Proposed Solar PV Development

Byers Gill Solar
EN010139

8.6 Responses to the Examining Authority's First Written Questions (ExQ1)

Planning Act 2008

APFP Regulation 5(2)(q)

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

Deadline 2 - August 2024

Revision C01

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1. Introduction

1.1. Purpose of this document

1.1.1. The purpose of this document is to provide the responses of RWE (the Applicant) to the Examining Authority's first written questions (EXQ1) issued on 30 July 2024, relating to Byers Gill Solar (the Proposed Development).

1.1.2. The response to questions directed at the Applicant can be found in Table 2-1. Where the responses refer to other documentation, these are provided separately as part of the Deadline 2 submission, or as an appendix to this document. This is made clear in the written response.

2. Responses to the Examining Authority's first written questions

Table 2-1 Applicant's response to the Examining Authority's first written questions

ExQ1	Question to:	Question:	Applicant's response
General and Cross-topic Questions			
GCT 1.5	Applicant	**Other consents and permits** 7.3 Other Consents and Licences [APP-166] details the Applicant's position in relation to those consents and agreements which the Applicant currently anticipates may be required to supplement powers within the draft DCO and the status of any agreement with the regulatory authority (where required). The Applicant is therefore asked to: 1. Provide an update on progress with obtaining these consents, licences and permits; 2. Include a section providing an update on these consents, licences and permits in any emerging Statements of Common Ground (SoCGs) that are being drafted with the relevant consenting authorities.	The Applicant provides an updated version of Other Consents and Licences (Document Reference 7.3, Revision 2) as part of the Deadline 2 submission. This provides an update on the Great Crested Newt District Level License (DLL) process with Natural England, and on the discussions with the Environment Agency on the flood risk activity permit (FRAP), which it is no longer proposed to disapply. Discussions on the FRAP will be reflected in the SoCG with the EA, intended to be submitted at Deadline 3 No other consents and licenses are relevant to SoCG discussions at this time.
GCT 1.6	Applicant All Local Authorities Prescribed Consultees Interested parties	**Central Government Policy and Guidance** Are you aware of any updates or changes to Government Policy or Guidance (including emerging policies) relevant to the determination of this application that have occurred since it was submitted? If yes, what are these changes and what are the implications for the application?	As a general point of note, there has been a change in central Government following the July 2024 General Election. The relevant Secretary of State (SoS) responsible for determination of the Proposed Development has changed, and is now Ed Miliband MP. The SoS outlined in a statement on 8 July 2024[1] his role in delivering on one of the Prime Minister's 5 national missions: '*to make Britain a clean energy superpower with zero carbon electricity by 2030, and accelerating our journey to net zero*.' Since taking post, the SoS has granted development consent for three solar NSIPs that were awaiting determination. The applicant notes that these were approved under the previous Energy National Policy Statements (NPSs) pursuant to section 105 of the Planning Act 2008,

ExQ1	Question to:	Question:	Applicant's response
			whereas the application for the Proposed Development will be decided under the revised Energy NPSs designated on 17 January 2024 pursuant to section 104 of the Planning Act 2008. The application of the revised NPSs are considered in detail in the Planning Statement [APP-163]. In terms of planning policy, the Government announced proposed changes to the National Planning Policy Framework (NPPF) on 30 July 2024, launching a consultation until 24 September 2024. Whilst the amendments largely relate to housing, they do also seek to 'support clean energy and the environment, including through support for onshore wind and renewables'. There are two changes of relevance: i. Proposed amendments to Chapter 14 of the NPPF seek to strengthen the weight given to renewables and low carbon development, directing local authorities to 'give significant weight' to their contribution to a net zero future. It is considered that these amendments, whilst not yet confirmed, would further support the overall case for the Proposed Development as set out in the Planning Statement [APP-163] and reiterate the established need for nationally significant solar as set out in the NPSs. ii. The consultation seeks to change the threshold at which solar projects are determined to be nationally significant and consented under the DCO process. The proposed amendment is to increase the threshold from 50MW to 150MW. The outcome of this consultation would not impact upon the Proposed Development, given that the proposed generating capacity of the scheme is over 150MW and the DCO application has already been accepted under the existing regime. There have been a series of ministerial statements in relation to food security and agricultural land which are considered in response to question GCT.1.7 below.

ExQ1	Question to:	Question:	Applicant's response
			The Applicant is not aware of any other updates to Central Government policies or guidance that are of relevance to the Proposed Development at this time.
GCT 1.7	Applicant	On 15 May 2024 the Secretary of State for Energy Security and Net Zero made a written ministerial statement (WMS) entitled 'Solar and protecting our Food Security and Best and Most Versatile (BMV) Land'. Please set out any implications for the consideration of the proposal arising from this WMS.	The 15 May 2024 WMS reiterates the importance of balancing the dual needs of maintaining Best and Most Versatile (BMV) agricultural land for food security and achieving net zero through solar energy development. It did not make any policy changes, including to any policy in the January 2024 designated Energy NPSs. The Planning Statement [APP-163] demonstrates that the Proposed Development is in accordance with the Energy NPS in relation to matters of agricultural land. The new SoS has also since made a statement on 18 July 2024[2] which set out that solar energy is not a significant threat to food security in comparison to climate change, and reiterated the urgent need for clean energy: *"Credible external estimates suggest that ground-mounted solar used just 0.1% of our land in 2022. The biggest threat to nature and food security and to our rural communities is not solar panels or onshore wind; it is the climate crisis, which threatens our best farmland, food production and the livelihoods of farmers."* The full statement is provided as Appendix A1 to the Comments on Relevant Representations [REP1-004]. Whilst the application for the Proposed Development was submitted prior to the WMS of 15 May 2024, the Applicant considers that it does not change the position of the Proposed Development in relation to agricultural land, or the manner in which this matter should evaluated by the SoS in determining the case for development consent. As set out in the Planning Statement [APP-163], only 6.1% of the total site area for the Proposed Development includes land considered BMV. It was not feasible to avoid agricultural land altogether and the Applicant submit that the inclusion of a small proportion of BMV land within the Order Limits is justified within the

ExQ1	Question to:	Question:	Applicant's response
			context of the overall benefits presented by the Proposed Development, and its clearly established national need.
GCT 1.10	Applicant	**ES Supporting Documents** Figure 2.13 Underground Cable Routes [AS-019] shows a number of route options for the off-road and the on-road cabling. Could the Applicant please submit two further drawings showing: • One showing the off-road route options only; • One showing the on-road route options only; • And one with the preferred cable route.	The Applicant has provided these plans in an updated version of Figure 2.13 Underground Cable Routes (Document Reference 6.3.2.13, Revision 3). This includes an updated version of the overarching underground cable routes plan, which shows both off-road and on-road options, and separate sheets which show off-road options only and on-road options only. As explained in detail in paragraphs 2.6 to 2.16 of the Applicant's Rule 9 Response [AS-008], certain sections of the on-road and off-road routes are already fixed and do not have optionality. These fixed sections are depicted on the updated Figure 2.13 and will be included in the final cable route. Where optionality remains, the Applicant confirms that off-road cabling is preferred and therefore Sheet 3of Figure 2.13, which shows the off-road cable route option, is the preferred cable route.
GCT 1.11	Applicant	The Applicant has confirmed, in Chapter 2 of the ES [APP-025] that an element of flexibility remains through the inclusion of both on-road and off-road cable route options and that, although the off-road cable route is preferred, both options have been assessed as part of the ES. Can the Applicant therefore please confirm: • The amount of land that is subject to optionality (i.e. the amount of land that the Applicant has included in the Order which might not be needed if the Applicant can secure all the land and rights needed for the off-road option)? • The amount of land additional land that the Applicant has already secured in order to deliver the preferred off-road cable route? • And what will be the Applicant's future intentions for land already secured for the off-road cable route, if	The Applicant responds to each of the three bullet points in question GCT.1.11 in turn: i. The amount of land included within the Order limits which is subject to optionality and which might not be needed if all land and rights needed for the off-road option were secured is 35.92 acres. ii. The off-road cable route option covers land totalling 414,085 square metres (102.32 acres). Since submission of the latest version of the Book of Reference [AS-017], the Applicant has now agreed options with several landowners totalling 89,894 square metres (22.21 acres), 22% of the off-road cable route option. These options will be listed within the relevant plots within the Book of Reference when an updated version is next submitted, as directed by the ExA. Due to the nature of the cable route the final route is likely to be a combination of both the on-road and off-road options (i.e the on-

ExQ1	Question to:	Question:	Applicant's response
		the off-road cable route is not deliverable, and how has this been secured through the dDCO?	road and off-road options are not two mutually exclusive alternatives). Consequently there may be the ability to rely on landowner agreements for sections of the off-road route where these have been secured but for other elements of the cable route rely on compulsory acquisition (for off road elements without landowner agreement) or use the on road option. In respect of the Applicant's future intentions for land already secured for the off-road cable route: (iii) The Applicant has identified its preference to use off-road cable routes where possible (see paragraph 3.9 of ES Chapter 3: Alternatives and Design Iteration [APP-026]) and any land that has already been secured for the off-road cable route. In the event that land secured for the off-road cable route is not used to deliver the off-road cable route, the Applicant would not exercise the relevant landowner Option Agreement to acquire the necessary rights and interests to lay the cabling. There is no need for the dDCO (Document Reference 3.1, Revision 2) to control the Applicant's exercise of its rights under any landowner option agreements, as the option will commit the Applicant to making various payment to the landowners which will not be in their interest to trigger if they are not going to use the land.
GCT 1.12	Applicant Durham County Council (DCC) Darlington Borough Council (DBC) Stockton Borough Council (SBC)	Can the Applicant please set out what considerations it has given to the need to develop a S.106 agreement with the Host Local Authorities (HLAs) (DCC, DBC, SBC)? And, if the Applicant feels there is a need for one, what are the topics and issues that the S.016 Agreement should cover? Can the HLAs confirm their position in relation to the need for a S.106 agreement and confirm if any discussions or consideration has been given to this?	The Applicant confirms that a Section 106 Agreement is not required for the Proposed Development. The Environmental Statement [APP-022 to AP-162] has not identified any mitigation or enhancement which requires section 106 as a securing mechanism. All mitigations and enhancements are secured via the draft DCO (Document Reference 3.1, Revision 2), as set out in the Mitigation Route Map [APP-171].

ExQ1	Question to:	Question:	Applicant's response
GCT 1.14	Applicant	As per the Funding Statement [APP-026], the Applicant estimates that the Proposed Development will cost £200m to build. Can the Applicant provide details in relation to availability of funding and its timing?	Once consent is received the Applicant will undertake a Final Investment Decision process which will consider factors such as construction estimates and the grid connection date in order to proceed to release funds for the construction phase. As explained in the Funding Statement [APP-026] the Applicant has the available funds to release to construct the project at the appropriate time.
GCT 1.15	Applicant	At ISH1 several IPs raised concerns regarding the effects of the Proposed Development, particularly the solar panels component, on birds and horses and other wildlife. Can the Applicant please provide further information in relation to how these likely effects have been assessed and how the applicant has taken into consideration likely effects.	ES Chapter Biodiversity [APP-029] presents the impact assessment and likely significant effects of the Proposed Development on Biodiversity. In summary, the Applicant assessed the following receptors: • International and national statutory designated sites of ecological importance within 10 km of the Order Limits (Ramsar sites, special protection areas (SPA) and special areas of conservation (SAC); • nationally designated sites (sites of special scientific interest (SSSIs) and nature reserves), within 2km of the Order Limits; • non-statutory designated sites (often important in a local context) within 1 km of the Order Limits; • protected and noteworthy species within 1 km of the Order Limits; • breeding and wintering bird; • habitats and invasive species; • invertebrates; • amphibians including great crested newt (GCN); • reptiles; • bats; • water vole and otter; • badger; and • other mammal species such as brown hare and hedgehog. The Chapter concludes there would be no significant effects to biodiversity arising through construction, operation or decommissioning of the Proposed Development, taking into account its likely effects and the secured mitigation measures as set out in

ExQ1	Question to:	Question:	Applicant's response
			Table 6-6. The Chapter does not consider livestock such as horses, as livestock does not fall within the remit of a biodiversity assessment. There are not wild horses present in the area. Effects on the environment that may be relevant to businesses or residences with horses are assessed in other parts of the ES, such as ES Chapter 11 Noise and Vibration [APP-034], ES Chapter 7 Landscape and Visual [APP-030] and ES Chapter 9 Land Use and Socioeconomics [APP-032].
GCT 1.16	Applicant	Significant effects have been identified by the Applicant, particularly Visual and Landscape effects, in relation to several different receptors as set out in Table 7-12 Landscape and Visual impact assessment summary of Chapter 7 of the ES [APP-030]. Considering the number of significant visual effects identified, can the Applicant please explain its design approach to the proposed development, why more detailed information than that provided in Chapter 3 of the ES was not submitted and if the Applicant believes that a separate Design Approach document might be of use in order to better inform the ExA in relation to the Applicant's approach on Design?	The Applicant submitted a standalone Design Approach Document [AS-004] in support of its DCO Application, which sets out, how, through the Proposed Development's design evolution, the Applicant has adhered to rigorous technical, functional and safety-led design requirements. The Applicant has also sought to ensure that local communities can continue to enjoy the surrounding landscape and natural environment. As a result, the design has taken into account the existing environment and how local communities and visitors to the area interact with the local landscape. The document also seeks to provide a summary of the landscape and environmental context of the area in which the Proposed Development is sited, and subsequently provide a detailed account of how the design of the Proposed Development has sought to respond to this context, and present a design which is in keeping with the local area. It also demonstrates how the design approach has been shaped by considerations such as the site selection process and factors informing it, and the technical constraints of infrastructure. Following Issue Specific Hearing 1 (ISH1) the Applicant has provided an additional submission – Energy Generation and Design Evolution Document (Document Reference 8.9) at Deadline 2 which provides further policy and legislative context on the need of the Proposed Development, assessment of alternatives, and provides a chronological account of the design changes to remove specific parcels of proposed panel area during the preliminary design development and the reason for these changes.

ExQ1	Question to:	Question:	Applicant's response
GCT 1.17	Applicant	How has the Applicant taken into consideration the impacts of Climate Change on the Proposed Development and how has the Proposed Development been developed in order to respond to the challenges of climate change particularly the increase in frequence of extreme weather events?	The impacts of climate change, such as high temperatures, increased rainfall and increased storm intensity, are considered within ES Chapter 5 Climate Change [APP-028]. The Applicant has carried out an assessment of climate change resilience in ES Appendix 5.2 Climate Change Resilience (CCR) Assessment [APP-124] and proposed mitigation measures to reduce risks during construction, operation and decommissioning, as listed in Tables 5-14, 5-15 and 5-16 of ES Chapter 5 [APP-028]. These include measures embedded into the design of the Proposed Development, alongside measures secured via management plans such as the Outline CEMP [APP-110]. The CCR Assessment confirms that there are no climate risk ratings at moderate or above, and ES Chapter 5 concludes that the effect of climate change on the Proposed Development is therefore very low to low, which is not significant.
GCT 1.18	Applicant	Can the Applicant please confirm, where within the Application documents, the principals that lead and presided to the proposed configuration of panels in Fig. 2.2 General Arrangement Scheme Wide [APP-040] are layed out, particularly in reference to identified sensitive receptors and how the Proposed Development has been sensitive to their location?	As explained in the Applicant's response to GCT.1.16, the Applicant submitted a standalone Design Approach Document (DAD) [AS-004] in support of its DCO Application. Section 4 of the DAD [AS-004] sets out the context for the design, including how, as recognised in NPS EN-3, the site selection process and factors informing site selection can also influence or constrain design choices. The site selection process is detailed in ES Chapter 3 Alternatives and Design Iteration [APP-026]. Section 7.2 of the DAD [AS-004] in particular provides an account of the design response with regards to the layout of technical infrastructure, such as the panel configuration, which was in part driven by the requirements of 'good design' and the existing location context. It is also important to note that many elements of the Proposed Development are also driven, in part, by safety requirements, manufacturing capabilities and/or industry standards, which the Applicant also had to have regard to during its design process. Following Issue Specific Hearing 1 (ISH1) the Applicant has provided an additional submission – Energy Generation and Design Evolution

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			Document (Document Reference 8.9) at Deadline 2 which provides further policy and legislative context on the need of the Proposed Development, assessment of alternatives, and provides a chronological account of the design changes to remove specific parcels of proposed panel area during the preliminary design development and the reason for these changes.
GCT 1.19	Applicant Natural England	The Applicant states, in paragraph 3.3.5 of the Planning Statement [APP-163] that the Proposed Development is anticipated to provide an 88% net gain in area habitat Biodiversity Units (BUs) and 108% net gain of hedgerow BUs and that this is significantly over the forthcoming mandatory requirements – but how do these Biodiversity Units relate to Biodiversity Net Gain?	Biodiversity Units (or BNG Units) are a standardised metric used to quantify the impact of development projects on biodiversity. These units provide a measure of both the losses and gains in biodiversity resulting from a project when considered against an assessed baseline, allowing for a clear assessment of its ecological impact. The metric evaluates habitats as a proxy for overall biodiversity, considering factors such as the type, extent, condition, and distinctiveness of habitats. As set out in section 3 of the BNG Report [APP-131], to calculate the overall biodiversity accounting position of the Proposed Development, the BU value for existing habitats (pre-development) are calculated, as is the BU value for proposed created/enhanced habitats (post-development). This enables for the change in biodiversity value to be calculated, and the percentage of net gain to be identified. The Biodiversity Units generated through this process represent the net balance of biodiversity after a project is completed, guiding developers to ensure that their activities lead to a net positive or neutral impact on the natural environment.
GCT 1.20	Applicant	In paragraph 6.1.7 of the Planning Statement [APP-163] the Applicant states that Proposed Development has also been assessed as providing a beneficial effect on soil resources (at the point of decommissioning) and employment and supply chain opportunities. Could the Applicant please explain how it has arrived to this position and what the key benefits are?	These potential beneficial effects are reported in full within ES Chapter 9 Land Use and Socioeconomics [APP-032]. This includes a moderate beneficial, significant effect in relation to soil resources. This conclusion reflects the fact that leaving the land undisturbed under long term grassland management is likely to lead to benefits to soil health and structure over the lifetime of the Proposed Development. It also reflects the potential beneficial effect of returning the Order Limits to agricultural production following decommissioning of the Proposed Development. These potential

ExQ1	Question to:	Question:	Applicant's response
			benefits are reported at paragraphs 9.10.71-73 of Chapter 9 [APP-032]. The conclusion in relation to employment and supply chain records a minor, rather than significant, beneficial effect at the construction and decommissioning phases of the Proposed Development. These benefits include temporary employment, supply chain opportunities (for example, through local plant hire) and the benefits of localised spending (for example, through construction works being accommodated and spending locally). It is assumed that effects during decommissioning would be similar in nature and extent to the construction stage and would take place over a similar duration. The Applicant has therefore used the construction stage assessment as a proxy for the decommissioning phase and would anticipate employment opportunities in relation to removal of the Proposed Development, as well as activities associated with returning the land to agriculture. These benefits are reported at paragraphs 9.8.4-5 and 9.10.58-60 of Chapter 9 [APP-032].
3.	Principle of the Proposed Development		
PPD.1.1	Applicant	The Applicant states that the Proposed Development has a generating capacity of over 50MW of electricity. However, the Applicant has not established what the likely generating capacity of the Proposed Development is. Can the Applicant please confirm: • How the Applicant has arrived to 'a generating capacity of 50MW'; • What is the likely generating capacity of the proposed development; • How has the Applicant arrived to, and what are the assumptions behind, the likely generating capacity of the Proposed Development.	Article 3 of the draft DCO (Document Reference 3.1 Rev 2) states that the Proposed Development 'comprises a generating station with a gross electrical output of over 50 megawatts alternative current' (AC) which is the required threshold for the Proposed Development to be considered under the Planning Act 2008. The Applicant has a Grid Connection Agreement with Northern Powergrid to export 180 MW (AC) to the National Grid at Norton Substation, as confirmed by the Grid Connection Statement [APP-168]. Accordingly, the Proposed Development has been designed to deliver a generating capacity of 180MW AC. Following Issue Specific Hearing 1 (ISH1) the Applicant has provided an additional submission – Energy Generation and Design Evolution Document (Document Reference 8.9). Section 3.1 of that document

ExQ1	Question to:	Question:	Applicant's response
			sets out in further detail the Applicant's approach to delivering the 180 MW generating capacity required for grid connection.
PPD.1.2	Applicant	The production of solar energy is influenced by several different factors including those that influence exposure to sunlight, such as the number of daylight hours, weather conditions and overall location and direction of the panel in relation to the sun. Can the Applicant please provide further information in relation to how these factors were considered as part of any modelling carried out in relation to the generating capacity of the proposed development and how that anticipated generating capacity will vary in accordance to those factors that were considered?	As noted in response to PPD.1.1, the Applicant has provided an additional submission – Energy Generation and Design Evolution Document (Document Reference 8.9). Section 3.1 of that document sets out in further detail the Applicant's consideration of the factors influencing the generating capacity of the Proposed Development. The Applicant notes that almost any level of irradiance would technically enable the generation of electricity; the factors that define viability are the amount of electricity generation, how much generation is required to maximise the Grid Connection capacity, and how much will it cost to construct the project compared to its likely income based on the electricity generated. At the site selection stage in 2021, the Applicant identified the north east of England as a viable area in which to site a solar farm considering the levels of irradiance and the solar technology available at the time. The Applicant undertook viability modelling for the Proposed Development which took account of weather conditions based on a long-range forecast for the available sunlight each hour of the year over the life of the solar farm. The viability modelling also took account of historical weather data taken over a period of around 10 years. During viability assessment, the Applicant considered various types of solar panels (monocrystalline, bifacial, N-type) for the Proposed Development. Please see the Applicant's response to PPD.1.5 for further details. One of the key factors considered was the performance of solar panels in low-light conditions, which allows panels to be more effective at generating electricity in the early morning/late evening or during cloudy days, when the sunlight is not as intense. Other factors which influence the generating capacity of a

ExQ1	Question to:	Question:	Applicant's response
			solar farm were considered, including the orientation of the panels to the south to maximise their exposure to the available irradiance. In testing the feasibility of the Proposed Development, the Applicant considered the aggregated generation over one year to calculate the design requirements for the project. Along with grid capacity, environmental constraints, and available land, this led to the Proposed Development including its size and the location of panels.
PPD.1.3	Applicant	Paragraph 2.10.17 of the NPS EN-3 (EN-3) states that, along with associated infrastructure, a solar farm requires between 2 to 4 acres for each MW of output. It goes on to state that a typical 50MW solar farm would consist of around 100,000 to 150,000 panels and cover between 125 to 200 acres. Considering that the Applicant states that the Proposed Development is approximately 490 hectares (1211 acres), can the Applicant please confirm the overall number of panels proposed and set out how the current proposal compares in relation to the typical 50MW solar farm as included in EN-3?	NPS EN-3 is interpreted to mean MW DC in the calculation to establish per-acre generation. The Applicant assumes that the MW DC figure is most relevant. On the basis of the below calculations, the Applicant confirms that the parameters Proposed Development are proportionately comparable with the typical 50MW solar farm included in EN-3. With regards the ratio of generating output to land area, the stated total acreage area of the Proposed Development as 1,211 acres is the total land within the Order Limits. The ratio of the acreage of panelled areas (measured as within the fence surrounding panelled areas, which would also include supporting infrastructure such as access tracks, inverters, transformers and BESS which are in addition to the area needed for generation) in DC generation is as follows: - 739 acres / 288MWp = 2.5 Acres/MW DC The Applicant submits that the Proposed Development is therefore comparable with the parameters suggested by EN-3. It is not possible to confirm the total number of panels which will be used as this will be subject to detailed design layout and the type of panel procured if the Proposed Development is granted Development Consent. This is because different types of solar panels for fixed structures can have varying dimensions and configurations for how they are mounted.

<table>
<tr><th>ExQ1</th><th>Question to:</th><th>Question:</th><th>Applicant's response</th></tr>
<tr><td>PPD.1.4</td><td>Applicant</td><td>The Applicant is asked to confirm the amount of land that it requires for the Proposed Development in relation to the following:
Work No. 1;
Work No. 2;
Work No.3 minus any area identified for landscape and biodiversity mitigation and enhancement measures including planting;
landscape and biodiversity mitigation and enhancement measures including planting;
Work No. 5;
Work No. 6;
Work No. 7;
Work No. 8;
Work No. 9.</td><td>The below table sets out the relevant areas of each work as per Revision 2 of the Works Plans [AS-013].

For clarity, we have provided the area of Work No. 3 in total, minus any areas identified for landscape and biodiversity mitigation and enhancement measures including planting (Work No. 9); and where it does not overlap with any other works. Cable route areas are calculated to the total area within the Order Limits, which are wider than the final requirements for laying the cable. All areas are given to 2 decimal places (2dp).

<table>
<tr><th>Work No.</th><th>Area (sqm)</th><th>Area (ac)</th><th>Area (ha)</th></tr>
<tr><td>1 – Panel Areas</td><td>2,989,967.92</td><td>738.52</td><td>299.00</td></tr>
<tr><td>2 - BESS</td><td>Within Work No.1 Panel Area</td><td></td><td></td></tr>
<tr><td>3 – Cable 33kV and Other Works (Total)</td><td>4,039,636.02</td><td>997.79</td><td>403.96</td></tr>
<tr><td>3 – Cable 33kV and Other Works (minus any areas identified for landscape and biodiversity mitigation and enhancement measures including planting (Work No. 9))</td><td>3,604,747.81</td><td>890.37</td><td>360.47</td></tr>
<tr><td>3 – Cable 33kV and Other Works (where no overlap with any other works)</td><td>968,480.00</td><td>239.21</td><td>96.85</td></tr>
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<tr><th>ExQ1</th><th>Question to:</th><th>Question:</th><th>Applicant's response</th></tr>
<tr><td></td><td></td><td></td><td>
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<tr><td>4 – Construction of an on-site substation</td><td>3,078.50</td><td>0.76</td><td>0.31</td></tr>
<tr><td>5 – Cable 132kV</td><td>372,387.12</td><td>91.98</td><td>37.24</td></tr>
<tr><td>6 – Norton Substation grid connection</td><td>113,302.40</td><td>27.99</td><td>11.33</td></tr>
<tr><td>7 – Temporary Construction Compounds</td><td>33,749.99</td><td>8.34</td><td>3.37</td></tr>
<tr><td>8 – Access Works</td><td>3,450.48</td><td>0.85</td><td>0.35</td></tr>
<tr><td>9 - Green Infrastructure</td><td>434,888.21</td><td>107.42</td><td>43.49</td></tr>
</table>

It should be noted that the aggregated area of land stated across all works in the above table is larger than the total acre figure of land within the Order Limits (1,211 acres) due to various works overlapping.
</td></tr>
<tr><td>PPD.1.5</td><td>Applicant</td><td>Can the Applicant confirm what type of PV panels are proposed and what other options and alternatives were considered in relation PV panel technology and why any options or alternatives considered were dismissed, including any risks identified?</td><td>The type of PV panels will be decided following Development Consent and will depend on the technology available at the time; see answer DES.1.3 for explanation of the modules used to inform the assessment of viability.

Bifacial panels have energy generating surfaces on both side of the PV panel. The Applicant assumes that this type of panel will be chosen for the Proposed Development at detailed design so irradiance can be harnessed from both sides of the panels. They add a relative boost of 5% from the reflection from the ground and allows for increased generation to maximise generation in a given area.

