

**EAST RIDING OF YORKSHIRE COUNCIL
Local Impact Report**

Application for Order Granting Development Consent for the Dogger Bank South Offshore Wind Farms which includes Onshore Cable Routes to New Converter Stations and Onward Cable Route to Proposed Birkhill Wood National Grid Substation.

LPA reference Number 24/01427/NSIP

December 2024

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Application for a Development Consent Order for the Dogger Bank South Offshore Wind Farms which includes Onshore Cable Routes to New Converter Stations and Onward Cable Route to Proposed Birkhill Wood National Grid Sub-station.

By RWE Renewables UK Dogger Bank South (West) Limited

Application Number: 24/01427/NSIP

1. RECOMMENDATION

1.1 The Local Impact Report was presented to Planning Committee on 7th November 2024 where it was resolved to agree the contents and recommendations set out in the Local Impact Report subject to the additional points raised by Members of the Planning Committee as set out in appendix 1.

2. INTRODUCTION

2.1 This report has been prepared by East Riding of Yorkshire Council in accordance with the advice and requirements set out in the Planning Act 2008 and Advice Note One: Local Impact Reports. It represents the Council's Local Impact Report (LIR) on the proposal. A LIR as defined in Section 60(3) of the 2008 Act is a 'report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)'. The content of the LIR is a matter for the Local Authority concerned as long as it falls within the statutory definition. The Council should cover any topics they consider relevant to the impact of the proposed development on their area and should draw on existing local knowledge and experience.

2.2 The Local Authority's views on the Development Consent Order articles, requirements and obligations are considered, including views on specific mitigation or compensation measures. The Local Planning Authority will be responsible for discharge of the requirements therefore comments are also made on the requirements as set out in Schedule 2 of the Development Consent Order. The report gathers together the views of a number of internal departments who have been consulted on the application. These are:

- Nature Conservation
- Trees and Landscaping
- Building Conservation and Heritage
- Public Rights of Way
- Lead Local Flood Authority and Land Drainage
- Highways
- Public Protection
- Archaeology

3. SITE DESCRIPTION AND OVERVIEW OF THE SCHEME

3.1 The main elements of the onshore proposals are:

Landfall east of Skipsea.

- Offshore Export Cables would make landfall to the east of Skipsea where they would be connected to Onshore Export Cables in Transition Joint Bays (TJBs). The cables would be ducted to approximately 20m depth. Three cable ducts would be required if one windfarm is built, six if both.
- A temporary construction compound and a satellite construction compound would be built onshore, sited inland sufficient distance to avoid coastal erosion. Exact locations are to be determined, set within an identified "Landfall Zone" to the east of Skipsea and north of Hornsea Road.
- Within the temporary construction compound would be drilling rigs and ducting;
- The satellite construction compound would house site welfare facilities;
- Transition Joint Bays are sited in pits lined with concrete which are covered and the land re-instated once cabling is installed. There would be 2 TJBs for each of the wind farms (DBS East and DBS West) each measuring 5m x 20m.
- A Link Box would be provided following reinstatement to allow access to inspect the TJBs. Each would measure 2.5m x 4m. This would be the only above ground infrastructure following reinstatement.
- The main construction compound would measure 110m x 75m in the scenario of only one wind farm being constructed, or 190m x 75m if both.
- The temporary construction compound would measure 75m x 75m.
- Up to six Exit Pits would be required either within the intertidal or subtidal zone. These would be 20m x 10m x 3m depth and their purpose is to collect any drilling fluid which settles in the exit pit before being pumped out.
- A working pontoon approximately 12m x 50m would be required to support a crawler crane and materials. Although visible from the coast these are beyond the remit of the LPA.
- Estimated construction time at the landfall zone is up to 18 months.
- No access to the beach would be created from the construction compounds, with construction materials and plant being delivered via barges. An emergency access route is proposed running north from the landfall site along the beach towards North Turnpike Road. This would not involve any works to the beach. North Turnpike Road would be temporarily extended to join the road to the beach just north of Seaside Caravan Park at Ulrome. A satellite compound would be constructed at the end of Turnpike Road next to an existing boat storage area.

Onshore Export Cable

- A 75m wide cable corridor is required. The corridor would consist of two cable trenches each 6.2m wide, with a central 5m wide haul road. Land to either side would be used for excavated soils storage.
- The cable corridor connects the landfall cables with new converter stations and would extend for 32km. The route would travel west, crossing Hornsea Road (B1242), and continuing to Dunnington Lane before turning and heading south past Dunnington, Nunkeeling, Catfoss, and across West Road (A1035) at Sigglesthorpe. The corridor then turns southwest and continues passing the village of Riston Grange, crossing Whitecross Road (A165) and again crossing Hornsea Road (A1035) as it heads west north of Tickton. The route then crosses Driffield Road (A164) to the north of Beverley before turning south crossing Constitution Hill (A1035) to the west of Beverley, down across York Road, Newbald Road, and Broadgate (B1230), before reaching the Onshore Substation Zone located at Beverley Road along the A1079 and A164.
- 17 temporary construction compounds are required (2 main compounds and 15

satellite compounds). Main compounds would be 11m x 100m and located between the A1079 and the new converter stations. Satellite compounds would be 75m x 75m and located at various points along the cable corridor route access roads. The majority would be directly adjoining existing roads.

- A 15m easement along the corridor would be required if one windfarm is built, or 24m if both.
- The construction period is estimated at 33 months if only one wind farm constructed or they are built concurrently, or 57 months if sequentially.

Haul Road and Construction Access

- A single temporary haul road is proposed running along the onshore cable corridor. This would be in place for the duration of the works including the possible sequential approach.
- Where it is necessary to cross watercourses detailed design is proposed to be determined during the post-consent detailed design stage. It is anticipated these would be culverts or temporary bridges.
- The width would be 5m with passing places to allow two-way movements and access for abnormal loads.
- Land would be re-instated with stored topsoil once cable installation is complete, but some sections may need to be retained to allow access for cable pulling and any subsequent fault identification.
- Road accesses are identified. These generally use existing field accesses.
- Five roads which construction traffic will need to use to access the cable corridor have been identified as needing widening. The final form of widening is not identified but different options are provided including mitigation. This is anticipated to be agreed through a Construction Traffic Management Plan.
- All road widening would be temporary and re-instated.

Converter Stations

- Each windfarm would require its own converter station. An onshore converter station zone has been identified with indicative converter station locations for both single and co-located stations.
- The location is south-west of the A1079 / A164 junction and north of Bentley.
- Site access would be from the A1079 via an existing layby.
- Buildings and equipment include a valve hall, lightning protection masts, service buildings and access roads.
- The valve halls are the largest buildings up to 24m high.
- Lightning protection masts would be a maximum of 27m height.
- Each converter station compound would be 244m long x 264m wide.
- Converter stations would have a footprint of 64,000 sqm.
- Woodland and hedgerow planting is proposed to screen views.
- A full surface water drainage strategy will be required. Details are proposed to be agreed via the DCO process.

Onward Cable Connection to the proposed Birkhill Wood National Grid Substation

- A further 2.5km section of buried Onshore Export Cable is required to connect the Projects onshore cable from the Onshore Converter Stations with the proposed Birkhill Wood National Grid Substation.
- The cabling would be underground with a cable corridor during construction of up to 100m width.
- The cabling splits part of the way along to form a northern and southern route, converging again at the proposed Birkhill Wood national grid sub-station. This is

due to existing pipelines and the A1079. If only one windfarm is developed the northern route would be used.

- Birkhill Wood is expected to be the subject of a planning application submitted to the LPA.

