

**Byers Gill Solar  
EN010139**

# Statement of Common Ground with National Highways

Planning Act 2008

APFP Regulation 5(2)(q)

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

Volume 8

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Revision 1



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# 1. Introduction

## 1.1. Purpose of this document

- 1.1.1. This Statement of Common Ground (SoCG) has been prepared to support the Examination of the Development Consent Order (DCO) application for Byers Gill Solar (the Proposed Development).
- 1.1.2. This SOCG has been prepared jointly by **RWE (the Applicant)** and **National Highways (NH)** in order to clearly identify the current position of the respective parties on specific matters that are, or have been, under discussion. It seeks to confirm to the Examining Authority (ExA) where there are points of agreement between the parties and where agreement has not been reached to date. It therefore aids the ExA in identifying any specific issues that may need to be addressed during the Examination and provides a structure to any further discussions for the parties engaged in the SoCG.
- 1.1.3. This document has been prepared in response to a specific request from the ExA as per the Rule 6 Letter [PD-003] issued on 25 June 2024.

## 1.2. Terminology

- 1.2.1. Section 2 of this document sets out the relevant matters raised through discussion between the parties. It provides a summary of the position of each party and identifies the status of discussions on each matter:
- “Agreed” means that a matter has been resolved between the parties and is not anticipated to be subject to further discussion;
  - “Under discussion” means that a matter remains in active dialogue between the parties and a final position has not been reached;
  - “Not agreed” means that the parties have established a final position that they cannot resolve the matter and will remain a point of difference.
- 1.2.2. In accordance with the request from the ExA in the Rule 6 Letter [PD-003], a **Low**, **Medium** and **High** ‘traffic light’ system is applied to each matter to indicate the likelihood of their resolution during the Examination period.

## 1.3. Status of this document

- 1.3.1. This document is currently in final and signed.

## 2. Current position

2.1.1. The table below provides a summary of the final, signed position of the Applicant and NH.

2.1.2. Appendix A of this document provides a record of engagement undertaken between the parties in relation to the Proposed Development. This is limited to engagement which is materially relevant to the contents of this SoCG and does not seek to include every correspondence between the parties (e.g. that which was primarily administrative).

**Table 1 Current position of matters relevant to the parties' discussions**


Row ID	Topic	NH Position	Applicant Position	Status
NH1	Construction Traffic Management Plan (CTMP)	<p>NH has reviewed several documents relating to the DCO application and has corresponded with the Applicant regarding impacts on the Strategic Road Network (SRN).</p> <p>NH can accept that the impact of the proposals on the SRN can be controlled through an appropriate Detailed CTMP. The existing Outline CTMP requires updates as set out in previous NH responses to Arup, however, it would appear acceptable that these updates could be made once the Principal Contractor has been appointed. It is therefore requested that a requirement is attached to any planning consent granted for the application, in order to ensure that an updated and detailed CTMP is prepared. NH also requested that they are consulted on any updated CTMP at the earliest opportunity.</p>	<p>The Applicant has corresponded with NH and provided responses to comments raised by NH following its review of the DCO documentation.</p> <p>The Applicant agrees with NH that concerns raised can be dealt with through the detailed CTMP which will be produced post consent (if granted) and following the appointment of the contractor.</p> <p>This is already secured via Requirement 6 of the draft DCO, which requires that a detailed CTMP is produced in consultation with the relevant highways authority for the affected highways (e.g. the local highway authority or strategic highway authority).</p> <p>The Applicant supports National Highways being consulted on future iterations of the CTMP.</p>	Agreed
NH2	Decommissioning Traffic Management Plan (DTMP)	<p>The Applicant has committed to producing a Decommissioning Traffic Management Plan (DTMP) and that National Highways will be consulted on this at the appropriate time. This is welcomed and National Highways would wish</p>	<p>The Applicant considers that the production of a DTMP is covered through Schedule 2, Part 1, Requirement 5 of the draft DCO which requires a Decommissioning Environmental Management Plan (DEMP) to be submitted to the Local</p>	Agreed


Row ID	Topic	NH Position	Applicant Position	Status
		to be consulted upon the content of the DTMP at the earliest opportunity.	Planning Authority for approval. The DEMP would be required to include details of traffic management and NH would be consulted by the LPA before approval is granted.	

## A.1 Record of Engagement

Date	Method of engagement	Purpose / Description
05/23 – 6/23	Statutory consultation	NH notified of statutory consultation
2/04/24	Email from NH	NH provided the Applicant with comments on the DCO application.
14/05/24	Email to NH	The Applicant provided a response to NH comments.
28/05/24	Email from NH	NH acknowledged and responded to the information from the Applicant. NH confirmed the position as agreed and reflected in this SOCG.

## A.2 Signing sheet

<b>Signature</b>	
<b>Name</b>	Chris Bell
<b>Position</b>	Planning Manager
<b>On behalf of</b>	National Highways
<b>Date</b>	09/08/2024

<b>Signature</b>	
<b>Name</b>	Michael Baker
<b>Position</b>	Development Project Manager, RWE
<b>On behalf of</b>	RWE
<b>Date</b>	02/08/2024