

**Byers Gill Solar
EN010139**

8.24 Comments on Deadline 5 Submissions

Planning Act 2008

APFP Regulation 5(2)(q)

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

Volume 8

Deadline 6 - December 2024

Revision C01



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1. Introduction

1.1. Purpose of this document

- 1.1.1. This document provides comments from RWE (the Applicant) on submissions made by Interested Parties at Deadline 5 (15 November 2024) of the Examination of Byers Gill Solar (the Proposed Development). The submissions made by third parties at Deadline 5 include comments on Deadline 4 submissions; responses to hearing action points; and, responses to the Examining Authority's second written questions (ExQ2);
- 1.1.2. This document also provides an update on matters discussed at earlier Deadlines, where there has been progression since the submissions made at that time, and where this falls outside of the Statement of Common Ground (SoCG) process.

2. Comments on Deadline 5 Submissions

- 2.1.1. The table below provides the Applicant's comments on submissions made at Deadline 5. This sets out the document that was submitted at Deadline 5, the Interested Party that submitted the document, and a summary of the content that the Applicant wishes to comment on, before providing the Applicant comment.
- 2.1.2. This table also includes a response to the Deadline 4 submission made by Bishopton Villages Action Group (BVAG) which was submitted at Deadline 4 but only published on 26 November 2024 due to a technical error.
- 2.1.3. The Applicant has sought to summarise only the parts of any submission that it wishes to comment on. As such, elements of any submission to which the Applicant has no response are not included in the below table.

Table 2-1 Applicant comments on submissions at Deadline 5 and BVAG Deadline 4 submission

Examination Library Reference	Interested Party	Summary	RWE Response
Deadline 5 submissions			
REP5-034	Darlington Borough Council (DBC)	<p>Provides a response to two Action Points arising from the Compulsory Acquisition Hearing held on 16 October 2024 (CAH1).</p> <p>DBC clarifies the extent of its highway land within the Order Limits, with reference to the plot numbers in the Book of Reference [AS-017], its Schedule of Changes [AS-018] and Land Plans [AS-018].</p> <p>DBC also confirms that it is the highway authority in respect of plots 1/1, 3/1, 3/6, 1/1 and 1/2. It confirms that Durham County Council may also have an interest in plots 1/1 and 1/2. DBC confirm that until such time that the subsoil rights of the above listed plots are conveyed to DBC, National Highways would retain an interest in the plots as landowner.</p>	<p>Addition of the relevant Local Highway Authority in respect of highways within the extents of the Proposed Development is based upon our understanding of public records sourced from the relevant Local Authority. The Applicant can confirm that DBC is listed as highway authority in respect of the list of plots provided, and notes DBC are included as highway authority in respect of several other plots in addition to this, all of which are included in the Book of Reference (Document Reference 4.2, Revision 5).</p> <p>The Applicant's Land Referencing supplier has undertaken searches of local authority adopted highways records (DBC, Durham County Council and Stockton-on-Tees Borough Council) to determine the status of adoption of all roads which fall within the proposed scheme. These searches have</p>

Examination Library Reference	Interested Party	Summary	RWE Response
			<p>concluded that adoption of the highway falling within plots 1/1 and 1/2 solely lie with DBC, however it is noted that small sections of highway within these plots do fall within the administrative boundary of Durham County Council. Since Application, it has been found that Durham County Council did adopt a section of Lodge Lane alongside areas adopted by DBC (plot 2/2). This is updated in the Book of Reference (Document Reference 4.2, Revision 5).</p> <p>It is noted that freehold ownership of 2 plots of highways land located in Brafferton (1/1 and 3/1), are under title of National Highways Limited (NH). These were all listed in the application Book of Reference and subsequent versions, most recently under document reference CR1-009. The Applicant notes a previous representation from NH concerning these plots of land [REP3-015] which confirms both their ownership of these plots and confirming DBC as highway authority. National Highway's freehold ownership of these plots will continue to be included in the Applicant's landownership records until such time that ownership of these plots is passed to the local authority as per the comments made by NH in their representation [REP3-015].</p>
REP5-035	Darlington Borough Council (DBC)	<p>Provides a response to two Action Points arising from the Issue Specific Hearings (ISH2 and ISH3) held on 15 October 2024.</p> <p>In respect of ISH2, there is no information provided in response to the Action Point.</p> <p>In respect of ISH3, DBC confirms its willingness to liaise with the Applicant on the provision of pre-commencement condition surveys.</p>	<p>In respect of the response to the ISH2 Action Point, the Applicant considers this is dealt with in REP5-037 below.</p> <p>In respect of pre-commencement condition surveys as discussed at ISH3, the Applicant confirms that it has now added that commitment to the outline CTMP as submitted at Deadline 5 [REP5-017/18]. The Applicant has highlighted this to DBC via email since Deadline 5 and invited any comment or further discussion.</p>