- 3.2 The Environmental Statements (ES) state the applicant has undertaken a considered approach to site selection and design including a site selection process to consider alternative routes and locations. The onshore elements include terrestrial ecology and ornithology, geology and land quality, flood risk and hydrology, land use, onshore archaeology and cultural heritage, landscape and visual impact assessment, traffic and transport (including public rights of way), noise, and air quality. Further reports have been submitted to address socio-economics, tourism, health and climate change.
- 3.3 There are several small rural villages and hamlets in proximity of the cable corridor including Skipsea (400m plus ribbon development along Hornsea Road), Skipsea Brough (750m), Dunnington (400m), Nunkeeling (500m), Sigglesborne (800m), Long Riston (1.2km), Tickton (650m), Hull Bridge (1.2km), and Walkington (1.3km). The corridor adjoins houses at Broadgate off Walkington Road. The corridor runs close to the north and west of Beverley skirting Beverley Westwood. There are numerous isolated dwellings and farms in close proximity. The main landfall compound would be sited approximately 750m from the eastern edge of Skipsea and 20m north of Hornsea Road. There are caravan sites further north, and the temporary satellite compound to the emergency access adjoins caravans at Seaside Caravan Park. The converter station(s) would be north of Bentley, situated approximately 400m away.
- 3.4 There are a number of other energy sites in the vicinity of the A1079 including the existing Dogger Bank converter station on the northern side, Creyke Beck national grid substation and the proposed Birkhill Wood national grid substation. There are significant ongoing works to improve the A164 and the A164/A1079 Jocks Lodge junction, to the east of the converter station site.
- 3.5 To the north of the proposed converter station, 350m west of Butt Farm, is the remains of the world war II Butt Farm heavy anti-aircraft battery which is a scheduled ancient monument. Beverley Westwood to the south and east of the cable corridor is open common pasture land used extensively for informal recreation, which also includes a golf course and Beverley racecourse.
- 3.6 The cable corridor crosses several roads and waterways. This includes the A1035 close to Sigglesborne, A165 near Long Riston, A1035 Beverley to Bridlington Road near Tickton, A164 Beverley-Driffild road, A1035 to the west of Molescroft, B1230 Walkington Road, the A1079, and the River Hull near Hull Bridge. The onward cable corridor to Birkhill Wood cross the A164 Humber Bridge Road. There are numerous other minor road crossings close to smaller settlements and dwellings. All road crossings incorporate access to the cable corridor haul road including routes through small settlements using minor roads.

4. PRE-APPLICATION CONSULTATION

- 4.1 East Riding of Yorkshire Council have expressed the opinion that the applicant has complied with the relevant sections of the Planning Act 2008 (as amended) in their duty to consult the appropriate local authorities, the prescribed consultees, identified land interests, the local community and to publicise the application.
- 4.2 Planning and Specialist Officers from East Riding of Yorkshire Council have been involved in discussions with the Project Team and Consultants for the Dogger Bank

South Project during the various Consultation stages.

5. PLANNING HISTORY

- 5.1 There are no other approved large scale energy proposals within the immediate vicinity of the Order Limits.
- 5.2 A Development Consent Order has recently been granted and is currently at pre-application stage for Dogger Bank D Offshore Wind Farm development, including onshore infrastructure, and a DCO for a solar farm development at Peartree Hill Plantation, Meaux is currently at examination stage. These may be of relevance to cumulative impacts. The route of the cable corridor for Dogger Bank South appears to cross part of the solar farm site.

6. KEY POLICIES AND DOCUMENTS

Development Plan and Local Guidance

East Riding Local Plan Strategy Document (ERLP SD) (April 2016)

S1: Presumption in favour of sustainable development
S2: Addressing Climate Change
S4: Supporting development in Villages and the Countryside
S8: Connecting people and places
EC5: Supporting the energy sector
EC6: Protecting mineral resources
ENV1: Integrating high quality design
ENV2: Promoting a high-quality landscape
ENV3: Valuing our heritage
ENV4: Conserving and enhancing biodiversity and geodiversity
ENV5: Strengthening green infrastructure
ENV6: Managing environmental hazards
Policy A1: Beverley and Central sub area
Policy A2: Bridlington Coastal sub-area

National Planning Policy Framework

National Policy Statements

NPS EN-1 – Overarching National Policy Statement for Energy

NPS EN-3 – National Policy Statement for Renewable Energy Infrastructure

NPS EN-5 - Electricity Networks Infrastructure

Guidance/supporting documents

Supplementary Planning Document - Sustainable Transport (2016) (SPD)

Flood Risk Sequential and Exception Test SPD (Nov 2021)

Landscape Character Assessment

7. KEY ISSUES

- 7.1 East Riding of Yorkshire Council consider the key issues in relation to this Nationally Important Infrastructure Proposal are:

- Principle of Development/Local Policy Background
- Design, Landscape and Visual Impact
- Ecology, Trees and Landscaping
- Highways and Transportation
- PROW and Countryside Access
- Flood Risk and Drainage
- Living Conditions
- Heritage Assets including Archaeology

Principle of Development and Policy Background

Local Planning Policy

- 7.2 The ERLP SD contains various policies which are relevant to the proposal. The whole site lies within the Open Countryside. The relevant policies include policies specific to development within the Countryside, the principles of energy production proposals and sustainable development, and more generic policies which although not specifically referencing energy schemes have overarching considerations which should be assessed as part of the identified potential impacts.

Local Plan Update

- 7.3 The Local Plan Update was submitted to the secretary of state on 31 March 2023 and an examination is underway. Hearing sessions took place in October and November 2023, but the examination process is ongoing. The Inspector is yet to issue any interim statement that would assist in determining whether particular policies are likely to be found sound or otherwise. Public consultation on potential modifications will be required. Therefore, the weight to be given to the policies contained within the Local Plan Update will continue to vary on a case-by-case basis and the NPPF provides guidance on assigning weight. Having regard to this, officers consider that the weight of policies within the Local Plan Update ranges from none to limited, reflecting the fact that there are some unresolved objections, and the examination is ongoing.

National Planning Policy

- 7.4 NPS for Energy (EN-1), NPS for Renewable Energy Infrastructure (EN-3) and NPS for Electricity Networks Infrastructure (EN-5) provide guidance on the assessment of off shore windfarm infrastructure. The main thrust of the NPS's is the promotion of the urgency to increase renewable energy principally through solar and wind development, but weighed against consideration of the impacts on health and public safety, defence, irreplaceable habitats or risk to the achievement of net zero.

Conclusion

- 7.5 In summary national policy statements and the ERLP SD policies promote sustainable development and renewable energy schemes where they are in an appropriate location. The site is classed as countryside, but Policy S4 is supportive of energy sector development subject to assessment of specific local impacts outlined in policy EC5. These policies reflect national advice which recognises that there is a need to support renewable energy production but that the wider benefits need to be weighed against residual harm. Therefore, whilst the ERLP SD supports the principle of the development the local impacts are addressed through more specific policies and are assessed below.

Design, Landscape and Visual Assessment

Landscape and Visual Assessment

- 7.6 As part of the Environmental Statement a Landscape and Visual Impact Assessment has been carried out. The ES considers the potential significant effects on landscape and visual receptors arising from (i) construction of the landfall and onshore export cable, and (ii) construction and operation of the converter stations. Landscaping mitigation is identified and assessed for each. The ES considers landscape designations, landscape character, and visual receptors. Mitigation is provided including retaining established vegetation/features that contribute to landscape character and visual amenity and proposed enhancement which are in keeping with the relevant character areas. The overall objective of the landscape design is to integrate the scheme into its landscape setting and avoid or minimise adverse landscape and visual effects as far as practicable.

Landfall and Export Cable Corridor

- 7.7 Due to the flat nature of the area and prevalence of trees and hedges the landscape and visual study area has been limited to a 1km buffer. The proposals will require loss of some hedgerows and trees which will have some impact on the landscape, but the route has been designed to avoid established trees and hedgerows wherever possible. As the above ground works would be temporary mitigation would include re-instatement of land to its former condition and replacing trees and hedges. An Outline Landscape Management Plan has been submitted and final details would be required through a condition of the DCO. This approach is considered reasonable.

