

**Byers Gill Solar  
EN010139**

# 8.4.12 Statement of Common Ground with Stillington and Whitton Parish Council

Planning Act 2008

APFP Regulation 5(2)(q)

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

Volume 8

Deadline 3 – September 2024

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 the **Stillington and Whitton Parish Council (SWPC)** 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.

## 2. Current position

- 2.1.1. The table below provides a summary of the current position of the Applicant and SWPC 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	SWPC Position	Applicant Position	Status
SW1	Traffic and transport	The members of Stillington and Whitton Parish Council are concerned that the Byers Gill development will bring a significant number of additional heavy goods vehicles to the area which will add pressure to an already poor highway infrastructure. The roads in and around Stillington and Whitton and the surrounding area are not in very good condition at the moment and this additional traffic will make the existing problems of ruts and potholes worse. The roads are relatively narrow in places and there are serious safety issues caused by the quantity of HGV's that currently pass through the area and the size of these vehicles. There is concern that a development of this scale will make all of these problems worse and this will have a direct negative impact on the quality of life of our residents.	ES Figure 12.1 [APP-099] shows the routing and access points during construction for each panel area. It is not proposed to use roads through Stillington and Whitton for access during construction, with routing for all panel areas to come from the west of the Proposed Development.  The assessment reported in ES Chapter 12 Traffic and Transport [APP-035] concludes that there would be no significant effects arising from the Proposed Development in relation to traffic and transport.  Further details regarding construction traffic management would be developed once a contractor has been appointed and would be contained in a detailed Construction Traffic Management Plan (CTMP). Under the requirements of the DCO, this must be in accordance with the outline CTMP [APP-112] and will undergo consultation with the local highway authority and must be approved by the local planning authority prior to commencing any stage of work. RWE considers that the CTMP provides the secured measures to	Agreed

			prevent and avoid the adverse impacts that SWPC has raised concern over.	
SW2	Traffic and transport	SWPC has queried how the proposed access routes are enforced and whether there are sanctions that would be imposed should they not be followed?	<p>The proposed access routes are shown on ES Figure 12.1 [APP-099] and described in the outline construction traffic management plan (CTMP) [APP-112]. RWE and its contractor will be required to comply with the approved CTMP under the DCO. Part 8 of the Planning Act 2008 defines the regime for enforcement of DCOs and it is an offence to breach the terms of a DCO. The relevant Local Planning Authority are responsible for taking enforcement action against any non-compliances. However, RWE would also have contractual agreements with its contractors which require them to comply with the DCO and this would be actively monitored by RWE.</p> <p>As set out in paragraph 7.2.1 of the outline CTMP [APP-112], there would be a named Community Liaison Officer who would lead a formal forum with the local community and would be the main point of contact for any queries or complaints.</p>	Agreed
SW3	Traffic and transport	SWPC have queried: what times of day will the 45 staff trips be made, and will effort be made to avoid the main access and egress times from Stillington Industrial Estate?	<p>ES Appendix 12.1 Transport Statement APP-159] identifies that staff trips will be mainly made by minibuses, while deliveries of construction materials and plant will mainly be made by HGVs. During the construction phase, it is expected that there would be approximately 45 staff trips per day made by minibuses and an average of 6 HGV deliveries per Panel Area (12 movements).</p> <p>The 45 staff trips are a maximum, in a scenario where the maximum of three panel areas are constructed at once. If it were one panel area being constructed, this number would be anticipated to be 15 trips.</p> <p>The Construction Traffic Management Plan assumes that the construction workers would arrive within the hour prior to starting their shift and within the hour of completing it. The</p>	Agreed