Examination Library Reference	Interested Party	Summary	RWE Response
REP5-036	Darlington Borough Council (DBC)	Provides a response to two Action Points arising from the Issue Specific Hearing (ISH4) held on 16 October 2024. This is a supplementary report to the Local Impact Report – Landscape and Visual Amenity.	A detailed response to this submission is provided separately in Applicant's comments on Darlington Borough Council ISH4 Action Points submission (Document Reference 8.25).
REP5-037	Darlington Borough Council (DBC)	<p>Provides DBC's response to ExQ2, namely:</p> <ul style="list-style-type: none"> - GCT2.2 - DCO2.6 - HEN2.2 - HEN2.4 - LSV2.4 - TT2.1 	<p>In respect of GCT2.2 and TT2.1, the Applicant has no comments on the DBC response. The Applicant makes the following comments on the DBC response to the remaining questions:</p> <p>DCO 2.6: the Applicant acknowledges the request from DBC to meet to discuss on-road cabling. The Applicant has sought to arrange this meeting.</p> <p>HEN2.2 and HEN2.4: the Applicant acknowledges the position of DBC regarding the use of the term 'negligible effect' in ES Chapter 8 Cultural Heritage and Archaeology [APP-031], which confirms that DBC and the Applicant are in agreement that the approach taken in the Chapter is sufficient to be satisfied that the effects on assets have been appropriately considered and that use of a separate category/terminology would not alter the overall conclusions of the assessment.</p> <p>LSV2.4: the Applicant acknowledges the clarification from DBC regarding height restrictions on roadside hedges, which is helpful. The Applicant considers this response aligns with its own position set out in response to LSV2.4 [REP5-031].</p>
REP5-038	Environment Agency (EA)	The EA provide a response to Deadline 4 documents submitted by the Applicant, namely REP4-004, REP4-013 and REP4-009. The EA also provide and updated Work Package Tracker setting out the progress and current status of matters under discussion between the EA and the Applicant.	The Applicant acknowledges that the EA has confirmed it has no further comments in relation to the Flood Risk Assessment and Drainage Strategy [REP4-004] and highlights to the EA that a further updated version was submitted at Deadline 5 [REP5-

Examination Library Reference	Interested Party	Summary	RWE Response
			<p>019] to reflect minor changes arising from the hearing held on 15 October 2024.</p> <p>The Applicant submitted a suite of updated management plans Deadline 5 which conclude a number of matters under discussion with the EA and as reflected in their Work Package Tracker submitted at Deadline 5. The agreement with the EA on these matters is reflected in an updated SoCG with the EA submitted at Deadline 5 (Document Reference 8.4.6, Revision 2).</p>
REP5-039	Historic England (HE)	HE provide confirmation of their view that the underground cable would not impact on the Scheduled Monument motte and bailey castle at Bishopton.	The Applicant is in agreement with this position.
REP5-040	Historic England (HE)	HE provide a response to relevant questions of ExQ2, namely HEN2.2 and HEN2.3.	The Applicant acknowledges that HE considers the use of the terminology 'negligible effect' in ES Chapter 8 Cultural Heritage and Archaeology [APP-031] to be a standard methodology and which is understood by HE to be 'no impact or a neutral impact'. The Applicant is in agreement with this position and notes that it also aligns with the position of DBC as stated above under REP5-037.
REP5-041	National Highways (NH)	NH provide a response to ExQ2 DCO2.6. This identifies that NH is not the highway authority for any streets referred to in Schedule 4 of the draft DCO, and that NH are content with the position of the Applicant in seeking acquisition of rights only over subsoil required for underground cabling.	The Applicant can confirm that NH are not listed as highway authority in respect of plots where NH holds freehold title of the land, these 2 plots (1/1 and 3/1) at Brafferton both being adopted by the local authority (Darlington Borough Council). We also note a previous submission from NH confirming this [REP3-015] and NH's position in regards to the ownership of the subsoil beneath local road network being passed to the local highway authority in due course.