Onshore Converter Stations

- 7.8 These will be large, permanent buildings and substantial screening will be needed to integrate them into the landscape. A 5km radius has been used for the landscape and visual study area, with Zones of Theoretical Visibility (ZTV) established and photomontages from each of the identified viewpoints submitted to aid assessment of the visibility and need for and effect of proposed mitigation. The viewpoints are from:

Viewpoint 1: Butt Farm

Viewpoint 2: Copleflat, Bentley

Viewpoint 3: Broadgate from Beverley 20 footpath route

Viewpoint 4: Oriel Close, Broadgate

View point 5: Walkington

Viewpoint 6: Footpath route, Risby

Viewpoint 7: Woodmansey

Viewpoint 8: Beverley Minster Tower

Cultural viewpoints from:

Butt Farm WWII anti-aircraft batter scheduled monument

Risby Hall registered park and garden

Scheduled monument and listed building at Black Mill (on Beverley Westwood).

- 7.9 ERYC officers have agreed the viewpoints as appropriate but have suggested further montages are required from the A164 traveling northwards to the Jocks Lodge crossing to identify and demonstrate how the scheme would relate to proposed mitigation for the A164/Jocks Lodge improvement works. At the current time there has

been substantial tree felling along the western side of the A164 which has opened up extensive views to the west.

- 7.10 The montages indicate the converter stations will be very visible from Butt Farm and Butt Farm anti-aircraft battery scheduled monument to the north, Bentley to the south, and from Broadgate. An Indicative Landscape Plan has been submitted which proposes woodland and hedgerow planting to the north and south of the converter station site to help screen the buildings and integrate into the existing landscape, and from the east to screen and soften views. Existing woodland is also shown to be protected and enhanced, subject to details to be required through the Landscape Management Plan. These include Bentley Moor Wood which is classed as ancient woodland and is within the converter station zone, and Eleven Acres Plantation and Johnson's Pit which adjoin the site. A hedgerow to the south of Butt Farm caravan site is also indicated to be retained. Year 10 montages with mitigation planting indicated are provided in some cases which indicate improved screening.
- 7.11 It was agreed at pre-application stage that the photomontage for Viewpoint 3 would be updated to illustrate earthworks along the access track. This visualisation is presented as Figure 23-9 in Volume 7 (application ref:7.23.1). This has been done, however comparing VP3 to the plan and LVIA text two points arise:
- a. The ten-year view does not indicate any screen planting to the north of the sub-station, which is shown on the Indicative Landscape Plan
 - b. The LVIA (para 233) notes that: *A TCC [Temporary Construction Compound] would be located immediately adjacent to the viewpoint throughout the construction works...* The Works Plan (Onshore) Page 18 of 19, also shows a Temporary Construction Compound occupying much of the field to the right-middle-ground of Viewpoint 3. This suggests that the construction effects could usefully be illustrated from this viewpoint.
- 7.12 It is a matter of concern that the significant effects of the 6-year construction period are not illustrated through photomontages. Based on the descriptions in section 23.3.4 of the LVIA it is difficult to see what mitigation effects would come to bear upon landscape and visual effects during the 6-year construction period. It is noted that there is a commitment to plant as early as possible in the Construction Phase, However, 1-5 year's planting growth may have a limited beneficial effect for some viewpoints, e.g. Viewpoints 1 and 2 which are the closest to the proposed works. There is no clear attempt to quantify the mitigation proposals in relation to the Construction Phase. It is particularly difficult to understand how any mitigation (e.g. around the substation) would benefit Viewpoint 3, with two temporary construction compounds in the fore- and middle-ground. ERYC would therefore recommend further visualisations are required and would also suggest that the planting scheme includes some more mature specimens to bring forward mitigation timescales, particularly to the north and south.
- 7.13 The Outline Landscape Management Plan suggests using the existing woodlands as a base to design new planting around to form a natural setting. This approach is supported. Native species lists are also proposed and listed. The list is supported by the Council's ecology officer. ERYC would suggest that tree type should also be considered in relation to the most sensitive and prominent views of the converter stations, to ensure maximum screening and integration into the landscape can be achieved through eventual tree height and spread. ERYC officers have also suggested through pre-consultation discussions that the surface water drainage strategy should be influenced by opportunities to increase landscaping rather than being engineer led.

Construction Lighting

- 7.14 It is recognised that night-time visualisations of the operational phase are not required as a result of there being no permanent lighting. However, the extent of construction lighting, whilst being designed to minimise light spillage etc (ref Outline Code of Construction Practice Volume 8, 5.11 Construction Site Lighting) is not clearly described or illustrated, for example with an indicative plan. No nighttime visualisations have been prepared as part of the ES. ERYC would therefore suggest that visualisations are produced to help assess the proposal.

Design

- 7.15 Details of design of the converter stations are proposed to be the subject of a condition of the DCO. This includes, among other things, the scale, materials and external appearance. The Design and Access Statement sets out parameters including the maximum height of the converter building and footprint. Given the sensitivities of the size and height of the building(s) in the landscape ERYC would suggest that those parameters are embedded in the condition.
- 7.16 The Design and Access Statement also indicates that a design panel would be set up to take forward the final design. ERYC supports that approach but considers it needs to be embedded within DCO conditions to be a requirement prior to submission of details of the design to the LPA.

Conclusion

- 7.17 ERYC considers that the impact of the landfall and cable route on the landscape, due to its temporary nature and reinstatement programme, would be neutral.
- 7.18 ERYC considers that impacts of the converter stations on the landscape could be significant but that with appropriate screening and subject to inclusion and assessment of the following points/mitigation/enhancement the impacts could be neutral:
- (i) Identification of landscaping requirements for the A164/Jocks Lodge Improvement Scheme to the east of the converter stations. Photo montages should be produced to identify the current position and with landscaping up to the ten year establishment period, and to identify when that will be carried out in relation to the converter station construction period. Given the open views from the A164 at this time this is required to assess the impact for drivers and cycle path users travelling northwards in particular.
 - (ii) Further montages are recommended for Viewpoint 3 to include proposed temporary construction compounds.
 - (iii) It is requested that the tree and hedge planting includes some more mature specimens to speed up establishment and integration into the landscape, particularly to the north and south. Tree type should also be related to the most prominent locations to ensure greatest height and spread at those points.
 - (iv) The surface water drainage strategy should be landscape led and be developed to integrate with and contribute to the overall landscaping scheme.
 - (v) Visualisations of construction lighting including spread should be produced to assess effects during the construction phase.

- (vi) Converter station design parameters should be embedded in the DCO to include as a minimum height and footprint. This should include the establishment of a design review group as outlined in the Design and Access Statement, to be established and involved prior to submission of details to comply with the design details condition.

Ecology, Trees and Landscaping

- 7.19 As the development falls within the threshold for EIA development, an Environmental Statement (ES) has been submitted with the application as required by the 2017 EIA regulations. The ES examines the potential impacts on the environment in including designated sites. In addition, Regulation 63 of the Conservation of Habitats and Species Regulations 2017 requires that a Competent Authority, before deciding whether to give a consent for a plan or project which is a) likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.
- 7.20 East Riding of Yorkshire Council Nature Conservation Team Leader has worked with the applicant during the consultation phase of the application. The Nature Conservation Officer has provided detailed comments which are set out below.

