

The Planning Inspectorate
National Infrastructure Planning Temple Quay House
2 The Square Bristol,
BS1 6PN

10th July 2024

Dear Sir/Madam

Planning Act 2008 – Section 88 and 89 and The Infrastructure Planning (Examination Procedure)

Application by RWE Renewables UK Solar and Storage Limited for an Order Granting Development Consent for the Byers Gill Solar Project.

Written Submission to Preliminary Meeting – Bishopton Villages Action Group (BVAG)

I am writing further to your letter of 25th June setting out the timetable and procedures for the above and inviting written submissions in respect thereof.

This submission is on behalf of the Bishopton Villages Action Group, a registered Interest Party (IP Reference Number 200048675). Members of BVAG are registered to attend the Preliminary Hearing and the points raised in this letter are in addition.

Relevant Representation

BVAG have previously submitted a Written Representation objecting to the Proposed Development (Document RR-548). A submission entitled '*Inadequacy of Public Consultation Report*' was also submitted as part of Darlington Borough Council's Adequacy of Consultation Representation (Document AoC002).

The ExA is asked to confirm if the above Written Representation should be submitted in summary form by Deadline 1 or if this refers only to future submissions. ('Summaries of all RRs exceeding 1500 words').

Government Policy changes

The Examining Authority (ExA) refer to the precedence and importance of the designated National Policy Statements (NPS) for Energy Infrastructure, specifically the Overarching National Policy Statement for Energy (EN-1), National Policy Statement for Renewable Energy Infrastructure (EN-3) and National Policy Statement for Electricity Networks Infrastructure (EN-5) which will apply to this Examination and to decision-making relating to this application, and take precedence over local development plans.

The ExA is requested to comment on the likelihood of changes to the above in the light of the new Government's recent announcements on changes to the planning system and to energy policy at national level. This includes an anticipated revised NPPF, the establishment of GB Energy and new energy policy, and new policies relating to speeding up NSIP procedures.

These recent statements indicate that the direction of change for the new Government is to be reaching Net-Zero emissions earlier than the previous Government target of 2050. The ExA is therefore asked to consider the impact on the Draft Timetable should new or revised National Policy Statements, or other relevant planning policies, be introduced during this time. The impact would of course vary, depending on which stage any new Government policy is introduced.

Initial Assessment of Principal Issues

BVAG welcomes the wide and comprehensive list of issues identified by the ExA as being important to assessing the proposed development.

Having regard to the BVAG Relevant Representations received in respect of the application; and in consideration of other important and relevant matters BVAG would request that three issues which should be added within the above list.

1. United Nations Sustainable Development Goals and Life Cycle Analysis
2. Employment and Job Creation/Local Economic Impact
3. Project Viability

1. UN SDG's and Life Cycle Analysis

National Infrastructure Projects are decided within the framework of the Planning Act 2008. Section 10 of the Act states that:-

10. Sustainable development

(1) This section applies to the Secretary of State's functions under sections 5 and 6.

(2) The Secretary of State must, in exercising those functions, do so with the objective of contributing to the achievement of sustainable development.

(3) For the purposes of subsection (2) the Secretary of State must (in particular) have regard to the desirability of—

(a) mitigating, and adapting to, climate change;

(b) achieving good design.

The ExA already points out that the Examination will look at “ *whether the proposed development complies with national strategy and policy and assists in the delivery of government targets and objectives included in, but not limited to, the 25 Year Environmental Plan (25YEP), the 2023 Environmental Improvement Plan (EIP2023), the Net Zero Strategy and Sixth Carbon Budget (2021)* “.

It is requested that the Examination also looks at the wider Sustainable Development Goals which the UK is committed to through similar UN processes – and in which the UK Government has often led globally. These UN SDGs underpin the planning system and related climate and carbon policy.

Government policy is clear that,

“In 2015, the United Kingdom (UK) played a central role in the formulation and adoption of the 2030 Agenda for Sustainable Development, including the 17 Sustainable Development Goals (the “Goals” also known as the Global Goals).

And that

“ The UK is committed to implementing the Goals and the 2030 Agenda at home and around the world.”

(Ref: HM Government, Voluntary National Review of progress towards the Sustainable Development Goals 2019).