Examination Library Reference	Interested Party	Summary	RWE Response
REP5-042	Martin Philpott	Mr Philpott provides a comment on the Applicant's document 8.15 'Post Hearing Submissions' [REP4-010], to identify and correct an error.	The Applicant acknowledges and appreciates the clarification from Mr Philpott. Unfortunately, due to the redaction by the PINS Case Team for GDPR purposes, the Applicant is not able to identify the exact nature of the correction, however it is believed to be providing a correction as to the person representing Great Stainton Parish Meeting at the hearing on 16 October. The Applicant acknowledges a potential error in Document 8.15 and accepts the correction from Mr Philpott.
BVAG Deadline 4 submission			
REP4-040	BVAG	It is BVAG's opinion that the responses by RWE at the Hearings continue to provide insufficient information or justification for the proposal at this scale, and of this form. It is hoped that further information will be submitted as part of the applicant's response to the ExA's Action Points listed above, and BVAG shall review and comment on those in due course.	The Applicant acknowledges the view of BVAG. The Applicant considers that it has made all reasonable efforts to provide further information when requested by BVAG, and other parties, during the Examination process and will continue to engage with BVAG on matters of concern. The Applicant's position is that adequate information about the Proposed Development has been submitted as part of its DCO application.
REP4-040	BVAG	BVAG continue to work with the applicant through a Statement of Common Ground approach, and welcomes the support provided by the Examining Authority in its engagement with the process.	The Applicant continues to engage with BVAG on an SoCG. The latest position is reflected in the Statement of Commonality (SoC) submitted at Deadline 6 (Document Reference 8.4 Revision 6).
REP4-040	BVAG	At the ISH as well as in ExAQ1 the applicants were asked to provide information on alternatives considered to the proposed scheme. Alternative scenarios should be reasonable and should include location, character, design and fundamental principles. The scale of the proposal should be proportionate to the alternatives examined. BVAG consider the scale of the proposal warrants a full and proper examination of the alternatives. As well as justifying the proposal, all alternatives	The Applicant has set out in previous submissions how it has considered alternatives, including in siting of the Proposed Development and in considering design alternatives such as layout and technology type. This includes: <ul style="list-style-type: none"> ▪ ES Chapter 3 Alternatives and Design Iteration [APP-026] ▪ Section 2.4 of Comments on Relevant Representations [REP1-004]

Examination Library Reference	Interested Party	Summary	RWE Response
		<p>which can achieve the same benefits with less adverse and harmful impacts must be explored to comply with legal requirements. For example, BVAG would question whether the applicant has applied best practise or even Government policy to reduce land take, and attempted to look at more innovative and exemplary schemes such as agrivoltaics solutions, or best technology to reduce land take, and impact on farming and the communities which BVAG represent. BVAG consider the proposal is grid led, and does not explore real alternatives in location, size, character or technology.</p>	<ul style="list-style-type: none"> ▪ Energy Generation and Design Evolution Document [REP2-010] <p>The matter was also discussed at Issue Specific Hearing 1 (ISH1) on 24 July 2024, as summarised in REP1-004, and at Issue Specific Hearing 2 (ISH2) on 15 October 2024, as summarised in REP4-010.</p>
REP4-040	BVAG	<p>At the hearing BVAG raised the issue of alternatives bearing in mind</p> <ol style="list-style-type: none"> 1. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, Schedule 4 “ (2). A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.” And 2. National Policy Statement for Renewable Energy Infrastructure (EN-3) Paras 2.10.10 and 2.10.11 “The Powering Up Britain: Energy Security Plan states that government seeks large scale ground-mount solar deployment across the UK, looking for development mainly on brownfield, industrial and low and medium grade agricultural land. It sets out that solar and farming can be complementary, supporting each other financially, environmentally and through shared use of land, and encourages deployment of solar technology that delivers 	<p>As per its previous submissions on this matter, and as discussed at the hearings identified above, the Applicant’s position is that its consideration of alternatives is compliant with the relevant regulations such as the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) and policy, including the relevant National Policy Statements (NPSs). This is set out in further detail in the Planning Statement [APP-163] and the Policy Compliance Document [APP-164].</p> <p>Regarding agrivoltaics, the Applicant has set out in ES Chapter 9 Land Use and Socioeconomics [APP-032] that there is potential for sheep grazing under the panel areas, however, the decision to graze sheep is ultimately up to the landowner. Specifically regarding agrivoltaics, while this is a concept that is being considered for solar projects in Europe and elsewhere, it is not yet commercially viable in the UK. Whilst the Applicant will seek to facilitate agrivoltaics in the event any landowner wishes to explore that as an option, the uncertainty in whether those arrangements would arise mean that the benefits of such</p>