Protected Sites

- 7.21 The production of a Habitats Regulation Assessment (APP-045) in support of the proposal is supported. The terrestrial sections of the Report to Inform Appropriate Assessment: Habitats Regulations Assessment Volume 6 Part 1 of 4 – Introduction and Terrestrial Ecology have been appraised and we welcome the screening in of the Humber Estuary Special Protection Area (SPA) in relation to impacts on Functionally Linked Land where the development area lies within 10km of the Humber Estuary. The wintering bird surveys found limited use of the site by SPA species. Whilst survey design deviates from Natural England's standard guidance given the distance from the SPA/Ramsar, and nature of the majority of impacts being temporary, we are satisfied that the survey effort is sufficient to rule out impacts to functionally linked land.
- 7.22 Appendix 26-4 Air Quality Assessment – Construction Phase Road Traffic Emissions Receptor APP-213 Locations identifies that roads within 200m of the Humber Estuary SAC are within the zone of influence for construction traffic and annual average daily traffic triggers the need for further assessment. These areas include 22.9ha of mudflats and sandflats not covered by seawater at low tide along the River Hull, 200m either side of the A63 trunk road and A15 Humber Bridge. The air quality assessment APP-208 identifies an exceedance of >1% but less than 3.5% of a Critical Load or a Critical Level without any contribution of air emissions (NO_x or NH₃) from traffic associated with the Projects. Air emissions from construction vehicles associated with the Projects alone are modelled to be <1% of a Critical Load or a Critical Level and may be screened out from further assessment.
- 7.23 It is agreed that hydrological impacts may be ruled out as trenchless techniques are proposed to avoid disturbance to main rivers. Clarity should be provided why this is not considered to be design stage mitigation for avoiding hydrological impacts on downstream designated sites. Where watercourses within the Onshore Development Area will be open cut, implementation of the planned embedded mitigation mitigates the risk of pollution impacts locally and is not considered a risk to designated sites. We concur with the wider screening assessment for designated terrestrial sites.

Protected Species and Habitats

- 7.24 The response is restricted to consideration of terrestrial and intertidal impacts and the scope of effects identified is agreed. Overall, baseline survey effort for protected species is acceptable. The reports recommended additional surveys including pre-commencement surveys for mobile species. Avoidance of impacts on these species should be prioritised. Where this is not possible the reports set out best practice mitigation measures. It is expected that, as a minimum great crested newt licencing will be required. Design stage mitigation, reasonable avoidance methods and timings of works are secured within the Outline Ecological Management Plan (OEMP) APP-235 and reinstatement of habitats detailed within a Landscape Management Plan (APP-236). We welcome the commitment to a Decommissioning Plan; this should be supported by relevant ecological surveys.

Bats

- 7.25 A Ground Level Tree Assessment (Peak Ecology, 2023) has been undertaken and has identified 48 trees with features suitable for multiple bats. Of the 19 trees located within the Onshore Development Area, two were found to be of high potential to support roosting bats, eight of moderate potential and eight of low potential. The applicant details that five of these trees will be avoided by the use of trenchless crossing techniques. The majority of the trees considered to be potential bat roosts will be retained as they are located in and around Bentley Moor Wood, in the Onshore Converter Station area, that will be protected from direct impact as part of the embedded mitigation.

Great Crested Newt (GCN)

- 7.26 Great Crested Newt (GCN) Report (Peak Ecology, 2024) details the results of surveys on 126 ponds. Habitat Suitability Assessments and where appropriate eDNA surveys were undertaken. 11 ponds located within the 250m GCN buffer and no ponds within the Development Area were classified as either 'Excellent' or 'Good'. One pond within the Onshore Development Area returned a positive result, and nine ponds within the 250m GCN buffer were found to be positive for GCN. We consider that avoidance measures are unlikely to be sufficient to avoid impacts on GCN and support the recommendations in Section 4 of the report. Paragraph 121 of APP-235 details that district level licencing (DLL) will be used; a countersigned Impact Assessment Conservation Payment Certificate (IACPC) issued by Natural England should be submitted as part of the DCO application to confirm this route is acceptable.

Water Vole and Otter

- 7.27 81 watercourses have been assessed for the presence of water vole and otter. Eight watercourses were found to have evidence of water vole presence. Otter suitability and scats are present within the Rive Hull Corridor. The Water Voles and Otters Report provides recommendations with respect to avoiding impacts to watercourses containing water vole. Where this is not possible, the displacement of water voles from impacted ditches will be required under a licence. Updated surveys for otter and water vole prior to the commencement of works are secured in Table 1-2 of APP-235. The use of Horizontal Directional Drilling (HDD) is supported for major watercourse crossings, and this will avoid impacts on water vole and otter (APP-140 385). Additional mitigation is outlined in paragraphs 111-118 of APP-235 and follow standard best practice.

Reptiles

- 7.28 We agree with the approach to reptiles and assumed present (mainly grass snakes) closely associated with boundary features present at relatively low density. They are therefore unlikely to be negatively affected by the proposals, except during construction. Precautionary measures required during construction to prevent the killing or injuring of reptiles are outlined in Table 18-4 of APP-140 and para 186 of APP-235.

Other Mammals

- 7.29 Brown Hare and Hedgehog are present within the development area; vegetation clearance outlined to mitigate impacts on reptiles and badger will also ensure impacts are avoided for hedgehog and hare. Pre-commencement checks and reasonable avoidance measures detailed in paras 130-132 of APP-235 are welcomed. We agree that hazel dormouse may be scoped out.

Invertebrates

- 7.30 It is agreed that terrestrial invertebrates may be scoped out. The majority of the onshore development area is low distinctiveness habitat, and the arable dominance means that these areas are considered unlikely to support a particularly diverse assemblage of invertebrates. Impacts on higher distinctiveness habitats are avoided as far as possible.

Badgers

- 7.31 The Badger Survey Report details the presence of badger within the development area. Section 4 of the Badger Report – Confidential (Peak Ecology, June 2024). We support use of the mitigation hierarchy and impacts should be avoided as far as possible. Para 308 of APP-140 details that impacts are unavoidable on main and annex setts located within the Onshore Development Area and will need to be destroyed. We note the need for a licence has not been determined yet by Natural England, APP-235 para 168. Outlined working and mitigation measures in paras 107-110 and 169-180 follow standard best practice.

Other Priority Mammal Species

- 7.32 Hare and hedgehog are present. Impacts are considered temporary. Embedded mitigation will provide sufficient protection for these species.

Fish

- 7.33 Mitigation measures within Table 1-1 APP-235 will ensure impacts to fish are fully mitigated.

Breeding Birds

- 7.34 Completed Breeding bird surveys undertaken between March 2023 and July 2023 confirm a total of 116 species within the study area. Sixty-nine Birds of Conservation Concern (BoCC) species were recorded, consisting of 21 red listed and 48 amber listed species and 11 WCA Schedule 1 species. Best practice precautionary working methods are secured within paragraphs 88-98 and 146-154 of APP-235 and are considered robust. Monitoring of breeding and wintering bird populations will be undertaken and mitigation redressed as required para 321 APP- 235

Passage and Wintering Birds

- 7.35 The Ornithology Overwintering Report confirms that a total of 104 species were recorded. Sixty BoCC were recorded, 19 red listed and 41 amber listed species. In addition, 12 Schedule 1 species were recorded, with barn owl, brambling, Cetti's warbler, green sandpiper, kingfisher, marsh harrier, peregrine, red kite, redwing, red-throated diver, ruff and whooper swan present.
- 7.36 Of the Humber Estuary SPA qualifying features, golden plover, redshank and ruff, were recorded on site, in addition to 11 assemblage species: brent goose, curlew, goldeneye, grey plover, lapwing, mallard, oystercatcher, ringed plover, sanderling, teal and wigeon. It is noted that none of the species were recorded in significant numbers and the bird survey area is not considered potential Functionally Linked Land (FLL) to the SPA. Impacts on arable land will be temporary.
- 7.37 The highest diversity of species was recorded at Skipsea Beach (T1) and the River Hull (T4 and T5). Impacts to birds are identified and the best practice precautionary working methods are secured within paragraphs 88-98 and 146-154 of APP-235 and are considered acceptable. Monitoring of breeding and wintering bird populations will be undertaken and mitigation redressed as required para 321 APP- 235

Invasive Species

- 7.38 The Habitat Survey undertaken recorded four instances of INNS plant outside of the onshore development area: Japanese knotweed, Himalayan balsam, and snowberry. Mink was also recorded. The invasive species management plan detail in paragraphs 120-128 of APP-234 are acceptable and will minimise the risk of introduction and spread of invasive species. Section 129 of APP-235 details if deemed necessary, following pre-commencement surveys, an INNS Management Plan would be developed. This approach is supported.