Since the UK Government’s policies with regard to planning, energy, carbon emissions and climate change are underpinned by over arching commitments to sustainable development, BVAG is of the view that examination of the proposed development through the lens of sustainable development would provide an opportunity to examine the social, economic and environmental impacts in full.

Furthermore it therefore follows that a life cycle analysis, tracing supply chains from production of solar panels, raw materials, and significant amounts of infrastructure and materials, through construction and operations to end of life use – especially re-cycling and the many concerns raised about this issue – would provide a better and fuller assessment and decision making, and allow compliance with the above policies to be properly determined. Environmental, Social and Governance issues across supply chains are now standard accounting practices for UK and global firms and allows the wider environmental impact of products and commerce to be understood, and allow choices for consumers, and investors and Governments alike.

2. Employment, Job Creation and Local Economic Impact.

Economic growth underpins much of the justification for the project and is promoted by the applicant to gain support. This includes job creation both during construction and operationally (and one assumes in de-commissioning should this happen). Job creation is linked to local economic impact which can be

either temporary (during construction) or longer term (during operational phase). This issue is vital to explore the impact and benefits of the proposal, as well as risks, and robustness of the estimates made by the applicant. For example, the use of local contractors, sub-contractors, or national firms for labour, supplies and services can vastly affect the economic outcomes and benefits (or losses) to the local communities and region.

On the other hand, there may be job losses through loss of agricultural land, tourism, hotel, and catering, etc which are presently unaccounted for in the proposal. Since solar farms, once operation employ very few people, this 'balance' of job loss and gains is critical. Local permanent jobs losses will impact far greater than a temporary gain of a job and therefore one must explore beyond headline numbers.

3. Project Viability

The BVAG would request that the applicant provides information on the financial viability of the project. This has been previously requested by BVAG but has not been forthcoming. This is important for assessing the project risk mitigation which might occur, and other specific matters such as the proportionality of community benefits offered, de-commissioning and restoration costs being accurate, and operational matters being dealt with appropriately. The applicant relies entirely on BVAG accepting the project is commercially viable and that all these matters are 'in-hand.'

It is common with development proposals to undergo viability assessments to understand the scope for mitigation being realistic, and risk reduction during operations, as well as for assessing community benefits which may be offered. Whilst appreciating the need for commercial confidentiality we would request that some level of viability analysis is provided and examined.

Statement of Common Ground (SoCG)

The ExA have requested that SoCG be prepared between the Applicant and a list of local authorities and statutory undertakers and statutory consultees.

We would respectfully request that the ExA encourage the applicant to seek a SoCG with the BVAG for the same reasons, in order to discuss and try to resolve outstanding matters and explore if matters of dispute can be resolved. It is noted that third party community groups have been parties to SoCG in previous NSIP processes for similar proposals.

(Ref: As an example - SoCG Sunnica Energy Farm Statement of Common Ground with Say No to Sunnica and Newmarket Horsemen signed March 2023, Planning Inspectorate NSIP Library).

Draft Timetable – Annex D Deadline 2

BVAG appreciate the need to ensure a smooth running and timetable around the Examination. It is also useful see that the Local Impact Reports (LIRs) are due early (Deadline 1 August 8th) prior to the deadline for BVAG to submit its Written Representation on the 21st of August.

Given that August is in the holiday period, and that there are only eight working days between the submission of LIR's and the due date for BVAG WR it is requested that this deadline be extended by a week or two. This also provides for the necessary consultation required within the community.