The Applicant assumes that N-type panels would be used as they perform better in low light environments and have a higher efficiency. This means that the amount of land and number of panels used is</td></tr>
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ExQ1	Question to:	Question:	Applicant's response
			lower. The type of compound used in the silicon wafer provides more generation at times of lower irradiance, such as in the morning or evening. They also benefit from lower degradation rates which increase the life span of the project. P-type panels are an alternative that the Applicant does not expect to use. Because these panels currently have higher degradation rates resulting in lower generation throughout the lifetime of the project. As technology improves it is possible there could be a new type of panel that could be used. The Applicant considered two types of panel mounting structure during the development of the Proposed Development. Fixed mounting structures support PV panels which face south on rows oriented from east to west. Tracking mounting structures support panels which follow the sun on a pivot from the east in the morning to the west in the evening. These are on rows that are oriented from north to south. Fixed panels were, in part, chosen on the basis that tracker panels did not gain sufficiently greater yield to justify the greater cost compared to fixed panels due to lower irradiance in the North East. At statutory consultation both "fixed" (panels facing south on east to west rows on a mounting structure that does not move) and "tracker" (panels on north to south rows on a mounting structures that move throughout the day to track the sun) were considered. The height of panels was proposed at 4.35m. Following Statutory Consultation and comments received from those with an interest in the Proposed Development, the decision was made to reduce the height of panels to 3m with a 3.5m maximum height. This is reported in the Consultation Report [APP-017] and Consultation Report Appendices Part 4 of 4 [APP-021]. Fixed trackers were chosen as a result of the reduced area of land as explained in the Energy Generation and Design Evolution Document

ExQ1	Question to:	Question:	Applicant's response
			(Document Reference 8.9) The height of the panels was reduced in response to matters raised in the Statutory Consultation and environmental assessments including landscape.
PPD.1.6	Applicant	The Applicant states that the Proposed Development has been designed to maintain flexibility and that construction Parameters have been set to support this. Can the Applicant please set out where the construction parameters are set out?	Paragraphs 2.2.5 to 2.2.10 of ES Chapter 2 The Proposed Development [APP-025] set out how the Rochdale Envelope approach has been applied, in which design parameters have been defined for aspects of the Proposed Development not yet finalised. This creates a reasonable worst-case scenario to inform the environmental impact assessment (EIA). The parameters are described within the detailed description of the Proposed Development in section 2.3 of ES Chapter 2 [APP-025] and are listed in Table 8-1 of the Design Approach Document [AS-004].
PPD.1.7	Applicant Northern Power Grid	The Grid Connection Statement [APP-168] states that the Applicant has received a grid connection offer from Northern Power Grid to connect to the Norton Substation. Considering the number of other solar energy projects identified in the Short List of Committed Developments [APP-162], how have the cumulative effects of the Proposed Development and committed developments been taken into consideration? The Applicant and Northern Power Grid are also to confirm that they are in agreement in regards to the Short List of Committed Developments and are not aware of any other electricity generating projects that are proposed to connect to Norton Substation.	Cumulative effects of the Proposed Development with other committed developments have been assessed using the methodology set out in Environmental Statement Chapter 13 Cumulative Effects [APP-036]. A long [APP-161] and short list [APP-162] of committed developments have been identified to feed into this assessment and their cumulative effect with the Proposed Development has been considered where it has been assessed as appropriate to do so. It is confirmed that the Applicant remains unaware of any other electricity generating projects that should form part of the cumulative effects assessment for the Proposed Development. The Applicant notes that if developments enter the planning system following submission of the application for the Proposed Development, it would be for those developers to assess their own scheme cumulatively with the Proposed Development. Reference should be made to written question CU.1.1 regarding engagement with Northern Power Grid and the availability of connection capacity.
PPD.1.8	Applicant	At OFH1 the ExA's attention was drawn to concerns from local residents in relation to the potential	The new Northumbrian water main is confirmed as ID65 in Environmental Statement Appendix 13.3 Short List of Committed

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		cumulative effects between the Proposed Development and a new Northumbrian Water water main. Can the Applicant please confirm if this proposal is ID65 included in Appendix 13.3 Short List of Committed Developments [APP-162]? And can the Applicant please confirm that it has been in dialogue with Northumbrian Water in order to assess likelihood and magnitude of any potential issues?	Developments [APP-162] and an assessment is included in Environmental Statement Chapter 13 Cumulative Effects [AP-036]. Engagement has taken place with Northumbrian Water as set out in the Status of Negotiations with Statutory Undertakers document [REP1-018] regarding the existing assets. No engagement has been undertaken with the Applicant of the Northumbrian Water main with regards to cumulative effects at this stage, as this scheme is still at scoping and insufficient details are available. The application for Northumbrian Water main will consider the cumulative impacts with the Proposed Development and in the event that there is an overlap in the construction periods at the limited number of highway junctions this will be able to be managed by the LPAs when discharging the CTMPs.
PPD.1.9	Applicant	The Applicant has stated, in paragraph 3.6.7 of ES Chapter 3 [APP-026] that a "connection agreement has been secured with NPG for the generation of 180MW of electricity". Can the Applicant please clarify why 180MW of electricity was deemed to be an appropriate value to secure in relation to a connection agreement?	The Applicant is subject to the capacity available on the Grid. After assessing environmental constraints as set out in ES Chapter 3 [APP-025] and engaging with landowners a Grid Connection Agreement was sought from Northern Power Grid which provided the available capacity.
PPD.1.10	Applicant	At ISH1, under agenda item 3, the Applicant presented a series of slides with the title *Components of the Byers Gill Solar*. In this presentation the Applicant explained that, as part of its site selection process, certain areas originally considered were then dismissed as a result of consultation and *environmental factors*. Can the Applicant please: • Submit the slides presented at ISH1 into examination; • Confirm the reasons why certain areas, originally identified as suitable for solar panels by the Applicant, were dismissed and removed from the final proposal (marked pink in the document presented by the Applicant at ISH1);	The 'Components of Byers Gill Solar' presentation was provided as Appendix A to the Summary of Applicant's Oral Submissions at ISH1, OFH1 and OFH2 [REP1-006] submitted at Deadline 1 of the Examination. The site selection and design iteration process is provided in ES Chapter 3 Alternatives and Design Iteration [APP-026] and the overarching design approach and principles are set out in the Design Approach Document [AS-004]. In response to the points of discussion at ISH1, the Applicant has prepared a further document which provides more detail on why certain areas originally identified for solar panels were removed from the design, including the environmental factors informing those decisions. This is provided in the Energy Generation and Design

ExQ1	Question to:	Question:	Applicant's response
		• What were the "environmental factors" or the criteria that presided to the site selection process.	Evolution Document (Document Reference 8.9) document submitted at Deadline 2. Please refer to that document for further information.
PPD.1.11	Applicant	The number of Battery Energy Storage Systems (BESS) is not quantified. Can the Applicant confirm the number of BESS proposed and where this is secured, and provide their exact locations?	Paragraph 2.3.20 of ES Chapter 2 The Proposed Development [APP-025] confirms that there would be up to 53 hybrid containers, which contain BESS and an inverter. This is secured via the design parameters contained in Table 8.1 of the Design Approach Document [AS-004] and Requirement 3 of the dDCO (Document Reference 3.1 Rev 2), which requires that the detailed design developed prior to construction must accord with the Design Approach Document and therefore its defined parameters. The exact locations of the BESS are yet to be determined and would be developed at detailed design, under Requirement 3, in accordance with the aforementioned design principles. Indicative locations are shown on the General Arrangement Plans, which are ES Figures 2.2-2.8 [APP-040 to APP-046].
PPD.1.12	Applicant	What are the consequences for the Applicant of the project underperforming? And how has the Applicant prepared for this?	The Proposed Development has been designed to generate the required amount of electricity to meet the grid connection agreement. The modelling carried out uses established panel technology to understand the performance of the solar farm across its lifetime, including weather forecasting. The assumptions in the model are generally conservative. Modelling considers averaged historical weather patterns, a number of system loss factors, such as shading, cables losses, soiling, degradation over the solar farms lifetime. The use of conservative assumptions combined with improving technology mean it is unlikely the site should perform below the Applicant's expectations.
PPD.1.13	Applicant	The Consultation Report references in paragraph 6.4.27 that "The Proposed Development would generate enough electricity to power up to 70,000 homes and store excess energy generated, further supporting the growth of renewable energy production in the UK". Can the Applicant please clarify what technology was assumed	This calculation would have assumed the use of 570w Jinko panels. Once fully operational, the Proposed Development would be capable of generating enough electricity to meet the average (mean) annual domestic energy needs of 75,043 typical UK homes. Solar energy generation is calculated using the formula below:

ExQ1	Question to:	Question:	Applicant's response
		it would be used for those calculations and how it has arrived to that number, in high level terms?	• [AC MW] x [24 hours] x [365 days] x [Capacity Factor] / [Annual Average (mean) domestic consumption for the UK] The capacity factor is derived from the design of the solar farm and the total MWh per year that will be produced. The proposed solar farm could produce 263,872 MWh per annum resulting in a capacity factor of 16.7% [calculated as: 263,872 / (365*24*180)]. • 180 x 24 x 365 x 16.7% / 3.509 = 75,043 typical UK homes The 70,000 homes figure was used to ensure the Applicant was being conservative in its communications.
PPD.1.14	Applicant	Most the case for need as set out by the Applicant is based on a national need analysis. Can the Applicant please set out the case for local need?	The Proposed Development is a nationally significant infrastructure project (NSIP) which would provide energy to the national grid. As set out in Chapter 3 of the Planning Statement [APP-163], it is required to meet an urgent national need for new energy infrastructure. Moreover, as a low-carbon form of energy generation, the Proposed Development is defined by NPS EN-1 as 'critical national priority' infrastructure (CNP) urgently required in order to meet national decarbonisation targets and achieve net zero ambitions. The Applicant submits that a specific case for local need is not relevant to the determination of the Proposed Development, and which is a policy requirement of the NPS. Notwithstanding this position, the Applicant has taken into account local planning policy and guidance in developing the Proposed Development, and is in compliance with such policy, as demonstrated through the Planning Statement [APP-163] and Policy Compliance Document [APP-164]. The Applicant has also noted, as identified in paragraphs 3.2.33 to 3.2.27 of the Planning Statement [APP-163] that all three 'host' local authorities in which he Proposed Development is situated, have declared climate emergencies. This reflects the recognition, locally, of the urgent need for action to address climate change and achieve net zero goals.

ExQ1	Question to:	Question:	Applicant's response
4.	Environmental Impact Assessment		
EIA.1.1	Applicant	ES Chapter 2, paragraph 2.3.28 [APP-025] identifies that where a batt plough cannot be used, ie underneath watercourses and roads, horizontal directional drilling would be employed. ES Chapter 10, paragraph 10.7.38 [APP-033] states that the cable would be routed underneath Bishopton Beck, however, there is no more detail on the proposed crossings ie where they are located and the parameters of works involved. Can the Applicant provide the exact locations and details of proposed watercourse crossings.	The statement within ES Chapter 10 [APP-033] is specific to that assessment chapter and confirms that the cable crossing associated with the Bishopton Beck and one of its tributaries would be routed underground and underneath the watercourse, with no ground raising or above ground watercourse crossings proposed, thereby not impacting flood risk at these locations. The Order Limits contain sufficient land in order to implement a cable route that would connect the panel areas to the on-site substation (33kV cables), and connect the on-site substation to the Norton substation (132kV cables), whether via the preferred cable plough method, or through horizontal directional drilling (HDD). Details of the final locations and construction solution for the underground cabling will be decided at the detailed design stage once the final cable route has been defined and a contractor has been appointed. It is not therefore possible for the Applicant to provide exact locations and details of watercourse crossings at this stage. This approach has been discussed with the EA as part of ongoing liaison and in response to their RR [RR-168]. The Applicant would consult the LPA and therefore the LLFA as part of its commitment under proposed Requirement 3 'Detailed Design' of the dDCO (Document Reference 3.1 Revision 2) and have also made a commitment to consult the EA on the CEMP under Requirement 4 and the associated Pollution and Spillage Response Plan. Future updates to the CEMP and Pollution and Spillage Response Plan made under Requirement 4 will further consider the detailed design proposals in relation to cable routes and methods and these will be discussed with the LPA and EA. The Applicant has discussed this approach with the EA who are content, on the basis that they are a named consultee on future iterations of the CEMP and the specific assessments for any

ExQ1	Question to:	Question:	Applicant's response
			directional drilling around water courses that may be required. The dDCO (Document Reference 3.1 Revision 2) has been updated on this basis as part of the Applicant's Deadline 2 submission, and the position with the EA will be reflected in the SoCG which is due to be submitted at Deadline 3.
EIA.1.2	Applicant	ES Appendix 2.3 paragraph 1.11.6 [APP-107] states the anticipated replacement rates of infrastructure during operation to inform the quantity and types of waste during operation. Can the Applicant explain how this captures a worst case scenario and how these parameters are secured in the dDCO?	The anticipated replacement rates were calculated using data provided directly by infrastructure manufacturers and based on the infrastructure forming the Proposed Development in order to identify the quantity of waste over its operational lifetime. This was based on the design proposed within the DCO application, the parameters of which are secured via the DCO in requirement 3. The key assumptions around this calculation are set out in paragraph 5.5.2 of ES Chapter 5 Climate Change [APP-028] as they relate to the greenhouse gas emissions assessment and were subsequently used to inform ES Appendix 2.3: Assessment of Likely Waste Arisings [APP-107].
EIA.1.3	Applicant	The construction commencement date is not stated in the ES other than construction would take between 18 and 24 months once the dDCO is made and that the Proposed Development should commence within 5 years of the dDCO being made. Considering the nature of baselines such as biodiversity that have potential to change over a period of 5 years, can the Applicant explain how this has been accounted for within the relevant ES assessments?	It is not expected that baseline surveys would need to be updated in the context of the assessment presented in the Environmental Statement. The baseline data in the Environmental Assessment is based on the time of assessment being made and construction is expected in the short term following consent. This is an accepted approach across comparable DCO projects. A pre-construction walkover survey will be undertaken to reconfirm the ecological baseline conditions to identify any new ecological risk, and the potential requirement for any additional species specific surveys. This pre-construction survey is committed to under reference BD2 within the ES Appendix 2.6 Outline Construction Environmental Management Plan (APP-110).
EIA.1.4	Applicant	ES Chapter 8 Cultural Heritage and Archaeology [APP-031], paragraph 8.5.4 states that 19ha (2%) of the Proposed Development site was not subject to a	The baseline assessment for ES Chapter 8 Cultural Heritage and Archaeology [APP-031] is not determined by a single source of information, rather the collation and synthesis of various datasets

ExQ1	Question to:	Question:	Applicant's response
		geophysical survey due to land access constraints. Can the Applicant explain what assumptions were made in relation to this area to characterise the baseline?	which are interpreted together to characterise the entire site, placing it within its broader context. While geophysical survey one of those sources, the assessment of potential for archaeological remains is principally supported by ES Appendix 8.1 Historic Environment Desk-based Assessment (DBA) [APP-139 to APP 145] which lists the sources consulted in paragraph 3.3 [APP-145]. The DBA takes into consideration elements of the archaeological and historic environment record which could not be detected through geophysical survey, as well as those that could. The geophysical survey adds into our calibration for understanding the archaeological potential of the whole site. Therefore, where small areas cannot be surveyed, as is the case for the 19ha noted, through the information gathered in the DBA and the geophysical survey where access was possible, professional experience and judgement is used to determine the potential for archaeological remains in this area.
EIA.1.5	Applicant	Following comments from the EA on the Flood Risk Assessment [AS-001], can the Applicant explain how fluvial flood risk including future climate change projections have been captured in the Flood Risk Assessment and why they are appropriate or else update the FRA and any other relevant assessments to account for the appropriate climate change projections. This should include a description of mitigation and explanation as to why it is appropriate.	The Applicant continues to engage with the EA following their Relevant Representation [RR-168] and has prepared and shared a draft SoCG on this basis. This is intended to be submitted at Deadline 3 of Examination. Within their submissions, the EA raised concerns in relation to the assessment of flood risk and in particular the Sequential Test and climate change projections. Since these comments were received, the Applicant has engaged with the EA and agreed to undertake some further modelling work to consider the areas at higher risk of flooding. The methodology and approach to this further work has been agreed with the EA and is reported through an updated Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1, Revision 3) which has also been submitted as part of Deadline 2. The updated FRA also details

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			the application of the Sequential Test, which the Applicant considers has been satisfied for the Proposed Development.
EIA.1.6	Applicant	The Mitigation Route Map [APP-171] states that a ground investigation is identified as 'essential' mitigation on page 5. This is stated to be secured via Requirements 3 and 4 of the dDCO which secured the detailed design approval and the Outline Construction Management Plan (OCEMP). However, no ground investigation is secured through the OCEMP or the detailed design approval. Can the Applicant explain how the proposed ground investigations are secured through the application?	The Applicant has reviewed this and agrees that the ground investigations are not sufficiently secured through the dDCO (Document Reference 3.1, Revision 2). The Outline CEMP [APP-110] will be updated at a future deadline to include the requirement for ground investigations. The requirement for this update to be made has been added to the ES Errata and Management Plans Proposed Updates (Document Reference 8.11) submitted at Deadline 2 and commits to the updated OCEMP later in Examination.
EIA.1.7	Applicant	ES Chapter 2 The Proposed Development [APP-025], paragraph 2.3.28 identifies that where a cable plough cannot be used, ie underneath watercourses, horizontal directional drilling would be employed. ES Chapter 10 Hydrology and Flood Risk [APP-033], paragraph 10.8.15 states that there would be two new watercourse crossings and if not adequately designed they could lead to long term erosion and sediment pollution. There is no description of the crossing designs in the ES and there is no discussion of potential impacts from these crossings in ES Chapter 10 or the WFD assessment. Can the Applicant either signpost where this information and assessment is in the ES and WFD assessment or update the relevant assessments accordingly to provide this.	The reference at paragraph 10.8.15 of Chapter 10 of the ES [APP-033] refers specifically to the two new proposed access crossings which would cross minor tributaries of the River Skerne and Little Stainton Brook. The exact design of these crossings will not be confirmed until the detailed design stage of the Proposed Development and following the appointment of a contractor team. The approach to the design of new watercourse crossings is described in paragraph 2.6.38 of ES Chapter 2 The Proposed Development [APP-025] as embedded mitigation. This confirms that the design of new watercourse crossings will be agreed with the Lead Local Flood Authority (LLFA) prior to construction and will be designed with regard to the CIRIA Culvert Design and Operation Guide. The design will ensure that the culvert will not increase erosion by having a buried invert so the natural bed formation remains in situ. With this embedded mitigation, the magnitude of impact would be negligible. Future iterations of the outline CEMP [APP-110] developed under Requirement 4 of the dDCO (Document Reference 3.1 Revision 2) would consider the final design solution for these crossings and would undergo consultation with the LPA and therefore the LLFA.

ExQ1	Question to:	Question:	Applicant's response
EIA.1.8	Applicant	Please confirm the assessment of the potential effects of the Proposed Development with the use of the 'Rochdale Envelope' approach and the degree of flexibility requested.	Paragraphs 2.2.5 to 2.2.10 of ES Chapter 2 The Proposed Development [APP-025] set out how the Rochdale Envelope approach has been applied, in which design parameters have been defined for aspects of the Proposed Development not yet finalised. This creates a reasonable worst-case scenario to inform the environmental impact assessment (EIA). The parameters are described within the detailed description of the Proposed Development in section 2.3 of ES Chapter 2 [APP-025] and are listed in Table 8-1 of the Design Approach Document [AS-004]. All assessments reported on in the ES are carried out on the basis of these parameters and the reasonable worst-case scenario.
EIA.1.9	Applicant	Please confirm that all necessary consents and licences have been considered and provide a confirmation of the status of each.	All necessary consents and licenses have been considered and are listed in Other Consents and Licences (Document Reference 7.3, Revision 2), of which an updated version is provided at Deadline 2. This provides an update on the Great Crested Newt District Level License (DLL) process with Natural England, and on the discussions with the Environment Agency on the flood risk activity permit (FRAP) regime, which is now proposed to be applied to the Proposed Development. Where a consent or licence is not already obtained, or is not provided through the DCO via disapplication, the Applicant and its appointed contractor will obtain the necessary consents or licences at the relevant stage of construction.
5.	Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations		
CA.1.1	Applicant	The most up-to-date version of the Book of Reference (BoR) [AS-017] in Part 1, details the names and addresses of each person within Categories 1 and 2 includes those whose land would be affected by Compulsory Acquisition. The Applicant is asked to please complete the CA Schedule (Annex A) providing updates where appropriate on the position of ongoing negotiations for acquisition by agreement and include the total number of plots for which agreement has not been reached. The Applicant is	The CA Schedule (Annex A in EXQ1) was completed and submitted at Deadline 1 [REP1-019]. This will be updated and submitted at further Deadlines as appropriate.

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		requested to provide regular updates throughout the Examination.	
CA.1.2	Applicant	Section 122 of the PA2008 states that an order granting development consent may include provision authorising the Compulsory Acquisition (CA) of land only if the SoS is satisfied that the land: (a) is required for the development to which the development consent relates, (b) is required to facilitate or is incidental to that development, or (c) is replacement land which is to be given in exchange for the order land under section 131 or 132. And that there is a compelling case in the public interest for the land to be acquired compulsorily. Can the Applicant please confirm that all of the land included within the Order Limits, as set out in the Land Plans [AS-015] and identified as subject to CA, meets the requirements set out in Section 122?	The Applicant confirms that all of the land included within the Order Limits, as set out in the Land Plans [AS-015] and identified as subject to CA, in the book of reference [AS-017] meets the requirements set out in Section 122. Justification for this is given in Section 5 of the Statement of Reasons [APP-014].
CA.1.3	Applicant	Please advise whether the Book of Reference (BoR) [APP-015] if fully compliant with the Department for Communities and Local Government (DCLG) Guidance related to procedures for the compulsory acquisition of land (Sept. 2013)[1]. If it isn't, please amend accordingly.	The Applicant confirms that the Book of Reference (BoR) [APP-015] is compliant with the guidance specified, specifically Annex D of that guidance. We draw attention to the most recent submission of the BoR [AS-017] which supersedes the Application version [APP-015] and likewise confirms compliance with the DCLG's guidance at paragraph 1.1.6.
CA.1.6	Applicant	There are a number of Category 1, 2 and 3 persons identified as 'unknown' in the BoR [APP-015]. Can the Applicant confirm whether further steps have been taken,	All persons having an interest in the Order land, including ownership of or rights over unregistered land, have been identified through a process of diligent inquiry. The diligent inquiry process for identifying all interests in the land is set out in Chapter 3 'Land Interests' of the

[1] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/236454/Planning_Act_2008_-_Guidance_related_to_procedures_for_the_compulsory_acquisition_of_land.pdf

ExQ1	Question to:	Question:	Applicant's response
		or will be taken during the Examination, to identify any persons having an interest in the land?	Statement of Reasons [APP-014] and Chapter 5, Section 4 (5.4) of the Consultation Report [APP-017]. Where, despite completing the diligent inquiry process, an interest or right in land has been identified but the holder of that interest remains unknown, 'unknown' has been listed as an entry in the relevant plots of the BoR [AS-017]. In respect of public highways where ownership has not been able to be confirmed unknown has been included in addition to a presumed owner. This accounts for, the majority of the 'unknown' entries in the BoR. In these plots, adjacent freehold interests have been consulted and included as owners of the half width of the subsoil, and the relevant highway authority listed in respect of the adoption of the public highway. There is therefore unlikely to be an update in these plots given the status of the land as highway and the inclusion of presumed owners. Some plots within unknown ownership lay between registered titles where the adjacent landowners have been included on a presumed basis as it is likely that these plots of unknown ownership result from mapping discrepancies from historic Land Registry titles. Outside of the highway plots, where 'unknown' is listed within a plot and ownership remains unconfirmed, the Applicant's Land Referencing team continues to review land ownership at regular intervals during Examination. This review process includes, but is not limited to, a Search of the Index Map (SIM) to confirm any new title registrations, review of Land Registry records and affixing site notices advertising upcoming hearings. Any updates to land interests will be included in the BoR and subsequently submitted alongside an accompanying Schedule of Changes to the BoR at Deadline 9 (23 January 2025), as directed by the ExA.
CA.1.7	Applicant	Certain special categories of land are subject to additional provisions in the Planning Act where it is proposed that	Section 6 of The Statement of Reasons [APP-014] confirms that none of the land within the Order Limits is either Crown Land for the

ExQ1	Question to:	Question:	Applicant's response
		they should be compulsorily acquired. Can the Applicant confirm that no Crown land forms part of the CA and update the ExA on special categories of land?	purposes of section 135 of the Planning Act 2008 or special category land. This is also confirmed in Parts 4 and 5 of the Book of Reference [AS-017].
CA.1.10	Applicant	The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. Can the Applicant please clarify how: 1. It has had regard to the Equality Act 2010 in relation to the powers sought for CA and TP? 2. Have any Affected Persons been identified as having protected characteristics? If so, what regard has been given to them?	Section 149 of the Equality Act 2010 places a duty on public authorities to have due regard to equality considerations when exercising their functions. This duty also applies to a person who is not a public authority but who exercises public functions. The section 149 duty is therefore applicable to the ExA in relation to the conduct of the Examination and its reporting, and to the SoS in exercising its function to determine this application for development consent. The Applicant confirms that it is not a public authority or a person exercising public functions which is subject to the section 149 duty. The Applicant can confirm, however, that in developing the DCO application for the Proposed Development and the proposals for compulsory acquisition and temporary possession, the Applicant has taken reasonable steps to ensure that all individuals engaged with are treated equally and without discrimination in their ability to be informed or to engage. In relation to the powers sought over land, the Applicant has utilised various methods of communication to identify relevant land interests and engage with them regarding the proposals. This has included letters, emails, phone calls, in-person events and meetings, site notices, local deposit locations, information on the project website and the offer of provision of hard copy material upon request. An exercise to identify and engage with seldom heard groups was also undertaken and documents were made available in an accessible format such as Braille upon request. The approach to this engagement is set out in section 5.4 of the Consultation Report [APP-017]. To date there have not been any individual Affected Persons expressly identified as having protected characteristics defined under

ExQ1	Question to:	Question:	Applicant's response
			the Equality Act 2010. As above, the Applicant has sought to engage in a manner that would not discriminate should an Affected Person have protected characteristics.
CA.1.11	Applicant	The Statement of Reasons (SoR) [APP-014] states that the Applicant is seeking CA powers in relation to the off-road cable routes only, having successfully sought to negotiate land by agreement for the majority of the land in the Order Limits, namely the Panel Area and mitigation land. in Appendix B, a Schedule of Negotiations which appear to be on-going. The Applicant is asked to provide an update on any changes in negotiations in relation to land and update the SoR accordingly.	Agreements are in place with all landowners where Panel Areas and/or mitigation land is proposed. These options are listed against the relevant plots within the BoR [AS-017] noting the date of agreement as entered on the Land Registry title where either confirmed or in the process of being updated at Land Registry. Since application, the Applicant has continued to engage with affected landowners to acquire land by agreement. Please refer to the CA Schedule submitted at Deadline 1 [REP1-019]. This document will be updated and submitted at further Deadlines as appropriate. Where an option agreement is agreed and entered into during Examination, the Book of Reference will be updated and subsequently submitted alongside an accompanying Schedule of Changes to the BoR at Deadline 9 (23 January 2025), as directed by the ExA.
CA.1.12	Applicant	Appendix A of the SoR [APP-014] includes a list of land plots subject to compulsory acquisition under Art. 23 and plots over which temporary possession powers are requested. The Applicant is asked to confirm if plots 11/17 and 12/3 shouls also be included in Appendix A?	The Applicant confirms that plots 11/17 and 12/3 are listed in Appendix A of the SoR [APP-014], specifically on page 32.
CA.1.13	Applicant	The Applicant is asked to confirm if Appendix B details all on-going negotiations with known land owners whose land rights would be affected by CA?	The Applicant confirms that Appendix B of the Statement of Reasons [APP-014] details the status (as at the point of submission of the DCO application) of all on-going negotiations with known landowners whose land rights would be affected by compulsory acquisition. The CA Schedule submitted at Deadline 1 [REP1-019] provides the most recent position.