Priority Habitat

- 7.39 Impacts on intertidal habitats are mitigated by design. The Proposed Development is expected to avoid any development on Habitats of Principal Importance (except hedgerow) and this is welcomed.
- 7.40 Impacts to Nunkeeling Lane and Beeford – Dunnington Road Verge Local Wildlife Sites (LWS) cannot be fully avoided. The majority of the impacts to the LWS will be avoided by the use of trenchless crossing technique. Small sections, however, will be affected by the construction of a temporary Haul Road crossing. Reinstatement of the LWS will be required and consultation with ERYC is welcomed with respect to this matter.
- 7.41 We note that APP-140 details a moderate adverse effect on Bentley Moor Wood LWS but recognise that impacts are temporary and when considered alongside already exceeded background levels of nitrogen deposition the increase to the upper critical load of 1.2% in-combination will not lead to significant degradation in habitat quality. Outlined best practice mitigation to avoid dust impacts, lighting and hydrological pollution prevention measures are welcomed.

Biodiversity Net Gain

- 7.42 The proposal aims to deliver no net loss of biodiversity and net gain where possible. The applicant has continued an active dialogue with the Local Planning Authority on the BNG process and on-site impacts have been significantly reduced which is very welcomed. Methods are proposed to ensure as far as possible restoration of agricultural soils to ensure impacts may be recorded as temporary. Hedgerows removed to facilitate the proposal will be replaced with species rich lengths. The proposed date for the baseline is acceptable as are proposals to meet any deficit through use of off-site units.
- 7.43 Irreplaceable habitats (as defined under The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) recorded within the BNG Study Area include small (below 3ha per habitat block) areas of lowland fen and ancient woodland and these habitats are to be retained and impacts avoided, para 241 APP-140.
- 7.44 Confirmation is required that there are no veteran or ancient trees within the onshore development area. It is noted that a small number of individual trees are shown within the cable corridor route in APP-024 (p14, 16, 24, 33, 34) but these are not included in the metric shown in Annex A of APP-157 presently. APP-146 also indicates there are a number of trees within the study area with rot holes (roost potential).
- 7.45 Clarity is requested on the wording within the presented metric on temporary impacts lines 1-13 (user comments) which appear to contradict Defra's guidance on temporary losses. A copy of the excel document would be useful so that we may confirm use of the created in advance function is appropriate.
- 7.46 It is noted that River condition assessments (RCA) were not carried out as part of the baseline habitat surveys and support the survey of watercourses impacted at the detailed design stage (para 58. APP-157).
- 7.47 It would be useful in future iterations if habitat parcels references could be included on habitat maps. Presently it is not possible to cross-reference the metric to the habitat maps with any degree of certainty for many of the habitats.
- 7.48 The iterative approach to reviewing the metric is welcomed and supported.

Trees and Hedgerows

- 7.49 APP-024 indicates that no trees covered by a Tree Preservation Order will be impacted as a result of the proposal. There will be some losses of an ecological valuable line of trees. It is not clear whether there will be impacts on off-site retained trees at present. Neither a Tree Survey or Arboricultural Impact Assessment is presented as part of the PEIR. The impact on trees cannot be fully assessed. It is noted that section 44 of the OEMP (APP-235) states that "a detailed tree survey is being undertaken in 2024 to inform the Arboriculture Impact Assessment (AIA) prior to construction" and "Any trees that cannot be avoided must be replaced at a minimum of like-for-like." Buffer zones outlined in para 85 of APP235 are acceptable and should be taken through to the final EMP; "Buffer zones surrounding retained areas of woodland and mature broadleaved trees would be at least 15m in width or at least the width of the tree root protection zone (whichever is greater), as advised by an appropriately qualified arboriculturist". We look forward to these details being brought through as part of the detailed design.

7.50 Important hedgerows are presented in APP-024 breaks and crossings (associated new tracks, and/or cable routes) have been designed to keep the width of any breaches to a minimum. Replacement planting for lost hedgerow is outlined and is acceptable.

7.51 The commitment to minimising the impact on all trees and trees within hedgerows within the Onshore Development Area para 44 APP-235 is welcomed.

APP-235 8.10 Outline Ecological Management Plan - Volume 8

7.52 The OEMP details the roles and responsibilities of the Ecological Clerk of Works (ECoW) and this is acceptable. Monitoring and reporting detailing is also secured within the report and provides details of inspection frequencies and monitoring requirements during construction through to implementation of the landscaping scheme. Paragraph 236 of APP-235 details that the "ECoW would be responsible for producing a report to the relevant local planning authority to confirm that all measures have been implemented in accordance with the EMP" and this is welcomed. Procedures for implementing, adapting and monitoring any protected licencing are acceptable.

APP-236 8.11 Outline Landscape Management Plan - Volume 8

7.53 Local Authority planting guidance for hedgerows in the Holderness Character Area is provided below. Ash should be suitably substituted with disease resistant elm; Guelder rose is also acceptable as detailed in Table 1-1 of APP-236 is acceptable.

Hawthorn	<i>Crataegus monogyna</i>	30%
Blackthorn	<i>Prunus spinosa</i>	25%
Hazel	<i>Corylus avellana</i>	15%
Field Maple	<i>Acer campestre</i>	15%
Dogwood	<i>Cornus sanguinea</i>	5%
Ash	<i>Fraxinus excelsior*</i>	5%
Oak spp.	<i>Quercus spp</i>	5%

Other planting mixes are considered appropriate to the area. The Indicative Maintenance Schedule is also acceptable.

7.54 An Outline Soil Management Plan (OSMP) is detailed as presented at Appendix A of APP-234 8.9 Outline Code of Construction Practice - Volume 8 but is not currently available for review. Principles outlined in section 6.6.2.2 are acceptable and will adhere to Defra's (2009) Construction Code of Practice for the Sustainable Use of Soils on Construction Sites and guidance from IES (2020) Sustainable, Healthy and Resilient: Practice-Based Approaches to Land and Soil Management.

Conclusion

7.55 Overall the submitted HRA and Ecology Surveys are considered to provide an accurate assessment of the Biodiversity and Ecology impacts of the development and rules out any likely significant affects, subject to the mitigation and recommendations set out above being taken into account and considered further at the Hearing Sessions. Discussions between the applicant and the Council's Ecologist are ongoing in this respect. On that basis ERYC considers there would be a neutral impact on onshore ecology.

7.56 The following details are however requested to support that:

- Protected sites – hydrology. Clarity should be provided why this is not considered to be design stage mitigation for avoiding hydrological impacts on downstream designated sites.
- Decommissioning Plan – this should be supported by relevant ecological surveys.
- Great Crested Newts – a countersigned Impact Assessment Conservation Payment Certificate (IACPC) issued by Natural England should be submitted as part of the DCO application to confirm this route is acceptable.
- Biodiversity Net Gain –
 - (i) confirmation is required that there are no veteran or ancient trees within the onshore development area.
 - (ii) A small number of individual trees are shown within the cable corridor route in APP-024 (p14, 16, 24, 33, 34) but these are not included in the metric shown in Annex A of APP-157 presently.
 - (iii) Clarity is requested on the wording within the presented metric on temporary impacts lines 1-13 (user comments) which appear to contradict Defra’s guidance on temporary losses.
 - (iv) It would assist if habitat parcels references could be included on habitat maps.

Trees – no tree survey or arboricultural impact assessment has been provided at this stage and these would be helpful to assess those matters prior to examination, although it is accepted that the broad commitment presented in relation to protecting trees is acceptable if that is not possible.