			<p>working hours proposed to be secured in the DCO are 8am -6pm Monday to Friday, and 8am to 1pm on Saturdays (reduced from 2pm on Saturdays, as per latest draft DCO submitted on 29 August 2024). Therefore the staff trips are expected to be between 7-8am and 6-7pm Monday to Friday, and 1-2pm Saturday.</p> <p>It is not known at this stage where the construction staff would be accommodated, as this would be determined in discussion with the contractor once appointed. A requirement for a Travel Plan is secured via the Outline Construction Environmental Management Plan (CEMP), under commitment ID CC7-CEMP.</p> <p>Whilst it is anticipated that they would be more likely to be located to the west in Darlington, and therefore not interacting with the Stillington Industrial Estate, it is agreed that this is currently an unknown. As such, RWE proposes to add a requirement into the outline CTMP [APP-112] which explicitly states that in developing the detailed CTMP and construction worker transportation via the Travel Plan, regard must be had to avoiding the peak access times for Stillington Industrial Estate. This will be updated in the Outline CTMP prior to the end of Examination, currently anticipated to be revised and submitted at Deadline 6 of Examination alongside other proposed changes.</p>	
SW4	Traffic and Transport	<p>In a meeting held on 20 August 2024, SWPC members raised concern regarding the Bleach House Bank crossroads at Stillington, which is an accident black spot, and issues around Lime Lane, as well as ensuring adherence to the speed limits in the area given the constraints and risks of the local road network in the area. SWPC consider that contractors delivering the Proposed Development must be suitably aware and briefed on the risks of the local road network in the Stillington area and have due regard to safety.</p>	<p>RWE acknowledges the concerns regarding specific risks in the local road network as experienced by members of SWPC. RWE would require its contractor to act responsibly at all times and as per the Outline CEMP [APP-110] would have an appointed Health and Safety Manager. However, recognising the concerns raised, RWE will add a specific requirement to the outline CTMP [APP-112] that the contractor must provide traffic safety briefings and information to its staff in relation to the local transport network, such as highlighting specific areas of risk or</p>	Agreed

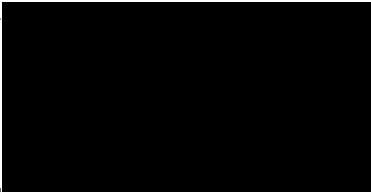
			<p>sensitivity to highway safety. RWE anticipates that such information would also be gathered, prior to commencing construction, from the local community through the forum led by the Community Liaison Officer as set out in paragraph 7.2.1 of the outline CTMP [APP-112], and such information would be proactively shared by the Health and Safety Manager. This will be updated in the Outline CTMP prior to the end of Examination, currently anticipated to be revised and submitted at Deadline 6 of Examination alongside other proposed changes.</p>	
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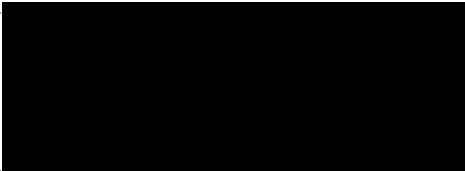
## A.1 Record of Engagement

Date	Method of engagement	Purpose / Description
02/11/2022 - 04/11/2022	Co-design workshops	Some SWPC members attended co-design workshops.
06/04/2023	Project newsletter	Newsletter issued to co-design workshop invitees to provide update on application.
05/2023 – 06/2023	Statutory consultation	SWPC notified of statutory consultation.
03/11/2023	Letter	Letter to outline changes to the design of the Proposed Development and proposed changes to the community benefit fund. Invitation to meet with the Applicant to discuss further.
08/08/2024	SoCG	Draft SoCG submitted at Deadline 1 of Examination.
20/08/2024	Meeting	Meeting to discuss draft SoCG.
02/09/2024	Email	Draft updated SoCG shared by RWE with SWPC for review following meeting on 20 August 2024.
04/09/2024	Email	SWPC confirmed matters in updated SoCG agreed and can progress to final signed version.



## A.2 Signing Sheet

<b>Signature</b>	
<b>Name</b>	Gwynn Dunn
<b>Position</b>	Parish Clerk
<b>On behalf of</b>	Stillington and Whitton Parish Council
<b>Date</b>	13/09/2024

<b>Signature</b>	
<b>Name</b>	Michael Baker
<b>Position</b>	Development Project Manager
<b>On behalf of</b>	RWE
<b>Date</b>	05/09/2024