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		<p>environmental benefits, with consideration for ongoing food production or environmental improvement.”</p> <p>And bearing in mind further RWE’s own website and statements re solar and agriculture, “ Agriculture worldwide is facing the challenge of adapting to the requirements of a more sustainable food production. At the same time, the production of renewable energy is becoming increasingly important in order to mitigate climate change and drive forward the energy transition. This requires a large amount of land, including agricultural land. Agrivoltaics (Agri-PV) is an innovative solution that combines these objectives.</p> <p>Agri-PV plants are solar systems that are installed on agricultural land. They combine the production of clean solar energy with agriculture and thus create a sustainable symbiosis.”</p>	<p>arrangements have <u>not</u> been relied on by the Applicant in its assessments.</p>
<p>REP4-040</p>	<p>BVAG</p>	<p>The applicant indicated an overplanting at a ratio of 1.6 which BVAG do not consider justified to meet the industry norms or Government guidance on overplanting to provide for normal solar PV degradation of panel efficiency over time.</p> <p>The guidance does not justify an over planting of 1.6 and taking both this into account, as well as future technology BVAG is of the opinion that a considerably reduced site could provide the same output, with far less adverse impacts and harm.</p> <p>At the ISH2 the applicant confirmed that the proposal has been designed to generate 288 MW peak DC and the quoted output for 180 MW is AC.</p> <p>BVAG would request that all information provided by RWE on over-planting and the estimated number of solar panels, and</p>	<p>The Applicant refers BVAG to the further information on over-planting, as discussed as ISH2, provides at Deadline 5 in the Response to Hearing Action Points [REP5-032]. This provides further justification on the use of 1.6 as a ratio for overplanting and confirms that this ratio is necessary to optimise use of the grid connection. The Applicant has sought to act transparently and share information wherever possible without compromising commercial confidentiality. No evidence referred to in that submission and supporting the evidence for overplanting has been held back or marked commercially confidential.</p> <p>The Applicant has provided further information regarding overplanting in Post-hearing submissions including written</p>

Examination Library Reference	Interested Party	Summary	RWE Response
		specifications of those (source, type, model etc) are provided to all parties and not declared commercially confidential.	submissions of oral cases as heard at ISH5, OFH3, OFH4, ISH6 and ISH7 (Document Reference 8.26).
REP4-040	BVAG	<p>BVAG questioned the applicant's assessment of travel to work assessments during the construction phase. The rural location results in car dependency and there are no options for other modes of travel as encouraged by planning policy such as walking, cycling and public transport.</p> <p>The ExA's detailed questions on the applicant's travel and traffic management proposals were welcomed, BVAG's opinion based on experience and local roads and transport patterns is that the construction travel plans are inadequate.</p> <p>The CTMP should state where the proposed construction could impact on local businesses perhaps causing them to close, if such have been identified.</p>	<p>The Applicant acknowledges the ongoing concern of BVAG relating to transport and traffic. The assessment reported in ES Chapter 12 Traffic and Transport [APP-035] concludes that during the construction phase there would be no significant effects arising from the Proposed Development in relation to traffic and transport. The Outline Construction Traffic Management Plan (oCTMP) [REP5-016] would ensure that access to local businesses is retained through implementation of appropriate traffic management measures; final details in relation to programme, phasing and the specific measures to be implemented would be agreed with the Local Highway Authority and approved under Requirement 6 of the DCO prior to commencement of development.</p>
REP4-040	BVAG	<p>The Applicant stated that construction workers would use 'shared transport' from a site compound to the work site.</p> <p>Based on a working day 8.00 -1800 hrs approx. 100 construction workers would gather at a site compound to be transported to the work site.</p> <p>They stated that transporting the workers would take 1hr and would involve 15 trips, based upon the 'shared transport' being a 7-seater vehicle.</p> <p>At the end of the day it would take 1 hr to transport the construction workers back to the compound, meaning a 12-</p>	<p>The Applicant considers that BVAG has not properly understood the proposals regarding shared transport and therefore provides the following clarification. ES Chapter 11 Traffic and Transport [APP-035] states at paragraph 12.10.13:</p> <p><i>It is expected that three Panel Areas will be constructed at any given time during the construction phase of the Proposed Development, and that each Panel Area could require up to 100 employees (300 on site at any one time). Based on similar sites constructed elsewhere, and as outlined in the measures within the outline CTMP (Document Reference 6.4.2.8) that aim to consolidate worker trips where possible, employees are expected to travel to the site in teams of 7. This is forecast to result in approximately 15 car/LGV trips to each site (30 two-way</i></p>