Highways and Transportation

- 7.57 The Council’s Highway Authority has engaged collaboratively with the applicants throughout the consultation phase.
- 7.58 The main impact from the Dogger Bank South onshore works will occur during the construction and decommissioning phases, with less impact during the operational phase. The main impacts will be from the cable corridor route, which crosses a network of smaller roads plus the B1242, A1035, A1065, A164, B1230 and A1079, and from connecting roads from the wider area. Along the route are a total of 66 temporary highway links and crossings, plus a series of construction compounds. A permanent access from the A1079 would be created to the converter station(s). An Operational Construction Traffic Management Plan (CTMP) will be implemented to manage the environmental impacts of construction activities, which is secured by a requirement of the DCO. ERYC highways have been involved with pre-application meetings and reviewed the outline Construction Traffic Management Plan. The contents of the OCTMP have been found to be acceptable.
- 7.59 A Traffic and Transport Assessment has been carried out and submitted with the ES. This concludes that traffic demand has been forecast by applying a first principles approach to generate traffic volumes from an understanding of material quantities and personnel numbers. This traffic demand has been used to assign access locations serving the projects and is supported by a package of mitigation measures specific to defined routes and embedded in the outline CTMP which relates to both junctions and link routes. These include:

- Managing HGV trip levels to reduce impact on amenity.
- HGV controls during school start and finish times at Skipsea
- Reduction in HGV movements at specified locations
- Enhanced driver inductions
- Managing employee trips to avoid peak network hours
- Temporary localised road widening and passing places or escort vehicles

7.60 The TA has been reviewed by ERYC highways officers and found to be acceptable.

Conclusion

7.61 The outline CTMP has assessed potential for driver delay, amenity issues, capacity issues and road safety and has been discussed with ERYC highways officers to establish requirements. Mitigation is identified and detailed measures are proposed to be agreed through the final CTMP and this approach is supported. On that basis ERYC consider the impact on highways and transportation to be neutral.

PROW and Countryside Access

7.62 There are several PROW within the Order Limits and surrounding land of both the East Riding or Yorkshire and North Yorkshire Council's administrative boundaries.

7.63 PROWs are a valuable community resource in terms of physical and mental health and wellbeing. It is well known that being in nature for even a small amount so time, is beneficial to our health and PROWs offer the perfect facility for this, be that for short strolls from a settlement or longer rambles, but key is the landscape, nature, views, and peace a route can offer.

7.64 The Council's Countryside Access team has raised no issues with the Outline Public Rights of Way Management Plan which contains details of a number of temporary diversions and one required permanent diversion at the site of the converter station(s). However, they have raised a concern that it does not mention who is responsible for advertising, signing and consulting with local user groups/parish councils for the temporary stopping up/local diversions. ERYC does not want to be in a position where it has to do the advertising and checking of the required site notices/signage as this would be disproportionately excessive with our limited officer time and would be recharged to the project. This needs to be included in the DCO in relation to applying for PROW diversions/temporary stopping up.

Conclusion

7.65 Further information is required about PROW diversion advertising including advertisement responsibilities. The DCO should not place any responsibility on the Council for advertising or checking/monitoring notices. Notwithstanding, the measures proposed for PROW diversion and reinstatement are considered by ERYC to result in a neutral impact.

Flood Risk and Drainage

7.66 Both national and local planning policy steers new development to areas at the lowest probability of flooding by applying a Sequential Test. Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception test if required. Only where there are no reasonably available sites in Flood Zones 1 and 2 should the

suitability of sites in Flood Zone 3 be considered (taking into account the flood risk vulnerability of land uses and applying the Exception Test if required).

- 7.67 There are several watercourses that transect the cable corridor route, including the River Hull. The ES states that solutions either in the form of fluted culverts or temporary bridges will be employed, to be agreed through the post-decision details. This is considered an appropriate response as full ground conditions will not be available at this time.
- 7.68 A Flood Risk Assessment (FRA) and an outline Drainage Strategy have been submitted and confirm that consultation has taken place with the Environment Agency (EA), East Riding of Yorkshire Council, North Yorkshire Council, and the relevant Internal Drainage Boards.

Flood Risk

- 7.69 The Lead Local Flood Authority (LLFA) has reviewed the “Environmental Statement – Volume 7 – Flood Risk Assessment, June 2024” and the “Outline Drainage Strategy – Volume 8, June 2024” and has raised no issues. However, where watercourses are to be crossed by the cable, the LLFA would prefer to see trenchless crossings wherever practical. This would minimise flood risk and disruption to watercourses during the construction phase.

Conclusion

- 7.70 ERYC have worked with the applicants to identify and address the approach to flood risk and drainage and consider the proposals put forward would have a neutral impact, although would suggest that trenchless crossings to watercourses should be the first option wherever possible.

Living Conditions

- 7.71 The proposal is assessed from two perspectives (i) impact on any nearby residents during construction; and (ii) impact of the converter stations post-construction. Impacts from (i) could occur from noise, traffic, light, vibration and dust, whereas the impact from the converter stations would be from noise, light and visual amenity.
- 7.72 There are several small rural villages and hamlets in proximity of the cable corridor including Skipsea (400m plus ribbon development along Hornsea Road), Skipsea Brough (750m), Dunnington (400m), Nunkeeling (500m), Siggleshorne (800m), Long Riston (1.2km), Tickton (650m), Hull Bridge (1.2km), and Walkington (1.3km). The corridor adjoins houses at Broadgate off Walkington Road. The corridor runs close to the north and west of Beverley skirting Beverley Westwood. There are also numerous isolated dwellings and farms situated approximately 50 – 100m from the corridor, which tend to be situated on roads identified as access points. Directly adjoining the route are houses either side of the cable corridor where it crosses Hornsea Road, Skipsea, Fieldhouse Farm, Routh, Carr House Farm near Long Riston, and houses on Megson Way off Broadacre near Beverley. The main landfall compound would be sited approximately 750m from the eastern edge of Skipsea and 20m north of Hornsea Road. There are caravan sites further north, and the temporary satellite compound to the emergency access adjoins caravans at Seaside Caravan Park. The converter station(s) would be north of Bentley, situated approximately 400m away.

Noise and Vibration

- 7.73 The application includes a noise assessment which assesses likely significant effects during the construction phase of noise and vibration from construction works plus off-site construction traffic, and effects of noise from the converter stations once operational. Different buffer zones have been applied:
- Construction noise – 300m from elements that will generate noise for more than a month or at night during the construction phase;
 - Construction vibration – 100m from elements that will generate vibration during the construction phase (specifically potential horizontal directional drilling at trenchless crossings); and
 - Operational noise – 500m from the Converter Station(s)).
- 7.74 The assessment also includes noise from road traffic links and identifies nearest sensitive receptors (NSRs) which were agreed with ERYC at the pre-application stages. ERYC have also agreed that these are suitable zones for noise assessment.
- 7.75 Embedded mitigation is proposed as follows:
- Localised screening via acoustic enclosures for stationary plant and noise barriers around mobile plant, secured via agreement of the Outline Code of Construction Practice (OCoCP);
 - Construction noise management measures implemented via the OCoCP
 - Construction road traffic noise - the CTMP outlines methods for controlling specific peak flows and minimising impacts in certain locations.
 - Programming of works where night-time or 24 hour operations required (trenchless crossings)
- 7.76 The mitigation measures are agreed as appropriate subject to agreement in the final versions of the code of practice. However, the OCoCP suggests a generic 7am to 7pm construction window (with some exceptions where 24hr works are required for a specific operation such as creating trenchless crossings, these to be agreed beforehand) – ERYC believe that would not be suitable in all situations and therefore request that the condition related to the code of practice requires agreement of working hours, which could then be assessed with regard to individual NSRs. Subject to specific noise control measures to be agreed pre-construction ERYC consider noise impacts would be neutral.
- 7.77 Vibration is identified as worst from drilling of trenchless crossings. The assessment states that vibration effects diminish quickly to less than 0.33mm/s at a distance of 20-25m, at which point they are considered to be minimal. The closest receptors are at the Hornsea Road crossing at 30m. The closest properties to the converter station are 100m. ERYC accept that vibration would have a neutral impact.
- 7.78 Notwithstanding the above comments from the Council's Public Protection team are pending. We will continue to liaise with them and any comments received will be forwarded to the Inspector.