ExQ1	Question to:	Question:	Applicant's response
CA.1.14	Applicant	The Applicant states, in paragraph 3.2.6 of the SoR that there are a limited number of small parcels of land in unknown ownership. The Applicant is therefore asked to: 1. Confirm which parcel the Applicant has identified and if has been able to ascertain ownership of any parcel following the most recent version of the BoR [AS-017]; 2. What further work is the Applicant proposing to carry out in owner to ascertain ownership; 3. Asked to keep Appendix B up-to-date with any changes as well as the BoR.	Further to the response given at CA.1.6 above, the Applicant has excluded from this response reference to highways plots of unknown ownership on the basis that there is unlikely to be an update in these plots given the status of the land as highway and the inclusion of presumed owners. On that basis: 1. The following list details all plots with unknown/unregistered entries against ownership (outside of highway land): 3/7, 3/9, 3/15, 4/2, 4/3, 6/2, 6/5, 6/6, 9/4, 9/11, 11/6, 11/7, 12/3, 12/29, 13/2, 13/12, 13/14 & 13/19. For the majority of these plots, presumed ownership has been established through a combination of engagement with adjacent landowners, enquiries by the Applicant's legal team negotiating option agreements or other desktop referencing methods. The following plots remain unknown with no confirmation of any owner to date – 3/7, 11/17 &12/3. 2. Where 'unknown' is listed within a plot and ownership remains unconfirmed, the Applicant's Land Referencing team continues to review land ownership at regular intervals during Examination. This review process includes, but is not limited to, Search of the Index Map (SIM) to confirm any new title registrations, review of Land Registry records and affixing site notices advertising upcoming hearings. Some plots within unknown ownership lay between registered titles where the adjacent landowners have been included on a presumed basis as it is likely that these plots of unknown ownership result from mapping discrepancies from historic Land Registry titles. 3. Any changes found will be updated in the BoR and subsequently submitted alongside an accompanying Schedule of Changes to the BoR at Deadline 9 (23 January 2025), as directed by the ExA. The Applicant confirms that Appendix B of the Statement of Reasons [APP-014] were included in the Compulsory Acquisitions Schedule [REP1-019] submitted at Deadline 1 and

ExQ1	Question to:	Question:	Applicant's response
			this document will be updated and submitted at the appropriate deadline, but the Applicant will keep the ExA informed of any changes as appropriate.
CA.1.15	Applicant	Are any land or rights acquisitions required in addition to those sought through the draft DCO before the Proposed Development could become operational?	No. As detailed in Section 1.4 of the Statement of Reasons [APP-014], the Applicant has secured land for the panel areas via negotiation and voluntary agreement. Furthermore, as detailed in paragraphs 2.17 to 2.32 of the Rule 9 response [AS-008]: the Applicant has secured the panel areas through negotiation and by landowner agreement and the off-road cable route land is currently under negotiation with compulsory acquisition powers included in the draft DCO as a fall-back. The Applicant's view is that there is no need to acquire any interests in the land should the on-road cable routes be needed due to the cables being laid in highway land. Finally, we do not require any interests in land at Norton Substation because the proposed works will be carried out on the basis of Northern Powergrid's leasehold interest in the land.
CA.1.16	Applicant	The most recent version of the BoR [AS-017] and accompanying Schedule of Changes [AS-018] includes 'added interests' in relation to land included within the Order Limits. Can the Applicant please clarify what measures have been taken in order to ensure that new added interests are fully aware of the Proposed Development and the application for a Development Consent Order to be granted?	Following the ExA advice given within Annex B of the Rule 8 letter – Notification of timetable for the Examination [PD-005], the Applicant has written to any new parties to provide information about the Proposed Development and give notice of the right under section 102A of the Planning Act 2008 to register as an Interested Party. The Applicant posted letters providing this information and contact details for the Applicant and Case Team on 12 August 2024. The letter also invited these parties to contact the Applicant directly if they wish to discuss their interest in land within the Proposed Development and the Applicant would welcome any engagement. It is noted that any new interests found to date relate to changes to subsoil ownership of public highways within the Proposed Development.

ExQ1	Question to:	Question:	Applicant's response
6.	Development Compulsory Order		
DCO.1.1	Applicant	The Applicant confirms, in the Explanatory Memorandum [APP-013], the precedents for Articles 21 (Compulsory acquisition of land) and 23 (Compulsory acquisition of rights) of the dDCO. The Applicant states that both are as substantially found in the Longfield Solar Farm Order 2023, amongst others. Taking that the Applicant's approach to the identification of land proposed to be subject to Compulsory Acquisition and Temporary Possession is substantially different than that taken in the Longfield Solar Farm Order 2023, can the Applicant please justify why it believes that the precent is still valid and applicable to the Applicant's approach to Order land?	The provision of powers within any DCO for the compulsory acquisition of land, rights over land, temporary possession, and related supporting articles, follow a common approach. That approach is evident in the Longfield Solar Farm Order 2023, and has been followed in the draft DCO (Document Reference 3.1, Revision 2) for the Proposed Development of Byers Gill Solar. The drafting is broadly similar to that within the other recently made solar DCOs: • The Gate Burton Energy Park Order 2024 • The Mallard Pass Solar Farm Order 2024 • The Sunnica Energy Farm Order 2024 All of these made DCOs, and the Applicant's draft DCO [APP-012], follow the framework for such powers provided by the Infrastructure Planning (Model Provisions) Order 2009. There is a distinction to be made between the framework powers of compulsory acquisition within a DCO, and how those powers are then applied by the DCO to particular plots of land within the order limits of that DCO. All made DCOs provide those framework powers in a broadly similar way. The way in which those framework powers are then applied by any DCO is determined by: 1. For the acquisition of land: the land identified on the land plans as land to be acquired and described as such in the book of reference. 2. For the acquisition of rights over land: the land identified on the land plans as land over which rights are to be acquired and described as such in the book of reference. In the case of the draft DCO (Document Reference 3.1, Revision 2) for Byers Gill Solar, the Applicant has acknowledged that the application of powers of compulsory acquisition (and temporary

ExQ1	Question to:	Question:	Applicant's response
			possession) is more limited in its approach than that taken by other comparable schemes. In particular, the Applicant has not sought to compulsorily acquire the freehold land interest in the panel areas of the authorised development. It is also not seeking to acquire rights over subsoil parcels beneath the extent of existing adopted highways. This has been explained in detail in the previous submission in response to the Examining Authority's Rule 9 request for information [AS-008]. The Applicant has demonstrated that there is no impediment to the delivery of the Proposed Development in taking this approach. The Applicant will have sufficient land rights to deliver the scheme. Whilst the Applicant in this case has limited the application of the powers of compulsory acquisition sought as part of the draft DCO (Document Reference 3.1, Revision 2), there is no reason why that limitation requires different drafting to be used for the framework powers which are set out in the draft DCO. Those framework powers follow the framework drafting of the Model Provisions Order, and the subsequent practice which has developed in the drafting of DCOs. If more land rights were to be added to the scope of the compulsory acquisition powers (whether land or rights over land), that could be accommodated by amending the relevant certified documents which control the scope of that land acquisition, namely the Book of Reference [AS-017] and the Land Plans [AS-015]. The Applicant would be happy to provide further commentary on these matters in any issue specific hearing considering the drafting of the draft DCO in particular. In addition to the detailed explanation for the laying of cables within streets (highways) which has been provided in response to the Examining Authority's Rule 9 request for information [AS-008], the Applicant would also like to raise two further points of detail with the Examining Authority about the proposed street works: • The first is that all cables which would be laid within streets would be at a maximum depth of 1.2 metres below the surface

ExQ1	Question to:	Question:	Applicant's response
			of the street. That limited depth should further support the Applicant's explanation that the cables are to be laid within the strata of land comprising the street or highway, rather than within the sub-soil beneath that strata. • The second is that full utility searches have informed the cable route and the Applicant holds data from these searches for all highway routes. A cable feasilbility study was carried out at an early stage of the design which established the suitability of the route, and the Applicant is confident that there is sufficient space to accommodate the cable route within those highway routes, with the detailed alignment to be established at the detailed design stage of the project.
DCO.1.2	Applicant	Notwithstanding that drafting precedent has been set by previous DCOs or similar orders, full justification should be provided for each power/ provision taking into account the facts of this particular DCO application. Where drafting precedents in previous made DCOs have been relied on, these should be checked to identify whether they have been subsequently refined or developed by more recent DCOs so that the DCO provisions reflect the Secretary of State's current policy preferences. If any general provisions (other than works descriptions and other drafting bespoke to the facts of this particular application and draft DCO) actually differ in any way from corresponding provisions in the Secretary of State's most recent made DCOs, an explanation should be provided as to how and why they differ (including but not limited to changes to statutory provisions made by or related to the Housing and Planning Act 2016). Can the Applicant, therefore, please:	The Applicant has reviewed its draft DCO (Document Reference 3.1, Revision 2) in comparison to the recently made solar DCOs: • The Gate Burton Energy Park Order 2024 • The Mallard Pass Solar Farm Order 2024 • The Sunnica Energy Farm Order 2024 The Applicant believes that the drafting of its draft DCO (Document Reference 3.1, Revision 2) continues to be appropriate in light of those made DCOs. To the questions raised by the Examining Authority, the Applicant responds as follows: 1. The Applicant's view is that the Explanatory Memorandum [APP-013] clearly identifies which articles differ from the model provisions of the Infrastructure Planning (Model Provisions) Order 2009 and why, where articles are based on those model provisions. Paragraph 3.1.2 of the Explanatory Memorandum notes that the model provisions order has been repealed, but goes on to explain that the draft DCO (Document Reference 3.1, Revision 2) is based on those model provisions. There are

ExQ1	Question to:	Question:	Applicant's response
		1. Update the Explanatory Memorandum [APP-013] in order to clear identify which articles differ from model provisions and why? 2. For those articles where a drafting precent has been relied upon, check that the final wording is as included in the granted DCO. If it isn't, the Applicant is asked to provide justification for the proposed wording. 3. Provide a list of all the previous DCOs that have been used as a precedent for the drafting of this draft DCO or signpost where in the application documentation this can be found.	extensive references throughout the Explanatory Memorandum to where articles are based on the model provisions, where they differ from them, or where the relevant article does not appear in the model provisions. This is consistent with the way in which other explanatory memoranda for other DCOs have been approached in the experience of the Applicant and its professional team. 2. The Applicant considers that the drafting provided in the draft DCO (Document Reference 3.1, Revision 2) is consistent with the drafting in made DCOs. Whilst there may be minor drafting differences between the draft DCO for the Byers Gill Solar scheme and other made DCOs, it is not considered that any of those differences require changes to be made to the draft DCO for the Byers Gill Solar scheme. 3. Paragraph 3.1.2 of the Explanatory Memorandum (Document Reference 3.2, Revision 2) identifies the made orders which have influenced the drafting of the draft DCO (Document Reference 3.1, Revision 2). The Applicant's team keeps DCO drafting under review across the range of made DCOs, including those recently granted solar DCOs referred to above.
DCO.1.3	Applicant	Please supply subsequent versions of the dDCO in both .pdf and Word formats and in two versions, with the first forming the latest consolidated draft and the second showing changes from the previous version in tracked changes, along with comments/explanations outlining the reason for the change. The consolidated draft version in Word is to be supported by a report validating that version of the dDCO as being in the Statutory Instrument (SI) template and with updated revision numbers.	The Applicant will provide all subsequent versions in the form requested.

ExQ1	Question to:	Question:	Applicant's response
DCO.1.4	Applicant	The Applicant states that the Proposed Development has been designed to maintain flexibility and that construction Parameters have been set to support this. Can the Applicant please provide the ExA with a table listing all those construction parameters that the Applicant wishes to use, alongside with lower and upper limits for each parameters and a brief justification of why the Applicant considers those parameters to be appropriate taking into consideration the 'Rochdale Envelope' approach?	Paragraphs 2.2.5 to 2.2.10 of ES Chapter 2 The Proposed Development [APP-025] set out how the Rochdale Envelope approach has been applied, in which design parameters have been defined for aspects of the Proposed Development not yet finalised. This creates a reasonable worst-case scenario to inform the environmental impact assessment (EIA). The parameters are described within the detailed description of the Proposed Development in section 2.3 of ES Chapter 2 [APP-025] and are listed in Table 8-1 of the Design Approach Document [AS-004]. Requirement 3 of the draft DCO (Document Reference 3.1, Revision 2) requires that the detailed design of the Proposed Development is in accordance with the Design Approach Document [AS-012] and therefore the parameters it lists.
DCO.1.5	Applicant	Can the Applicant also confirm if it believes that such parameters should be included in the dDCO? And, if so, can the Applicant please draft an appropriate schedule with all appropriate parameters?	The design parameters are listed in Table 8-1 of the Design Approach Document [AS-004]. Requirement 3 of the draft DCO (Document Reference 3.1, Revision 2) requires that the detailed design of the Proposed Development is in accordance with the Design Approach Document [AS-012]. It is therefore not necessary to include a separate schedule duplicating this list of parameters.
DCO.1.6	Applicant	Can the Applicant write a new article to be included in the draft DCO that provides certainty in relation to minimum level of electricity expected to be produced based on best available technology?	The Applicant does not believe it is necessary or appropriate to include an article in the draft DCO (Document Reference 3.1, Revision 2) which would require a minimum level of electricity to be produced. The Applicant is not aware that such an article has been included in any of the tens of made DCOs relating to energy generating stations of varying technology types. There is no such article in the recently made solar DCOs for the Sunnica, Gate Burton or Mallard Pass schemes. Paragraph 3 of Schedule 1 to the draft DCO (Document Reference 3.1, Revision 2) confirms that the generating station which is the subject of the development consent which would be authorised by the draft DCO (if made) is one with a generating capacity in excess of

ExQ1	Question to:	Question:	Applicant's response
			50 megawatts alternating current which is accordingly a nationally significant infrastructure project. It is not considered that any further reference to the generating capacity is needed in the draft DCO. The Examining Authority and the Secretary of State can be assured that the Applicant will seek to maximise the level of electricity produced as part of the Proposed Development to take maximum advantage of the grid connection capacity which is available to it and is explained in the Grid Connection Statement [APP-168] that grid connection is a scarce resource.
DCO.1.7	Applicant	Art. 29 (4) states that the undertaker must of remain in possession of any land under this article after the end of the period of one year beginning with the date of completion of the part of the authorised development for which temporary possession of land was taken. Can the Applicant please explain why it believes that 1 year is a reasonable timeframe?	Art. 29(4) of the draft DCO (Document Reference 3.1, Revision 2) limits the period within which the Applicant may remain in possession of any land taken under that article. One year is the default limitation which is imposed (absent agreement with the landowner), from the date of completion of the part of the authorised development to which the temporary possession relates. It corresponds to Article 28(3) of Schedule 1 to the Infrastructure Planning (Model Provisions) Order 2009, which also provides that one year timeframe. This is consistent with other made DCOs, for example: 1. Art. 27(4) of the Gate Burton Energy Park Order 2024 2. Art. 29(4) of the Mallard Pass Solar Farm Order 2024 3. Art. 26(4) of the Sunnica Energy Farm Order 2024 One year is considered a maximum reasonable period following the completion of the relevant part of the authorised development during which time the undertaker might continue to require access over land for the purposes of removing any apparatus associated with the construction of the authorised development, and its subsequent commissioning.
7.	Biodiversity, Ecology and the Natural Environment		
BIO.1.1	Applicant	The receptors assessed during construction differ from the receptors assessed during operation; otters and non-statutory designated sites are assessed during	The Applicant notes several points raised in the ExA's question, and responds to each in turn:

ExQ1	Question to:	Question:	Applicant's response
		construction but are not assessed during operation without explanation, Chapter 6 Biodiversity [APP-029]. Water voles are identified as a receptor in the baseline characterisation in paragraphs 6.7.53 to 6.7.58 however are not assessed in section 6.8 without explanation. Additionally, Table 6-6 does not fully summarise the assessments set out in section 6.8 without explanation i.e. great crested newts and otters are not included in the table. Can the Applicant explain these omissions/inconsistencies or else update ES Chapter 6 to include a full assessment of these receptors?	The Applicant clarifies that there is a distinction in the receptors assessed during the construction and operation phases because the likely impacts of the Proposed Development are different during construction and operation. With regards to otters and non-statutory designated sites, the operational phase will involve only routine maintenance activities, characterised by the absence of significant emissions, noise, or waste generation. This justifies the decision to scope out otters and non-statutory designated sites from the operational phase. Taking into account the baseline data and design layout considerations, and using both professional judgement and available guidance, water vole and otter and GCN were scoped out of the impact assessment and not included in Table 6-5 of ES Chapter 6 Biodiversity [APP-029] which identified important ecological features based on their biodiversity importance in relation to the Order Limits, which is why they are also not presented in Table 6-6. However, species' protected status was considered, and appropriate mitigation measures were discussed in section 6.8 onwards. This also included a District Level Licensing (DLL) for GCN and mitigation measures embedded into the Proposed Development. A DLL has been progressed with Natural England, with a countersigned certificate received, as set out in the updated Other Consents and Licenses (Document Reference 7.3, Revision 2) submitted at Deadline 2. Mitigation measures embedded into the Proposed Development for otter, water vole and GCN include the following; – habitats used by otters and GCN to be preserved where possible with no ponds to be removed, with habitats enhanced to improve their suitability for these species;

ExQ1	Question to:	Question:	Applicant's response
			– pre-construction surveys to be carried out in advance of works to reconfirm the ecological baseline and identify any new ecological constraints. – the appointment of an Ecological Clerk of Works (ECoW) during construction to advise on protecting valued biodiversity features and provide practical, site-specific and proportionate advice on how to achieve compliance with environmental legislation; – should ground clearance of habitat suitable for amphibian and reptiles be required, then this will be undertaken at the right time of year to avoid the hibernation period of amphibians - i.e. avoid the period: October to March. The ECoW to supervise works and relocate any reptiles/amphibians found; – no night time work is to take place within 30 m of watercourses/waterbodies (the period when otters are most active); and – all works in proximity to waterbodies/watercourses should follow measures outlined in a CEMP to ensure their complete protection against pollution, silting and erosion.
BIO.1.2	Applicant	ES Chapter 10 Hydrology and Flood Risk [APP-033], paragraph 10.8.6 states that two new watercourse crossings are proposed and other watercourse crossings may be modified. There is no detail on these potential crossings and therefore, it is unclear how this might affect riverine species such as fish and otter. Effects from these crossings are not discussed in ES Chapter 6 [APP-029] and fish are not discussed as a potential receptor without clear explanation as to why they have been omitted. Can the Applicant provide further detail on watercourse crossings/alterations including timing, duration, location, extent and types of works required and signpost where	The two new watercourse crossings relate to proposed access tracks across minor tributaries of the River Skerne and Little Stainton Brook. Watercourses were considered as part of the baseline within ES Chapter 6 Biodiversity [APP-029] and the potential effects on habitats supported by watercourses across the Proposed Development are also considered within the assessment. Specifically, at paragraph 6.10.11 the assessment concludes that *"Watercourses / waterbodies are to be protected from construction activities and all works in proximity to watercourses / waterbodies will follow measures secured via ES Appendix 2.6 Outline Construction Environmental Management Plan [APP-110] to ensure their protection against pollution, silting and erosion"*. On this basis, the assessment concludes that any impacts

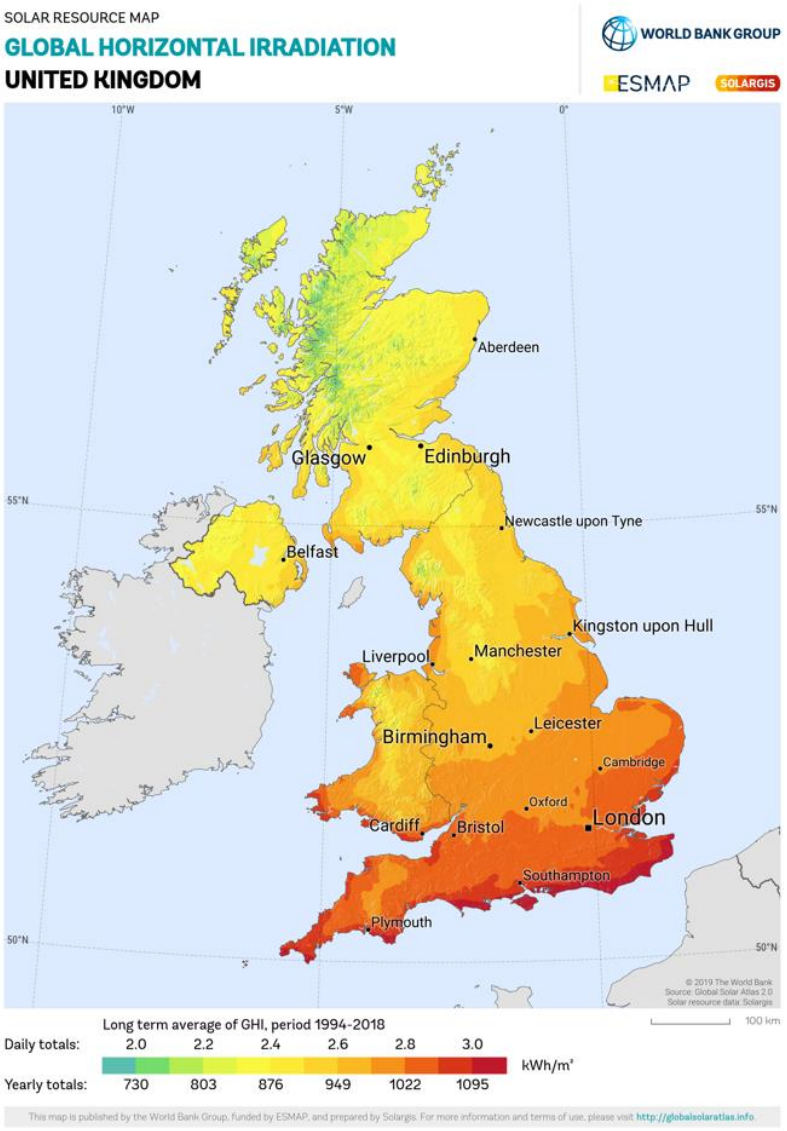
ExQ1	Question to:	Question:	Applicant's response
		effects on riverine species are assessed or else provide an assessment.	would be short-term in duration and of low magnitude, with effects considered to be not significant. The final design of these crossings is not yet known and will be subject to detailed design following the appointment of a contractor. The potential effects of these crossings have been discussed with the EA and the Applicant has committed to providing further detail via the detailed CEMP, on which the EA will be consulted under Requirement 4 of the dDCO (Document Reference 3.1, Revision 2). This will include any pre-commencement surveys, assessment and further detail on mitigation measures as the design progresses. Other watercourse crossings may be required but these are likely to relate to the final cable route selection. Again, any works to these crossings would be controlled through the outline CEMP [APP-110], which is proposed to be updated in consultation with the LLFA and EA and as set out in the SoCG with the EA anticipated to be submitted at Deadline 3. Proposed updates to the outline CEMP [APP-110] are included in the Environmental Statement (ES) Errata and Management Plans Proposed Updates (Document Reference 8.11) submitted at Deadline 2. If the crossings will involve instream work, then pre-construction surveys such as fisheries, otter, and water vole would be required. This is set out within section 2.6.13 of ES Chapter 2 [APP-025] as embedded mitigation.
BIO.1.3	Applicant	Requirement 4 of the dDCO [APP-012] specifies the measures that the CEMP must include. However, this does not fully align with the measures contained within the Outline Construction Environmental Management Plan [APP-110] (OCEMP) ie it excludes any measures relating to an invasive non-native plant species (INNS)	Requirement 4 of the DCO (Document Reference 3.1 Rev 2) states that the CEMP must be produced in accordance with the Outline CEMP [APP-110]. The Outline CEMP specifies that an invasive non-native plant species (INNS) method statement will be produced. As such, the detailed CEMP produced under Requirement 4 will need to accord with this provision, along with any other commitments made in the outline CEMP [APP-110]. As the INNS is secured in this manner, it is considered unnecessary to duplicate this requirement on

ExQ1	Question to:	Question:	Applicant's response
		method statement. Can the Applicant update the DCO to reflect the measures included in the OCEMP.	the face of the DCO by explicitly listing it in the drafting of Requirement 4.
BIO.1.4	Applicant	Pre-construction surveys are identified in the Outline Construction Environmental Management Plan [APP-110] in Table 4-2 for reconfirming the ecological baseline. It does not state what pre-construction surveys will be undertaken. A species protection plan is also proposed to be implemented during construction with full details outlined in the CEMP, however it is unclear what would instigate a species protection plan and what this would aim to do in relation to each species potentially affected. Can the Applicant explain how specific pre-construction surveys are secured through the application and explain the trigger for producing a species protection plan and an outline of any relevant measures.	A pre-construction walkover survey will be undertaken initially. If this survey identifies any new ecological risk, further targeted / specific surveys will be undertaken. The commitment to carry out the pre-construction walkover survey is contained in BD2-CEMP of the outline CEMP [APP-110] and is secured via requirement 4 of the draft DCO (Document Reference 3.1 Rev 2) which requires that the production of a detailed Construction Environmental Management Plan (CEMP) *'must be in accordance with the outline CEMP*'. As stated in ES Appendix 2.6 Outline CEMP [APP-110] the pre-construction walkover survey will be completed sufficiently in advance of the construction works to allow for the completion of any additional seasonal surveys (e.g., surveys in support of protected species licences) and implementation of mitigation measures. The Species Protection Plan (SPP) is to be implemented during construction, with full details outlined in the CEMP. The development of the CEMP is a pre-construction requirement, and as such, the details of the SPP must be developed as part of this in advance of construction commencement as part of the CEMP. The detailed CEMP produced and approved under requirement 4 would outline in greater detail the requirements of the SPP. The SPP would aim to ensure that works related to the Proposed Development take into account any protected species present on site. It will incorporate mitigation proposed as part of the ES (as outlined in Volume 7.8 Mitigation Route Map [APP-171]), and the outputs from the pre-construction walkover survey. Method statements for works will be proposed where necessary to ensure both direct and indirect impacts are avoided or minimised as far as reasonably practicable. The SPP will support any licence applications that are made.

ExQ1	Question to:	Question:	Applicant's response
BIO.1.5	Applicant	ES Chapter 10 Hydrology & Flood Risk [APP-033], paragraph 10.7.38 and ES Chapter 2 The Proposed Development [APP-025] paragraph 2.3.28 state that horizontal directional drilling will be used to route cables underneath waterbodies and watercourses. Although an outline pollution and spillage response plan is included at Appendix 2.9 [APP-113], drilling fluid breakout is not addressed in this document and no drilling fluid breakout plan has been provided with the application. Can the Applicant explain where appropriate mitigation measures for potential drilling fluid breakout are secured or update the relevant documents to secure appropriate measures.	The Applicant has discussed concerns raised by the EA around HDD and explained that any requirements to HDD within 10m of a watercourse will be fully designed and agreed through future updates to the CEMP [APP-110] and the Pollution and Spillage Response Plan [APP-113], prior to construction and following the appointment of the contractor team. These updates will include a drilling fluid breakout plan as appropriate. Proposed updates to the outline CEMP [APP-110] to secure this commitment are included in the Environmental Statement (ES) Errata and Management Plans Proposed Updates (Document Reference 8.11) submitted at Deadline 2. This position will be confirmed within the SoCG with the EA which is due to be submitted at Deadline 3.
BIO.1.6	Applicant	Please confirm compliance with the Environment Act 2021, the provision of Net Gain and the objectives included in the Government's Environmental Improvement Plan. Biodiversity Net Gain (BNG) is to be assessed using the Department for Environment, Food & Rural Affairs (DEFRA's) Statutory Biodiversity Metric. Please submit the assessment based upon the use of the Statutory Biodiversity Metric.	A BNG assessment and associated figures were produced as part of ES Appendix 6.6 Biodiversity Net Gain Assessment [APP-131]. This was calculated using the Defra 4.0 metric, which was the latest metric at time of DCO application submission. The Applicant does not consider it is appropriate or necessary to submit a revised assessment based on the statutory metric, as BNG is not currently a mandatory requirement for NSIPs under the Environment Act 2021 (anticipated to come into force in November 2025). There is no requirement to use the statutory metric for schemes not subject to the statutory regime. ES Appendix 6.6 [APP-131] demonstrates a biodiversity net gain which is substantially over the 10% requirement for TCPA applications, and the re-calculation based on the new metric would not change this position.
BIO.1.7	Applicant	Please provide the assessment of the effects of the Proposed Development, including in-combination assessment, on the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site, the Teesmouth and Cleveland Coast proposed Ramsar and the Thrislington Special Area of Conservation (SAC).	Appendix AAn in-combination assessment has been considered through a Habitats Regulations Assessment (HRA) screening exercise. Full details for the HRA are present in ES Appendix 6.5 Habitats Regulations Assessment No Significant Effects Report [APP-130]. Appendix BAs discussed within ES Appendix 6.5 Habitats Regulations Assessment No Significant Effects Report [APP-130], due to avoidance and retention of ecological features, the creation of

ExQ1	Question to:	Question:	Applicant's response
			biodiversity enhancement areas, embedded mitigation and the implementation of a CEMP during construction to mitigate light, noise and pollution impacts within the Order Limits as detailed in ES Chapter 6 Biodiversity [APP-029], the potential for in-combination effects to the SPA, Ramsar and SAC sites is concluded to be minor adverse and not significant.
BIO.1.8	Applicant	Please provide the assessment of the effects of the Proposed Development on other statutory designated sites, such as the Briarcroft Pasture, the Newton Ketton Meadow, the Redcar Field and the Whitton Bridge Pasture Sites of Special Scientific Interest (SSSIs) and the Hardwick Dene and Elm Tree Woods Local Nature Reserves (LNRs).	The assessment of the potential effects of the Proposed Development on statutory designated sites is reported in ES Chapter 6 Biodiversity [APP-029]. Paragraph 6.10 of that document concludes that, considering the light, noise and pollution control measures that are secured via ES Appendix 2.6 Outline CEMP [APP-110], it is expected that there would be negligible impacts on these designated sites. Any effects would be short-term in duration and of negligible magnitude and not significant.
8.	Climate Change and Emissions		
CCE.1.1		None at this stage.	
9.	Design		
DES.1.1	Applicant	Paragraph 7.2.6 of 7.2 Design Approach Document [AS-004] mentions that the mounting structure for the solar panels is typically fixed to the ground by galvanised steel poles which are driven into the ground to a depth of circa 1m. However, in response to geophysical and trial trenching undertaken to inform the assessment and design work, the use of an alternative mounting structure is proposed in a number of areas across the Order Limits. This alternative approach utilises ballast slabs which sit on the surface of the ground rather than penetrating the ground, thereby protecting any archaeological features in situ.	The alternative mounting structures are proposed as a direct response to the geophysical and Phase 1 evaluation trenching undertaken and represent 'mitigation by design', as set out through Section 6.3 of the Archaeological Management Strategy [APP-149]. At the time of submission and based on survey work undertaken to date, the Applicant is proposing the ballast structures on approximately 16ha across the Order Limits and estimates that a further circa 11ha may require this mitigation by design based on the geophysical survey results. The areas where ballast foundations are proposed are shown on the Mitigation Areas and Type Plan (Document Reference 6.3.8.5) submitted at Deadline 2 with the remainder of the panels utilising the usual pole mounting structures.

