



# Planning Inspectorate

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

### Issue Specific Hearing 5

**Date:** 26 November 2024

**Venue:** Dolphin Centre, Darlington; and MS Teams

### Action Points:

No	Party	Action	Deadline
1	Applicant	Applicant to carry out a thorough review of the dDCO to identify and amend inaccuracies in relation to drafting, particularly in the introduction and Part 1 of the dDCO (including, for example, references to “ <i>distribution / transmission cabling</i> ” in the Works Descriptions, and the introductory reference to a “ <i>single appointed inspector</i> ” and the terms included in the “Part 1 “interpretation”).	Deadline 6
2	Applicant	Applicant to consider amending the dDCO to clarify the distinction between Part 4 (Supplementary Powers) and the reference in Article 28(5)(b) to “ <i>Part 4 – Interpretation</i> ” (which is additional wording to be read into Schedule 2A of the Compulsory Purchase Act 1965).	Deadline 6
3	Applicant	Applicant to consider whether the protective provisions included in Schedule 11 of the dDCO contain protections in respect of the powers contained in Article 29 (Rights under or over streets) and Article 30 (Temporary use of land for carrying out the authorised development).	Deadline 6
4	Applicant	Applicant to review the cross-references to dDCO Schedules within Article 30 (Temporary use of land for carrying out the authorised development).	Deadline 6

No	Party	Action	Deadline
5	Applicant	Applicant to consider whether its use of the terms “associated”, “auxiliary” and “ancillary equipment” within Schedule 1 of the dDCO reflects the works proposed by the Applicant and if their understanding of those terms is consistent with other recently made DCOs and if those terms can be made more specific.	Deadline 6
6	Applicant	Applicant to consider and justify whether Requirement 3(2) of the dDCO should be amended to expressly require the details submitted for approval to accord with the Outline Landscape Environmental Management Plan.	Deadline 6
7	Applicant	Applicant to consider amending Article 12 of the dDCO to provide for the local highway authority to inspect and be satisfied that any streets and footpaths / bridleways which are maintained by and at the expense of the Applicant for a period of 12 months have been maintained to an adoptable standard.	Deadline 6
8	Applicant	Applicant to clarify the Articles to which each Part of Schedule 5 (Public Rights of Way to be Stopped Up) relates.	Deadline 6
9	Applicant	Applicant to re-produce its comments (as submitted at Deadline 5) on the Examining Authority’s Commentary to the dDCO as a standalone document and to update its comments to reflect the actions ISH5-01 to ISH5-08 above. Applicant to note that future dDCO comments need to be submitted as stand alone documents.	Deadline 6
10	Applicant. Darlington Borough Council and Stockton Borough Council	Applicant, Darlington Borough Council (DBC) and Stockton-on-Tees Borough Council (SBC) to discuss and seek to resolve DBC’s concerns with the dDCO and in particular Article 10(4) (which removes DBC’s controls under the NRSWA 1991 to coordinate road works). The parties’ positions are to be recorded in DBC’s Statement of Common Ground.	Deadline 7
11	Applicant	Applicant to re-submit, if applicable, relevant application documents to show the baseline position at Deadline 6 excluding any amendments / updates made in respect of the Change Application, as this has not been accepted by the ExA. Where acceptance of the Change Application would result in changes to the baseline position at Deadline 6,	Deadline 6 and 6b

No	Party	Action	Deadline
		updated application documents showing those changes are to be submitted at Deadline 6b only.	