo.</p>

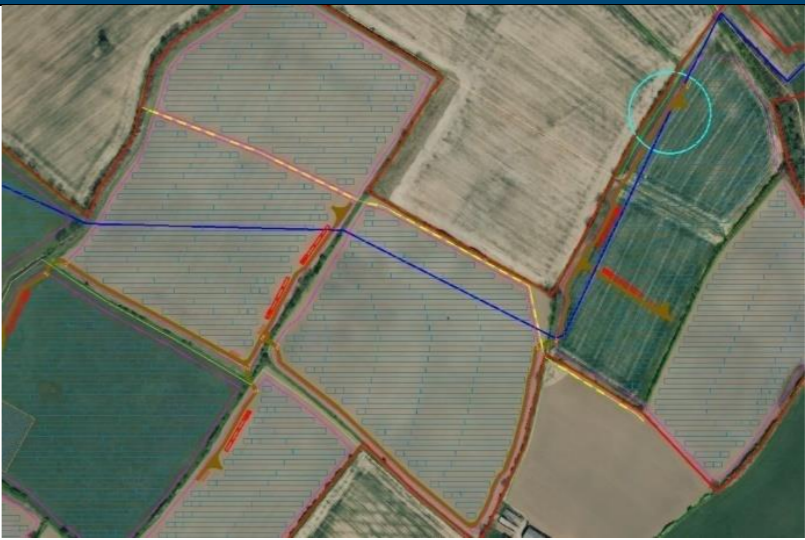

Appendix 1 – Asset Description Table


Table A-I Asset description


Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
GTC_001	GTC Pipelines Ltd	Low pressure gas pipeline	<p>The LP pipeline is in Carlton village.</p> <p>The potential on-road 132kV cable route crosses the pipeline perpendicularly. The indicative on-road 132kV cable route is shown in blue and the GTC pipeline runs perpendicular to this at the junction shown.</p>	
I/S_001	INEOS / SABIC	Ethylene Gas Pipeline	<p>The Ethylene gas pipeline (green) is located on Letch Lane on the approach to Norton Substation from the west.</p> <p>The pipeline runs north to south perpendicular to the road and the potential on-road 132kV cable (blue) which is expected to cross the pipeline.</p>	



Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
NGG_001	National Grid Gas	High pressure gas pipeline	<p>The HP pipeline is located in Area A, South of the Lime Lane/Lodge Lane junction.</p> <p>The pipeline (yellow dash) runs adjacent to the proposed panel area, crossing Lime Lane to the North.</p> <p>DC cable crossings will be required along with temporary road crossings.</p>	
NGG_002	National Grid Gas	Low pressure gas pipeline	<p>The LP pipeline is located in Panel Area E as shown in yellow.</p> <p>There will be one permanent road crossing (brown) to be agreed to access inverter stations. 33kV Cabling (blue) assumed to follow same crossing point.</p> <p>The LP pipeline continues north in the second picture and will need to cross the 33kV cable route (blue).</p>	





Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
NR_001	Network Rail	Railway Bridge	<p>Located at Norton Substation which is to the Northeast of the crossing.</p> <p>The interaction is with the disused railway branch line shown in green in the second picture. The 132kV cable (dark blue) crossing at this point is to be discussed with Network Rail.</p>	
NGN_001	Northern Gas Networks	Intermediate pressure gas pipeline	<p>The IP gas pipeline is shown in Yellow and is Located at Panel Area A.</p> <p>Expected crossings include 3x 33kV cable (blue) crossings and 3x road crossings (brown).</p>	



Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
				
NPG_001	Northern Power Grid	Overhead Line (OHL)	<p>The OHL (blue) runs North to South, located at Panel Area A.</p> <p>It crosses over 4x fence lines (pink) and 1x 33kV cable (blue). PV Modules are designed beneath the OHL.</p> <p>Minimum separation distances from infrastructure to be confirmed in the detailed design.</p>	




Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
NPG_002	Northern Power Grid	OHL	<p>The OHL (blue) runs North to South, located at Panel Area A.</p> <p>Multiple fence lines (pink), 2x 33kV cables (blue) and 1x temporary access road (brown) will cross beneath these OHLs. PV modules are designed beneath the OHLs.</p> <p>Minimum separation distances from infrastructure to be confirmed in the detailed design.</p>	

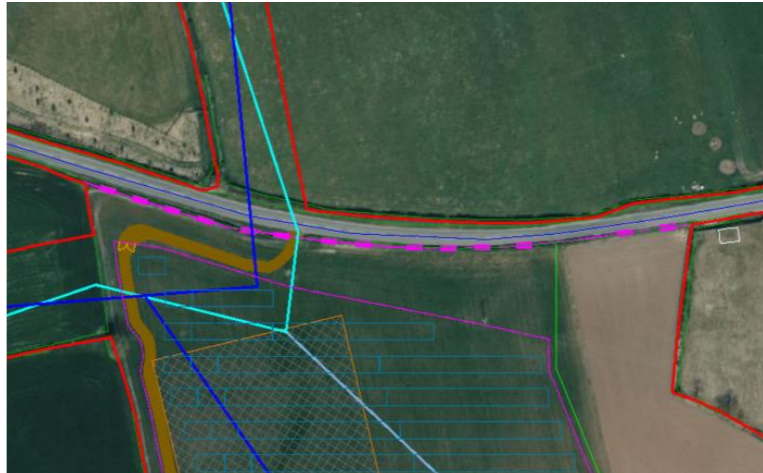


Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
NPG_003	Northern Power Grid	OHL	<p>The OHL (blue) located at Panel Area A runs North to South.</p> <p>Multiple fences (pink), 1x 33kV cable (blue) and 1x temporary road (brown) will cross underneath. PV modules are designed under the OHL.</p> <p>Minimum separation distances from infrastructure to be confirmed in the detailed design.</p>	

Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
NPG_004	Northern Power Grid	OHL	<p>The OHLs (dark blue dash) located at Panel Area B run in a cross from NE to SW and NW to SE.</p> <p>5x fence crossings (pink) are expected with 1x temporary road crossing (brown) and 1x further temporary road in proximity to the OHL.</p> <p>Minimum separation distances from infrastructure to be confirmed in the detailed design.</p>	
NPG_005	Northern Power Grid	OHL	<p>The OHL (dark blue dash) is located at Panel Area B.</p> <p>This OHL is expected to have 2x fences crossing (pink) underneath only.</p>	

Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
NPG_006	Northern Power Grid	OHL	<p>The OHL (dark blue dash) is located at Panel Area C running SW to NE and connecting to the farm in the image.</p> <p>3x fence crossings (pink), 2x 33kV cables (blue & light blue) and 2x permanent road accesses (brown) will cross underneath.</p> <p>Minimum separation distances from infrastructure to be confirmed in the detailed design.</p>	
NPG_007	Northern Power Grid	OHL	<p>The OHL (dark blue dash) is located at Panel Area D running NW to SE.</p> <p>6x fence crossings (pink), 2x 33kv cable crossings (blue) and 1 access road crossing (brown) are expected to cross underneath.</p> <p>Positioning of inverter stations (red) to be considered in relation to minimum separation distances and construction activities in the vicinity.</p>	
NPG_008	Northern Power Grid	OHL	<p>The OHL (dark blue dash) is located at Panel Area E running East to West.</p> <p>Expected crossings include 2x 33kV crossings (blue and light blue) and 1x permanent access road (brown). PV boundary fencing (pink) to be placed outside any easement or maintain minimum clearances.</p>	
NPG_009	Northern Power Grid	OHL	<p>The OHL (dark blue dash) is located at Panel Area F running NW to SE.</p> <p>1x 33kV cable (blue) and 1x permanent access road (brown) will pass underneath the OHL.</p>	

Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
NW_001	Northumbrian Water	Drainage pipe & water mains	<p>The drainage pipe (light blue dash) is located at Panel Area B.</p> <p>The drainage pipe is expected to be outside the redline boundary, so crossings are unlikely.</p> <p>The pipe extends south to cross the 33kV cable route (blue) along Slaters Lane in second image.</p>	
NW_002	Northumbrian Water	Water pipeline	<p>The pipeline (light blue dash) located at Panel Area D.</p> <p>Buffers from assets to be observed. 6x fencing crossings (pink) and DC cable crossings to observe minimum clearances.</p>	

Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
NW_003	Northumbrian Water	Drainage pipe	<p>Drainage pipe (light blue dash) located at Panel Area D.</p> <p>Close to redline boundary so buffers to be considered for placement of perimeter fencing.</p>	
NW_004	Northumbrian Water	Drainage pipe	<p>Drainage pipe (light blue dash) located at Panel Area D.</p> <p>Close to redline boundary so buffers to be considered for placement of perimeter fencing.</p>	
NW_005	Northumbrian Water	Water Pipeline	<p>The pipeline (light blue dash) is located at Panel Area F.</p> <p>There will be 1x 33kV cable crossing (blue), with no other infrastructure in this field. 1x road access (brown) to the eastern PV field also crosses the pipeline at same location.</p> <p>It is assumed the pipeline continues south along the existing road and will not enter the solar PV fields. There is a potential second 33kV cable crossing and access road crossing further south. This is shown in the second picture.</p>	

Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
VM_001	Virgin Media	Telecoms Cables	<p>The Virgin Media telecoms cable (pink dash) is located at Panel Area E.</p> <p>There will be 2x 33kV crossings (blue and light blue) and 1x permanent access road crossing (brown). The PV boundary fencing to maintain a 24.4m easement centred on the pipeline.</p>	
VM_002	Virgin Media & Atkins	Telecoms Cables	<p>The Virgin Media & Atkins telecoms cable (pink dash along red line boundary) is located at Panel Area D.</p> <p>Close to redline boundary so easements to be considered for placement of perimeter fencing.</p>	
Z_001	Zayo	Telecoms Cables	<p>The Zayo cable (pink dash) is located at Panel Area A.</p> <p>2x fencing (pink) and 1z access road (brown) will cross the Zayo asset. No PV modules will be built within the determined easement.</p>	

Asset ID	Statutory undertaker (SU)	Asset/ Crossing Type	Description	Images
Z_002	Zayo	Telecoms Cables	<p>The Zayo cable (pink dash) is located at Panel Area C.</p> <p>3x cable crossings (blue and light blue), 3x fencing (pink) and 2x access roads will cross the Zayo cable. The Zayo cable will run adjacent to access roads and fencing, so minimum distances will be adhered to.</p>	