ExQ1	Question to:	Question:	Applicant's response
		Would the Applicant show the positions of those panels requiring 1 metre digging and those with ballast slabs on the ground where archaeology constraints are?	
DES.1.2	Applicant	Paragraphs 3.6.5 and 3.6.6 of ES Chapter 3 Alternatives and Design Iteration [APP-026] states that there are also national variations leading to some areas of the UK being more suited to solar energy than others. The north-east region has suitable levels of irradiance to gain a viable yield. Can the Applicant explain these national variations?	In general, there is more irradiance in southern parts of the UK compared to northern parts of the UK. The map below highlights the differences in irradiance across the UK.

ExQ1	Question to:	Question:	Applicant's response
			 ***Solar resource map © 2021 Solargis*** *https://solargis.com*

ExQ1	Question to:	Question:	Applicant's response
			As set out in ES Chapter 3 Alternatives and Design Iteration [APP-026] the initial stage of the site selection process considered both irradiance and grid capacity. As set out in response to question PPD 1.2, the Applicant carried out viability modelling to identify that the north-east of England was viable for a solar farm, considering the levels of irradiance and the solar technology available at the time, and factors such as weather conditions/historical weather data. Whilst there are differing levels of irradiance across the country, site selection must also take into account where there is available grid capacity. Having established that there was grid connection in the North-East, the Applicant considered whether irradiance would be sufficient to meet the available capacity, and concluded it would be a viable proposition.
DES.1.3	Applicant	Table 9 of ES Chapter 3 Alternatives and Design Iteration [APP-026] gives the summary of design changes between PEIR and DCO application. Has the Applicant considered more powerful panels that would create a reduced land take?	The Proposed Development has been modelled on the basis of 570Wp panels which is representative of the currently available technology. While there are more powerful panels available, they are typically not any more efficient, which means they are physically larger than the 570Wp panels. Using larger, more powerful panels would reduce the total number of panels required, however the Applicant has sought to limit the height of panels to 3.5m as a defined design parameter. As explained in the Design Approach Document [AS-004], this reflects the application of a mitigation hierarchy, in which potential impacts are sought to be avoided through an iterative design process. Indeed, taller panels of 4.35m were originally proposed and were then reduced in order to avoid and reduce landscape and visual effects in particular. Under the DCO, it is therefore not feasible for the Proposed Development to incorporate panels that are outside of the defined parameters and therefore larger modules could not be simply

ExQ1	Question to:	Question:	Applicant's response
			swapped into the current design, and a change of configuration would be required. One option would be to reduce the number of panels on the frame (from 3 to 2 vertically), which would result in additional rows, increasing land take despite the lower overall number of panels. Alternatively, the tilt angle of the panels could be decreased, but this would reduce the yield of the system requiring an increase in the number of panels to offset, which negates the benefit of using higher power panels. Furthermore, the power rating of solar panels is based on test conditions where very specific criteria are met. Panels will only perform to that power rating when those same conditions are met on site. A panel might have a higher power rating ,but have characteristics that mean it is less effective in low light conditions, or at a shallower tilt, for example. The Applicant's selection process starts by considering the most power dense panels, meaning they should provide the most watts/m^2. The Applicant will then run simulations to establish the best performing modules for overall generation, also with respect to cost and availability.
DES.1.4	Applicant	Paragraph 1.8.4 of ES Chapter 1 Introduction [APP-024] states that the Applicant sought to gather the views of a variety of representatives of groups with an interest in the area to help shape the Proposed Development at an early stage. This was a method of Collaborative Design, which involved inviting stakeholders to workshops carried out between 1 – 3 November 2022. These stakeholders included local councils, elected representatives, statutory environmental bodies, and local interest groups. Would the Applicant confirm if the Design Council or similar professional bodies have been consulted in terms of the review of the design of this development?	The Design Council was not consulted at the pre-application stage as part of the design development. However, should the Proposed Development receive development consent, the Applicant will engage with the Design Council during the detailed design stage.

ExQ1	Question to:	Question:	Applicant's response
DES.1.5	Applicant	Table 8-1 of 7.2 Design Approach Document [AS-004] mentions that there will be a minimum of 4m and maximum of 12m distance between the solar panel rows, the maximum height of the solar panels will be 3.5m and the solar panels will be positioned on the mounting structures at an angle of between 10 and 30 degrees from horizontal. Can the Applicant explain how the elected distances between the solar panel rows, the heights plus orientation of the solar panels were determined and, how these parameters would adapt to future changes in technology?	The height of the panels was determined in response to matters raised at statutory consultation and the environmental assessment. This was reduced from 4.35m at statutory consultation to 3.5m following consideration of feedback, as explained in the Consultation Report [APP-017] and section 7.2.5 of the Design Approach Document [AS-004]. The space between the panels is determined by yield required vs land available to accommodate the number of required modules. As the spacing between rows (and thus the pitch) increases, so does the yield, as explained in Energy Generation and Design Evolution Document (Document Reference 8.9). As the spacing increases further, the benefit of this effect diminishes to the point where the additional land take would result in no additional benefit to the yield. The opposite is also true, with yield decreasing as the spacing does. There must also be enough space between rows to allow for construction and operational vehicle access. The angle of the solar panels is determined by the type and number of modules vs land available. A steeper angle is desirable to increase yield, but this is constrained by the height of the mounting structure and the size of the module that needs to be accommodated. Various heights, configurations and tilt angles have been simulated by the Applicant to establish the most efficient combination to maximise the generation of the site over the available panel areas and within the design parameters set out in Table 8-1 of the DAD [AS-004]. There is a balance between height and configuration of panels (such as whether they are in landscape or portrait) and interrow spacing, with shading impacts and cooling which increases the performance of the panels. Generally, increased row spacing improves the generation due to reduced shading and increased diffuse (scattered and reflected) irradiance able to be collected on the rear side of bifacial panels. The

ExQ1	Question to:	Question:	Applicant's response
			Applicant runs multiple iterations at different pitches to establish which configuration is most efficient for each site. If, in the future more power dense panels were to come forward the Applicant would be able to increase the distance between the panel rows and increase the yield of the project which would benefit the overplanting ratio and allow for more generation at more times thereby maximising the grid connection capacity.
DES.1.6	Applicant	Table 8-1 of 7.2 Design Approach Document [AS-004] states that up to nine additional storage containers will be installed to contain extra equipment to support maintenance activities and, the storage units will resemble shipping containers. Can the Applicant describe the maintenance equipment being kept in each of these containers, their projected frequency of use and whether any of them is easily transportable from a remote location to this site when needed and returned thereafter?	The containers will store smaller items on site such as panels, small amounts of cables andMC4s (connectors between PV modules). These will likely be in use every few months to replace any damaged panels or cabling etc. Larger items such as replacement transformers or inverters would be ordered as required and delivered to the site from a centralised location; it is expected this would be very infrequent. It would be inefficient to consolidate storage off-site as this would increase the number of trips and size of vehicle required to carry out maintenance activities. Storage of components on-site also reduces downtime in the event of a fault affecting energy generation. The total number of storage containers across the site is proportionate to the size of each panel area and the requirements for storage.
DES.1.7	Applicant	Can the Applicant confirm what consideration it has given to the Project Level Design Principles guidance[2] from the National Infrastructure Commission Design Group and how the proposed development matches the principles in the Guidance?	The Applicant submitted a standalone Design Approach Document [AS-004] in support of its DCO Application, which sets out, how, through the Proposed Development's design evolution, the Applicant has adhered to rigorous technical, functional and safety-led design requirements. The Applicant has also sought to ensure that local communities can continue to enjoy the surrounding landscape and natural environment. As a result, the design has taken into account

[2] NIC-Design-Principles-Handbook-Digital-PDF.pdf

<table>
<tr><th>ExQ1</th><th>Question to:</th><th>Question:</th><th>Applicant's response</th></tr>
<tr><td></td><td></td><td></td><td>
the existing environment and how local communities and visitors to the area interact with the local landscape.

Chapter 4 of the DAD [AS-004] establishes the design context from a policy and guidance perspective and considers, namely in Section 4.5, the Project Level Design Principles guidance from the National Infrastructure Commission Design Group. The table below summarises how the Applicant considers the Proposed Development aligns with the Design Principles.
<table>
<tr><th>Good design principle</th><th>Applicant's regard</th></tr>
<tr><td>Climate – mitigating greenhouse gas emissions and adapting to climate change.</td><td>As reported in ES Chapter 5 Climate Change [APP-028], the Proposed Development would provide a significant beneficial effect with regards to the production of low carbon energy during production, providing much needed renewable energy across the UK. It is also noted in ES Chapter 14 Summary [APP-037], that cumulative effect with other renewable energy production developments are reasonably expected to provide a notable beneficial effect in the UK's journey towards net-zero as this is intrinsic to their need.</td></tr>
<tr><td>People – what society wants and widely shared benefits, designing to a human scale. Design should reflect community views.</td><td>The DAD [AS-004] and the Applicant's additional submission – Energy Generation and Design Evolution Document (Document Reference 8.9) at Deadline 2, provides context on the need of the Proposed Development, assessment of alternatives, and provides a chronological account of the design changes made throughout the preliminary design development and the reason for these changes. In particular, the Energy Generation and Design Evolution Document (Document Reference 8.9) identifies the changes made to the design of the Proposed Development, at what time during the pre-application stage they were made, and why</td></tr>
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ExQ1	Question to:	Question:	Applicant's response	
				specifically each change was made. The Consultation Report [APP-017] sets out the changes made to the design in response to feedback received through non-statutory and statutory consultation and engagement exercises.
			Places – contribute to local landscapes and ecology.	As outlined in the Planning Statement [APP-163], in accordance with both national and local policy, the Proposed Development will contribute to delivery of nature-based solutions to climate adaptation by providing a predicted 88% net gain in habitat biodiversity units and a 108% net gain in hedgerow biodiversity units. This is further reported in ES Appendix 6.6 Biodiversity Net Gain Assessment [APP-131].
			Value – multiple benefits and problem solve.	In addition to being considered Critical National Priority (CNP) infrastructure in National Policy Statement EN-1, as detailed in the Planning Statement [APP-163], the Proposed Development would provide a series of wider local and national benefits. These are outlined in Paragraph 3.1.4. of the Design Approach Document [AS-004] and are not repeated here.
DES.1.8	Applicant	The Applicant states in paragraph 3.6.9 of Chapter 3 Alternatives and Design [APP-026] that the original search corridor, of 6 km, was defined by the extent to which a solar farm of the proposed scale could be viable. But after further considering the scale of the project, this area was extended to 12 km. Can the Applicant please explain why an why such a larger area was then considered viable?	The 6km radius was extended to 12km following initial identification of potential available land given constraints and landowner interests. Following initial enquiries, not enough land was identified to be able to meet the grid capacity within the 6km radius. The radius was reconsidered taking into account the scale of the Proposed Development and its ability to viably accommodate the greater costs of a longer cable route, and the radius was extended.	
DES.1.9	Applicant	Section 3.11 of Chapter 3 Alternatives and Design [APP-026] sets out the Alternative solar technologies that the Applicant consider, however it does not provide a lot of detail in relation to technology within PV solar	The Applicant has considered panels that were most power dense at the time of design. In addition to this, the Applicant considers a type of module that has characteristics such as high performance in low light environments, which is particularly beneficial to this site being located	

ExQ1	Question to:	Question:	Applicant's response
		technology. Can the Applicant please provide an overview of how reasonable alternatives, in relation to technologies, have been considered and how these have informed and shaped the Development proposal.	further north with lower levels of irradiance than sites located further south. This type of panel is more durable and has a longer lifespan, so more sustainable for the lifetime of the project and maintains a higher output over the lifetime of the Proposed Development, minimising generation lost through degradation. The Applicant considered bifacial modules in order to maximise the generation output possible within the same given area. As stated in the response to ExQ1 PPD 1.5, the final details of the solar technology used for the Proposed Development will be confirmed at detailed design, taking into account any further advancements of solar technology
10.	Health and Air Quality		
HAQ.1.1	Applicant	Paragraph 1.1.3 of ES Appendix 2.4 Construction Dust Assessment [APP-108] states that within this opinion, PINs agreed that Air Quality could be scoped out of the ES on the basis that a construction dust assessment is provided in support of the ES and to inform mitigation proposals and management. Would the Applicant explain the justification for scoping out Air Quality?	Air quality was scoped out of the EIA, as set out within ES Appendix 4.1 EIA Scoping Report [APP-120], as air quality emissions from the Proposed Development will not give rise to significant effects. Any adverse effects will be restricted to the construction and decommissioning phases. There will be limited emissions during the operational phase due to the low number of anticipated vehicle movements and the nature of the Proposed Development. The production of ES Appendix 2.4 Construction Dust Assessment [APP-108] was committed to, to identify best practice measures which the Applicant would commit to as part of ES Appendix 2.6 Outline CEMP [APP-110] and Environmental Statement Appendix 2.7 Outline Decommissioning Environmental Management Plan (DEMP) [APP-111]. These measures are considered sufficient to ensure a significant effect does not arise from the Proposed Development upon air quality from construction / decommissioning dust, and as such assessment was scoped out.
HAQ.1.2	Applicant	The ES Appendix 2.5 Major Accidents and Disasters Assessment [APP-109] discusses the likely major accidents and disaster assessment associated with BESS and other installations (inverter, transformer etc). Would	Human health was scoped out from the EIA, as set out in ES Appendix 4.1 EIA Scoping Report (APP-120), and agreed with the Planning Inspectorate, as it is anticipated that there would be limited interactions with human health during the construction and operation of the Proposed Development. Any potential effects have been

ExQ1	Question to:	Question:	Applicant's response
		the Applicant explain why the effect of these equipment on human health has not been discussed?	considered elsewhere in the ES and in supporting assessments and management plans outlined below. A range of measures have been included across a number of documents including ES Appendix 2.2 Solar Photovoltaic Glint and Glare Study [APP-106]; ES Appendix 2.6 Outline CEMP [APP-110]; ES Appendix 2.7 Outline DEMP [APP-111]; Appendix 2.8 Outline Construction Traffic Management Plan (CTMP) [APP-112]; ES Appendix 2.9 Outline Pollution and Spillage Response Plan [APP-113]; ES Appendix 2.10 Outline Materials Management Plan (MMP) [APP-114]; ES Appendix 2.11 Outline Site Waste Management Plan (SWMP) [APP-115]; ES Appendix 2.13 Outline Battery Fire Safety Management Plan (oBFSMP) [APP-117]; Appendix 10.1 Flood Risk Assessment and Drainage Strategy [AS-001]. The implementation of these measures would ensure a significant effect upon human health is unlikely.
HAQ.1.3	Applicant	Paragraph 9.7.22 of ES Chapter 9 Land use and Socioeconomics [APP-032] states that all Public Rights of Way (PRoWs) potentially affected by the Proposed Development are considered in this assessment. The final alignment of various cable routes forming part of the Proposed Development will be identified as part of the detailed design approvals. It may therefore be that a number of these potential effects do not arise - if for example off-road cable routes are chosen at that detailed design stage. Has the Applicant assessed the indirect health impacts relating to likely restricted access to key public services, transport, or the use of open space for recreation and physical activity relating to the diversion of the affected PRoWs?	Impacts on Human Health as a standalone assessment were scoped out of the assessment supporting the Proposed Development in accordance with the Scoping Opinion [APP-121]. With regards to PRoW, the Applicant, as secured in the Outline Public Rights of Way Management Plan [APP-199] and Requirement 14 of the DCO, is committed to make every reasonable effort to minimise disruption along the PRoW network, and follow the hierarchy of actions listed in paragraph 4.3.2 of the Outline Public Rights of Way Management Plan [APP-199]. It is also reported in ES Chapter 9 Land Use and Socioeconomics [APP-032] that, in respect of PRoW access will be maintained during construction and decommissioning in accordance with the CTMP [APP-112] and DEMP [APP-111]. During operation, various PRoW will be closed, diverted or managed, and a range of signage, reasonable and practicable alternative diversions, and permissive routes will be provided in replacement.

ExQ1	Question to:	Question:	Applicant's response
			In respect of recreational access and community facilities, access will be maintained throughout the lifecycle of the Proposed Development.
11.	Historic Environment		
HEN.1.1	Applicant Historic England	Historic England's RR states that the only point of concern that remains is linked with the impact of the Proposed Development on Bishopton Conservation Area, particularly in relation to the (Public Right of Way) PRoW through the fields adjoining to the north of Bishopton which connects the settlement with Old Stillington and provides and experience of the conservation area in its rural setting with the Grade II listed St. Peter's Church at its centre. Can the Applicant please clarify what work has been carried out in order to find alternatives to the proposed permanent stopping of this PRoW and re-routing to the west?	The proposal to re-route the PRoW in this location (FP-Btn.4) is shown on Sheet 10 of the Street Works, Public Rights of Way and Access Plans [AS-014] and is necessary in order to avoid the PRoW continuing through the centre of a proposed panel area. The PRoW is currently routed through the centre of an agricultural field which is often under crop, meaning that the exact alignment is often not clear or usable. The Applicant has engaged with Historic England (HE) on this point prior to and since their Relevant Representation [RR-207] and the parties agree that the concern represents a difference in professional judgement and does not make a material difference to the overall assessment findings. HE considers that the change is minor, resulting in a low magnitude of change on an asset of medium significance. Thus, leading to a minor adverse effect as opposed to a negligible effect which is the conclusion of the Applicant. This is reported in ES Chapter 8 Cultural Heritage and Archaeology [APP-031] in paragraphs 8.10.35 to 8.10.60. On the basis of this assessment, it is not considered appropriate or proportionate to consider alternatives to the proposed re-routing of the PRoW. The Applicant and HE have agreed in principle the potential for interpretation in this area in order to provide an enhancement for users in relation to the experience of the Conservation Area. It is agreed with HE that this would be developed in more detail post-consent with the relevant stakeholders, the local community and the local planning authority (LPA). This is reflected in the Statement of Common Ground with Historic England [REP1-014], in which all matters are agreed. This commitment is to be reflected in an updated outline LEMP [APP-118] to be submitted later in Examination, as

ExQ1	Question to:	Question:	Applicant's response
			recorded in the ES Errata and Management Plans Proposed Updates (Document Reference 8.11).
HEN.1.3	Applicant DBC Historic England	Paragraphs 8.10.35 to 8.10.60 Chapter 8 of the ES Cultural Heritage and Archaeology [APP-031] relate to the effects of the Proposed Development on Bishopton Conservation Area. The Applicant recognises, in its own assessment, that the setting of the conservation area makes a positive contribution to its significance. Considering the number of panel areas from the Applicant's Zone of Theoretical Visibility Study – Panel Areas [APP-064] and the intensity from the Zone of Theoretical Visibility Study – intensity [APP-065] of the development that would be visible from the edges of Bishopton Conservation Area as set in [APP-057], can the Applicant please justify why it believes that the Proposed Development will not affect the experience of the character and appearance of the conservation area along the footpath within the settlement boundaries (paragraph 8.10.59 of Chapter 8 of the ES Cultural Heritage and Archaeology [APP-031]).	Paragraph 8.10.49 to 8.10.50 of ES Chapter 8 Cultural Heritage and Archaeology [APP-031] sets out the assessment made as to how the setting of the Conservation Area contributes to its significance. In particular, it notes two key elements: the key view from Church View/Mill Lane looking to the south-west towards the Scheduled Monument Motte and Bailey and when moving along High Street from Redmarshall Lane with the motte and bailey on the westerly side. Paragraph 8.10.51 of ES Chapter 8 [APP-031] specifically notes that the rural surroundings do not make any great contribution to that significance. In paragraph 8.10.53 of ES Chapter 8 [APP-031], the assessment notes that the best appreciation of the character and appearance is within the limits of the settlement. This is followed up in paragraph 8.10.58 of ES Chapter 8 [APP-031] which addresses the principal experience afforded by the footpath, which is where it meets the limits of the settlement with the Proposed Development behind it. The presence of the Proposed Development will therefore not change the experience of footpath where it has been determined to contribute to the understanding and appreciation of the significance of the conservation area.
HEN.1.5	Applicant	According to the Applicant's Zone of Theoretical Visibility Study – Panel Areas [APP-064] 4 to 5 sites may be visible from the scheduled monument motte and bailey castle and, in relation to Zone of Theoretical Visibility Study – intensity [APP-065] up to 20% and up to 30% of the development may be visible from that location. Can the Applicant therefore explain how it arrived to the conclusion that the effect of the Proposed Development is negligible?	While ES Figure 7.2 Zone of Theoretical Visibility Study – Panel Areas [APP-064] and ES Figure 7.3 Zone of Theoretical Visibility Study – Intensity [APP-065] show there is some theoretical visibility between the Scheduled Monument Motte and Bailey castle, the figure notes state that that the '*…actual extent of the visibility on the ground will be less than that suggested by this plan*.' As part of the assessment process, three site visits were undertaken to inform the settings assessment which concluded that based on observations made in the field, there would be no noticeable

ExQ1	Question to:	Question:	Applicant's response
			introduction from the Proposed Development into the setting of the asset. This informed the full assessment in ES Chapter 8 Cultural Heritage and Archaeology [APP-031] which concluded that the principal significance of the asset is determined by its archaeological interest (paragraph 8.10.65). The asset's principal setting is determined by the spatial, historic and visual relationship the asset has with either Bishopton Beck and the settlement at Bishopton (paragraphs 8.10.67 and 8.10.69) which will remain unaffected. While the wider setting makes a contribution to the significance of the asset through the understanding of how power and influence was transferred to the lords through the control of land, this will not be lost nor diminished through the introduction of the Proposed Development (paragraph 8.10.76).
HEN.1.6	Applicant DBC Historic England	The Environmental Constraints Plan [APP-057], in Fig. 2.19 and the Works Plans [AS-013] in Sheet 11 of 13 show that proposed works No. 5 - Cable 132Kv will be conducted in close proximity to the scheduled monument motte and bailey castle. Can the Applicant please provide some further information and confirmation that works will be sensitive to the scheduled monument motte and bailey castle and how and where in the DCO works have been secured in order to protect the integrity of an scheduled monument. Can DBC and Historic England please confirm that they are in agreement with the Applicant's proposed approach?	The proximity of the cable route to the Scheduled Monument Motte and Bailey castle has been highlighted as a point of note throughout the design process so as to avoid any physical impacts. Noting the point raised, however, the Applicant proposes that provisions will be added to ES Appendix 2.6 Outline CEMP [APP-110] (which is secured by Requirement 4 of the dDCO (Document Reference 3.1 Rev 2) in a revision at a future deadline, to ensure the monument will be protected during construction works. It is suggested that this includes: • Fencing off the scheduled area during construction which includes a 5m buffer to avoid accidental encroachment; • Toolbox talks prior to commencement of work to inform contractors of requirements and procedures; • Archaeological monitoring will take place during works in the vicinity of the monument

ExQ1	Question to:	Question:	Applicant's response
			This is recorded in the ES Errata and Management Plans Proposed Updates (Document Reference 8.11). Further archaeological work will be undertaken along the proposed cable routes, as set out in the ES Appendix 8.5: Archaeological Management Strategy [AAP-149] should consent be granted which will help to refine the above procedures to be included within the finalised CEMP.
HEN.1.7	Applicant DBC Historic England	Chapter 8 of the ES Cultural Heritage and Archaeology [APP-031] recognises, in relation to the scheduled monument motte and bailey castle 400m south of Bishopton, that the surrounding landscape makes a contribution to the significance of the asset through an ability to appreciate and understanding the power and influence of the motte in relation to the wider area. Can the Applicant therefore explain why its states that: • The solar PV modules would not obstruct any visual or spatial aspect of the strategic location of the asset; • Why the Proposed Development would lead only to a negligible magnitude of change on the asset which is of high heritage significance? • Can Historic England and DBC please clarify if they are happy with the Applicant's assessment in relation to the scheduled monument motte and bailey castle?	The following points are set out in the order of the question asked, and relate to the two that are relevant to the Applicant: • The solar PV modules are not located within the immediate proximity of the Scheduled Monument and so do not obstruct or change the spatial, historic and visual relationship the asset has with either Bishopton Beck or the settlement at Bishopton from which it derives most significance in relation to its setting, as set out in paragraphs 8.10.67 and 8.10.69 of ES Chapter 8 Cultural Heritage and Archaeology [APP-031]. While it is located within the wider landscape of the asset which does make a contribution to its significance through an expression of power and influence, paragraph 8.10.74 Chapter 8 of the ES Cultural Heritage and Archaeology [APP-031] concludes this will not compete with the Motte's prominence or alter the pattern of the surrounding landscape. The change made by the development will alter that landscape, however, it will not be an appreciable or noticeable change from the asset or in conjunction with the asset. • As set out in paragraph 8.10.65 of ES Chapter 8 ES Cultural Heritage and Archaeology [APP-031], the asset is of high significance principally through its archaeological interest whereby the information that could be yielded through expert investigation by excavation at some point in the future would contribute to our understanding of medieval administration in the north-east of England. The setting of the asset does make a contribution as noted in the bullet point above, however, as

ExQ1	Question to:	Question:	Applicant's response
			paragraph 8.10.76 of ES Chapter 8 [APP-031] summarises, its primary significance will be unaffected while the understanding of how power and influence was transferred to the lords through the control of land will not be lost nor diminished. As set out in paragraph 3.2.8 of the outline LEMP [APP-118], interpretation boards could be provided for the Motte and Bailey as part of the Proposed Development.
HEN.1.8	Applicant	Considering that the PA2008 requires that, in considering the impact of a proposed development on heritage assets, decision-makers should have regard to the desirability of preserving the asset or its setting, including considering any harm or loss that may result from the development, can the Applicant please provide further justification of why it believes that the impact of the proposal on identified heritage assets is not significant?	ES Chapter 8 Cultural Heritage and Archaeology [APP-031] paragraphs 8.10.18 to 8.10.83 set out in detail the assessment that has been made by the Applicant carried out in line with the relevant legislation, national and local policy, industry standard guidance and professional experience and judgement. The refinement process to identify those assets which could be subject to a significance effect is set out in paragraphs 8.8.8 to 8.8.11 of ES Chapter 8 [APP-031] which summarises the process followed in ES Appendix 8.2 Historic Environment Settings Assessment [APP-146]. ES Chapter 8 [APP-031] assesses in detail those three assets identified as susceptible to a potentially likely significance effect, of which none were identified. The Applicant is satisfied that the assessment process provides sufficient information on all heritage assets and the potential effects from the development. This position is agreed with Historic England as set out in the Statement of Common Ground submitted at Deadline 1 [REP1-014], and is understood to be agreed with Darlington based on the comments in the Local Impact Report [REP1-023]. This will be confirmed in the Statement of Common Ground with Darlington Borough Council to be submitted at Deadline 3.
HEN.1.9	Applicant	In the ES Non-Technical Summary [APP-022] the Applicant states that the Proposed Development will be either screened by existing vegetation and/or buildings, not visible due to topography or located at a distance whereby it would not be considered to lie within the	Paragraph 9.3.2 of the ES Non-Technical Summary [APP-022] makes specific mention of the setting of the Scheduled Monument and it is described as negligible. The subsequent sentence is in reference to other assets assessed during the application. The Applicant accepts

ExQ1	Question to:	Question:	Applicant's response
		setting of the assets and therefore negligible. Could the Applicant please confirm what are the settings that the Applicant is referring to, considering the Applicant does acknowledge that the Scheduled Monument motte and bailey castle will experience a change in setting during operation?	this could be clearer and has provided clarification in the ES Errata (Document Reference 8.11) submitted at Deadline 2.
HEN.1.10	Applicant DBC	Viewpoint 24 included in ES Figure 7.9 Visualisations [APP-073] is just located on the edge of Bishopton Conservation Area looking into the wider countryside. Considering its proximity and influence in relation to the setting of the Bishopton Conservation Area, can the Applicant please explain its overall assessment of negligible?	Reference to this section of the Proposed Development is made in paragraph 8.10.48 of ES Chapter 8 Cultural Heritage and Archaeology [APP-031] which notes that the section of the Conservation Area at its eastern edge, along Church View, makes much less contribution to the significance of the conservation area nor are there any key identified views in this location, in that direction. That is followed through in paragraphs 8.10.55 and 8.10.56 in ES Chapter 8 [APP-031] which sets out that there will be very limited visibility in that location with the panels at distance from the hedgerows and as a result, while there will be a change in the wider landscape character, this will have a limited alteration to the significance of the Conservation Area. That limited change equates to a Negligible magnitude of change as per table 8.3, and a negligible effect as per table 8.4 in ES Chapter 8 [APP-031]. This position is agreed with Historic England as set out in the Statement of Common Ground submitted at Deadline 1 [REP1-014], and is understood to be agreed with Darlington based on the comments in the Local Impact Report [REP1-023]. This position is agreed with Historic England as set out in the Statement of Common Ground submitted at Deadline 1 [REP1-014], and is understood to be agreed with Darlington based on the comments in the Local Impact Report [REP1-023]. This will be confirmed in the Statement of Common Ground with Darlington Borough Council to be submitted at Deadline 3.

