

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

Agenda for Issue Specific Hearing 2 (ISH2) on Environmental Matters:

Hearing	Date and Time	Location
Issue Specific Hearing 2 (ISH2) on Environmental Matters <ul style="list-style-type: none"> • Principle of the Proposed Development • Historic Environment 	Tuesday 15 October 2024 Registration and seating available at venue from: 09:00 Virtual Registration Process from: 09:30 Event starts: 10.00	Dolphin Centre Horse Market Darlington, DL1 5RP and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered

Agenda

1. Welcome, introductions, arrangements for the Hearing

2. Purpose of the Issue Specific Hearing

The main purpose of the ISH2 is to undertake an oral examination of Environmental Matters in relation to the principle of the Proposed Development, namely: overall generating capacity, energy storage, size, technology, alternatives and site selection; and the Historic Environment, mainly the effects of the proposed development on heritage and archaeology.

3. Generating capacity, size, alternatives, storage and technology

The purpose of this item is to examine issues linked with the Proposed Development's generating capacity, energy storage and the type of photovoltaic technology proposed to be used.

This discussion will be informed by written submissions received up to this point of the Examination, with a particular focus on, but not limited to:

- ES Chapter 2 The Proposed Development [APP-025];
- ES Chapter 3 Alternatives and Design Iteration [APP-026];
- ES Chapter 14 Summary [APP-037];

- ES Figures on General Arrangement Panel Areas (A to F) [REP2-015] to [REP2-021];
- Fig. 2.9 Cross-section of a typical fixed solar panel [APP-047];
- Fig. 2.10 Typical Inverter, Transformer and BESS arrangement [APP-048];
- Fig. 2.11 Typical Access and Supporting Infrastructure Layout [APP-049];
- Location Plan [AS-012];
- Works Plans [AS-013];
- Planning Statement [APP-163];
- Bishopton Parish Council Relevant Representation (RR) [RR-052];
- Bishopton Village Hall Association RR [RR-053];
- Durham Branch of CPRE, The Countryside Charity RR [RR-101];
- Great Stainton Parish Council Meeting RR [RR-199];
- Redmarshall Parish Council RR [RR-436];
- Stillington and Whitton Parish Council RR [RR-497];
- Bishopton Villages Action Group (BVAG) RR [RR-538];
- Applicant's Comments on RRs [REP1-004];
- Darlington Borough Council's Local Impact Report (LIR) [REP1-023];
- Stockton-on-Tees Borough Council LIR [REP1-026];
- RWE's Response to the ExA's ExQ1 [REP2-007];
- Comments on LIRs [REP2-008];
- Comments on any further information/submissions received at D1 [REP2-009];
- Energy Generation and Design Evolution Document [REP2-010];
- Darlington Borough Council's response to ExA's ExQ1 [REP2-031];
- BVAG Written Representation (WR) [REP2-042];
- RWE's comments on D2 Submissions [REP3-004];
- RWE's comments on BVAG WR and REP2-044 [REP3-005].

The ExA will start by asking the Applicant to set out, in broad terms, its response to ExQ1 PPD.1.1 and to set out its approach to delivering the 180MW generating capacity for grid connection as set out in the Energy Generation and Design Evolution Document [REP2-010].

The ExA will explore, in the context of the Proposed Development, the alternatives considered by the Applicant in relation to site selection and design iteration process, as set out in ES Chapter 3 Alternatives and Design Iteration [APP-026] and the Energy Generation and Design Evolution Document [REP2-010].

The ExA will then ask questions in relation to the proposed photovoltaic technology to be used and its efficiency. The ExA will probe further on some of the assumptions underpinning the information included in the Energy Generation and Design Evolution Document [REP2-010], namely levels of irradiance and technology used and how future developments in photovoltaic technology could be incorporated or considered as part of the Proposed Development. The ExA will also ask the Applicant to explain its response to PPD.1.5.

The ExA will then ask questions in relation to overall size and the anticipated ratio of generating output to land area in line with the Applicant's response to ExQ1 PPD.1.3 and PPD.1.4. The ExA will explore how the Proposed Development seeks to

maximise the potential of the site for energy generating purposes. The ExA will then ask the Applicant to explain its response to ExQ1 PPD.1.10 and PPD.1.12.

The ExA will then ask the Applicant questions regarding its connection agreement with Northern Power Grid (NPG) and also in relation to timing and likelihood of connection.

The ExA will explore the proposed battery storage and its overall capacity and how it will function in the context of the Proposed Development and the amount of energy that will be generated. The ExA will also ask further questions of the Applicant in light of their response to ExQ1 PPD.1.9 and PPD.1.11.

The ExA will give the Local Host Authorities (LHAs) an opportunity to comment on any issues raised so far under this point of the Agenda, followed by Statutory Consultees, then Statutory Undertakers and the any other IPs.

4. Historic Environment

The purpose of this item is to examine issues linked with the effects of the proposed development on heritage and archaeology, specifically focused on the effects of the proposed development on Bishopton Conservation Area, scheduled ancient monuments and designated heritage assets located within the village of Bishopton.