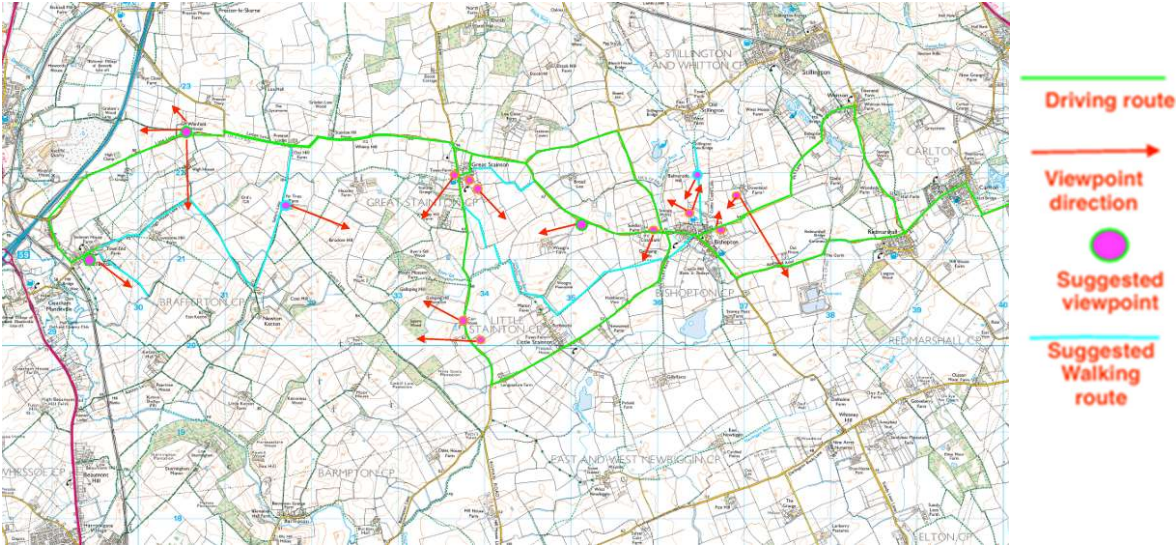
August is a time with many holidays booked, and related family commitments including those involving child responsibilities. The ExA would therefore be respectfully requested to allow submissions further into September by at least two weeks if this is possible.

Suggested locations for site inspections (Accompanied and/or Unaccompanied).

The draft Examination timetable includes a Deadline of 10th July 2024 for Interested Parties to make submissions suggesting sites and locations that the ExA should visit. BVAG therefore suggest the following locations as:-

- Driving routes
- Walking routes
- Suggested viewing point and directions

We can confirm that Bishopton Village Hall can be made available for the Inspectors as a base for site visits, and has parking, toilets, and Wi-Fi access.



A full sized map of above is attached to this letter as **Appendix A.**

Site Visits and Cumulative Impact

In addition, BVAG would request the Inspector's site visit should consider the cumulative impacts alongside the Viewpoints indicated within the Zone of Theoretical Visibility (RWE Environmental Assessment Figure 7.2 Drawing No BGS-ES07-00002).

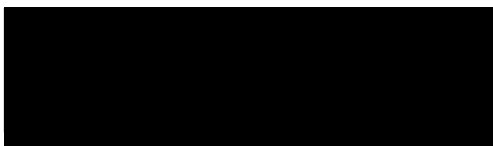
An annotated version of RWE Figure 7.2 is attached as **Appendix B** to this letter. This provides a range of viewpoints across the zone of visibility of the proposed development, alongside the many consented solar and BESS schemes within 4km of Bishopton Village. A table listing all these sites added to Figure 7.2 is attached as **Appendix C**.

A site visit would enable movement between the viewpoints and provide an opportunity to experience the roads (including constraints), footpaths and landscape character as well the impact of cumulative development across the proposed development area.

BVAG is currently finalising our planning, landscape, and visibility assessments, and we shall provide further locations of other viewpoints and view routes in the public realm, and additional private viewpoints at a later date. It is noted that comments are invited on the Applicant's draft itinerary for Accompanied Site Visits by 21st August so we would aim to provide further suggestions by then.

Should you have any queries in respect of the above please do not hesitate to contact me. BVAG representatives will also be present at the Preliminary Meeting on 23rd and 24th of May.

