



RWE Renewables UK Solar and Storage Limited

FAO [REDACTED]
National Infrastructure Planning
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Bristol
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By email only: byersgillsolar@planninginspectorate.gov.uk

29 August 2024

Dear [REDACTED],

**Development Consent for the Byers Gill Solar scheme: EN010139
Applicants submission – Deadline 2 (29 August 2024)**

On 30 July 2024, the Examining Authority (“ExA”) issued a letter under Section 89 of the Planning Act 2008 and Rules 8 and 9 of the Infrastructure Planning (Examination Procedure) Rules 2010 (“the Rule 8 letter”) which confirmed the Examination timetable and procedure relating to the Byers Gill Solar Development Consent Order (DCO) application. The Rule 8 letter set out the submissions required by the ExA to be provided for each Deadline of the Examination.

On 30 July 2024, the ExA also published the Hearing Action Points relating the Preliminary Meeting (PM), Open Floor Hearings (OFH1 and OFH2) and Issue Specific Hearing 1 (ISH1) held in Darlington on 23 and 24 July 2024.

This letter encloses the Applicant’s summary of the submission made at Deadline 2, and provides an update on the progress made in relation to the relevant hearing action points.

Your sincerely,

[REDACTED]

[REDACTED]

DCO Project Manager, Byers Gill Solar

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SUMMARY OF DEADLINE 2 SUBMISSION

Please find below a list of documents which form the RWE (Applicant) submission at Deadline 2 of the Examination of the Byers Gill Solar DCO application:

- Cover letter (this letter)
- Introduction to the Application (Document Reference 1.2 Revision 3)
- Application Document Tracker (Document Reference 1.4, Revision 5)
- Responses to the Examining Authority's First Written Questions (ExQ1) (Document Reference 8.6)
- Comments on Local Impact Reports (Document Reference 8.7)
- Updated draft Development Consent Order (Document Reference 3.1, Revision 2) (tracked change)
- Updated draft Development Consent Order (Document Reference 3.1, Revision 2) (clean)
- Updated Explanatory Memorandum (Document Reference 3.2, Revision 2) (clean)
- Updated Explanatory Memorandum (Document Reference 3.2, Revision 2) (tracked)
- DCO Schedule of Changes (Document Reference 3.3)
- Comments on Deadline 1 Submissions (Document Reference 8.8)
- Energy Generation and Design Evolution Document (Document Reference 8.9)
- Community Benefit Fund (Document Reference 8.10)
- Environmental Statement Errata and Management Plans Proposed Updates (Document Reference 8.11)
- ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1, Revision 3)
- Other Consents and Licenses (Document Reference 7.3, Revision 2)
- ES Figure 2.13 Underground Cable Routes (Document Reference 6.3.2.13, Revision 3)
- Street Works, Rights of Way and Access Plans (Document Reference 2.3, Revision 3)
- ES Figure 8.5 Mitigation Areas and Type (Document Reference 6.3.8.5)
- ES Figure 2.2 General Arrangement Scheme Wide (Document Reference 6.3.2.2, Revision 2)
- ES Figure 2.3 General Arrangement Panel Area A (Document Reference 6.3.2.3, Revision 2)
- ES Figure 2.4 General Arrangement Panel Area B (Document Reference 6.3.2.4, Revision 2)
- ES Figure 2.5 General Arrangement Panel Area C (Document Reference 6.3.2.5, Revision 2)
- ES Figure 2.6 General Arrangement Panel Area D (Document Reference 6.3.2.6, Revision 2)
- ES Figure 2.7 General Arrangement Panel Area E (Document Reference 6.3.2.7, Revision 2)
- ES Figure 2.8 General Arrangement Panel Area F (Document Reference 6.3.2.8, Revision 2)
- Statement of Commonality (Document Reference 8.4, Revision 2)
- Statement of Common Ground with Tees Valley Combined Authority (Document Reference 8.4.4)
- ES Appendix 12.1 Transport Statement (Document Reference 6.4.12.1, Revision 2)