Light

- 7.79 Construction site lighting is assessed through the OCCoP. It is recognised that this seeks to ensure safe working for contractors whilst protecting the amenity of nearby residents from light spillage and glare. In that respect it is proposed to:
- Only operate when required and will be positioned and directed to avoid
 - unnecessary illumination to residential properties;
 - Use hoods and cowls; and

- Use low energy LED type automatically switched, i.e. via dawn to dusk sensor, timer or passive infrared sensor (PIR).
- 7.80 ERYC agree that these are appropriate measures to prevent light pollution but would suggest that specific details should be agreed with the LPA for nearby residents, and that a community liaison approach is set up before lighting is installed which is likely to be required for longer or overnight. Subject to those measures ERYC considers there would be a neutral impact.
- 7.81 The submitted documents state there will be no operational lighting. Should lighting be required for the converter stations, such as security lighting, ERYC would request there are requirements imposed to agree this beforehand.

Air Quality

- 7.82 The Council's Public Protection officers have reviewed the information submitted and agree with the assessment and mitigation in the Environmental Statement, Volume 7, Chapter 26 – Air Quality by RWE (dated June 2024, report ref: Application Reference: 7.26 APFP Regulation: 5(2)(a) Revision: 01) submitted by the applicant.

Land Contamination

- 7.83 The Council's Public Protection officers have reviewed the Environmental Statement - Volume 7, Appendix 19-2 Geo-Environmental Desk Study and Preliminary Risk Assessment Report by RWE (dated June 2024, report ref: 7.19.19.2 APFP Regulation: 5(2)(a) Revision: 01) submitted by the applicant and concur with the recommendations enclosed within the report.

Visual Impact

- 7.84 It is the opinion of ERYC that there will be a negative impact on properties close to the construction corridor whilst works are taking place, but given that these works are temporary and the low level nature the overall impact would be neutral. The converter station will have greater impact on properties in Bentley and from Butt Farm and is likely to appear very prominent and overbearing given the proximity. From Bentley the buildings would be very visible but as screen planting develops it is accepted this will diminish. Impact on Butt Farm would remain higher but could be lessened through appropriate screen planting. ERYC consider there would be an initial negative effect on both, but this will become neutral. However, that timescale could be lessened if more mature planting is included as recommended in the Landscape and Visual Impact section of this report.

Conclusion

- 7.85 EYRC consider that effects on living conditions can be mitigated through agreement of the Construction Environmental Management Plan and agreement of and adherence to the submitted construction code of practice. The DCO proposes construction working hours of 7am to 7pm. This may not be appropriate in all locations. ERYC would therefore suggest that the working hours are agreed for each phase of the development, but that could be through discharge of the condition. In addition it is requested that measures to prevent light pollution to nearby residents is agreed prior to installation, and community consultation takes place to agree measures prior to any extended or overnight construction activities close to residents. Subject to the mitigation proposed within the air quality and noise assessments, agreement of the

final CEMP, and appropriate screening of the converter stations, that impacts could be neutral.

Heritage Assets including Archaeology

- 7.86 Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. This is embedded in both local and national policy. For the purposes of heritage policy an assessment of their significance should be made. This includes not only its physical presence, but also its setting, which is defined as the surroundings in which a heritage asset is experienced.

Built Heritage

- 7.87 The Council's Conservation Officer has stated that the route of the pipeline, the landfall zone and substation zone will have less than substantial harm to conservation areas and listed buildings. The proposed corridor does not cross any conservation areas or run close to clusters of listed buildings. Where it does, such as near Catfoss Hall and Cobble Hall (Catwick), the impact will be limited to the development phase, and even then, it would have only a minor potential impact.
- 7.88 The converter stations will be permanent and therefore have potential for greater impact on heritage assets. The L&VIA identified three heritage assets where there could be potential harm and photomontages have been produced to assess the impact on these assets including following mitigation screening where identified as required.
- 7.89 Risby Hall – a registered park and garden approximately 1.6km to the south-west of the converter station zone which survives in the form of earthworks, canals and walkways. It is set within a rural setting within a shallow valley with strong woodland edges and views into the valley, with fishing lakes within the valley. The site has been identified for an assessment of views from within it and the photomontages indicate that that there would be no key views affected given it is located in a shallow valley with strong woodland edges. On that basis the effect can be considered less than substantial and the local impact would be neutral.
- 7.90 Black Mill – Grade II listed building which is the remains of a former windmill located on Beverley Westwood approximately 2.2km north of the converter station site. Photomontages submitted with the L&VIA indicate there would be no key views affected and on that basis the effect can be considered less than substantial and the local impact would be neutral.
- 7.91 Butt Farm WWII Anti-Aircraft Battery – a scheduled ancient monument. The monument includes standing, earthwork and buried remains of a World War II heavy Anti-aircraft (HAA) gunsite, known as both Station H31 and Walkington gunsite in official records. It includes the functional core of the gunsite of four emplacements and the command post, located 350m west of Butt Farm and approximately 135m to the north of the converter station site. Photomontages of the site show that its setting would be substantially harmed by the proposed converter station buildings due to their closeness and size. The ERYC conservation officer has stated that in meetings with the developer's team and Historic England it has become clear that the proposals put forward for mitigating the visual impact of the proposed connector station on the scheduled World War II anti -aircraft emplacement are unlikely to be adequate and it may not be possible for the developer to mitigate adverse visual impacts, so there could be compensation through implementing mechanisms to facilitate an improved visitor experience or greater public benefit to be derived from the monument. Historic England would need to comment on the impact on the scheduled monument and the

adequacy of mitigation or compensatory measures, However, ERYC consider there would be substantial harm caused to the setting of the scheduled monument but are mindful of advice at para. 207 of the NPPF which provides for consideration of substantial public benefits. In this case it is recognised that the scheme would provide substantial public benefits both in terms of energy production and to the move towards cleaner energy, and on that basis consider the local impact would be neutral.

- 7.92 Beverley Minster – a Grade I Listed Building which is visible from a wide area. Retention of views both of the Minster and from it are important. ERYC accept that the L&VIA has demonstrated that key views of the Minster, and from its tower, would not be substantially harmed by the proposal. In that respect the local impact would be neutral.

Archaeology

- 7.93 The Council's archaeology officer has identified concerns with the way the archaeological evaluation has been carried out, as some areas of the route have been trial trenched before the granting of the DCO whereas others have not. The areas where trial trenching has been focussed have been the key zones such as the landfall, the new connector station at Creyke Beck and areas close to the scheduled monument at Nunkeeling. This has been useful in ensuring avoidance of some archaeological remains, such as the medieval settlement site at East End Garths, Skipsea but means that large lengths of the route may have as yet undiscovered archaeological remains which if discovered after the acceptance of the NSIP application will be very difficult to avoid. The route has been assessed archaeologically using non-intrusive techniques such as geophysics. Recent work in the Holderness area of East Yorkshire suggests that geophysics on the local geology of East Yorkshire is about 78% reliable in predicting archaeological potential. Consequently in the areas subjected to trial trenching there can be high confidence that the most significant archaeological remains will have been identified and if necessary can be avoided, but in areas that have not been trial trenched this can be no higher than 78%.
- 7.94 Aside from the capacity for avoidance, however, it is accepted that the archaeological potential of the route will be adequately defined and that suitable mitigation proposals will be implemented. In essence these suitable proposals should be archaeological excavation in areas of higher potential, strip, map and record in areas of lower potential and watching brief in areas of undefined potential, with the proviso that if the recognition of potential changes during the implementation of mitigation, the level of mitigation can be varied to meet the new recognised level of potential.