Yours faithfully

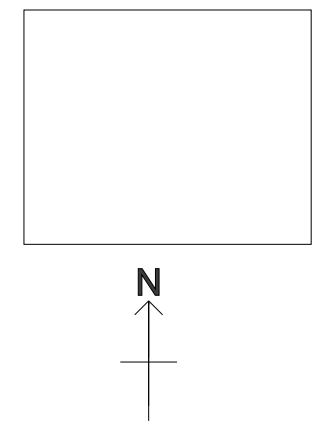
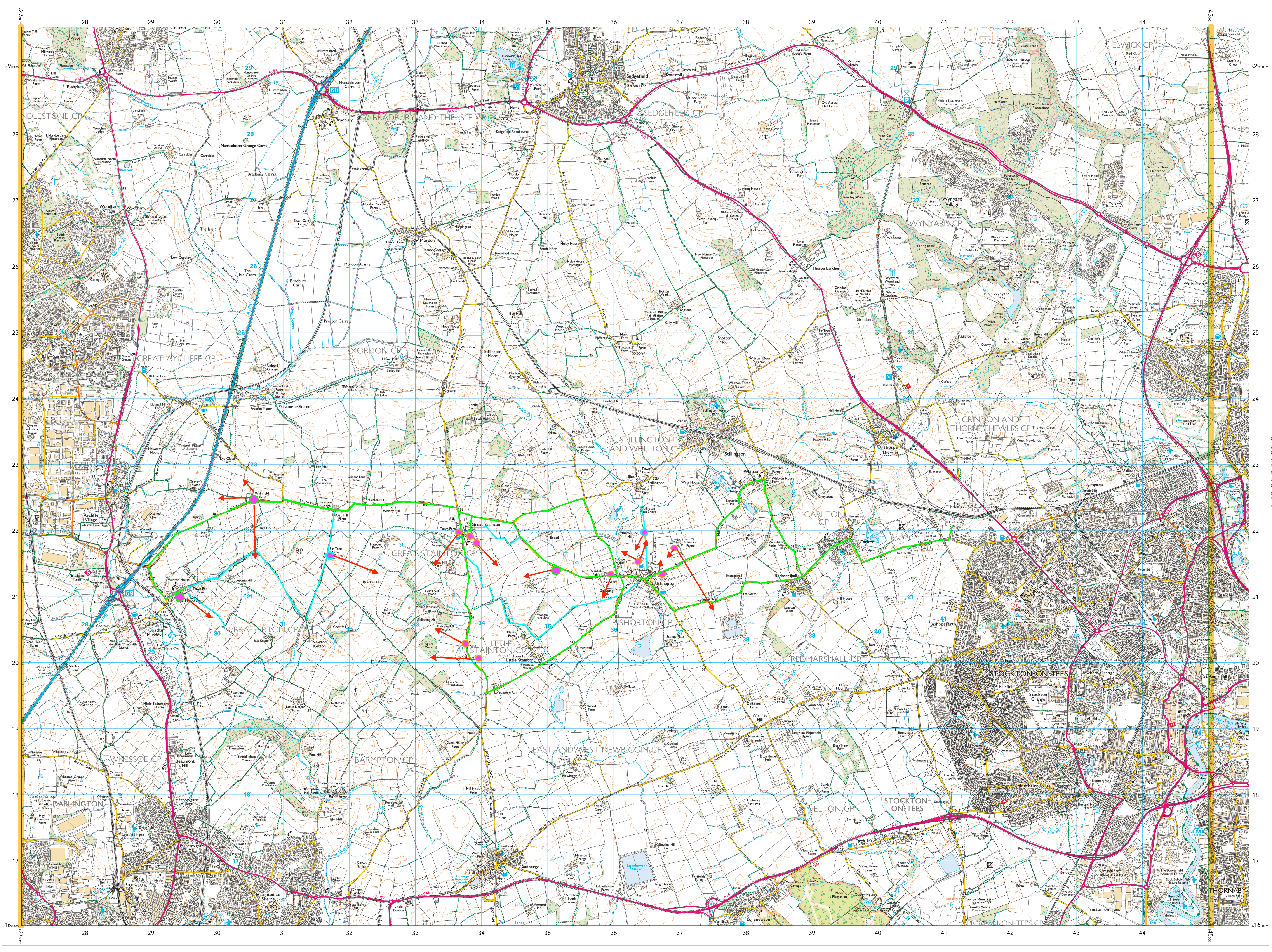


Andy Anderson MRTPI FRGS on behalf of Bishopton Villages Action Group

Email: 

Enc.

- i) **Appendix A** – BVAG suggested Driving and Walking Routes with Viewpoints.
- ii) **Appendix B** – Cumulative Impacts - annotated RWE Zone of Theoretical Visibility (Environmental Statement) Figure 7.2.
- iii) **Appendix C** – Table showing consented and operational solar power generation plants within 4km radius of Bishopton Village.