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		<p>hour day for the workers 'on-site' excluding their own transport to the site compound.</p> <p>Following the stated logic, it suggests that the Applicant's TMP is based upon 1nr shuttle bus, on a 4min round trip (based upon 15 trips/hr) – this would be to load 7nr workers, transport to worksite, decant the workers, return to the site compound.</p> <p>Shared transport on construction sites is notoriously difficult to establish effectively. Expecting construction workers to wait for up to 2hrs/day to get from the site compound to their place of work is unrealistic.</p> <p>If some workers choose to use their own transport to get to the work site this could potentially result in up to 100 vehicles parked in rural lanes, etc.</p> <p>At the Hearing, the Applicant dismissed this would be the case when questioned, stating that a 'fleet' of shuttle buses would be used.</p> <p>The comparable sites on which the travel to work patterns are based need explanation to understand if the Transport Management Plan is adequate.</p>	<p><i>movements). Across three sites, the employee trips could generate 45 car tips (90 two-way movements).</i></p> <p>As such, it is not the case that there is 1no vehicle transporting all workers. Rather, there would be a fleet of vehicles transporting up to 100 workers, with up to 7 workers per vehicle. This creates 15 trips (30 two-way movements). As such, the BVAG comment relating to workers waiting for transport is not correct, and nor is the timing of the journey. It is currently not known exactly where the workers will be travelling from and no timing is assumed on the journey as part of the assessment; it is a calculation of the number of trips only.</p> <p>The use of this form of transport is secured via the oCTMP [REP5-016] and would be required to be implemented under the DCO.</p> <p>Given the rural nature, the oCTMP sets out requirements for shared transport to minimise private car trips to the site. The detailed measures for the travel arrangements for the construction workforce and parking provision will be agreed through the updated CTMP which, as secured via Requirement 6 of the draft DCO, will be produced following appointment of the Principal Contractor (PC).</p>
REP4-040	BVAG	<p>BVAG pointed out that the proposal was equivalent to some ten times for the size of a typical UK solar farm.</p> <p>RWE responded to this assertion at the ISH quoting the MW output whereas BVAG referred to the size in hectares.</p> <p>BVAG would like to clarify the source.</p>	<p>The Applicant refers BVAG to the further information provided at Deadline 5 in the Response to Hearing Action Points [REP5-032] on this matter. As stated in response to Hearing Action Point ISH2-02, the Applicant stated:</p> <p><i>Based on the current design, the Proposed Development would require 505,386 individual panels. Footnote 92 of NPS EN-3 states</i></p>

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REP4-040	BVAG	<p>ENS-3 on Renewable Energy Policy confirms:-</p> <p>“A typical 50MW solar farm will consist of around 100,000 to 150,000 panels and cover between 125 to 200 acres. However, this will vary significantly depending on the site, with some being larger and some being smaller. This is also expected to change over time as the technology continues to evolve to become more efficient.”</p> <p>The Byers Gill DCO area is 1,211 acres. This is thus 9.6 times greater than the lower end of the range. Since this refers to 50MW farms there are many below this range. It would therefore be reasonable to quote Byers Gill as being ten times the area of many existing solar farms in the UK.</p> <p>The UK Government’s Renewable Energy Planning Database: quarterly extract (July 2024) indicates that Byers Gill is greater than ten times the size of many solar farms in terms of installed capacity. The Database does not currently provide information on area sizes.</p>	<p><i>that a typical 50MW solar farm should require 100,000 – 150,000 panels; it has been assumed this is referring to AC capacity of the project though this is not confirmed in the policy. 150,000 panels for a 50MW solar farm equals 3000 panels per megawatt. For the Proposed Development in the current design this would equal 2,807 panels per megawatt.</i></p> <p>The Applicant has been more accurately referring to the area within the fence line of the solar panels which is 739 acres when assessing the MW output. 739 acres is 3.6 times greater than 200 acres, which equates to the amount that 180 MW is greater than 50 MW.</p> <p>The Applicant considers therefore that the Proposed Development is typical as per the description in NPS EN-3.</p>
REP4-040	BVAG	<p>There remain differences of opinion between BVAG’s own landscape and visual impact analysis and the applicants. There is agreement of adverse impacts in terms of landscape and visual impact, and disagreement thereafter on the adequacy of proposed mitigation measures. It is understood that the applicant will work with BVAG to incorporate Landscaping matters into the Statement of Common Ground (SoCG) as soon as possible to enable these issues to be progressed, and potential improvements to mitigation and to influence or modify the scheme at detailed design stages should the DCO be consented. (ISH4 Action Point refers).</p>	<p>In addition to the existing SoCG with BVAG, [REP1-017]a separate landscape-focused SoCG is under discussion with the BVAG landscape consultant. This position is reflected in the Statement of Commonality (SoC) submitted at Deadline 6 (Document Reference 8.4 Revision 6).</p>