ExQ1	Question to:	Question:	Applicant's response
12.	Landscape and Visual		
LSV.1.3	Applicant	ES paragraph 7.4.18 [APP-030] states that the photomontages provided in ES Figure 7.9 represent Year 0 and Year 15 of the Proposed Development. However, the photomontages provided in ES Figure 7.9 [APP-071 - 074] are instead labelled to represent Year 1 and Year 10. Can the Applicant confirm which assessment years the photomontages are proposed to illustrate?	The Applicant confirms that the photomontages provided in ES Figure 7.9 [APP-071-074] represent development completion and Year 10. The difference between Year 0 and Year 1 is just one of terminology – in both cases it means shortly after construction. The position in Year 10 is indicative of the position between Years 10 to 15 on the basis given that growth rates are not entirely predictable and vary with species, conditions and initial planting stock. This is the reason for the apparent discrepancy in labelling between paragraph 7.4.18 of ES Chapter 7 [APP-030] and on ES Figure 7.9 itself. The Applicant confirms that photomontages are provided as visual aids and do not directly inform the assessment of effects which is undertaken based on site visits and the wireline visualisations. By way of further clarification, the Applicant confirms that • Hedges would be expected to reach their design height in less than 10 years, so would look the same if modelled for either year 10 or year 15. • Trees in the photomontages have been modelled at a height of 7.7m (+/- 10% to show some height variation). Where they are planted as smaller stock (whips or transplants), they would be expected to reach the modelled height at around 15 years. Those planted as larger stock (e.g. semi-mature trees) would reach the modelled height more quickly. As indicated at paragraph 5.3.4 of Appendix 2.14 Outline Landscape and Ecology Management Plan [APP-118], the planting would be a mix of different stock sizes. Taking this into account, the photomontages reflect the time period somewhere between 10-15 years, given that growth rates are not

ExQ1	Question to:	Question:	Applicant's response
			entirely predictable and vary with species, conditions and initial planting stock.
LSV.1.4	Applicant	ES Table 7-1 [APP-030] states that the photomontages provided in the PEIR have been generated using winter photography. Can the Applicant confirm whether the winter views have been used for the basis of photomontages provided in the ES?	
LSV.1.6	Applicant	Can the Applicant explain how the height of the substation and transmitter mast have been taken into account during the assessment of landscape and visual effects?	The substation and mast are described in ES Chapter 2 The Proposed Development [APP-025] at paragraphs 2.3.5, 2.3.30 and 2.6.18. The design parameters, including the maximum height, of the substation and mast is set out in Table 8-1 of the Design Approach Document [AS-004]. The potential visibility of these features was modelled at these heights in ES Figure 7.8 Zone of Theoretical Visibility - Substation [APP-070], which informed the selection of viewpoints. Where visible, the substation and mast are modelled in photomontages in ES Figure 7.9 [APP-071-074]. The mast would be a relatively slim feature, typically either screened by Square Wood or seen against the backdrop of Square Wood (as shown in the photomontage for Viewpoint 19) which would mean it is not noticeable except in very close views from the footpaths in the vicinity of the substation. Judgements of effects take account of all elements of the Proposed Development including the substation and mast.
LSV.1.7	Applicant	ES Chapter 7 [APP-030], paragraph 7.8.2 states that essential mitigation measures for the LVIA are described in ES Section 7.9 'Design, mitigation and enhancement measures'. However, this section is actually titled 'Embedded mitigation' and refers to ES Section 7.10 for essential mitigation measures. No essential mitigation measures have been identified and it is concluded for each receptor that no essential mitigation is available beyond	The Applicant clarifies that the cross-reference in paragraph 7.8.2 of ES Chapter 7 Landscape and Visual [APP-030] is a drafting error. This should have referred to paragraphs 2.6.16-20 of ES Chapter 2 The Proposed Development [APP-025] and section 7.9 of ES Chapter 7 in respect of embedded mitigation and section 7.10 of ES Chapter 7 in relation to essential mitigation. This is corrected in the ES Errata and Management Plans Proposed Updates (Document Reference 8.11).

ExQ1	Question to:	Question:	Applicant's response
		those measures already proposed as embedded mitigation. Where likely significant effects have been identified, ES Section 7.10 states that *"no essential mitigation is available, beyond that already embedded in the Proposed Development"*. As a result, no essential mitigation measures have been proposed to reduce residual effects. Can the Applicant explain in more detail why no essential mitigation is available to reduce significant adverse effects on landscape and visual receptors, referring separately to the Public Rights of Way (PRoW) network and residential properties? Please detail the answer with reference to the construction, operation and decommissioning phases.	The Applicant has correctly followed the mitigation hierarchy in developing the design, as set out in Section 4 of the Design Approach Document [AS-004] As a first step measures have been included in the design to either avoid or reduce potentially significant effects. As set out in Section 7.9 of ES Chapter 7, this 'embedded mitigation' is already included into the design – all of the planting proposed within the masterplan form an intrinsic part of the project design. 'Essential mitigation', is defined by paragraph 4.5.9 of ES Chapter 4 Approach to EIA [APP-027], as any further measures that could be taken outside of altering the design. Essential mitigation measures for landscape and visual effects are relatively rare, primarily because most other measures to screen a view of development (beyond planting included in the design of a project) would themselves have adverse visual effects and so the benefit tends to be limited (if any). Each of the significant landscape and visual effects identified are itemised below, and the matter of essential mitigation considered in relation to each: <u>Construction Stage</u> *Visual* During construction, the temporary short-term effects on users of PRoW within 1km of the Panel Areas would be significant. Some of these routes pass directly adjacent to or through Panel Areas and the significant effects would arise as a result. In order to mitigate significant effects during construction, any measure would need to screen views, not have effects of its own and either be temporary (removed post-construction) or permanent and not liable to be damaged during construction. No temporary measures were considered appropriate to mitigate the effects identified, given that

ExQ1	Question to:	Question:	Applicant's response
			close views of whatever was chosen to screen views of construction would in itself have significant adverse effects. Operation stage *Character* Significant effects were identified during the operational stage on LCA 6: Great Stainton Farmland. This is the host landscape character area for Panel Areas A-D as shown by ES Figure 7.1 Landscape Context [APP-063], and the significant effects would arise from the presence of the panels within the LCA and the way that alters the character - which is not a change that can be mitigated through essential mitigation. Significant effects were identified during operation on the character of Great Stainton. These arise primarily from the presence of solar panels on the upper hill slopes close to Great Stainton within its immediate topographic setting, which would be apparent in views towards Great Stainton and views from homes and gardens within the village. Essential mitigation is not available in respect of these effects. Embedded mitigation has been applied to minimise these effects as set out in Energy Generation and Design Evolution Document (Document Reference 8.9). Significant effects were identified during early operation (before mitigation planting matures) on the character of Bishopton. These would arise from the close and visible presence of Panel Area F in particular. The most effective measures to mitigate these effects would be the proposed planting around the school and recreation ground and increasing the height of the hedges along Mill Lane, which are both included as embedded mitigation. No additional measures were identified as likely to be effective and appropriate. Although advance planting may be of some benefit in reducing the duration of open visibility from the recreation ground it could not be relied on to

ExQ1	Question to:	Question:	Applicant's response
			eliminate significant effects entirely as that would require 7-10 years to elapse between planting and the construction of Panel Area F. *Visual* Significant effects were identified during operation, as noted above under the construction stage, for users of PRoW within 1km of the Panel Areas. Although offsite planting may provide screening of views of the solar farm in some locations within these receptor groups it would not materially reduce the significant effects which arise primarily as a result of close views as the routes pass through or adjacent to panel areas. No other measures were considered appropriate to mitigate views as any measure to screen views which did not consist of planting would cause adverse effects in their own right. Significant effects would arise for visual receptors at Great Stainton during operation. These effects primarily arise as a result of views of the solar panels as people leave and approach the village via footpaths and roads. Any measures to screen views of the solar panels in Panel Area D by providing some form of screening closer to the village would have detrimental effects by obstructing the outward views from the footpaths. Significant effects would arise during early operation for visual receptors at Bishopton. The same considerations apply to those set out for effects on the *character* of Bishopton above. <u>Decommissioning stage</u> Significant effects during decommissioning are identified for users of PRoW between A167, Salters Lane, Lea Hall and Little Ketton Farm. As with the construction stage for this receptor, effects will arise due to routes in this area passing close to and through Panel Area A in particular, with no additional mitigation measures being deemed both appropriate and effective due to this proximity.

ExQ1	Question to:	Question:	Applicant's response
			No significant effects would remain post-decommissioning. All stages – Residential Visual Amenity As the Appendix 7.6 Residential Visual Amenity Assessment (RVAA) [APP-137] sets out, the consideration of views from homes is a matter of private amenity subject to a separate assessment and, as a consequence, 'significant effects' as defined by the EIA Regulations are not identified. On that basis, there are no significant effects on homes requiring mitigation. Offsite planting, within gardens and/or between a development site and the property boundary is the most common approach to non-embedded mitigation for effects on views from homes. However, where such mitigation is to be used it is generally agreed between homeowners and the Applicant as the reduction in open outlook from a property and/or close planting may also be considered detrimental to visual amenity. RVAA includes a 4-step approach to identifying homes at which the 'RVA threshold' may be reached, and then to determine whether it is exceeded. The first three steps work towards identifying those homes at which effects would be of the highest magnitude. Then, only for those homes, the additional step of determining whether the RVA threshold is reached is undertaken. LI TGN 02/19 Residential Visual Amenity Assessment (RVAA) defines that threshold at paragraph 1.6 as "*where the effect on the outlook / visual amenity of a residential property is so great that it is not generally considered to be in the public interest to permit such conditions to occur where they did not exist before*". Examples of the type of effect that this means are described at paragraph 4.19 of the guidance as" '*blocking the only available view from a property', or 'overwhelming views in all directions'; and 'unpleasantly encroaching' or being 'inescapably dominant from the property'*." The RVA threshold is markedly higher than the type of

ExQ1	Question to:	Question:	Applicant's response
			visual effect that might be considered significant as a change to public views as noted at several points in the guidance. The most affected homes - subject to Major effects (i.e those of the highest magnitude), are identified in the RVAA [APP-137] as being Oat Hill Farm, Cobby Castle Forge and Hilltop House. Whilst for each of those properties Major effects are predicted, those effects are not expected to exceed the RVA threshold and further mitigation is not therefore proposed by the Applicant. Cobby Castle Forge and Hilltop House both have elevated outlooks over panel areas (by virtue of topography and/or views from upstairs windows), which limits viable options for mitigation measures to screen views of the solar panel areas. At Oat Hill Farm, the potential for planting within the paddock to the east of the house (which forms part of the property) was discussed with the homeowners during the visit to their home to review mitigation (which led to the set back of panels to the east of their home). In this instance, the option was left with the homeowners to consider whether they would prefer some planting in the paddock, in addition to the mitigation planting included in the design. To date, no request has been received to discuss or implement potential offsite planting within the paddock. The Applicant remains willing to offer planting if desired by the property owners.
LSV.1.8	Applicant	Please provide usage figures for each of the PRoW affected by the Proposed Development.	The Applicant has not carried out user count surveys for the PRoW which interact with the Proposed Development. This approach was considered proportionate in light of the following: • there are no significant effects on PRoW resulting from the construction, operation or decommissioning of the Proposed Development, as reported in ES Chapter 9 Land Use and Socioeconomics [APP-032];

ExQ1	Question to:	Question:	Applicant's response
			• the Applicant is not proposing to stop up or divert any PRoW without providing a suitable alternative diversion and/or management measure; and • usage does not inform the judgements of sensitivity, magnitude or significance of visual effects on users of PRoW. Additionally, the Applicant has engaged with Darlington Borough Council and Stockton-Borough-Council in responding to this question, who have confirmed that they do not hold the requested data.
LSV.1.9	Applicant	Please detail the criteria used to define the locations of panels around Bishopton, and in particular around Bishopton school and playground. Explain why it has not been possible to locate the panels further away in order to reduce the impacts?	The Applicant submitted a standalone Design Approach Document [AS-004] in support of its DCO Application, which sets out, how, through the Proposed Development's design evolution, the Applicant has considered potential environmental impacts along with rigorous technical, functional and safety-led design requirements. Following Issue Specific Hearing 1 (ISH1) the Applicant has provided an additional submission – Energy Generation and Design Evolution Document n (Document Reference 8.9) at Deadline 2. Section 4 of this document provides further information on the evolution in design of the Proposed Development, including to summarise the Applicant's development of the initial panel area layout and a chronological account of the subsequent design changes to remove specific parcels of panel area in proximity to Bishopton during the preliminary design development and the reason for those changes. It has not been possible during the design process for the Proposed Development to remove all significant adverse landscape and visual effects whilst also achieving the energy generation required to maximise the grid connection in accordance with the established need for the scheme. The Applicant has therefore prioritised the removal or setting-back of panel areas to mitigate landscape and visual effects where other forms of mitigation (such as planting) would not be effective, or where removing other smaller areas of panels achieved

ExQ1	Question to:	Question:	Applicant's response
			greater reductions in effects. This is in line with policy as set out in EN-1 paragraph 5.10.25 which indicates that: "*Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function - for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function.*" In relation to Bishopton school and playground, the proposed planting would achieve a material reduction in effects of the Proposed Development on open views across the nearby fields after the early operational period such that from Years 10-40 the panels would be mostly screened as illustrated by the photomontage from viewpoint 24 [APP-073] As set out above, reductions in panel area would undermine the ability of the project to maximise the benefit of the grid connection, which is the principal benefit of the Proposed Development. Section 2 of 'Energy Generation and Design Evolution Document' (Document Reference 8.9) provides further policy and legislative context on the Applicant's consideration of alternatives, the mitigation hierarchy and residual effects.
LSV.1.10	Applicant	Please detail the criteria used to define the locations of panels around Hauxley farm. Explain why it has not been possible to locate the panels further away in order to reduce the impacts?	It is assumed that this question relates to the queries raised by residents at Oat Hill Farm in relation to the distribution of panels in Area B which are near their home and within the Hauxley Farm landholding and whether those panels could or should be elsewhere within the Hauxley Farm landholding. The selection of suitable areas to site solar panels was initially subject to site selection criteria as set out in section 3.6 of the ES Chapter 3: Alternatives and Design Iteration [APP-026]. Panel Area B as included in the PEIR stage assessment emerged from that initial process and was kept under review as environmental assessments and consultation progressed. As set out within Energy Generation and

ExQ1	Question to:	Question:	Applicant's response
			Design Evolution Document (Document Reference 8.9), the only further adjustments made to panels in Area B was after the publication of the PEIR. This was the stage at which the visit to Oat Hill Farm was made. During the visit, the homeowner asked whether panels could be entirely removed from the field east of their home, but that was not possible because there is no further land available to the Applicant on which those panels could be located to deliver the necessary renewable energy generation. A change that was made through discussion with the homeowner at Oat Hill Farm was to move the panels further away from the main (eastward) outlook, but to bring them closer to the south where they would be screened by the kennels, hedge and trees. Adjustments were also made to the extent of panels in the same field, but nearest to Stainton Hill Farm to move panels further from the main outlooks of that home.
LSV.1.11	Applicant	Please detail the criteria used to define the locations of panels around Great Stainton. Explain why it has not been possible to locate the panels further away in order to reduce the impacts?	The Applicant submitted a standalone Design Approach Document [AS-004] in support of its DCO Application, which sets out, how, through the Proposed Development's design evolution, the Applicant has considered potential environmental impacts along with rigorous technical, functional and safety-led design requirements. Following Issue Specific Hearing 1 (ISH1) the Applicant has provided an additional submission – Energy Generation and Design Evolution Document (Document Reference 8.9) at Deadline 2. Section 4 of this document provides further information on the evolution in design of the Proposed Development, including to summarise the Applicant's development of the initial panel area layout and a chronological account of the subsequent changes to remove specific parcels of panel area in proximity to Great Stainton during the preliminary design development and the reason for those changes. The Applicant has correctly followed the mitigation hierarchy in developing the design. As a first step measures have been included in the design to either avoid or reduce potentially significant effects. However, it has not been possible during the design process for the

ExQ1	Question to:	Question:	Applicant's response
			Proposed Development to remove all significant adverse landscape and visual effects whilst also achieving the energy generation required to maximise the grid connection in accordance with the established need for the scheme. The Applicant has therefore prioritised the removal or setting-back of panel areas to mitigate landscape and visual effects where other forms of mitigation (such as planting) would not be effective, or where removing other smaller areas of panels achieved greater reductions in effects. This approach is in accordance with policy as set out within NPS EN-1 as set out in the response to LSV 1.9 above. As set out within Energy Generation and Design Evolution Document (Document Reference 8.9), notable reductions in the extent of panels around Great Stainton were made during the early stages of design and post-consultation. Further reductions in landscape and visual effects would require the removal of panels from the fields directly to the east and southeast of Great Stainton, reducing the extent of solar panels on the upper slopes closest to the village, but given all of the reductions made previously, this would not allow the necessary energy generation to be delivered.
13.	Land Use and Socioeconomics		
LUS.1.1	Applicant	Paragraph 9.7.22 of Chapter 9 Land use and Socioeconomics [APP-032] states that as part of the approach described in ES Chapter 3 Alternatives and Design Iteration [APP-026], the final alignment of various cable routes forming part of the Proposed Development will be identified as part of the detailed design approvals. It may therefore be that a number of these potential effects do not arise - if for example off-road cable routes are chosen at that detailed design stage. Given the critical nature of the public rights of way (PRoW) and the ExA's need to see an indicative final alignment. would the Applicant then modify Table 9-5 to show those PRoWs	As described in Table 9-9 of ES Chapter 9 Land Use and Socioeconomics [APP-032] and Table 4-2 of the Outline Public Rights of Way Management Plan [APP-199], certain Public Rights of Way (PRoW) are affected by panel areas only, and the assessed effects are not dependent on the chosen underground cable routes. In relation to the effects arising from the alternative underground cable routes, if the preferred off-road option (as demonstrated on Underground Cable Routes (ES Figure 2.13, Rev 3) is taken forward, the following PRoW would be affected. **Great Stainton**

<table>
<tr><th>ExQ1</th><th>Question to:</th><th>Question:</th><th>Applicant's response</th></tr>
<tr><td></td><td></td><td>where cable routes are likely to be altered with little or no adverse impact and those that are definitely likely to be affected?</td><td>
<table>
<tr><td>FP-GtStn.4</td><td>FP-GtStn.6</td><td>FP-GtStn.12</td></tr>
<tr><td colspan="3">Brafferton</td></tr>
<tr><td>FP-Bfn.12</td><td>FP-Bfn.15</td><td>BR-Bfn.11</td></tr>
<tr><td>BR-Bfn.13</td><td></td><td></td></tr>
<tr><td colspan="3">Bishopton</td></tr>
<tr><td>FP-Btn.3</td><td>FP-Btn.7</td><td></td></tr>
<tr><td colspan="3">Little Stainton</td></tr>
<tr><td>FP-LtStn.1</td><td></td><td></td></tr>
<tr><td colspan="3">Redmarshall</td></tr>
<tr><td>FP-Rml.1</td><td>FP-Rml.2</td><td></td></tr>
<tr><td colspan="3">Carlton</td></tr>
<tr><td>FP-Ctn.6</td><td>FP-Ctn.7</td><td></td></tr>
</table>

Those not listed above would either therefore be affected by panel areas only, or only affected from an on-road underground cable route that is not the Applicant's preferred approach. The distinction between those affected by panel areas or underground cable routes is already provided in the Outline Public Rights of Way Management Plan [APP-199].

Table 9-5 presents a list of PRoW that interact with the Proposed Development – i.e. are within the Order Limits - regardless of if directly affected by elements of the Proposed Development such as panel arrays or underground cable routing. The list of PRoW presented within this table would therefore not change as a result of a definitive cable route corridor being selected. Instead, the Applicant will provide</td></tr>
</table>

ExQ1	Question to:	Question:	Applicant's response
			an update to Table 4-2 of the Outline Public Rights of Way Management Plan [APP-199] during the Examination.
LUS.1.2	Applicant	Table 9-6 of Chapter 9 Land use and Socioeconomics [APP-032] describes the Agricultural Land Classification (ALC) for each of the panel areas. Would the Applicant provide justifications for occupying each aspect of the land, especially within categories 1 to 3A?	The overarching justification for occupying the land included within the Order Limits links back to the compelling need for the provision of nationally significant low carbon infrastructure, as identified in paragraphs 3.2.6 – 3.2.8 and 4.2.4 - 4.2.5 of NPS EN-1. The scheme is also identified as identified Critical National Priority (CNP) infrastructure. This is outlined within the Planning Statement [APP-163]. In all cases the use of agricultural land is for the provision of solar panels to meet that compelling need for new low carbon energy generation (which is a CNP), or infrastructure supporting those panel areas. The Applicant highlights sets out further detail in section 2 of the Energy Generation and Design Evolution Document submitted at Deadline 2 and in section 2.3 of its Comments on Relevant Representations [REP1-004]. The Applicant provides further detail below on the process by which land was selected for the Proposed Development and the justification for including a small proportion of land within Grades 1 to 3A. Throughout the site selection process for the Proposed Development, the Applicant took into account the provisional Agricultural Land Classification (ALC) data and sought to avoid areas of Best and Most Versatile (BMV) land wherever possible. This is in line with the requirements of the NPS EN-3 which recognises that the scale of national infrastructure development means that applicants may use agricultural land. It is also in line with the Written Ministerial Statement dated 15 May 2024, '*Solar projects must fit in with food security'*, which refers to '*protecting 'Best and Most Versatile' (BMV) land, ensuring large solar projects avoid this higher quality land where possible'*.

ExQ1	Question to:	Question:	Applicant's response
			Subsequent to identifying broad areas of land, detailed ALC surveys have been undertaken and the results of these surveys are provided at ES Appendix 9.1 Agricultural Land Classification and Soil Resources [APP-150] and shown on ES Figure 9.5 Agricultural Land Classification [APP-083]. In summary the survey showed that a majority of the land to be used for the panel areas is Grade 3B or lower: • Panel Area A – 84% Grade 3b with 16% Grade 3a. Grade 3a land is generally dispersed through the wider field structures and shown as pockets of land on ES Figure 9.5 [APP-083]. • Panel Area B – 100% Grade 3b • Panel Area C – 99% Grade 3b with 1% Grade 3a – with the Grade 3a formed by small areas of land within wider field structures as shown on Figure 9.5 [APP-083]. • Panel Area D – 96% Grade 3b with 4% Grade 3a. Grade 3a land is focussed in the northwest of the Panel Area within a field of Grade 3b land. • Panel Area E – 100% Grade 3b • Panel Area F – 92% Grade 3b, 5% Grade 3a and 3% Grade 2. Grade 3a land is focussed on the far north of the Order Limits in an area identified for proposed biodiversity enhancement, as shown on Sheet 10 of the Environmental Masterplan [AS-016]. Grade 2 land focussed on a small section of land to the east of Bishopton Redmarshall Primary School and north of Mill Lane, some of which is proposed as forest school and car parking for the school, with some biodiversity enhancement and some panel area, as shown on Sheet 11 of the Environmental Masterplan [AS-016].

ExQ1	Question to:	Question:	Applicant's response
			NPS EN-1, through paragraphs 5.11.12-14 require that applicants seek to minimise impacts on best and most versatile agricultural land. Paragraph 2.10.29 of NPS EN-3 further outlines that '*If using agricultural land... the use of poorer quality land (avoiding BMV) should be preferred*'. Furthermore, as outlined in ES Chapter 9 Land Use and Socioeconomics [APP-032], the use of agricultural land for the Proposed Development is temporary in nature and the land will be returned to agricultural uses following decommissioning. Additionally, paragraph 9.10.71 of the same Chapter states that there is a possibility for soil health and structure to improve by the time of decommissioning, as a result of the soil being undisturbed under long-term grassland. It is also noted, in paragraph 9.10.55, that some of the land for the Proposed Development could potentially be used for agricultural purposes such as grazing land. As summarised above, the areas of higher quality, BMV land within the Order Limits are generally small areas within wider fields of Grade 3b land. It was therefore not considered feasible to fully avoid these areas through removing them from the Proposed Development and it would not be feasible to continue to farm these areas efficiently given their overall size and locations within wider field structures. The conclusions of ES Chapter 9 Land Use and Socioeconomics [APP-032] state that that whilst there is a moderate adverse impact on agricultural land during construction, there is a moderate beneficial impact on agricultural land and soil health at decommissioning, which is significant.
LUS.1.3	Applicant	Tables 9-1 of Chapter 9 Land use and Socioeconomics [APP-032] indicates that ALC 2 and 3A has medium sensitivity. Given that 18.9 HA (16%) of the Panel Area A (Brafferton) is in ALC 3A, 3.4Ha (4%) of Panel D (Great Stainton) is in ALC 2 and 5.5Ha (8%) of Panel F (North of Bishopton) is classed as ALC 2 and 3a, would the	Table 9-6 of ES Chapter 9 Land Use and Socioeconomics [APP-032] categorises the sensitivity of the Panel Areas according to their predominant ALC grade, particularly as the areas of best and most versatile land found do not form coherent units that are managed separately from the predominant Subgrade 3b land.

ExQ1	Question to:	Question:	Applicant's response
		Applicant explain why the whole of these panel areas are described in Table 9-6 as low sensitivity?	The Subgrade 3a land in Panel Area A is found in six small discrete areas that are not contiguous with each other, do not form separate field or management units (the six areas occupy parts of 11 fields), and are farmed in the same manner as the predominant surrounding Subgrade 3b land within each field. The reason why these areas are classified as Subgrade 3a is that the slowly permeable layer is found at a slightly lower depth in the subsoil than the Subgrade 3b land. In Panel Area D, 3.4ha (4%) is in Subgrade 3a, not Grade 2 as stated in the question. This area is found on the northern boundary of Panel Area D and occupies parts of two fields. As with Panel Area A, the land does not form a separate management unit, and is farmed in the same manner as the surrounding Subgrade 3b land. The two areas of best and most versatile land in Panel Area F are found at opposite ends of the panel area, with the Grade 2 land occupying 1.8ha on the southern boundary and the Subgrade 3a land occupying 3.7ha on the northern boundary. They form small discrete corners of larger fields which are farmed according to the characteristics of the predominant Subgrade 3b land within these fields.
LUS.1.4	Applicant	Paragraph 9.8.13 of Chapter 9 Land use and Socioeconomics [APP-032] states that the wider impacts on farm holdings can be scoped out on the basis that landowners that form part of the Proposed Development have signed up to a voluntary agreement and have considered the potential effects on the viability of farm holdings. The Inspectorate has indicated that it is content to scope out this matter, subject to the Applicant providing evidence of such agreements. Would the applicant confirm when copies of the voluntary agreements and the associated statements from the landowners, indicating the effects the disposal of these	Statements from landowners of the panel areas confirming that they have an Option Agreement with the Applicant, and that Byers Gill Solar would have a positive effect on the viability of the farm holding are included at Appendix A Statements from Panel Area Landowners of this document. Please note that there is one statement from a panel area landowner to follow.