This discussion will be informed by written submissions received up to this point of the Examination, with a particular focus on, but not limited to:

- ES Chapter 2 The Proposed Development [APP-025];
- ES Chapter 7 Landscape and Visual [APP-030];
- ES Chapter 8 Cultural Heritage and Archaeology [APP-031];
- ES Chapter 14 Summary [APP-037];
- ES Figure 2.19 Environmental Constraints Plan [APP-057];
- Zone of Theoretical Visibility Study – Panel Areas [APP-064];
- Zone of Theoretical Visibility Study – intensity [APP-065];
- ES Appendix 8.1 Historic Environment Desk-based Assessment (HEDBA) [APP-139] to [APP-145];
- ES Appendix 8.2 Historic Environment Settings Assessment [APP-146];
- ES Appendix 8.3 Detailed Gradiometer Survey Report [APP-147];
- ES Appendix 8.4 Phase 1 Evaluation Trenching Report [APP-148];
- ES Appendix 8.5 Archaeological Management Strategy [APP-149];
- ES Figures on General Arrangement Panel Areas (A to F) [REP2-015] to [REP2-021];
- Location Plan [AS-012];
- Works Plans [AS-013];
- Great Stainton Parish Council Meeting RR [RR-199]
- Bishopton Villages Action Group (BVAG) RR [RR-538];
- Applicant's Comments on RRs [REP1-004];
- Statement of Common Ground with Historic England [REP1-014];
- Bishopton Parish Council Post-Hearing submission [REP1-020];
- Darlington Borough Council's Local Impact Report (LIR) [REP1-023];

- RWE's Response to the ExA's ExQ1 [REP2-007];
- Comments on LIRs [REP2-008];
- Comments on any further information/submissions received at D1 [REP2-009];
- Darlington Borough Council's response to ExA's ExQ1 [REP2-031];
- BVAG Written Representation (WR) [REP2-042];
- Historic England's Response to ExA's ExQ1 [REP2-050];
- RWE's comments on D2 Submissions [REP3-004];
- RWE's comments on BVAG WR and REP2-044 [REP3-005];
- Statement of Commonality Rev.3 [REP3-006].

The ExA will ask the Applicant to provide an overview of Chapter 8 of the ES Cultural Heritage and Archaeology [APP-031] particularly focusing on the assessment methodology, how the Applicant arrived to the identification of potential likely significant effects on cultural and archaeological assets and then any proposed mitigation measures. The ExA will expect the Applicant to justify its position in relation to the identification of harm (significant or not) to any heritage asset, including its setting and the Proposed Development will address this in light of relevant and applicable national planning policy.

The ExA will also ask the Applicant the role of Appendixes 8.1, 8.2 and 8.5.

The ExA will also probe the Applicant further in relation to its response to ExQ1 HEN.1.1, HEN.1.3, HEN.1.5 and HEN.1.10 [REP2-019].

The ExA will give the Local Host Authorities (LHAs) the opportunity to comment, particularly Darlington Borough Council (DBC) and in light of their LIR [REP1-023] and [REP2-031].

The ExA will then ask if the BVAG, in light of their WR [REP2-042] would like to comment. Following this, the ExA will then ask if any further IPs have any questions on the matters raised so far under this agenda item.

The ExA will then want to question the Applicant regarding its approach to scheduled ancient monuments and how potential impacts have been identified and addressed. The ExA will also ask the Applicant to explain further the nature of the works which are proposed to be carried out in close proximity to an existing scheduled ancient monument, including trenching.

The ExA will also want to explore the role of ES Appendix 8.5 Archaeological Management Strategy [APP-149] in managing any archaeological remains that might be, at present, unknown or unidentified.

The ExA will then ask the Applicant to report on any further conversation of dialogue with Historic England (HE), particularly considering its response to ExQ1 HEN1.6 [REP2-050], particularly reference to a final proposed location plan.

The ExA will then ask Historic England to comment (if in attendance).

The ExA will give the Local Host Authorities (LHAs) an opportunity to comment on any issues raised under this point of the Agenda, followed by Statutory Consultees, then Statutory Undertakers and the any other IPs.

5. Review of issues and actions arising

6. Any other business

7. Closure of the Hearing

Attendees

The ExA would find it helpful if the following parties could attend this Hearing:

- the Applicant;
- Darlington Borough Council;
- Bishopton Parish Council;
- Great Stainton Parish Council;
- Redmarshall Parish Council;
- Stillington and Whitton Parish Council;
- Bishopton Villages Action Group (BVAG);
- Historic England;
- Statutory Undertakers;
- IPs who submitted comments on any of the topics proposed to be covered at this Hearing.

All IPs are invited to attend the ISH and make oral representations. However, this is subject to the ExA's power to control the Hearing. Participants may be legally represented if they wish, but the Hearing will be conducted to ensure that legal representation is not required.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the Hearing. The details set out above are indicative and the ExA may find it necessary to include additional Agenda items or to amend the order in which the items are dealt with.

Anyone wishing to attend the Hearing who has not already advised in person, who has not already advised the Case Team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage of the National Infrastructure Planning website](#) closer to the Hearing date. IPs and members of the public who wish to observe the Hearing can therefore view and listen to the Hearing using the livestream, or view and listen to the recording, after it has concluded.

Arrangements Conference

Parties who have registered to attend virtually, and Invitees, will receive an email shortly before the Hearing containing a joining link and telephone number to enable

participation virtually as necessary. Please join the Arrangements Conference promptly. The Case Team will admit you from the virtual Lobby and register your attendance. The Arrangements Conference allows procedures to be explained and will enable the Hearing to start promptly.

Procedure at ISH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. The hearing will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered. If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any hearing, it may be necessary to prioritise matters and defer others to written questions.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Please contact the Case Team if you have any questions regarding the arrangements for the hearing or how to participate:

Email: byersgillsolar@planninginspectorate.gov.uk

Tel: 0303 444 5000