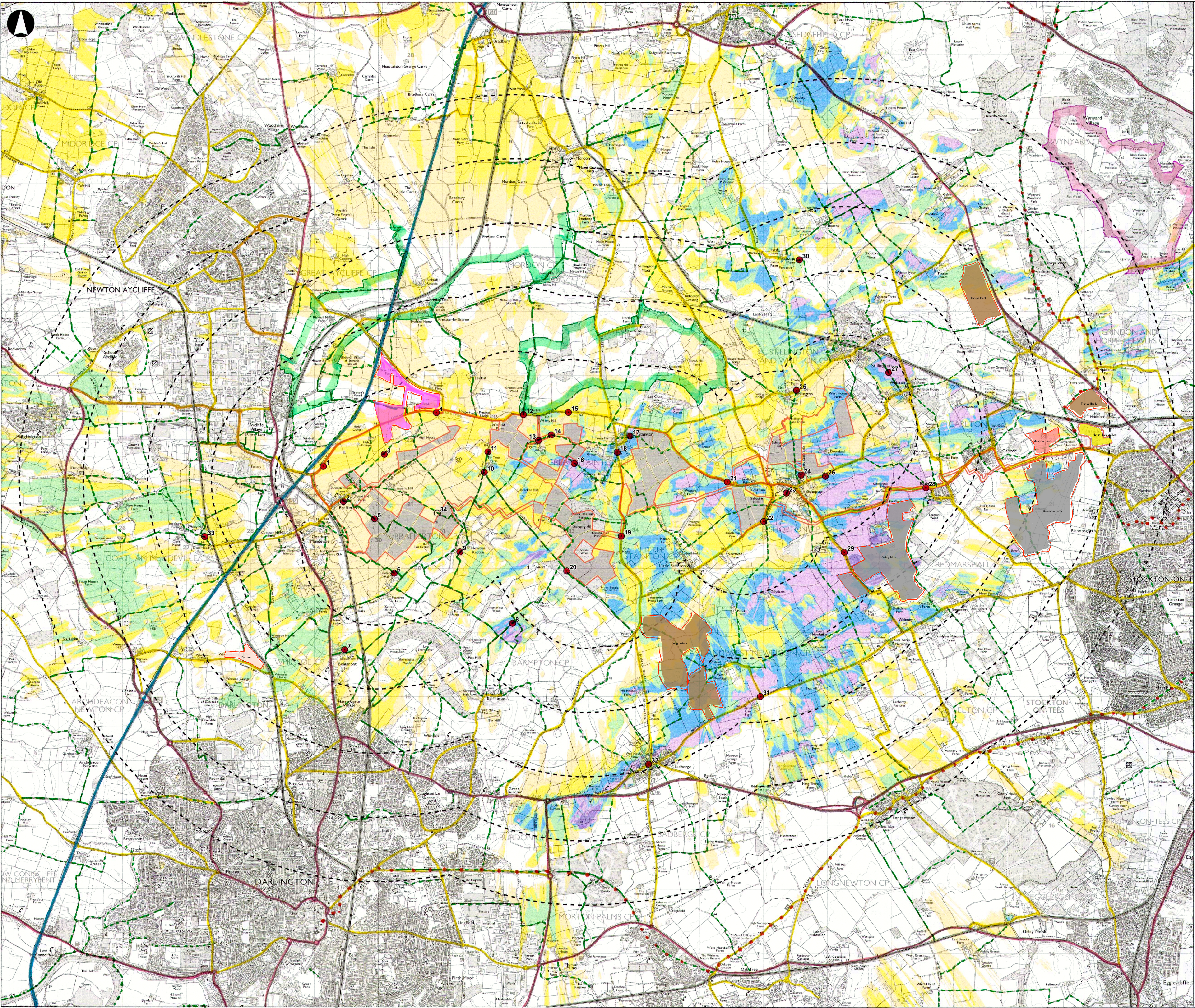
Bishopton Village Hall can be made available which has toilet facilities wifi access etc as a base also some parking

Driving route

Viewpoint direction

Suggested viewpoint

Suggested Walking route



- Legend**
- Site Area
 - Panel Areas
 - Distance Radii from Panel Areas (1, 2, 3, 4, 5km)
 - Viewpoints
- Zone of Theoretical Visibility (3.5m to tops of panels)**
- 1 site may be visible
 - 2 sites may be visible
 - 3 sites may be visible
 - 4 sites may be visible
 - 5 sites may be visible
 - 6 sites may be visible

