

**Proposed Solar PV Development**

**Byers Gill Solar  
EN010139**

# Statement of Common Ground with Tees Valley Combined Authority

Planning Act 2008

APFP Regulation 5(2)(q)

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

Volume 8

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Revision 2



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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 **Tees Valley Combined Authority (TVCA)** 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 final and signed.
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## 2. Current position

- 2.1.1. The table below provides a summary of the final position of the Applicant and TVCA in relation to specific matters that have been under discussion to date.
- 2.1.2. Where a matter is not represented in the table, it should be assumed that it is either: (i) agreed between the parties and has never required detailed discussion; or, (ii) not relevant to the discussion between the parties.
- 2.1.3. 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	TVCA Position	Applicant Position	Status
TV1	Darlington Northern Link Road	<p>Funding has been allocated by the Tees Valley Combined Authority, from the indicative City Regional Sustainable Transport Strategy 2, for the delivery of a Darlington Northern Link Road. The project will provide a new strategic link better connecting the A66 to the A1(M) and adjoining Major Road Network routes (including A167, A6072 and A68), with the proposed strategic link to be located to the north of the existing urban area of Darlington. Multiple strategic benefits of this proposal are listed in the TVCA Relevant Representation [RR-513]</p> <p>Development work is ongoing assessing options for an alignment, which will inform a recommended option for approval by relevant Authorities, to take forward into land discussions with owners and also a collation of a planning application. Options include those which route, east of the River Skerne, and then connect to the A167 towards/at Junction 59 of the A1(M).</p> <p>Whilst a decision has yet to be taken on a preferred alignment, the location of the proposed Byers Gill Solar could conflict</p>	<p>The Applicant has engaged with TVCA prior to submission of the DCO application to discuss the proposals for the Darlington Northern Link Road and the potential interaction of some alignments with Byers Gill Solar.</p> <p>At meetings held in November and December 2023, the Applicant and TVCA discussed the interaction between the proposals and the Applicant provided an overlaid map of one of the Darlington Northern Link Road options with the proposals for Byers Gill Solar. It is evident that such a route would be likely to impact on land comprising Panel Area A of Byers Gill Solar.</p> <p>The Applicant and TVCA agreed that Byers Gill Solar development proposals are more progressed than that of the Link Road, given that the Link Road does not yet have a formal preferred route. There is no safeguarding direction or equivalent instrument for the purposes of the Link Road.</p> <p>There is no current obligation for Byers Gill Solar to accommodate a potential future Link Road. While there is no</p>	Agreed



Row ID	Topic	TVCA Position	Applicant Position	Status
		<p>with a road alignment which routed via that area. If such a conflict was to occur, this may impact upon the delivery of the strategic benefits.</p> <p>TVCA will keep both the Examining Authority and the Applicant informed of any material developments with regard to the preferred alignment of the Darlington Northern Link Road.</p>	<p>certainty of its route, or that it will be consented, in the event that during the Examination, TVCA notifies the Applicant that the recommended option for approval by relevant Authorities impacts on land comprising Byers Gill Solar, the Applicant agrees to enter discussions with TVCA regarding potential impacts on the operation of the solar farm and regarding any reasonable protections and/or land to avoid prejudice to the delivery of the Darlington Northern Link Road.</p>	

## A.1 Record of Engagement

Date	Method of engagement	Purpose / Description
20/09/23	Email to TVCA	Invitation to TVCA to meet to discuss Byers Gill Solar
21/11/23	Meeting (virtual)	Meeting to discuss Byers Gill Solar and the interaction with a potential Darlington Northern Link Road
27/11/23	Email from TVCA	TVCA provided a shapefile of the Northern Link Road alignment that could impact on Byers Gill Solar
01/12/23	Email to TVCA	RWE shared a drawing of the potential Link Road alignment overlaid on proposals for Byers Gill Solar
01/12/23	Meeting (virtual)	Further discussion of the interaction between Byers Gill Solar and the Northern Link Road

## A.2 Signing sheet

<b>Signature</b>	
<b>Name</b>	
<b>Position</b>	Legal Manager – TVCA Group
<b>On behalf of</b>	Tees Valley Combined Authority
<b>Date</b>	19 August 2024

<b>Signature</b>	
<b>Name</b>	
<b>Position</b>	Development Project Manager
<b>On behalf of</b>	RWE
<b>Date</b>	07/08/2024