Examination Library Reference	Interested Party	Summary	RWE Response
REP4-040	BVAG	<p>BVAG were present during the Accompanied Site Inspection (ASI). During the ASI it was noted by the ExA that there were important omissions and discrepancies between the situation of the ground, and the applicant's Landscape and Visual Impact Assessment.</p> <p>These include, amongst others an absence of assessment of</p> <ul style="list-style-type: none"> ▪ The complete omission of an affected local residence subjected to significant visual impact (May Tree Farm). ▪ Setting of Bishopton Motte and Bailey ▪ Salters Lane and ancient drovers road <p>BVAG would therefore expect additional assessments to be undertaken as a result of issues raised during the ASI.</p>	<p>The Applicant did not hear the ExA raise these issues during its participation in the ASI and it would have been inappropriate for the ExA to have done so at the ASI in the terms outlined by BVAG. In terms of May Tree House, this is a recent development that has come forward since Byers Gill Solar has been assessed. The setting of Bishopton Motte and Bailey is included in the environmental assessment. There is a viewpoint supporting the LVIA on Salters Lane.</p>
REP4-040	BVAG	<p>BVAG raised the lack of Geophysical Surveys undertaken around the Bishopton Motte and Bailey. The response by the applicant is considered inadequate and does not address why several areas were part of a Geophysical survey for archaeological assessment yet the Motte and Bailey – a Scheduled Monument and the highest grade heritage asset within the DCO area - was excluded.</p> <p>BVAG consider that Historic England's comments on settings relate to above ground assets. The Scheduled Monument which is an 11th century fortress has obvious potential underground assets. It was in fact one of a handful of Motte and Bailey's within the UK studied for potential earlier origins. The proposed construction of a major infrastructure cable immediately adjacent has the potential to harm underground assets. No reasonable explanation was given for its exclusion in the archaeological geophysical survey, and BVAG consider this</p>	<p>The Applicant considers this matter was discussed and answered sufficiently as ISH2 and refers to the summary on page 23 of REP4-010, which confirms the surveys were not undertaken at this location as it is a potential cable route and not a panel area. The provision of further archaeological investigation in this location prior to commencement is secured via Requirement 17 of the draft DCO. The Applicant notes the comments of BVAG regarding Historic England, the national statutory advisor for the historic environment.</p> <p>The Applicant and Historic England are in agreement regarding the assessment of the effects of the Proposed Development on the Scheduled Monument, as set out in the signed SoCG between the parties (Document Reference 8.4.5, Revision 2).</p>

Examination Library Reference	Interested Party	Summary	RWE Response
		<p>should be remedied before consent is granted. A post consent precautionary approach as proposed by the applicant at the Hearing is inadequate for such a high grade asset of this nature.</p> <p>BVAG are undertaking further research into this site and will be reporting in due course.</p>	

3. Update on Matters Raised at Earlier Deadlines

3.1. Introduction

- 3.1.1. This section provides an update on matters raised in submissions at earlier Deadlines, including where the Applicant has committed to providing further information or clarification.

3.2. Response to ExQ2 [REP5-031]

- 3.2.1. The Applicant provides an update on its position in respect of the following questions asked at ExQ2:

LSV 2.7 and LSV 2.9

- 3.2.2. In its response to LSV 2.7 and LSV 2.9, the Applicant committed to providing cross-sections of planting proposals at Great Stainton and of Carr House respectively. These are provided at this Deadline, in Appendix A1 of this document.

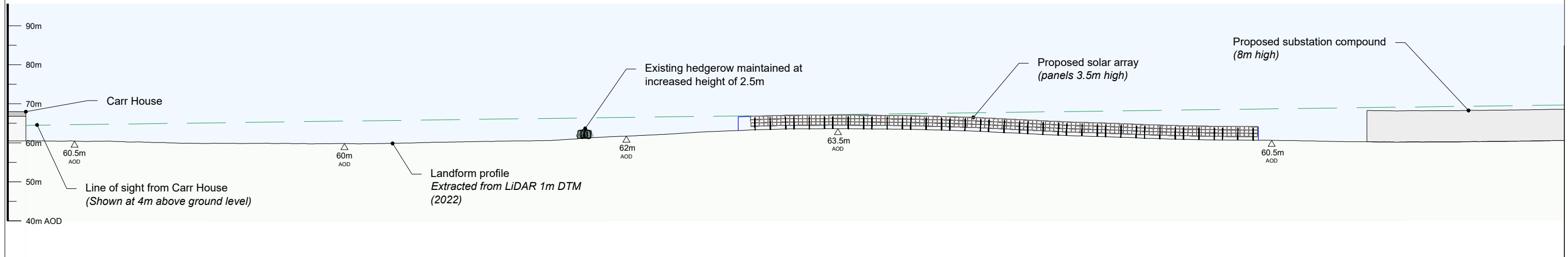
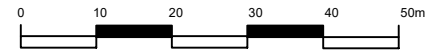
CA 2.1