Figure Data:
 This figure has been based on the following data:
 Layout file: D007-obsv-panels-3_5m-LIDAR5m-5km.shp
 Terrain data: LIDAR-2018-DSM-5m-A-screening.asc; LIDAR-2018-DSM-5m-B-screening.asc; LIDAR-2018-DSM-5m-C-screening.asc; LIDAR-2018-DSM-5m-D-screening.asc; LIDAR-2018-DSM-5m-E-screening.asc; LIDAR-2018-DSM-5m-F-screening.asc
 Viewer's eye height: 2m above ground level
 Calculation grid size: 5m

Notes:
 This drawing is based upon computer generated Zone of Theoretical Visibility (ZTV) studies produced using the Viewshed routine in the Visibility Analysis plugin for QGIS.
 The areas shown are the maximum theoretical visibility, taking into account topography, principal woodlands and buildings.
 A digital surface model (DSM) has been derived from DEFRA LIDAR 2m DTM height data with the locations of woodland and buildings taken from the OS Open Map Local dataset. Buildings have been modelled with an assumed height of 7.5m and woodland an assumed height of 10m, representing a conservative estimate of average heights within the study area.
 The model does not take into account some localised features such as small copses, hedgerows or individual trees and therefore still gives an exaggerated impression of the extent of visibility. The actual extent of visibility on the ground will be less than that suggested by this plan.
 The ZTV includes an adjustment that allows for Earth's curvature and light refraction. It is based on a derived DSM and has a 5m² resolution.

Coordinate System: British National Grid

© Crown copyright, All rights reserved. 2022 License number 100020565 | Contains Ordnance Survey data © Crown copyright and database right 2022



Final	26/01/24	MP	MF	--	--
Rev	Date	By	Chkd	Appd	Authd

Client



Project Name
Byers Gill Solar

Drawing Title
**Figure 7.2
 Zone of Theoretical Visibility Study -
 Panel Areas**

Scale at A1
1:27,500

Role
Client Shared
 Suitability

Environmental Impact Assessment	
Project Number	Rev
286386-00	P01
Drawing Number	
BGS-ES07-00002	

List of all current and pending solar power generation plants within 4km radius of Bishopton Village

	Site Name	Links to Developers	OWNER	Planning Reference Number and link to relevant LPA website page	Planning Reference Number and link to relevant LPA website page	Acres	Status	MW	
1	Byers Gill Solar Generation Plant	JBM/RWE		EN010139		1364	Awaiting application via NSIP portal	180	
2	Long pasture Solar Generation plant	Lightrock		22/01329/FUL		163	Approved Darlington Borough Council	49	
3	Whinfield Solar Generation Plant	Lightrock		21/00958/FUL		150	Approved Darlington Borough Council	33	
4	Gately Moor Solar Generation Plant	Novergy		22/00727/FUL	22/1499/FUL	303	Approved Stockton & Darlington Borough Council JOINT APPLICATION HENCE THE TWO PLANNING REFERENCES	49.9	
5	California Farm Solar Generation Plant	Sirius Energy		22/1511/FUL		215	Approved Darlington Borough Council	49.9	
6	LETCH LANE Solar generation plant	Anesco Ltd		21/2290/FUL		50	Already constructed and operational	10.8	
7	High Meadow Farm Letch Lane	Anesco Ltd		15/1826/FUL		23		10	
8	THORPE BANK Solar generation plant	Light Source BP		20/2131/FUL		96	Approved Stockton Borough Council	30	
9	LOW MIDDLEFIELD FARM Solar generation plant	Light Source BP		20/2692/FUL		54	Approved Stockton Borough Council	10	
10	Hunger Hill Farm	Elgin Energy	GREEN COAT CAPITAL	15/00484/FUL		44.5	Already constructed and operational	5	
	All above within 4 Km radius of Bishopton								
11	Burtree Lane Solar Farm solar generation plant	Aura Power		22/00213/FUL		153	Approved Darlington Borough Council	49.9	
	Total Output							477.5	
	Total Agerage					2615.5			