ExQ1	Question to:	Question:	Applicant's response
		lands would have on the viability of the varied farm holdings, would be submitted?	
LUS.1.5	Applicant	Paragraph 9.8.23 of Chapter 9 Land use and Socioeconomics [APP-032] mentions that upon decommissioning of the proposed development, the mineral resource (limestone) would become available for extraction and the potential effects of this would need to be assessed based on demand at that time. Would the Applicant provide an indicative assessment of this potential impact given the lengthy lifespan (40 years) of this infrastructure?	The Scoping Opinion [APP-121] required that "*the Applicant confirm that there are no plans to extract this limestone during the lifetime of the Proposed Development. Providing this has been confirmed the Inspectorate is content to scope this matter out*". As reported in the Applicant's Response Matrix to the Scoping Opinion [APP-122], the Applicant has engaged with Darlington Borough Council (DBC) who have confirmed that they are not aware of any plans to extract the resource during the lifetime of the Proposed Development with no current or extant permissions to extract the resource within the Order Limits. They also agreed that given the temporary nature of the Proposed Development, this would not sterilise the resource for future extraction. In comparison to other forms of development, the lifespan of the Proposed Development is limited. ES Chapter 9 Land Use and Socioeconomics [APP-032] includes an assessment of the potential effects of the Proposed Development on the identified mineral resource. This is presented at paragraphs 9.10.20 to 9.10.23 and concludes a Minor Adverse effect on the resource which is not considered to be significant. Consultation was undertaken with DBC as part of the assessment and in reaching the conclusion that there are no proposals or licenses for the extraction of this resource in the short to medium term. The reference in the question to the decommissioning stage of the Proposed Development is a broad reference under the 'Potential Impacts' section of the assessment. The comment made within paragraph 9.8.23 of ES Chapter 9 [APP-032] is to confirm that the resource would be available for extraction post decommissioning, but that any effects or impacts of extracting the resource would need to be considered at that time and through a separate application/license process. It is not considered appropriate for the Applicant to consider or assess the potential impacts of future extraction given

ExQ1	Question to:	Question:	Applicant's response
			that is not what this Application relates to. As reported at paragraph 9.10.21 of ES Chapter 9, the area covered by the Proposed Development is only a small element of the overall limestone resource within the County.
LUS.1.6	Applicant	Paragraph 9.8.24 of Chapter 9 Land use and Socioeconomics [APP-032] states that it is considered likely that the PRoW diverted during the construction phase, as part of the Proposed Development, would remain on their operational alignment and therefore would not revert to the previous or baseline alignment. This will be discussed and agreed on an individual basis with the landowner(s) at the appropriate time. Considering the lifespan of this project, would the Applicant confirm if any appraisal been done to ensure that any such diversion of the PRoW would stand the test of time and continue in a form that would create minimal or no hindrance to its users in perpetuity?	The proposed diversions of PRoW as shown on the Street Works, Rights of Way and Access Plans [AS-014] have been designed in consultation with the landowners as well as the relevant Rights of Way Officers. The majority of diversions re-route PRoW to field boundaries where they currently cross diagonally or through the middle of fields which will be used for panel areas, many of which contain cattle or are regularly planted with crop. The proposed diversion is (in many cases) therefore not an uncommon one, where, for certain times of the year (e.g. when crop is at its highest) the exact line of the PRoW is not actually visible and users may end up utilising the filed edges in any case. It is the Applicant's view that diverted sections of PRoW as proposed would stand the test of time and allow land proposed for panel areas to return to agricultural use with minimal / no hindrance to the farmer or PRoW users. Alternatively, the Applicant would be willing to engage with the local highway authority and relevant landowners at the point of decommissioning (when agreeing the final Decommissioning Environmental Management Plan) to consider reverting the PRoW to their historic or baseline alignment as part of the decommissioning proposals.
LUS.1.7	Applicant	Paragraph 9.10.8 of Chapter 9 Land use and Socioeconomics [APP-032] states that Circa 60% of construction employment could be retained within Darlington, Stockton-on-Tees and Durham, with the remaining 40% being within the wider North-East Region (circa 126 jobs per annum, assumption based on the Applicant's experience of buildings solar schemes	The assessment within Chapter 9 Land Use and Socioeconomics of the Environmental Statement [APP-032] was undertaken based on a number of factors including: • The likely construction employment (Table 9-7) which is based on levels from the Applicant's wider experiences and assumptions.

ExQ1	Question to:	Question:	Applicant's response
		elsewhere in the country). Would the Applicant provide any data to substantiate this?	• Assumed 'local' and 'regional' employment profile which is based on the type of skills required and consideration of the construction sector locally and within the region. • Application of estimates in relation to leakage and displacement to account for reduced outputs elsewhere, as provided through the Homes and Communities Agency Additionality Guide. Leakage refers to the potential employment that may be felt beyond the immediate study area and displacement takes account of where employment generated may lead to employees moving onto the project from other projects in the area, thereby reducing outputs on the other project. • Application of estimates to consider indirect or induced effects to account for wider supply chain impacts, again, provided through the Homes and Communities Agency Additionaly Guide. Table 9-8 of the assessment summarises these considerations and concludes circa 95 net direct employment opportunities for the immediate study area. The Applicant clarifies that the 126 jobs figure referenced in LUS.1.7 represents the gross employment in the immediate study area (not, as suggested, the Wider Region) prior to consideration of displacement. The expected gross direct employment for the wider region is 84, prior to consideration of displacement. Having followed the above assumptions and estimates from published guidance through the HCA Additionality Guide[3] the paragraph 9.10.8 of ES Chapter 9 [APP-032] referenced in the question was outlining that the results seemed reasonable based on the Applicant's experience elsewhere. It is important to note that the employment estimates were based on primary data from other schemes within the

[3] English Partnerships - The National Regeneration Agency, "Additionality Guide - A standard approach to assessing the additional impact of interventions," November, London, 2014.

ExQ1	Question to:	Question:	Applicant's response
			Applicant's experience and as outlined through paragraph 9.10.5 "*the exact number of workers per phase of the construction will be confirmed by the appointed contractor…..*". It should also be considered that the assumed employment profile (local and regional) will be influenced by engagement from the local population and businesses and there is potential to generate greater benefit locally should the market respond positively to the proposed construction opportunities.
LUS.1.8	Applicant	Paragraph 9.10.13 of Chapter 9 Land use and Socioeconomics [APP-032] states that no essential mitigation is required. Has the Applicant considered employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes?	The Applicant is committed to working with contractors who actively engage with local supply chains including employment of workers, equipment and materials from the local area. as secured via commitment LUSE1-CEMP of the outline Construction Enviromnental Management Plan [APP-110]. These requirements would be set out in the Applicant's tendering and procurement processes to be included in the construction contracts. The Applicant would also welcome opportunities to provide appropriate educational and learning opportunities during construction and operation of the Proposed Development.
LUS.1.9	Applicant	Paragraph 9.10.13 of Chapter 9 Land use and Socioeconomics [APP-032] states that no essential mitigation is required, and as such residual effects remain as reported. The Applicant is reminded that Paragraph 2.3.2 of ES Appendix 12.1 Transport Statement [APP-159] mentions the availability of a demand-responsive Tees Flex Bus Service operated by Stagecoach, in partnership with the Tees Valley Combined Authority. Tees Flex offers connections to Stockton, Darlington, Billingham, and Sedgefield. Would the Applicant explain why the practicality of using this service for transporting staff to this site from these nearest transport interchanges and vice versa, to boost the local economy and support the aspirations of Tees Valley Combined Authority, has not been explored?	The Tees Flex is a Demand Responsive Transport (DRT) service which is designed to link the Tees Valley's more rural communities. Bookings of the service are made on a first come, first served basis with users requiring flexibility to allow for slight diversions and or other customer demands. The services are available in three areas, one of which is the Darlington and Stockton area which covers the area of the Proposed Development. However, as outlined on the website, the service is designed for "travel between any two Primary Destinations (including villages and Darlington Arena) within a single zone, but not between zones, as well as travel from a Primary Destination (e.g. Bishopton) to a Secondary Destination (e.g. Darlington Station) as long as the journey is within the same zone'.

ExQ1	Question to:	Question:	Applicant's response
			The service would not therefore allow travel for workers to the Proposed Development site and would only take passengers to a primary or secondary destination. The Applicant is also aware that the Tees Flex service only operates nine minibuses across its three zones and placing a fairly high demand on the service for construction staff would potentially take away this important link for the local community, especially given the first come first serve nature of the service. Equally, there may be instances where the service would not be available to workers due to existing bookings which would cause disruption to the construction of the Proposed Development. It is the view of the Applicant therefore that relying on such a service may in fact impact negatively on the local communities who rely on this service and potential benefits would be better delivered through supply chain benefits (induced or indirect) as described through Chapter 9 Land Use and Socioeconomics of the ES [APP-032]. This could include use of local transport firms for staff travel and this would be confirmed following the appointment of a contractor.
LUS.1.10	Applicant	Paragraph 9.10.18 of Chapter 9 Land use and Socioeconomics [APP-032] states that no essential mitigation is required. Has the Applicant explored the possibility of staff living temporarily in this area being offered incentives to patronise local community facilities like leisure (gym, swimming pool) to bolster the local economy, given that there are few leisure centres plus Ruff 'n' Tumble Adventure World and Hardwick Green MUGA in this area, as indicated in Table 9-4?	Paragraph 9.10.18 of the assessment Chapter 9 Land Use and Socioeconomics of the ES [APP-032] relates to potential effects on recreational and community facilities during construction of the Proposed Development. No significant effects are identified for these receptors and therefore no essential mitigation is required to mitigate any effects. Indirect and induced benefits of the construction stage of the Proposed Development are considered through paragraphs 9.10.10 and 11, as well as Table 9-8 of Chapter 9 Land Use and Socioeconomics [APP-032] and this includes the benefits associated with non-local construction staff staying and spending locally, supporting recreational facilities such as those mentioned and bringing wider indirect benefits. Specific incentives have not been considered in detail as it is unlikely that non-local construction staff will be in the area long enough to make such schemes viable given the 12-18- or

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			18-24-month overall construction period. Incentive schemes are more generally seen on longer term construction projects where a large number of staff are non-local and staying locally for extended periods of time.
LUS.1.11	Applicant	Paragraph 9.10.20 of Chapter 9 Land use and Socioeconomics [APP-032] states that Part of Panel Areas C and D have the potential to affect a safeguarded limestone mineral resource. At the time of writing, the Applicant is not aware of any proposals to utilise this resource in the short to medium term. Would the Applicant describe the timeline for the short to medium term and whether this assumption has been supported by the relevant authority, given the life span of this scheme?	In the context of the lifecycle of the Proposed Development, the short to medium term referred to is the 40-year operational period. The Applicant has sought to engage with Darlington Borough Council (DBC), the relevant local authority in which the identified safeguarded limestone mineral resource is located. Prior to the submission of the DCO Application, the Council confirmed that they have "*no plans to extract the limestone resource during the construction period of the proposed development… can confirm that there are no current applications or extant permissions to extract limestone within the development area. Given the 'temporary' nature of the proposed development this would not sterilise resources, and they could still be extracted in the future*." It is recognised that the Council are not able to speak to the actions of any landowners within the identified locations, but the relevant Mineral Planning Authority (DBC) appears to support the Applicant's assessment.
LUS.1.12	Applicant	Paragraph 9.10.23 of Chapter 9 Land use and Socioeconomics [APP-032] mentions that no essential mitigation is required. Given that the overriding policy EN-1 stipulates that appropriate mitigation is required for the safeguarded limestone mineral resource, would the Applicant explain why no mitigation is proposed?	ES Chapter 9 Land Use and Socioeconomics [APP-032] includes an assessment of the potential effects of the Proposed Development on the identified mineral resource of limestone within parts of Panel Area C and D. This is presented at Section 9.10.20 and concludes a Minor Adverse effect on the resource which is not considered to be significant. This effect arises through temporary sterilisation of the resource, however it would remain in situ and could be extracted following decommissioning of the Proposed Development. As reported in the Applicant's Response Matrix to the Scoping Opinion [APP-122], the Applicant has engaged with Darlington Borough Council (DBC) who have confirmed that they are not aware of any plans to extract the resource during the lifetime of the Proposed Development with no current or extant permissions to

ExQ1	Question to:	Question:	Applicant's response
			extract the resource within the Order Limits. They also agreed that given the temporary nature of the Proposed Development, this would not sterilise the resource for future extraction. References in NPS EN-1 to mitigation are in relation to safeguarding the mineral resources are as follows: *"5.11.19 Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place."* "*5.11.28. Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources."* *"5.11.29 Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas."* The Proposed Development would not permanently sterilise the mineral resource and it would be available for extraction following the decommissioning of the Proposed Development. It therefore remains safeguarded, and mitigation is not necessary.
LUS.1.13	Applicant	Paragraph 9.11.2 of Chapter 9 Land use and Socioeconomics [APP-032] states that due to the negligible and non-significant effect anticipated on the identified socio-economic receptors, no monitoring will be required during the operational phase of the proposed development. Would the Applicant explain how and when the number of local residents benefiting from training/apprenticeship and full-time jobs would be monitored? Can the Applicant also clarify how the ExA	This matter is addressed through the Community Benefit Fund Note (Document Reference 8.10) provided at Deadline 2.

ExQ1	Question to:	Question:	Applicant's response
		can be sure that the Community Benefit provision of £1.5m across the lifecycle of the Proposed Development would be channelled towards the intended improvement schemes like accessible footpaths, new native planting, improved highway safety, outdoor play areas, picnic benches, community orchards, rooftop solar for community buildings and, the effectiveness of these schemes in terms of achieving the set goals?	
LUS.1.14	Applicant	The Applicant is also asked to confirm what consultation has been carried out with the local community to ascertain which projects the local community would like the Community Benefit provision to be channelled to and also what consultation is proposed throughout the lifecycle of the Proposed Developments in order to accommodate any changes and priorities from the local community? Can the Applicant also state how this should be secured within the DCO?	This matter is addressed through the Community Benefits Fund Note (Document Reference 8.10) provided at Deadline 2.
LUS.1.15	Applicant	Table 8-1 of 7.2 Design Approach Document [AS-004] states that there will be a minimum of 4m and maximum of 12m distance between the solar panel rows. Would the Applicant explain if and how the need to minimise the ultimate land take has been accounted for prior to arriving at the elected distances between the solar panel rows?	See answer to DES 1.5.
14.	Noise and Vibration		
NV.1.1	Applicant	Table 1-1 of ES Appendix 11.3 Details of Noise Model [APP-156] shows the estimated noise sources from the Proposed Development. Would the Applicant explain how the sound power level [in decibels] associated with each equipment, which form part of the data that was inputted into the evaluation tool (SPv8.2), was derived?	Noise data was provided by a third-party manufacturer of the equipment listed in Appendix 11.3. The data was used as candidate plant noise levels as the exact plant items and the manufacturer of those has not yet been specified. Battery Energy Storage System technology is improving quickly in terms of noise efficiency and so it is not expected that newer equipment would be louder than that which the assessment was based on.

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			Nonetheless, Requirement 3(2)(d) of the dDCO [APP-012] requires the detailed design of the Proposed Development to accord with the principles and assessments set out in the Environmental Statement. This requires the Proposed Development to operate in accordance with the conclusion of "no significant effect" on noise during operation set out in ES Chapter 11.
NV.1.2	Applicant	Paragraph 1.2.8 of ES Appendix 11.3 Details of Noise Model [APP-156] states that if the operations of the proposed noise sources from the Proposed Development are found to differ greatly from those outlined in Table 1-1 at a later design stage, a supplementary noise assessment will be required to account for those changes. Can the Applicant explain why this has not been included in any of the requirements?	The Applicant notes that the Applicant's assessment of the likely effects on noise and vibration are set out in section 11.10 of ES Chapter 11 Noise and Vibration [APP-034], which was undertaken on the basis of the noise data included in Table 1-1 of ES Appendix 11.3 [APP-156]. Paragraph 11.10.61 concludes that the significance of effects on noise during operation of the Proposed Development are "none". For this reason, paragraph 11.11.1 confirms that noise monitoring during the operational phase of the Proposed Development is not necessary. The Applicant further confirms that Requirement 3(2)(d) of the dDCO [APP-012] requires the detailed design of the Proposed Development to accord with the principles and assessments set out in the Environmental Statement. This requires the Proposed Development to operate in accordance with the conclusion of "no significant effect" on noise during operation set out in ES Chapter 11. On this basis, the Applicant submits that it is not necessary to include a further requirement in the dDCO which requires a supplementary noise assessment to be carried out. A supplementary assessment, as indicated in paragraph 1.2.8 of ES Appendix 11.3 [APP-156], would only be required where the equipment proposed by the Applicant is so different from the noise sources in Table 1-1 that a new or different likely significant environmental effect would be generated.
NV.1.3	Applicant	The second bullet point of paragraph 11.4.3 of ES Chapter 11 Noise and Vibration [APP-034] states that noise modelling using modelling software has been	The Applicant can confirm that the modelling software used is SoundPLAN version 8.2, as set out in ES Appendix 11.3 [APP-156].

ExQ1	Question to:	Question:	Applicant's response
		undertaken, considering the Proposed Development's layout, proposed equipment noise levels and traffic data (operational phase) to predict noise levels at receptors associated with the Proposed Development. Can the Applicant confirm if the modelling software mentioned here is the SPv8.2 and explain why the more critical construction phase traffic has not been considered instead of that associated with the operational phase?	Noise related to construction traffic has been assessed in paragraphs 11.10.5 – 11.10.10 of ES Chapter 11 Noise and Vibration [APP-034]. It is concluded that there is likely to be a short-term adverse effect, which is considered to be not significant. Noise related to operational traffic was scoped out of the assessment as stated in paragraph 11.3.6 of ES Chapter 11 Noise and Vibration [APP-034].
NV.1.4	Applicant	Paragraph 1.4.1 of ES Appendix 11.1 Noise and Vibration Guidance [APP-154] mentions that BS4142 is used to rate and assess sound of an industrial and/or commercial nature including: • sound from the loading and unloading of goods and materials at industrial and/or commercial premises; and • sound from mobile plant and vehicles that is an intrinsic part of the overall sound emanating from premises or processes, such as that from forklift trucks, or that from train or ship movements on or around an industrial and/or commercial site. Would the Applicant explain why these have not been included in the assessment done in Table 1-1 of ES Appendix 11.3 Details of Noise Model [APP-156]?	The sound sources listed in comment NV.1.4 are repeat of what is listed in BS4142:2014. The Proposed Development will not generate all of the sound sources listed in the standard. Those sound sources that are appropriate to the development have been assessed and are stated in ES Chapter 11 Noise and Vibration [APP-034].
NV.1.5	Applicant	Paragraph 2.6.7 of Chapter 2 The Proposed Development [APP-025] states that the proposed climate change resilience measures which will be secured via the Outline CEMP and implemented by the PC during construction include: • using equipment's cooling systems where necessary/adapting working practices and equipment used based on current weather conditions. Would the Applicant explain how working practices and equipment used would be adapted to reflect varied weather conditions during construction?	It is anticipated that appropriate measures could include avoiding/stopping operating machinery in certain extreme weather conditions and applying standard protective measures to equipment to ensure the safety of personnel operating machinery. The details will be dependent on the exact machinery and the season for each stage of construction. The Construction Environmental Management Plan (based on the outline measures included in the ES Appendix 2.6 Outline Construction Environmental Management Plan [APP-110]) will set these details out prior to commencement of development.

ExQ1	Question to:	Question:	Applicant's response
15.	Resource and Waste Management		
RWM.1.1	Applicant	Can the Applicant please confirm how it has used its design approach to the Proposed Development and processes to minimise carbon contributions at all phases of the Proposed Development (construction, operation, maintenance and decommissioning phases) and how these have been assessed?	The Applicant confirms that it has integrated a range of embedded mitigation measures into the Design of the Proposed Development and committed to additional essential mitigation measures to minimise carbon contributions of the Proposed Development. These embedded and essential mitigation measures are set out in Table 5-17 of ES Chapter 5 Climate Change [APP-028]. Embedded mitigation measures to reduce greenhouse gas emissions are also described in paragraph 2.6.6 of ES Chapter 2 The Proposed Development [APP-025]. Reference should be made to Written Question DES 1.7 which further outlines consideration the Proposed Development has given to the Project Level Design Principles guidance from the National Infrastructure Commission Design Group. The Applicant confirms that the assessment of the Proposed Development's impact on Climate Change in section 5.8 of the ES Chapter 5, the Climate Change Resilience Assessment [APP-124] and the Greenhouse Gas Assessment [APP-124] have all taken into account these embedded mitigation measures. ES Chapter 5 concludes there would be no significant adverse effects of the Proposed Development in relation to climate, and a significant beneficial effect in relation to greenhouse gases during operation.
RWM.1.2	Applicant	As part of the Proposed Development approach to reducing carbon contributions, can the Applicant please confirm what measures it proposes to put in place in order to minimise carbon emissions through the life cycle of the Proposed Development and how these will be secured?	The Applicant confirms that it has integrated a range of embedded mitigation measures into the Design of the Proposed Development and committed to additional essential mitigation measures to minimise carbon contributions of the Proposed Development. These embedded and essential mitigation measures are set out in Table 5-17 of ES Chapter 5 Climate Change [APP-028]. Embedded mitigation measures to reduce greenhouse gas emissions are also described in paragraph 2.6.6 of ES Chapter 2 The Proposed Development [APP-025]. Reference should be made to Written Question DES 1.7 which further outlines consideration the Proposed Development has given

ExQ1	Question to:	Question:	Applicant's response
			to the Project Level Design Principles guidance from the National Infrastructure Commission Design Group. ES Appendix 2.6 Outline CEMP [APP-110] and Environmental Statement Appendix 2.7 Outline DEMP [APP-111] commit these measures as part of the DCO. Planting is proposed as per the Environmental Masterplans [AS-016] and ES Figure 2.20 Landscape Concept Masterplan [APP-058]. As outlined in 5.10.8 of ES Chapter 5 Climate Change [APP-028] as planting matures more carbon will be sequestered over time.
16.	Traffic and Transport		
TT.1.1	Applicant	Paragraph 12.7.14 of ES Chapter 12 Traffic and Transport [APP-035] cites Gately Moor Solar Farm (22/0072/FUL) as included in the future baseline scenario, the Transport Assessment of which stated that "Employees will travel in crew buses, with a maximum of 20 minibuses (940 movements) quoted in the Transport Assessment as potentially travelling to the site during the peak of the construction period. Should the figure 940 be the total number of staff being transported and can the Applicant clarify whether the 20 (minibuses) is a daily figure? Also, how has the peak hour traffic been estimated?	The reference to Gately Moor Solar Farm is part of the future baseline element of the Traffic and Transport chapter [APP-035] and is included in order to present a realistic baseline which includes transport impacts / additions from committed developments. The Gateley Moor Solar Farm Transport Assessment does not include peak hour data. There is an error in the data presented in relation to Gateley Moor Solar Farm and the '940' movements reference should in fact be 40 movements to reflect the 20 minibuses entering and exiting. We can however confirm that the 20 movements have been considered in the future baseline scenario and the inclusion of the '9' was purely a typographical error. This has been corrected in the ES Errata and Management Plans Proposed Updates (Document Reference 8.11) submitted at Deadline 2. Reference to "peak of the construction period" within paragraph 12.7.14 of ES Chapter 12 [APP-035] ensures that the future baseline considers the worst case in terms of trip generation as the Transport Assessment estimates between 10 and 20 crew buses / cars or vans.

ExQ1	Question to:	Question:	Applicant's response
TT.1.2	Applicant	Paragraph 12.7.14 of ES Chapter 12 Traffic and Transport [APP-035] cites Forrest Park (DM/19/00283/OUT) as included in the future baseline scenario, the Transport Assessment of which stated that the combined peak hours would add 774 trips onto the A1(M) junction – Would the Applicant confirm if these trips are morning and evening peak hours together and the assumed time periods?	As above, the Forrest Park scheme is included as part of the future baseline within the Traffic and Transport chapter [APP-035]. The information provided under planning application reference (DM/19/00283/OUT) only included peak hour trips and therefore this data that has been utilised in the future baseline scenario as presented by the applicant of that development.
TT.1.3	Applicant	Paragraph12.7.15 of ES Chapter 12 Traffic and Transport [APP-035] mentions Land At Wynyard Village Wynyard (23/0261/OUT), a development with up to 700 dwellings, community centre, care and medical facilities, open space, golf course improvements, the Transport Assessment of which stated that the highway officer response recommends that it should not be given planning permission. Would the Applicant confirm the status of this application because highway objection does not necessarily mean that the development would not be given a planning consent bearing in mind NPPF advice on the degree of severity of traffic impact?	Planning application reference 23/0261/OUT is currently pending determination with Stockton Borough Council. Since submission of the DCO Application and drafting of ES Chapter 12 [APP-035], the Land at Wynyard Village application has had a small number of objecting representations submitted by members of the public and, more recently (26 July 2024), a consultation response from National Highways which recommends that the application is not consented until 16 January 2025 due to concerns regarding the impact on the A19. No further information has been submitted in relation to traffic or transport documentation by the applicant of that proposal, and therefore it is considered that the reasons for excluding the development from the future baseline, as described in paragraph 12.7.15 of ES Chapter 12 [APP-035] remains valid, which stated it was not added due to '*the lack of information, the conclusions of the highway officer and the location of the site*.' It is agreed that highways objection in isolation may not result in refusal of consent, however as explained in the preceding sentence, the development was excluded from the future baseline for multiple reasons and not just due to an existing highway objection.
TT.1.4	Applicant	Paragraph 12.10.13 of ES Chapter 12 Traffic and Transport [APP-035] states that each Panel Area could require up to 100 employees (300 on site at any one time) for 3 sites. 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	The proposed use of minibuses to transport staff to/from site has been informed by the methods used to construct other solar farm sites in the UK. This approach is detailed in the Outline Construction Traffic Management Plan (CTMP) [APP-112]. Furthermore, commitments are secured in the outline CEMP [APP-110] to further measures such as references CC5, CC6 and CC7 to

ExQ1	Question to:	Question:	Applicant's response
		movements). Across three sites, the employee trips could generate 45 car tips (90 two-way movements). How would the Applicant ensure that this forecasted trip would be realised without any clear-cut action to provide minibuses for staff?	promote use of sustainable transport amongst staff and implement a Travel Plan. An updated CTMP will be produced following appointment of the Principal Contractor (PC) and will need be agreed with the Highway Authorities prior to commencement of construction. Measures to ensure compliance and enforcement are outlined in the CTMP, and adherence to agreed working practices will be the responsibility of the Principal Contractor.
TT.1.5	Applicant	Paragraph 12.10.24 of ES Chapter 12 Traffic and Transport [APP-035] mentions that while no local junction modelling has been undertaken, professional judgement has been made that links and junctions within the Study Area operate within theoretical capacity. Without junction capacity assessment being carried out on the base and with development traffic scenarios, how confident is the Applicant that the critical junctions around this site would continue to operate efficiently, bearing in mind the potential re-routeing of traffic consequential to the execution of on-road cabling?	The Transport Statement [APP-159] provides information on traffic flows derived from traffic surveys undertaken in 2023. Paragraph 2.2.5 in the Transport Statement [APP-159] reports that the busiest local road in the study area is Elstob Lane / Bishopton Lane which has approximately 3,000 vehicles, per day, travelling in each direction. The Design Manual for Roads and Bridges TA79/99 Traffic Capacity of Urban Roads was withdrawn in 2020. However, it is still a helpful reference for understanding the scale of link capacities for single carriageway roads based on the type of road and width of carriageway. For a 40 – 60mph road with limited frontages, and carrying predominantly through traffic, TA79/99 suggests a flow capacity in each direction of between 1,020 and 1,860 per hour. With the busiest local road in the study area recording 3,000 trips in each direction across the day, it is reasonable to conclude that the hourly flows will be well within the link flow capacity. Given the flow rate, coupled with site visits to the area, it has been determined that the junctions on the network are also expected to operate well within capacity. The Applicant has been clear on its preference for off-road cabling wherever possible, however, should on-road cabling be required works would be carried out outside of the peak hours (AM and PM),