- 3.2.3. In its response to CA 2.1, the Applicant committed to provide an update at Deadline 6 on its investigation into potential Crown Land at plot 12/30.
- 3.2.4. Land adjacent to a section of plot 12/30 (outside of the Order Limits) is registered to a liquidated business that is assumed to have a subsoil interest (half width of the highway) in part of plot 12/30. The Applicant previously identified this company was dissolved and therefore has written to the Government Legal Department (Companies Bona Vacantia Division) (GLD) to advise and recommend with the Treasury Solicitor if there is a Crown interest in the adjacent land. Engagement with the GLD has since confirmed this company to still be in the process of liquidation and therefore there is outside the jurisdiction of the Treasury Solicitor at this stage. Based upon the above, there is no longer considered to be any potential Crown interest in this plot. The Applicant is currently in the process of attempting to contact the liquidators to ascertain the correct contact and address for this company. We are expecting confirmation shortly and subsequently provide an update to the address of this interest in the Book of Reference at Deadline 6 (Document Reference 4.2, Revision 5). A commentary is also noted in the accompanying Schedule of Changes to the Book of Reference (Document Reference 4.4, Revision 4).

A.1 Cross-Sections relating to ExQ2 LSV 2.7 and 2.9

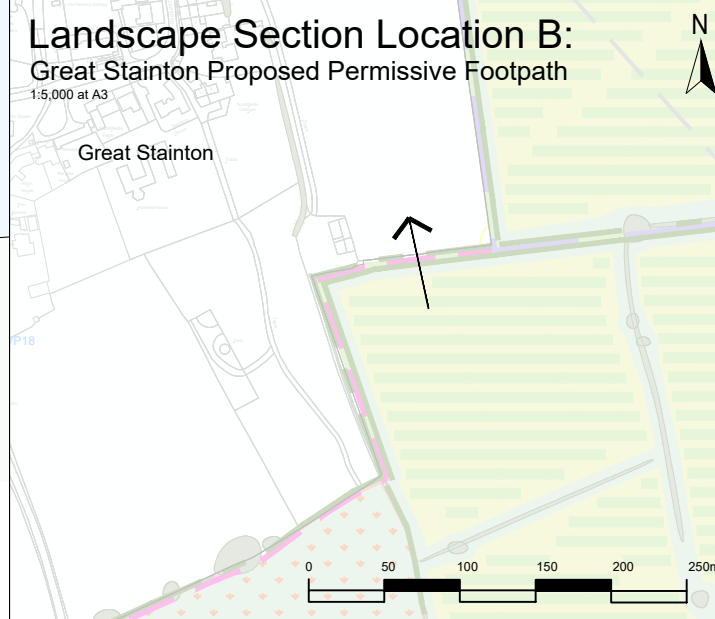
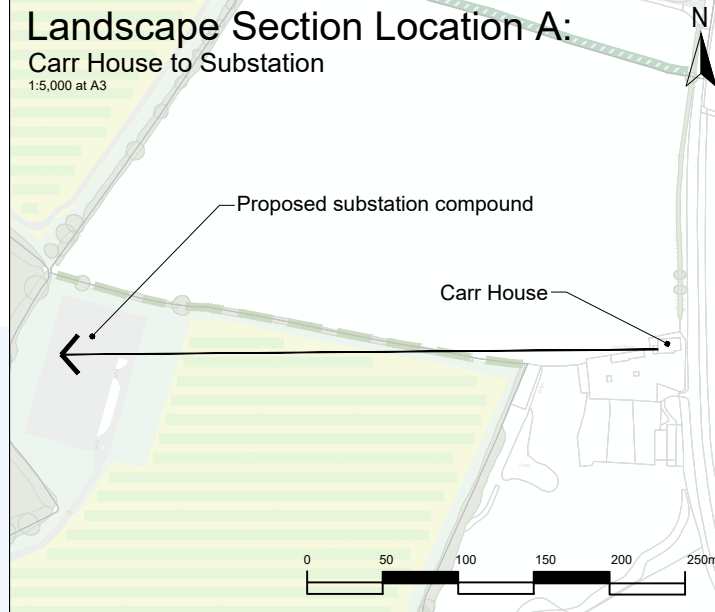
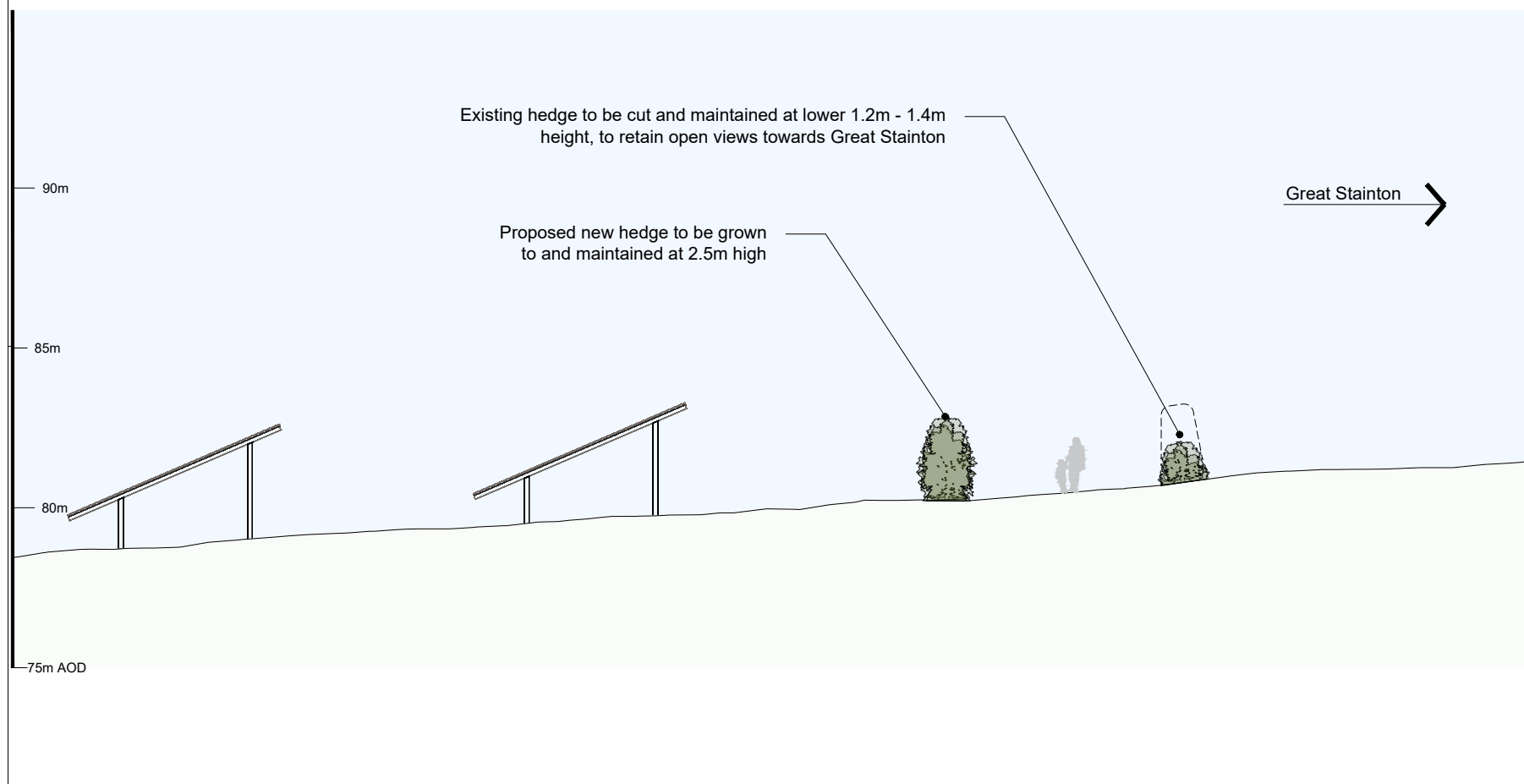
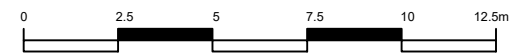
Landscape Section A: Carr House to Substation

1:1,000 at A3



Landscape Section B: Great Stainton Proposed Permissive Footpath

1:200 at A3



Rev	Date	By	Chkd	Appd	Authd
00	12/24	JG	DL	DL	-

NOTES

- All details are indicative only.
- Dimensions are in metres unless stated otherwise.
- Refer to HSE document "Avoiding danger from overhead power lines - Guidance Note GS6" to ensure safe operation of machinery in proximity to overhead power lines.
- CCTV positions are only indicative.



DETAILS

TITLE	Illustrative Landscape Sections
LOCATION	Byers Gill Solar
DATE	5 December 2024
CONTRIBUTION	N/A
REVISION	-

NOTE: Drawings are for planning purposes only not for construction.

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