STATEMENTS OF COMMON GROUND

The Rule 8 letter lists a number of Statements of Common Ground (SoCGs) requested by the ExA to be produced jointly by the Applicant and third parties. A number of these SoCGs were provided at Deadline 1 as requested. At this Deadline, one further SoCG is provided as signed, all matters agreed, with Tees Valley Combined Authority (TVCA). Discussions with other parties are ongoing and it is anticipated that further SoCGs, or updates to existing SoCGs, may be submitted at the next Deadline. The accompanying Statement of Commonality (SoC) (Document Reference 8.4, Revision 2) sets out the status of all SoCGs in production and progression made since Deadline 1.

UPDATE ON HEARING ACTION POINTS

To aid the ExA, the Applicant provides an update below on the progress of Hearing Action Points as issued on 30 July 2024 for the Preliminary Meeting [EV2-006] and Issue Specific Hearing 1 (ISH1) [EV3-005]. This provides a further update from that provided in the cover letter at Deadline 1. The Applicant will seek to provide an update on these at each Deadline and will include Action Points arising from any other hearings as they occur. The Action Points listed below relate only to those assigned to the Applicant and do not update on those solely for third parties.

No	Action	Deadline	RWE Update
PM1	Applicant to develop Bishopton Parish Council to progress the SoCG	1	SoCG shared with Bishopton Parish Council and provided in draft at Deadline 1 (Document Reference 8.4.9)
PM2	Confirmation that Applicant is happy to prepare a SoCG with Bishopton Village Association Group (BVAG) and this should be pursued once decision is made by ExA	1	The Applicant confirms it is happy to prepare SoCG with BVAG. A draft document has been progressed and is submitted at Deadline 1 (Document Reference 8.4.8)
ISH8	Provide responses, separate and individually, to each one of the ISH action points 1 to 7 (inclusive)	2	ISH Action Points 1-7 were for third parties to submit questions in writing for the Applicant. These have only been submitted at Deadline 1 in relation to ISH Action Point 2, 7 and 9. These are responded to in Comments on Deadline 1 Submissions (Document Reference 8.8)
ISH (no number)	Applicant to provide further explanation of the principles which have informed the design and layout of the Proposed Development, which should also address: <ul style="list-style-type: none"> - calculations demonstrating the expected generating capacity of the Proposed Development. - an explanation of the previous reduction or removal of panel areas. - the potential to consolidate the maintenance equipment for the Proposed Development to a single onsite location. 	2	This is provided in the Energy Generation and Design Evolution Document (Document Reference 8.9)

No	Action	Deadline	RWE Update
ISH10	Provide further information about the proposed Community Benefit Fund including the Applicant's approach to community consultation and proposals for the administration of the fund in response to action 9	2	This is provided in Community Benefit Fund (Document Reference 8.10)
ISH11	Engage with Northern Powergrid to obtain confirmation of capacity at Norton substation in light of all the solar energy projects in the area and the cumulative effect of this on the substation	2	The Applicant is engaging with Northern Powergrid. An update was provided at Deadline 1 in the Statutory Undertakers Position Statement (Document Reference 7.7, Revision 2)
ISH12	Provide a further written explanation of the Applicant's approach to delivering the on-road cable route without acquiring subsoil interests, to include an explanation of how the proposed DCO powers drafted by the Applicant are consistent with previously granted DCOs	2	This is provided in Responses to the Examining Authority's First Written Questions (ExQ1) (Document Reference 8.6), specifically in the response to question DCO 1.1
ISH13	Submit PowerPoint presentation which was shared with all parties during the ISH1 ad Deadline 1 for comments by all IPs	1	This was provided at Deadline 1, appended to Summary of Applicant's Oral Submissions at ISH1, OFH1 and OFH2 (Document Reference 8.1)