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			as set out through paragraphs 12.10.29 and 30 of the ES [APP-035]. At this stage of the Proposed Development, it is not considered that re-routing of traffic would be required for the installation of any sections of on-road cable, with local traffic management envisaged which is likely to include single lane closures with traffic light control, rather than full closures which would require diversion of traffic. Any closures requiring diversions would be short-term with a commitment to try and retain access wherever possible and safe to do so. This is discussed further in Paragraphs 7.3.5 to 7.3.8 of the Outline CTMP [APP-112]. On this basis, it is the Applicants view that the conclusions in relation to junction and network capacity remain unchanged.
TT.1.6	Applicant	Paragraphs 12.10.29, 12.10.30 of ES Chapter 12 Traffic and Transport [APP-035] states that it is expected that cable construction could cause a greater level of driver delay, should road-based cable route options be chosen as the preferred route over the off-road options. However, where this might be the case, it is proposed that cabling works will be outside of network peak hours and traffic management (e.g. single lane closures) or temporary diversions would seek to minimise any increase in journey length, therefore having minimal impact. Has the Applicant carried out any sensitivity testing of the on-road option in conjunction with indicative mitigation, in concluding that it would have a minimal impact?	As set out above in the response to TT.1.5, it is not considered that re-routing of traffic would be required for the installation of any sections of on-road cable, with local traffic management envisaged which is likely to include single lane closures with traffic light control, rather than full closures which would require diversion of traffic. This is discussed further in Paragraphs 7.3.5 to 7.3.8 of the Outline CTMP [APP-112]. ES Chapter 12 Traffic and Transport [APP-035] considers the impact of on-road cabling and paragraph 12.10.31 concludes that if on-road cabling is required, there would be a temporary minor adverse impact on driver delay. This conclusion is drawn from the evidence as stated in paragraph 12.10.17 of ES Chapter 12 that the majority of roads within the study area would see a temporary traffic increase of less than 10%, taking into account on-road cabling works, and the baseline link flows indicate that the highway links have residual capacity. As a result, sensitivity testing of the on-road option is not required. The Outline Construction Traffic Management Plan (CTMP) [APP-112] provides details at paragraphs 7.3.5 to 7.3.8 on how on-road cable works would be managed to minimise the impact on road users. Works would be short-term and the final details in relation to

ExQ1	Question to:	Question:	Applicant's response
			programme, phasing and details of management measures would be agreed with the Highway Authorities through the CTMP.
TT.1.7	Applicant	Paragraph 12.10.33 of ES Chapter 12 Traffic and Transport [APP-035] states that due to a negligible increase in traffic on the LRN, it is anticipated that the impact of the Proposed Development on pedestrian, horse riding and cyclist amenity will not be material, and, if at all, only in isolated locations. In arriving at this conclusion, did the Applicant take into consideration the effect the on-road cabling would have on these road users?	The assessment reported in ES Chapter 12 [APP-035] takes into account the effect of on-road cabling. On road cabling may require temporary traffic management or lane closures and/or the temporary closure of some routes. However, where this might be the case, as stated in paragraph 12.10.30 of ES Chapter 12 [APP-035], it is proposed that cabling works will be outside of network peak hours and traffic management (e.g. single lane closures) or temporary diversions would seek to minimise the impact on pedestrians, horse riders and cyclists. Should final cable route selection include on-road options, further detail about management to minimise the impact caused by cabling works would be provided through the detailed CTMP to be approved under requirement 6 of the draft DCO and produced in accordance with the Outline Construction Traffic Management Plan [APP-112]. Works would be short-term and the final details in relation to programme, phasing and details of management measures would be agreed with the Highway Authorities through the detailed CTMP.
TT.1.8	Applicant	Paragraph 12.10.38 of ES Chapter 12 Traffic and Transport [APP-035] states that collision data covering the study area has been sourced, for the period 2015 to 2019 inclusive, from crashmap.com. The study area includes the LRN and surrounding SRN. Would the Applicant not consider that the analysis of 2015-2019 accident data which was pre covid restriction, is insufficient and out-of-date, given that a more recent data from the end of the covid restriction (12/07/21) to the most recent time in 2024 would have given a valid result?	The original range of collision data was selected to enable any trends to be identified over five years, without any potential anomalies in the data as a result of the COVID pandemic. When the assessment was undertaken, the data available was up to the end of 2021. It would be beneficial to have data up to the current period (summer 2024) but the most up to date data now (in 2024) publicly available on Crashmap.com is from 2022 The IEMA Guidance (*Institute of Environmental Management and Assessment Guidelines: Environmental Assessment of Traffic and Movement, 2023*) references the use of professional judgement to assess accident and safety impacts. Based on the original range of data reviewed (2015 – 2019), paragraph 12.10.40 of ES Chapter 12 Traffic

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			and Transport [APP-035] concludes that there is no evidence to suggest any prevailing road safety issues within the study area. As there have been no changes to the highway network within the study area since the end of the study period, and no changes are proposed, there is unlikely to be any significant changes to the conclusions drawn from the analysis based on a continuous data range of five years.
TT.1.9	Applicant	Paragraph 2.2.5 of ES Appendix 12.1 Transport Statement [APP-159] mentions that the results from the Traffic Surveys can be seen in Appendix A. Would the Applicant demonstrate what the 12hour plus the morning and evening peak hours traffic flows (7AM to 7PM, 8AM to 9AM and 5PM to 6PM respectively), which coincide with the operation times of the construction works, would be from the survey data results?	The requested data has been extracted from the surveys, and is provided in the following figures in the updated Transport Statement (Document Reference 6.4.12.1, Revision 2): • Appendix A1.1. – Baseline Traffic Network Diagram - 12 hour, 7 day average • Appendix A1.2. – Baseline Traffic Network Diagram – Morning Peak Hour 08:00 – 09:00, 7 day average Appendix A1.3. – Baseline Traffic Network Diagram – Evening Peak Hour 17:00 – 18:00, 7 day average
TT.1.10	Applicant	Paragraph 3.7.1 of ES Appendix 12.1 Transport Statement [APP-159] states that the potential overlap with traffic from other developments within the vicinity has been considered. Those committed developments that would use routes within the Study Area have been identified and any additional vehicle trips on those routes have been included in the future baseline scenario. Would the Applicant explain why this method would give a true picture of the cumulative traffic impact of this development, given that the proportion of the combined development and committed developments' traffic over the based traffic scenario should have been calculated instead?	The IEMA Guidance (*Institute of Environmental Management and Assessment Guidelines: Environmental Assessment of Traffic and Movement, 2023*) notes how transport and movement assessments are inherently cumulative as the traffic data should include data from other relevant developments. The Future Baseline Scenario includes committed development traffic and thereby reflects what the conditions on the highway network would be like in the future without the Proposed Development. It was therefore reasonable to make a judgement on what the impact of this Proposed Development would be against that Future Baseline. In the updated Transport Statement (Document Reference 6.4.12.1, Revision 2) we have however provided an additional figure (Appendix D1.1.) which shows the percentage change in traffic flows as a result of all development (committed and the Proposed Development) within the study area from the 2023 baseline. This has been provided

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			to aid our response to this question and respond to points raised by the local community, however we reiterate that the assessments carried out to date are sufficient and in accordance with relevant guidance. Appendix D1.1 in the updated Transport Statement (Document Reference 6.4.12.1, Revision 2) shows that those roads where the change in traffic flow would be more than 10%, as a result of the committed developments and the Proposed Development, are Lime Lane and Aycliffe Lane. These two roads are the same two roads as those considered in Paragraph 12.10.18 of ES Chapter 12 [APP-035]. It is explained in paragraph 12.10.18 that these two roads are subject to low traffic flows in the baseline, and as such a small increase in trips shows a high percentage change in traffic flow. Moreover, the receptor sensitivity on these roads is considered to be low, as the LRN has some sensitivity to changes in traffic flows, but has capacity to accommodate the temporary change in flows. It is acknowledged that the impact on Lime Lane shown in Appendix D1.1 in the updated Transport Statement (Document Reference 6.4.12.1, Revision 2) is over 30%, which is the value at which the IEMA Guidance indicates could represent a slight impact on severance (rather than the negligible impact reported in the ES Chapter 12 [APP-035]). However, and as already stated in Paragraph 12.10.18 of ES Chapter 12 [APP-035] caution needs to be observed when applying thresholds to low baseline flows because low baseline flows are unlikely to experience severance impacts, even with high percentage change in traffic flows.
TT.1.11	Applicant	Appendices A to D of ES Appendix 12.1 Transport Statement [APP-159] states that the base and future traffic calculations here were based on 7-day averages. Would the Applicant signpost where the weekday 12-	The requested data has been extracted from the surveys, and is provided in the following figures in the updated Transport Statement (Document Reference 6.4.12.1, Revision 2):

ExQ1	Question to:	Question:	Applicant's response
		hour and AM and PM averages can be found, bearing in mind the above ExQs TT.1.9 and TT.1.10?	• Appendix A1.1. – Baseline Traffic Network Diagram - 12 hour, 7 day average • Appendix A1.2. – Baseline Traffic Network Diagram – Morning Peak Hour 08:00 – 09:00, 7 day average Appendix A1.3. – Baseline Traffic Network Diagram – Evening Peak Hour 17:00 – 18:00, 7 day average
TT.1.12	Applicant	Paragraph 3.3.1 of ES Appendix 12.1 Transport Statement [APP-159] mentions that to forecast the trip generation associated with a solar farm development we have sourced examples of similar developments from elsewhere. Would the Applicant explain how the features of these similar developments used for estimating vehicular trips compare to those of Byers Gill Solar Farm?	To forecast the trip generation for the Proposed Development, the construction methods and notably vehicle trips from two other RWE solar farm developments were reviewed. These solar farms were Claydon Solar Farm (50MW) and Moreton Lane Solar (50MW). The traffic inventory for these two sites was used to develop an average number of deliveries and employees per 10MW. It was advised that on average it would take 3.3 weeks to construct 10MW. This information was used to determine an approximate construction programme for each panel area of the Proposed Development, and the average number of trips it would generate each day during the construction programme. In developing the trip generation methodology, the Applicant also developed a repository of other solar farm sites to determine if the trip generation forecasts were a reasonable estimate based on what other solar farm developments were forecasting. e Local examples include: • Gateley Moor Solar Farm in Darlington 49MW (application ref 22/00727/FUL) which is forecast to generate 10 deliveries per day, and 10-20 minibus trips during the construction period. • California Farm Solar Farm in Stockton 49MW (application ref 22/1511/FUL) which is forecast to generate 8 deliveries per day during the construction period. There are no specific details on employee trips.

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			• Whinfield Solar Farm in Darlington 33MW (application ref 21/00958/FUL) which is forecast to generate 6 deliveries per day during the construction period and 40 staff movements. Based on the trip generation for the other JBM (now RWE) sites, and reviewing the local examples, the forecasts used in the Byers Gill analysis (an average of 18 HGV trips and 45 employee trips per day) seemed a reasonable assumption to apply to determine the likely transport and movement impacts. The updated CTMP, to be produced following appointment of the Principal Contractor (PC), will confirm the vehicular access arrangements and will need be agreed with the Highway Authorities prior to commencement of construction.
TT.1.13	Applicant	Paragraph 2.3.2 of ES Appendix 12.1 Transport Statement [APP-159] mentions the availability of a demand-responsive Tees Flex Bus Service operated by Stagecoach, in partnership with the Tees Valley Combined Authority. Tees Flex offers connections to Stockton, Darlington, Billingham, and Sedgefield. Has the applicant explored the practicality of using this service for transporting staff to this site from the nearest major transport interchange and vice versa? Would Darlington Council confirm the status of the Tees Flex Bus Service and its long-term aspiration for this important transport infrastructure, given the limited public transport provision in this locality?	As per commitments made under reference CC6 and CC7 in the Outline CEMP [APP-110], construction personnel will be encouraged to use car sharing and public transport to travel to the local area and the site where appropriate to do so, as part of our commitments to promote carbon savings in our construction activities. However, committing to a public transport system is not feasible as a single solution. The Applicant has given consideration to Tees Flex, which is a Demand Responsive Transport (DRT) service which is designed to link the Tees Valley's more rural communities. Bookings of the service are made on a first come, first served basis with users requiring flexibility to allow for slight diversions and or other customer demands. The services are available in three areas, one of which is the Darlington and Stockton area which covers the area of the Proposed Development. However, as outlined on the website, the service is designed for "travel between any two Primary Destinations (including villages and Darlington Arena) within a single zone, but not between zones, as well as travel from a Primary Destination (e.g. Bishopton) to

ExQ1	Question to:	Question:	Applicant's response
			a Secondary Destination (e.g. Darlington Station) as long as the journey is within the same zone'. The service would not therefore allow travel for workers to the Proposed Development site and would only take passengers to a primary or secondary destination. The Applicant is also aware that the Tees Flex service only operates nine minibuses across its three zones and placing a fairly high demand on the service for construction staff would potentially take away this important link for the local community, especially given the first come first serve nature of the service. Equally, there may be instances where the service would not be available to workers due to existing bookings which would cause disruption to the construction of the Proposed Development. The Applicant notes that in paragraph 5.3.7 of its Local Impact Report [REP1-023] Darlington Borough Council identifies that funding for Tees Flex is only secure until March 2025 and therefore '*cannot be relied on as a viable means of providing access to the site during the construction phase*'. It is the view of the Applicant therefore that relying on such a service – even if feasible and funded for the duration of construction - may in fact impact negatively on the local communities who rely on this service and potential benefits would be better delivered through supply chain benefits (induced or indirect) as described through ES Chapter 9 [APP-032]. This could include use of local transport firms for staff travel and this would be confirmed via a Travel Plan as secured under commitment CC7 of the Outline CEMP [APP-110] following the appointment of a contractor.
TT.1.14	Applicant	Paragraph 3.3.1 of ES Appendix 12.1 Transport Statement [APP-159] states that three sites will be constructed at any given time (100 employees, 300 on site at any one time). Occupancy of 7 staff per vehicle = 15 car/LGV trips to each site (30 two-way movements). Would the Applicant explain how this would be enforced while	The proposed use of minibuses to transport staff to/from site has been informed by the methods used to construct other solar farm sites in the UK. This approach is detailed in paragraphs 5.3.11 to 5.3.15 of the Outline Construction Traffic Management Plan (CTMP) [APP-112]. The cars would be hire cars which is therefore more in

ExQ1	Question to:	Question:	Applicant's response
		relying on the staff to provide their own individual/shared transport?	the control of the Applicant to encourage and enforce, than relying or expecting staff to own such vehicles. An updated CTMP will be produced following appointment of the Principal Contractor (PC) and will need be agreed with the Highway Authorities prior to commencement of construction. Measures to ensure compliance and enforcement are outlined in section 7.9 the CTMP [APP-112], and adherence to agreed working practices will be the responsibility of the Principal Contractor.
TT.1.15	Applicant	Paragraph 3.6.1 of ES Appendix 12.1 Transport Statement [APP-159] mentions that it is not known which three Panel Areas might be constructed at once, the assessment assumes trips for all Panel Areas with each road capped to the average trips of three Panel Areas, to assess the impact. Can the Applicant explain what the limitations are for not being able to decide which of the 3 panel areas can be constructed simultaneously bearing in mind that in satisfying the need for consolidation of deliveries, it appears logical to construct Panels A, B & C in parallel while D, E & F are constructed at the same time?	The sequencing of panel area construction will not be finalised until the Applicant appoints a principal contractor at the detailed design stage. The detailed construction plans would be developed with an appointed principal contractor and therefore some flexibility is required. The maximum of three simultaneous panel areas is defined as a worst case scenario for the purposes of the assessment, and the principal contractor would be restricted to this as a principle of the environmental statement under requirement 3(2)(d) of the draft DCO [APP-012]. In any case, the appointed principal contractor may prefer to construct the Proposed Development on an individual panel area basis. This would take into account factors such as key programme dates, origin of plant and materials and the availability of workforce to suit the sequencing of works. The sequencing of works will be controlled through Requirement 2 of the draft DCO (Document Reference 3.1, Revision 2), which requires the Applicant, prior to the commencement of construction, to submit for approval by the relevant planning authority a written scheme setting out the proposed phases of construction.

ExQ1	Question to:	Question:	Applicant's response
TT.1.16	Applicant	Paragraph 2.3.4 of ES Appendix 2.6 Outline Construction Environmental Management Plan [APP-110] states that the temporary construction compounds would contain construction worker welfare facilities, a site office, limited parking, wheel wash area, plant and machinery storage, Heavy Goods Vehicles (HGV) turning and waste storage areas. Would the Applicant explain how many car parking spaces would be provided and has any consideration been given to potential for mini-bus and motorcycle parking?	Sections 6.2 to 6.7 of the outline CTMP [APP-112] provide information on the expected car parking capacity of each compound, of 15 spaces each. Details of the temporary construction compounds, including provision of parking, will be developed prior to construction once a principal contractor is appointed. The detail would be confirmed through the discharge of Requirement 4 of the DCO (Document Reference 3.1, Revision 2) prior to commencement and would require approval of the relevant planning authority. Construction compounds in each site area would be suitably sized to accommodate peak use during the works. The Applicant will discourage motorcycle parking due to the increased risk of this form of travel, especially on site roads. The Applicant confirms that minibus parking could be accommodated within the Principal Contractor compounds.
TT.1.17	Applicant	Table 2-1 of ES Appendix 2.6 Outline Construction Environmental Management Plan [APP-110] describes the proposed access points and indicates that vehicles accessing Panel Areas A and B would traverse via unnamed farm tracks. Would the Applicant confirm if the proposed wheel wash locations for these panel areas would guarantee that large vehicles exiting the farm tracks onto the adjacent Brafferton Lane and Lodge Lane respectively after their wheels have been washed would not any carry mud/dust onto these latter roads?	Details of the wheel washing facilities will be developed prior to construction once a principal contractor is appointed and will be located where they will be effective. As set out in Table 4-8 of the Outline CEMP [APP-110], a detailed CTMP will be produced as part of the construction phase and this will include the location of any wheel wash facilities as stated under commitmentTT5-CEMP. The details of the final CEMP and CTMP will be confirmed through the discharge, respectively, of Requirements 4 and 6 of the draft DCO (Document Reference 3.1, Revision 2) prior to commencement and would require approval of the relevant planning and highway authorities. The Applicant will seek to update the Outline CTMP [APP-112] to provide wheel washing at site entrances where they meet the public road network. This is reflected in the ES Errata and Management

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			Plans Proposed Updated (Document Reference 8.11) provided at Deadline 2.
TT.1.18	Applicant	Paragraph 2.3.31 of ES Appendix 2.6 Outline Construction Environmental Management Plan [APP-110] states that the Considerate Constructors Scheme [CCS] will be adopted to assist in reducing pollution and nuisance from the Proposed Development, by employing best practice measures which go beyond statutory compliance. Has the Applicant considered also engaging contractors who subscribe to Fleet Operator Recognition Scheme (FORS)?	The Applicant confirms that the commitment in the Outline CEMP [APP-110] to adopt the Considerate Constructors Scheme is secured by virtue of Requirement 4 of the dDCO [APP-012]. The Applicant further confirms that when considering the appointment of the principal contractor to appoint, the Applicant will take into account their contractor's membership of all relevant best practice and industry schemes, including FORS.
TT.1.19	Applicant	Table 4-1 of ES Appendix 2.6 Outline Construction Environmental Management Plan [APP-110] states under 'release of GHG emissions during construction' that encouraging the use of lower carbon modes of transport by identifying and communicating local bus connections and pedestrian and cycle access routes to/ from the Proposed Development to all construction staff and providing appropriate facilities for the safe storage of cycles. With limited local bus services and pedestrian and cycle access routes in this locality plus lack of clear-cut action to encourage staff to use sustainable travel modes, would the Applicant explain the effectiveness of communicating the availability of these sustainable modes to the staff?	The commitment of CC5 is for the Applicant to communicate low carbon modes of transport to all construction staff in order to encourage their usage. The methods of communication will be developed in detail prior to construction through the production and approval of the detailed CEMP under requirement 4 of the DCO (Document Reference 3.1, Revision 2). The Applicant will seek to maximise the efficacy of this communication through its detailed plan. The commitment to communicate low carbon transport modes to construction staff is however only one aspect of the approach to reducing GHG emissions from construction transport. The Applicant is also committing to liaise with construction personnel to implement staff minibuses and car sharing options and to implement a Travel Plan. This is committed to under commitments CC6 and CC7 of the outline CEMP [APP-110].
TT.1.20	Applicant	Paragraph 3.3.2 of ES Appendix 2.8 Construction Traffic Management Plan (CTMP) [APP-112] mentions that it should be noted that most construction workers are expected to travel to and from the Order Limits by vehicle due to the remote location of the Proposed Development and lack of access by public transport. Can the Applicant confirm the validity of this statement given that Paragraph 2.3.2 of Appendix 12.1 Transport	The Applicant confirms that the statement in paragraph 3.3.2 of the Outline CTMP [APP-112] remains valid, and that there remains limited access to the Proposed Development via public transport. There are not mainline bus services which link the panel areas. In reaching this conclusion the Applicant has considered the potential availability of the Tees Flex, which is a Demand Responsive Transport (DRT) service designed to link the Tees Valley's more rural communities. Please refer to the Applicant's response to WFR.1.9

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		Statement states that the availability of a demand-responsive Tees Flex Bus Service operated by Stagecoach (ExA's initial check shows 9 buses in Fleet, buses can be hailed via Tees Flex App, announced on Darlington Council's website that services extended for another 18months from 20/02/23), in partnership with the Tees Valley Combined Authority, which offers connections to Stockton, Darlington, Billingham and Sedgefield?	for the Applicant's consideration of why it would not be feasible to rely on this service to transport construction workers to and from the Proposed Development. The Applicant reiterates that in paragraph 5.3.7 of its Local Impact Report [REP1-023], Darlington Borough Council identifies that funding for Tees Flex is only secure until March 2025 and therefore '*cannot be relied on as a viable means of providing access to the site during the construction phase*'. Commitments are secured in the outline CEMP [APP-110] to further measures such as references CC5, CC6 and CC7 to promote use of sustainable transport amongst staff and implement a Travel Plan.
TT.1.21	Applicant	Paragraph 5.3.23 of ES Appendix 2.8 CTMP [APP-112] states that decommissioning of the Proposed Development could give rise to the same level of forecast trip generation as the construction phase of the Proposed Development. Therefore, the commissioning stage will be used as a proxy to determine the potential impacts of the decommissioning phase. Would the Applicant confirm if the 'commissioning stage' here should read construction stage?	This is a typographical error and should read as "construction stage", rather than "commissioning stage". This will be corrected in a future iteration of the CTMP as recorded in the ES Errata and Management Plans Proposed Updates (Document Reference 8.11) submitted at Deadline 2.
TT.1.22	Applicant	Paragraph 6.1.4 of ES Appendix 2.8 CTMP [APP-112] mentions that Panel Area C is centrally located within the Order Limits however, the closest strategic road is the A66. Therefore, it is expected that HGV movements will be via the A66, connecting to Bishopton Lane/Elstob Lane. Bishopton Lane and Elstob Lane are rural roads with no footpaths. Would the Applicant confirm that the A66 mentioned here is actually A1150 and demonstrate this route linkage from Elstob Lane?	The access route to / from Panel Area C would be via Bishopton Lane which connects to the A66 via the A1150 at Little Burdon roundabout. This is also as shown on 'Figure 12.1: Proposed Access Routes and Survey Locations' in the Transport Statement (Document Reference 6.4.12.1, Revision 2).

ExQ1	Question to:	Question:	Applicant's response
TT.1.23	Applicant	Paragraph 6.2.4 of ES Appendix 2.8 CTMP [APP-112] states that the existing access point to the southern section of Panel Area A is narrow and located on a bend in the road with limited visibility and space to manoeuvre. Therefore, it is advised that HGV arrive and depart the access point via Aycliffe Lane, avoiding the sharp turn onto Brafferton Lane to the south. Can the Applicant provide justifications for including the southerly access despite its established highway safety implications?	The two vehicular access locations into Panel Area A are established access points. The southerly access has been maintained as a point of access because it minimises traffic through Brafferton village. However, whilst trying to minimise impact on the village, paragraphs 6.2.4 to 6.2.6 of the Outline CTMP [APP-112] highlight that use of the access will need further consideration by the Principal Contractor, when appointed, to ensure it can operate safely. If the southerly access is to be used, it is proposed that suitable traffic management is agreed with the Local Highway Authority to ensure safe the Principal Contractor undertakes a review of the conditions of the access point on Aycliffe/Brafferton Lane prior to construction to determine any requirements The final CTMP will be produced following appointment of the Principal Contractor and will need be agreed with the Highway Authorities prior to commencement of construction. If the proposals for using the southerly access are not considered acceptable, this will be outlined in the final CTMP alongside agreed measures to ensure compliance and enforcement of the agreed access locations.
TT.1.24	Applicant	Paragraph 6.2.5 of ES Appendix 2.8 CTMP [APP-112] states that the access point on Aycliffe Lane/Brafferton Lane is a single-track road. Therefore. • the timings of HGV will need to be planned so that there will be no conflicting movements on the lane; and • suitable traffic management should be agreed with Darlington Borough Council to ensure safe entrance and exit. Would the Applicant demonstrate the practicality of this arrangement given that there are other physical measures that can be adopted and, illustrate the suitable traffic management to be agreed with Darlington Borough	As set out in response to TT.1.23, the access on Aycliffe Lane/Brafferton Lane is an established access and has been proposed as a point of access to Panel Area A because it minimises traffic through Brafferton village. The Outline CTMP [APP-112] does highlight that suitable traffic management will need to be agreed with the Local Highway Authority to ensure safe entrance and exit and to avoid conflicting HGV movements on the lane. The Applicant considers that the traffic management measures proposed are standard practice and would be practical to implement to ensure priority is given to vehicles approaching the Panel Area A and avoid back-queuing onto the highway.