Conclusion

- 7.95 The development does not cross any conservation areas or impact significantly on listed buildings. The impact on these heritage assets is considered less than substantial and can be considered a neutral impact on the ERYC area. ERYC are aware of concerns about proximity to Butt Farm scheduled monument and consider that the effect on the scheduled monument will be substantial, but accept that with mitigation this should be weighed against the substantial public benefits of the windfarm proposal. Detailed comments are therefore deferred to Historic England expertise.

Comments on proposed conditions within the DCO

7.96 At this stage it is considered that the matters set out within the conditions and the wording of the conditions is a suitable reflection of the application and meets the tests for conditions. However, the following comments and requests are made:

- Condition 9 - Details of the converter station – it is requested that the establishment of a design panel as referenced in the D&A Statement is made a requirement to be set up and the design finalised prior to details being submitted to the LPA for approval.
- Condition 9 – ERYC consider this condition should also specify some design parameters, especially related to height (24m) and footprint. The L&VIA and proposed mitigation has all been based on the sizes indicated in the Design and Access Statement so there should not be scope in the condition to permit larger buildings.
- Condition 10 - Construction and operational drainage – to specify a SUDS approach and incorporate into the landscape mitigation measures.
- Condition 20 - Construction hours – replace 7am to 7pm with a period to be agreed with the LPA for each phase. The hours proposed are potentially too long in some phases where receptors are closer, although may be acceptable in others.
- Condition 23 Protected species surveys and mitigation – this does not appear to be lawful. Mitigation should be established prior to consent being granted not pre-commencement.
- Condition 25 - Restoration of land to former condition – suggest a record is required to confirm the previous condition.

8. CONCLUSION

8.1 Energy development in the countryside is supported subject to assessment of specific local impacts outlined in policy EC5. These reflect national advice. National and Local Planning Policy offers support in principle to energy development and this report sets out the Local Impacts.

8.2 The LVIA in most parts provides an accurate assessment of the visual and landscape impacts of the development and the design generally provides good levels of mitigation in terms of the use of both existing and proposed landscape features. However, there are omissions from the LVIA in terms of views from the A164 taking into account current improvement works, and from Broadgate on the edge of Beverley Westwood which does not include temporary construction compounds. Significant impacts are identified at the local level in terms of impacts of the converter station(s) and therefore recommendations are made with regard to landscaping delivery. The Council is of the view that the cable corridor and landfall, due to their temporary nature and mitigation/reinstatement, would have a neutral local impact in terms of landscape and visual amenity. The converter stations would have a significant impact on nearby residential properties in Bentley and surrounding houses/farms and on the adjoining scheduled monument, but impacts could be lessened through appropriate screen planting.

8.3 The submitted HRA and Ecology Surveys are considered to provide an accurate assessment of the Biodiversity and Ecology impacts of the development and rules out any likely significant affects, subject to the mitigation and recommendations set out in the report being considered at the Hearing Sessions.

- 8.4 The submitted information is considered to provide an accurate assessment of the impact on the local highway network both during construction and operation. The Council therefore considers that subject to the necessary mitigation measures in the outline CTMP and to be agreed, that impact on local highway network would be neutral.
- 8.5 Subject to the final drainage strategy surface water and foul water details the scheme would have a neutral impact in flood risk and drainage terms. Trenchless crossings of watercourses is however requested wherever possible.
- 8.6 The level of harm to heritage assets would be less than substantial in all cases except the Butt Farm scheduled monument. Further consideration of screening and mitigation is required to lessen the impact.
- 8.7 East Riding of Yorkshire Council may wish to make further representations, as appropriate, during the examination.

Appendix 1

Planning Committee Minutes of 7th November 2024

EAST RIDING OF YORKSHIRE COUNCIL

PLANNING COMMITTEE

7 NOVEMBER 2024

PRESENT: Councillors Rogers (Chairman), Bibb, Corless, Healy, S McMaster, Nolan, Phoenix, Robson, Steel, Whittle and Whyte.

The Committee met at County Hall, Beverley.

Officers Present: Ms A Wheldale - Planning Team Leader Strategic, Mr G Varley - Principal Development Management Officer, Mr D Crampton - Solicitor and Mr J Whyley - Senior Committee Manager.

Members of the public speaking via Zoom - 0

Also in attendance: Public - 0
Press - 0

74/24 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY AND PREJUDICIAL INTERESTS AND DECLARATIONS UNDER SECTION 4 OF THE CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS - There were no declarations made.

75/24 MINUTES - Resolved - That the minutes of the Committee held on 12 September 2024 be confirmed and signed as a correct record.

76/24 PLANNING SUB-COMMITTEES - Resolved - That the minutes of the undermentioned Sub-Committees be received:-

- (i) Eastern Area Planning 2 and 30 September 2024
- (ii) Western Area Planning 3 September 2024

77/24 WITHDRAWALS - The Executive Director of Planning and Economic Regeneration advised the Committee that no applications had been withdrawn from the Schedule of Planning Applications.

78/24 DOGGER BANK SOUTH OFFSHORE WIND FARMS - The Executive Director of Planning and Economic Regeneration submitted a report on an application by RWE Renewables UK Dogger Bank South (West) Limited for an order granting development consent for the Dogger Bank South Offshore Wind Farms which includes onshore cable routes to new converter stations and onward cable route to proposed Birkhill Wood National Grid Sub-Station at Dogger Bank South Offshore Wind Farms (Application 24/01427/NSIP).

At the meeting, the Executive Director advised the Committee of the following updates:-

- Public Protection - Having reviewed all the information considered that there were appropriate conditions for the protection of residential amenity.
- Planning Officer - Comprehensive landscaping was well considered, however reference would be made to the potential cumulative impact of the converter stations. The landfall of the cable cut through a Coastal Change Management Area. The Coastal Change Management Team had been consulted and its comments would be brought to the Inspector's attention.

ddpc/cr/democratic/planning/minutes/7nov24 (jmw)

Planning 7 November 2024

Resolved - (a) That the Committee approves the contents and recommendations set out within the Local Impact Report subject to the amendments referred to above;

(b) that the following additional points be submitted to the Planning Inspectorate as representing this Committees' further comments on the proposal:-

(i) the use of non-trench options for cabling which will mitigate the impact on highway infrastructure is welcomed;

(ii) the need to get to the completion point of the scheme at the earliest opportunity to minimise the impact on residential amenity;

(iii) the emphasis on the need for the scheme to benefit local businesses and local job creation;

(iv) the harm that the development will cause to the scheduled ancient monument of Butt Farm WWII Anti-Aircraft Battery and ensuring heritage harm is correctly balanced against wider public benefits generally and that due to the harm the Inspector be requested to carry out a site visit to the site;

(v) an expectation that there will be a need for operational lighting and security lighting at the converter stations given their national significance which needs to be assessed in terms of visual impact;

(vi) the need for robust fire security measures at the converter stations;

(vii) the strengthening of the wording within the ecology conditions to include 'must' rather than 'should', as well as the need for mitigation to be established prior to consent being granted not at the pre-commencement stage;

(viii) concern that there are no specific details of the converter stations which could have an impact on whether this is acceptable, would like to ensure a design panel is required to consider the details of the converter stations which should include relevant ward councillors, and

(ix) the futureproofing of the trenching and non-trenching of the cableways to ensure that there are opportunities for cable route sharing in the event other schemes come forward in the future, or there is a need to enhance or upgrade the scheme at a later date;

(c) that the Local Impact Report be submitted to the Planning Inspectorate for consideration in the examination of the scheme, and

(d) that the Executive Director of Planning and Economic

Regeneration in consultation with the Chairman of the Planning Committee be delegated to make any further alterations to the Local Impact Report before the report is submitted to the Planning Inspectorate for consideration.

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Planning 7 November 2024

79/24 FUTURE PLANNING APPLICATIONS - The Committee considered details of planning applications that were currently under consideration or were likely to be submitted to the next or subsequent meetings of the Committee.

Resolved - That the report be noted.