ExQ1	Question to:	Question:	Applicant's response
		Council and whether it has been or would be agreed before the end of the examination?	The details of the traffic management measures required will be confirmed following appointment of the Principal Contractor (PC) and the PC's review of the conditions of this access point. The PC will agree arrangements with the Highway Authority prior to commencement of construction as part of the final CTMP. As set out in the Comments on Local Impact Reports (Document Reference 8.7), the Applicant intends to share visibility splay and vehicle tracking information on the access points with Darlington Borough Council prior to Deadline 3. We therefore expect the suitability of this access to be agreed during Examination.
TT.1.25	Applicant	Paragraph 6.3.3 of ES Appendix 2.8 CTMP [APP-112] - Would the Applicant also explain the practicality of this arrangement given that there are other physical measures that can be adopted and, illustrate the suitable traffic management to be agreed with Darlington Borough Council and whether it has been or would be agreed before the end of the examination?	The vehicular access locations into Panel Area B is from the unnamed farm track south of Lodge Lane, shown as B1 on Street Works, Public Rights of Way and Access Plans (Document Reference 2.3, Revision 4). It is recognised that Section 6.3 of the CTMP [APP-112] refers to Salter's Lane, however this will be amended to correct this to Lodge Lane. This is reflected in the ES Errata and Management Plans Proposed Updates (Document Reference 8.11) submitted at Deadline 2. The access off Lodge Lane is an established vehicular access point used by farm vehicles and HGVs. The Outline CTMP [APP-112] does highlight that suitable traffic management will need to be agreed with the Local Highway Authority to ensure safe entrance and exit and to avoid conflicting HGV movements on the lane. The details of the traffic management measures required will be confirmed following appointment of the Principal Contractor (PC) and the PC's review of the conditions of this access point. The PC will agree arrangements with the Highway Authority prior to commencement of construction as part of the final CTMP. As set out in the Comments on Local Impact Reports (Document Reference 8.7), the Applicant intends to share visibility splay and vehicle tracking information on the access points with Darlington Borough Council

ExQ1	Question to:	Question:	Applicant's response
			prior to Deadline 3. We therefore expect the suitability of this access to be agreed during Examination.
TT.1.26	Applicant	Paragraph 6.5.4 of ES Appendix 2.8 CTMP [APP-112] - Would the Applicant also explain the practicality of this arrangement given that there are other physical measures that can be adopted and, illustrate the suitable traffic management to be agreed with Darlington Borough Council and whether it has been or would be agreed before the end of the examination?	The vehicular access location into Panel Area D on Elstob Lane is an established vehicular access point used by farm vehicles. The Outline CTMP [APP-112] does highlight that suitable traffic management will need to be agreed with the Local Highway Authority to ensure safe entrance and exit and to avoid conflicting HGV movements on the lane. The details of the traffic management measures required will be confirmed following appointment of the Principal Contractor (PC) and the PC's review of the conditions of this access point. The PC will agree arrangements with the Highway Authority prior to commencement of construction as part of the final CTMP. As set out in the Comments on Local Impact Reports (Document Reference 8.7), the Applicant intends to share visibility splay and vehicle tracking information on the access points with Darlington Borough Council prior to Deadline 3. We therefore expect the suitability of this access to be agreed during Examination.
TT.1.27	Applicant	Paragraph 6.3.1 of ES Appendix 2.8 CTMP [APP-112] states that access to Panel Area B will be via an existing unnamed farm track located off Salters Lane. Would the Applicant explain the contradiction between this statement and that of the second bullet point in paragraph 5.3.19, which seems to suggest a different and more logical access?	Please refer to the response to TT.1.25 which clarifies this point.
TT.1.28	Applicant	Paragraph 7.5.2 of ES Appendix 2.8 CTMP [APP-112] mentions that deliveries will be scheduled to avoid morning and evening peak hours. This will avoid HGV traffic arriving during the morning peak hours, creating conflict with local residents' commute or school run. Construction personnel will be encouraged to carpool, or to travel to the Proposed Development in minibuses. Would the Applicant confirm how the school departure	Paragraph 7.5.1 of the Outline CTMP [APP-112] confirms that there will be a dedicated Site Manager who will be responsible for the management of the delivery booking system during the construction phase. Appropriate management of the booking system will seek to avoid any conflicts with the traditional commuting peak hours, but also – as highlighted in Paragraph 7.5.2 of the Outline CTMP [APP-112] – avoid conflict with the school run. To make this commitment clearer in the Outline CTMP [APP-112], it will be updated to

ExQ1	Question to:	Question:	Applicant's response
		times (off-peak hours of 3-4pm) that are outside the morning and evening peak hours would be incorporated into the booking system bearing in mind the consultation response on this issue?	reference avoidance of school departure times. This is set out in the ES Errata and Management Plans Proposed Updates (Document Reference 8.11) submitted at Deadline 2. The construction access routes shown on 'Figure 12.1: Proposed Access Routes and Survey Locations' in the Transport Statement (Document Reference 6.4.12.1, Revision 2) have also been selected to avoid the schools in Bishopton and Stillington. The Outline CTMP [APP-112] also highlights (in Section 7.6) the importance of a communications strategy which will be developed and led by a Community Liaison Officer, who will be responsible for speaking to the local community and ensuring any queries or complaints are actioned to minimise the impact of construction traffic on local residents.
TT.1.29	Applicant	Paragraph 7.5.4 of ES Appendix 2.8 CTMP [APP-112] lists some actions to control, prevent and minimise dirt on the access route and emissions of dust and other airborne contaminants during the construction works. Would the Applicant explain how the positions of the wheel washing machines would indeed ensure that no debris would be deposited on the adjoining roads considering that HGV would travel certain lengths on some of the unconstructed access routes before reaching nearby roads?	The Applicant refers to the response to TT.1.17.
TT.1.30	Applicant	Paragraph 7.5.4 of ES Appendix 2.8 CTMP [APP-112] - Would the Applicant comment on why consolidation of deliveries plus an undertaking to sweep relevant adjacent roads daily and/or if and when necessary have not been considered as part of the mitigating actions to control, prevent and minimise dirt on the access route and emissions of dust and other airborne contaminants during the construction works?	As set out in section 7.5 of the CTMP [APP-112], the appointed Site Manager would be responsible for management of the delivery booking system, and deliveries would be scheduled to avoid morning and evening peak hours. In managing the delivery booking system, efforts would be made to consolidate deliveries where feasible. As set out in paragraph 2.3.18 of the outline CEMP [APP-110], best practice measures to minimise dust would be implemented as set out in ES Appendix 2.4 Construction Dust Assessment [APP-108]. This includes, on Page 21, the measure to '*Use water-assisted dust*

ExQ1	Question to:	Question:	Applicant's response
			sweeper(s) on the access and local roads, to remove, as necessary, any material tracked out of the Site. This may require the sweeper being continuously in use.'
TT.1.31	Applicant	Paragraph 7.7.2 of ES Appendix 2.8 CTMP [APP-112] states that the delivery routes will be communicated in advance by the Principal Contractor to all individuals and companies involved in the transport of materials and plant to and from the Proposed Development. Would the Applicant explain how this would be enforced in terms of what penalties would be meted out to those contractors who do not comply with the agreed delivery routes?	The specific penalties to be applied would be defined as part of the appointment of a principal contractor and the contractual agreement between them and the Applicant. More broadly, however, the local planning authority will be responsible for taking enforcement action against the Applicant if development is carried out in a manner which is not compliant with the final CTMP and therefore the DCO.
TT.1.32	Applicant	Paragraph 7.8.3 of ES Appendix 2.8 CTMP [APP-112] mentions that the Contractor is expected to meet the requirements of BS5288, 'Code of practice for noise and vibration control on construction and open sites'. Would the Applicant be amenable to changing this wording to read: "The applicant will comply with the requirements of BS5288, 'Code of practice for noise and vibration control on construction and open sites"?	Paragraph 7.8.3 of the CTMP [APP-112] specifically refers to the 'the contractor' as they are the party that would be responsible for noise and vibration on site. It is therefore not considered appropriate to change this wording as suggested, however the Applicant would be willing to amend the wording to 'The Applicant will require the contractor to comply…' This will be provided in a future iteration of the CTMP as recorded in the ES Errata and Management Plans Proposed Updates (Document Reference 8.11) submitted at Deadline 2.
TT.1.33	Applicant	Paragraph 12.10.36 of ES Chapter 12 Traffic and Transport [APP-035] states that due to a negligible increase in traffic on the LRN, the impact on pedestrian, horse riding and cyclist amenity will not be material, and, if at all, only in isolated locations. Can the Applicant describe the isolated locations where these road users are likely to experience vehicular traffic problems?	Overall, ES Chapter 12 Traffic and Transport [APP-035] concludes that there is expected to be a low level of impact from construction traffic on the amenity of pedestrians, horse riders and cyclists, and that the effect is not significant. The low level of impact on the journey amenity would be in those locations where the traffic flow is forecast to temporarily increase, including Lime Lane and Aycliffe Lane where traffic is forecast to increase by over 10%. However, and as already stated in Paragraph 12.10.18 of ES Chapter 12 [APP-035], caution needs to be observed when applying % increase thresholds as low baseline flows are unlikely

ExQ1	Question to:	Question:	Applicant's response
			to experience severance impacts, even with high percentage change in traffic flows.
17.	Water Environment and Flood Risk		
WFR.1.1	Applicant Stockton-on-Tees Council	Table 10-1 of ES Chapter 10 Hydrology and Flood Risk [APP-033] states that the applicant is awaiting response from Stockton-on-Tees Council on the use of Ballast slabs. Would the Applicant confirm if this has been agreed?	The use of ballast slabs has been agreed between the parties, as per an email received from Stockton-on-Tees Borough Council received 8 February 2024. This stated that "*the LLFA are comfortable with the approach, happy with reassurances the detailed designs for the drainage and LDCs [Land Drainage Consents] will be secured prior to any works commencing on site.*"
WFR.1.2	Applicant	Paragraph 10.7.45 of ES Chapter 10 Hydrology and Flood Risk [APP-033] states that results from the GeoSmart Groundwater Flood Risk Map indicates that most of the Order Limits is at negligible risk of groundwater flooding with small pockets of low and moderate groundwater flood risk (mostly around Panel Area F). However, no electrical infrastructure has been located within these zones. Would the Applicant explain what type of installation is proposed at the area of Panel F where there is likely to be moderate groundwater flood risk and the level of flood risk associated with such equipment?	The Applicant confirms that no infrastructure or equipment are proposed to be located in the low and moderate groundwater flood risk zones adjacent to Panel Area F. This is a mitigation area where planting only has been specified. Therefore, there is no flood risk associated with this.
WFR.1.3	Applicant Environment Agency (EA)	Paragraph 5.4.13 of ES Chapter 5 Climate Change [APP-028] states that the probabilistic projections in the UKCP18 provide local low, central and high changes across the UK, equating to 10%, 50% and 90% probability levels respectively. In addition, paragraph 5.4.14 of same paper mentions that climate change projections for a range of meteorological parameters are presented for different probability levels within the Representative Concentration Pathways 8.5 (RCP8.5) high emission scenario for the near-term and long-term future time periods. IEMA guidance states that using the higher emissions scenario (RCP8.5 in the latest UKCP18	As confirmed in Table 5-6 and Table 5-7 of ES Chapter 5 Climate Change, [APP-028], the CCR assessment utilised the higher emissions scenario (RCP8.5 in the latest UKCP18 projections) at the 50th percentile. Regarding the reference to overall lifetime carbon reduction in question WFR.1.3, the Applicant clarifies a possible misunderstanding. The UKCP18 provides probability ranges for future climate change using percentiles. The 50th percentile column shows central estimates, while the 10th and 90th percentile columns show the "very likely" range of change. This is entirely separate to the greenhouse gas emissions assessment, which sought to arrive at overall lifetime

ExQ1	Question to:	Question:	Applicant's response
		projections) at the 50th percentile, for the 2080s timelines is best practice, unless a substantiated case can be made for not doing this (e.g. anticipated lifespan of the project is shorter than 2080s). Paragraph 5.4.15 of this document describes the methodology adopted. • Would the Applicant confirm if the methodology used to arrive at an overall lifetime carbon reduction was based on the 50th percentile CCR (Climate Change Resilience) assessment? • Would EA agree that this method sufficiently addresses its concern that there has been no assessment of higher, central and upper climate change flood levels thus resilience of the site is unknown (please refer to EA submission dated 17 May 2024 (Ref: A/2024/100084/01))?	carbon reduction based on real data and benchmarks from the UK government which tell us carbon per MW generated for different forms of energy production (thus not a range or probability). This is why the GHG assessment does not quote percentiles. This is set out in paragraphs 5.4.2 to 5.4.8 of the ES Chapter 5. These two assessments – CCR and GHG emissions assessment – have different methodologies and are not related. They are reported in separate appendices of the ES, ES Appendix 5.2 [APP-124] and ES Appendix 5.1 [APP-123] respectively.
WFR.1.5	Applicant EA	Paragraph 10.7.48 of ES Chapter 10 Hydrology and Flood Risk [APP-033] mentions that there are several small reservoirs surrounding the Proposed Development and runoff from the Order Limits may drain into Bishopton Lake. According to data from the EA, the eastern extent of the Order Limits, surrounding Bishopton and Carlton, is at significant risk of flooding from reservoir failure. Current reservoir regulation, enhanced by the Flood and Water Management Act 2010, aims to make sure that all reservoirs are properly maintained and monitored to detect and repair any problem. Therefore, the risk of reservoir flooding is not considered to be high in this area. Would the Applicant be able to provide evidence that most of these reservoirs have established and approved plans for maintenance and monitoring to detect and repair any problem?	The relevant reservoir that accounts for the flood risk at the eastern extent of the Order Limits, surrounding Bishopton and Carlton is the Gately Moor Reservoir which is owned by Northumbrian Water. The EA data referred to in paragraph 10.7.48 of ES Chapter 10 [APP-033] assumes a worst-case scenario where a void occurs through the full height of the dam, however flooding from reservoirs is extremely unlikely. Under the Reservoirs Act 1975, further enhanced by the Flood and Water Management Act 2010, it will be the responsibility of Northumbrian Water as the reservoir undertaker to ensure that reservoirs are properly maintained and monitored to detect and repair any issues. It can therefore be assumed that the reservoir have an established and approved maintenance plan in place.
WFR.1.7	Applicant	EA's submission dated 17 May 2024 (Ref: A/2024/100084/01) states that it is not possible at this	The Applicant provides an updated version of Other Consents and Licences (Document Reference 7.3, Revision 2) as part of the

ExQ1	Question to:	Question:	Applicant's response
	EA	time for us to support the applicant's request for disapplication. We have concerns about the lack of information regarding the disapplication of Flood Risk Activity Permits (FRAP) under the Environmental Permitting Regulations (2016). We are currently reviewing our standard Protective Provisions and will discuss this issue further with the applicant. Have the Applicant and EA now agreed on EA's Protective Provisions?	Deadline 2 submission. This provides an update on the discussions with the Environment Agency on the application of the flood risk activity permit (FRAP) regime. The Applicant acknowledges the Environment Agency's position and no longer seeks to disapply the FRAP regime through the dDCO [APP-012]. The Applicant has therefore removed the disapplying provision from Article 7(1)(b) of the updated draft DCO submitted at Deadline 2 (Document Reference 3.1, Revision 2). On the basis that it is now intended for the FRAP regime to apply to the Proposed Development, the protective provisions for the Environment Agency included at Part 4 of Schedule 11 to the dDCO [APP-012] are no longer required. This position was confirmed by the Environment Agency in an email to the Applicant dated 23 August 2024, stating: "*If you are no longer pursuing disapplication of the flood risk activity permitting regime under the EPR 2016, I [the EA] can certainly confirm we would not require protective provisions in the DCO*" The Applicant has therefore removed Part 4 from Schedule 11 in the updated draft DCO submitted at Deadline 2.
WFR.1.8	Applicant	The third bullet point of paragraph 2.6.6 of ES Chapter 2 The proposed development [APP-025] mentions that designing, constructing and implementing the proposed development in such a way as to minimise the creation of waste and maximise the use of alternative materials with lower embodied carbon, such as locally sourced products and materials with a higher recycled content where feasible. Would the Applicant explain the features of this alternative materials with lower embodied carbon in comparison to other materials giving lower carbon saving that may have been used in other similar development?	1. The Applicant confirms that this mitigation measure is secured as CC3-CEMP in the Outline CEMP [APP-110] and it overall responsibility for this will be with the Principal Contractor once appointed following grant of consent. 2. As a result, details of the alternative materials used to design, construct and implement the Proposed Development are not available at this stage, but as examples the Applicant expects that the Principal Contractor would implement the following sustainable sourcing policies: - Fair and ethical purchasing including seeking goods and services that are manufactured, delivered, used and

ExQ1	Question to:	Question:	Applicant's response
			disposed of in an environmentally, ethically and socially responsible manner (e.g. Eco label, Fair-trade, FSC & PEFC Timber). - Engagement and communication with supply chains to ensure all relevant environmental and social requirements are integrated within procurement activities e.g. pre-qualification, tender and selection process - Minimising environmental impact such as through promoting the non-exploitation of raw materials and natural resources. Specific examples being implemented on RWE sites include the use of biodiesel in machinery on site and using solar power as the electricity source for site offices and welfare. While it is not possible to identify specific materials and measures at this stage the Principal Contractor will ensure that carbon savings are made.
WFR.1.9	Applicant	The third bullet point of paragraph 2.6.6 of ES Chapter 2 The proposed development [APP-025] states that liaising with construction personnel for the potential to implement staff minibuses and car sharing options. Would the Applicant explain the practicality of this measure given the availability of a more effective scheme like clear-cut commitment to utilising the Tees Flex Bus Service?	As per commitments made under reference CC6 and CC7 in the Outline CEMP [APP-110], construction personnel will be encouraged to use car sharing and public transport to travel to the local area and the site where appropriate to do so, as part of our commitments to promote carbon savings in our construction activities. However, committing to a public transport system is not feasible as a single solution. The Applicant has given consideration to Tees Flex, which is a Demand Responsive Transport (DRT) service which is designed to link the Tees Valley's more rural communities. Bookings of the service are made on a first come, first served basis with users requiring flexibility to allow for slight diversions and or other customer demands.

ExQ1	Question to:	Question:	Applicant's response
			The services are available in three areas, one of which is the Darlington and Stockton area which covers the area of the Proposed Development. However, as outlined on the website, the service is designed for "travel between any two Primary Destinations (including villages and Darlington Arena) within a single zone, but not between zones, as well as travel from a Primary Destination (e.g. Bishopton) to a Secondary Destination (e.g. Darlington Station) as long as the journey is within the same zone'. The service would not therefore allow travel for workers to the Proposed Development site and would only take passengers to a primary or secondary destination. The Applicant is also aware that the Tees Flex service only operates nine minibuses across its three zones and placing a fairly high demand on the service for construction staff would potentially take away this important link for the local community, especially given the first come first serve nature of the service. Equally, there may be instances where the service would not be available to workers due to existing bookings which would cause disruption to the construction of the Proposed Development. The Applicant notes that in paragraph 5.3.7 of its Local Impact Report [REP1-023], Darlington Borough Council identifies that funding for Tees Flex is only secure until March 2025 and therefore 'cannot be relied on as a viable means of providing access to the site during the construction phase'. It is the view of the Applicant therefore that relying on Tees Flex would not be a more effective scheme and may in fact impact negatively on the local communities who rely on this service. Potential benefits would be better delivered through supply chain benefits (induced or indirect) as described through ES Chapter 9 [APP-032]. This could include use of local transport firms for staff travel and this would be confirmed via a Travel Plan as secured under

ExQ1	Question to:	Question:	Applicant's response
			commitment CC7 of the Outline CEMP [APP-110] following the appointment of a contractor.
WFR.1.10	Applicant	ES Appendix 10.2 Water Framework Directive Assessment [APP-153] and EA's submission dated 17 May 2024 (Ref: A/2024/100084/01) – Would the Applicant explain why the Water Framework Directives Assessment does not address the proposed drainage outfall into River Skerne, Billingham Beck and Bishopton Beck or the Directional Drilling under River Skerne, Billingham Beck and Bishopton Beck?	In relation to the outfall: Since the EA submission referenced, and their Relevant Representation, the Applicant has engaged further with the EA to clarify concerns raised relating to the potential drainage outfall and relationship to the WFD assessment. At this stage of the Proposed Development, it is not anticipated that a drainage outfall is required, and if it were, it would be temporary during construction only. Therefore, this was not included as part of the assessment in the current ES Appendix 10.2 Water Framework Directive Assessment [APP-153]. Should the appointed contractor require an outfall, they would need to seek separate consent for this as now reflected in the updated Other Consents and Licenses (Document Reference 7.3, Revision 2). This will also be reflected in the SoCG with the EA expected to be submitted at Deadline 3 of Examination. In relation to the HDD: The final construction solution for the cable routes has not been fully defined and requires both the selection of a preferred cable corridor, as well as the appointment of a contractor who would wish to review the construction methods. At this stage, it is not considered that HDD works would take place within 10m of a watercourse. The Outline CEMP [APP-110] contains a commitment for further engagement with the EA for the final design of watercourse crossings, including any further survey or management requirements, which will be agreed with the EA as part of Requirement 4 of the DCO [Document Reference 3.1, Rev 2]. The requirement for this update to be made has been added to the ES Errata and Management Plans Proposed Updates (Document Reference 8.11) submitted at Deadline 2 and commits to the updated OCEMP later in Examination. This will

ExQ1	Question to:	Question:	Applicant's response
			also be reflected in the SoCG with the EA expected to be submitted at Deadline 3 of Examination.
WFR.1.12	Applicant	Table 4.2 of ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy [AS-001] shows the maintenance plan which has been produced using the relevant guidance from CIRIA (Construction Industry Research & Information Association) SuDS (sustainable drainage system). Would the Applicant explain how the frequency of maintenance was derived, for example under landscaping, cutting the grass annually may be insufficient as grass generally grows faster during British summer time and the 5-yearly washing or replacement of overlying filter medium of the gravel aprons may not be adequate?	Maintenance activities and their frequency for the grass cover and gravel aprons were determined with reference to the CIRIA SuDS Manual guidance on filter strips and filter drains respectively. The monthly maintenance to inspect silt accumulation rates will inform the rate at which the overlying filter medium needs to be replaced (hence the 'or as required'). For a rural site like this, with a low pollutant loading, it is anticipated this would need to be done infrequently but at a minimum it is specified that this is done every five years. For landscaping maintenance, an 'annually (or as required)' frequency, has been specified to account for seasonal variations in growth. ES Appendix 2.14 Landscape and Ecology Management Plan [APP-118] provides more specific detail on the maintenance plan for the landscaping elements including grass cutting and the removal of nuisance plants.
WFR.1.13	Applicant	Table 2-1 of ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy [AS-001] shows the number of switchgears, inverters, hybrid inverters (containing Battery Energy Storage Systems (BESS)), spare containers and a substation. Would the Applicant confirm the number of each of these equipment per site and submit corresponding clearly annotated ES Figures 2.3 to 2.8 General Arrangement [APP-041 to APP-046]?	This information is provided in updated ES Figures as below, which now list (in the legend) the numbers of each piece of equipment in each Panel Area: • 2.3 General Arrangement Panel Area A (Document Reference 6.3.2.3, Revision 2) • 2.4 General Arrangement Panel Area B (Document Reference 6.3.2.4, Revision 2) • 2.5 General Arrangement Panel Area C (Document Reference 6.3.2.5, Revision 2) • 2.6 General Arrangement Panel Area D (Document Reference 6.3.2.6, Revision 2) • 2.7 General Arrangement Panel Area E (Document Reference 6.3.2.7, Revision 2)

ExQ1	Question to:	Question:	Applicant's response
			• 2.8 General Arrangement Panel Area F (Document Reference 6.3.2.8, Revision 2 The Order Limits have also been updated as relevant in the aboe plans to reflect the removal of the on-road cable route through Bishopton, as submitted to the ExA on 9 July 2024. The above general arrangement plans are indicative, with the final detailed design to be fixed post-consent under Requirement 3 of the dDCO (Document Reference 3.1, Revision 2).
WFR.1.14	Applicant	Paragraph 2.3.28 of ES Chapter 2 The proposed development [APP-025] states that only in instances where the cable plough cannot be used, alternative methods, such as trenching or horizontal directional drilling (HDD), will be used in more constrained locations such as going underneath water courses and roads. Would the Applicant provide plans showing where trenching or horizontal directional drilling are likely to be used?	The Applicant refers to its response to the Examining Authority's question EIA 1.1.
WFR.1.15	Applicant EA	Paragraph 10.7.43 of ES Chapter 10 Hydrology and Flood Risk [APP-033] states that an area of 3m flood depth has been estimated at Panel Area C (C06) around Square Wood. Paragraph 10.7.44 of same paper then mentions that the extensive drainage system installed at this location by the current landowner is not included in the EA flood maps. Therefore, there is reasonable evidence to believe that the depth has been inaccurately represented and the mapped flood extent is not accurate. It is not anticipated that flooding to such extreme depths would occur in this area. Would the Applicant describe the extensive drainage system installed at this location by the current landowner and what effect this would have had on the calculated flood depth?	The observed drainage network can be seen in Figure 1.2 of Appendix 10.1 Flood Risk Assessment and Drainage Strategy [AS-001]. A number of culverts are present within the field before draining to an open ditch within Square Wood. This then connects to the existing mapped ditches draining towards the Little Stainton Beck. Paragraph 3.2.5 of ES Appendix 10.1 then explains in detail how it has been determined that the depth is inaccurately represented in the EA flood maps by reviewing the topography using LiDAR and demonstrating there is no barrier to overland flow or significant low spot for depths of greater than 1.2m to pool. The observed drainage network in Square Wood would aid in draining this area and reducing flood depths, however it is the aforementioned review of topography that is the main piece of evidence that demonstrate the mapped depths are inaccurate.

ExQ1	Question to:	Question:	Applicant's response
		Would EA comment on the content of these two paragraphs?	
WFR.1.16	Applicant	ES Chapter 10 Hydrology and Flood Risk [APP-033] states that monitoring is proposed for inspection of silt accumulation in drainage to avoid potential blockage during operation. This is stated to be secured through the FRA and Drainage Strategy; however, this is not a certified document and these measures are not secured through the requirements of the dDCO. Can the Applicant explain how these measures are secured?	The Mitigation Route Map [APP-171] outlines measure HFR23 which states '*Runoff and sediment management control measures would be implemented, ES Appendix 10.1 FRA and Drainage Strategy (Document Reference 6.4.10.1) describes the design standards and drainage to be adopted onsite*'. The measures outlined in FRA and Drainage Strategy [AS-001] would be implemented via the oCEMP [APP-110] (see ID HFR1-CEMP) and via the oDEMP [APP-111] (see ID HFR1-DEMP) which are secured under the relevant requirements of the draft DCO [Document Reference 3.1, Revision 3)].
WFR.1.17	Applicant	Paragraph 2.3.28 of ES Chapter 2 The Proposed Development [APP-025] states that only in instances where the cable plough cannot be used, alternative methods, such as trenching or horizontal directional drilling (HDD), will be used in more constrained locations such as going underneath water courses and roads. Paragraph 10.8.15 of ES Chapter 10 Hydrology and Flood Risk [APP-033] then states that where the 2 new watercourse crossings are proposed, if not adequately designed there is the potential for long-term erosion of the stream bed which could impact the natural morphology as well as increased risk of sediment pollution. Can the Applicant demonstrate how the design features of these two watercourse crossings would guide against long-term erosion of the stream bed?	The reference at paragraph 10.8.15 of Chapter 10 of the ES [APP-033] refers specifically to the two new proposed access crossings which would cross minor tributaries of the River Skerne and Little Stainton Brook. The exact design of these crossings will not be confirmed until the detailed design stage of the Proposed Development and following the appointment of a contractor team. The approach to the design of new watercourse crossings is described in paragraph 2.6.38 of ES Chapter 2 The Proposed Development [APP-025] as embedded mitigation. This confirms that the design of new watercourse crossings will be agreed with the Lead Local Flood Authority (LLFA) prior to construction and will be designed with regard to the CIRIA Culvert Design and Operation Guide. The design will ensure that the culvert will not increase erosion by having a buried invert so the natural bed formation remains in situ. With this embedded mitigation, the magnitude of impact would be negligible. Future iterations of the outline CEMP [APP-110] developed under Requirement 4 of the dDCO (Document Reference 3.1 Revision 2) would consider the final design solution for these crossings and would undergo consultation with the LPA and therefore the LLFA

ExQ1	Question to:	Question:	Applicant's response
18.	Cumulative Effects		
CU.1.1	Applicant Northern Power Grid (NPG)	The Applicant and Northern Power Grid are asked to provide the ExA with some evidence in relation to Norton's Substation capacity to absorb the energy produced by the Proposed Development and how this will be managed taking into consideration the cumulative effects of other energy generating projects. The ExA does not that a connection agreement has been secured with NPG for the generation of 180MW of electricity.	The following response was received when RWE engaged with Northern Power Grid regarding this question: *"The Northern Powergrid offer allows for all of the contracted connections that were received before your offer on the distribution system. That offer is subject to the National Grid submission and the outcome from that allows for any National Grid contracted customers on the transmission system also.* *The system is oversubscribed, hence the delayed connection date in your outcome offer… as reinforcement work is required. Upon completion of the reinforcement work, by the date in the attached letter, you will be able to connect."* The date in the letter referred to is currently 2031. The Applicant assumes this will be capable of coming forward based on reforms to the grid queuing system (first come first served) that are ongoing and the expected date of receiving development consent if it is granted. The Applicant is working toward a grid connection date of 2028, but would continue to deliver the Proposed Development to the longstop 2031 connection date if that cannot be brough forward.
CU.1.2	Applicant	Has the Applicant given any consideration in relation to any potential surplus in energy? And how likely is this to occur and how will its management be secured through the DCO?	The Applicant understands "surplus energy" to mean energy which is generated by the Proposed Development at any particular moment which exceeds the 180MW grid connection capacity at Norton Substation. As set out in paragraph 7.2.13 of the Design Approach Document [AS-004], the Proposed Development is designed with a Battery Energy Storage System (BESS) which will store any surplus energy generated by the solar panels. Without the BESS in place, any surplus energy would be curtailed by the National Grid. The DNO would send a signal to the solar farm

ExQ1	Question to:	Question:	Applicant's response
			which tells the inverter to reduce the output from the generating station. Section 3.1 of the Energy Generation and Design Evolution Document (Document Reference 8.9) document submitted at Deadline 2 provides further information on how the Proposed Development has been designed to deliver the required export capacity at more times of the day and year.
CU.1.3	Applicant	The Applicant recognises, in the ES Non-Technical Summary [APP-022] that there is expected to be a significant cumulative effect relating to the temporary loss of agricultural land. Can the Applicant please explain its position in relation to the cumulative effects of the proposal and how it has taken into consideration the cumulative effects of the Proposed Development on sensitive receptors, particularly those whose agricultural land will be lost?	Cumulative effects of the Proposed Development with other committed developments have been assessed using the methodology set out in Environmental Statement Chapter 13 Cumulative Effects [APP-036]. A long list [APP-161] and short list [APP-162] of committed developments have been identified to feed into this assessment and their cumulative effect with the Proposed Development has been considered and assessed as appropriate to do so. The Applicant's cumulative assessment of the impacts on agricultural land is contained within paragraphs 13.5.63 to 13.5.68 of ES Chapter 13 [APP-036]. The Applicant confirms that the Proposed Development would require the temporary loss of approximately 457ha of agricultural land within the six panel areas and the underground cable routes. Of this land, 93% is of Subgrade 3b quality and only 6.6% is of Grade 2 or 3a quality (see paragraph 9.10.31 of ES Chapter 9: Land use and Socioeconomics [APP-032]). Similarly, the vast majority of agricultural land within the other committed developments has been confirmed through survey as Subgrade 3b with small areas confirmed as Subgrade 3a. As a result, the sensitivity has been considered low. The cumulative temporary loss of agricultural land is still considered potentially significant due to the extent likely to be lost temporarily within the locality. The effects of the Proposed Development will be managed through the outline Soil Resources Management Plan [APP-

ExQ1	Question to:	Question:	Applicant's response
			116] and it is expected that similar plans will manage the effects of each 'other development'. The Applicant highlights section 2.3 of its Comments on Relevant Representations [REP1-004] which sets out in more detail the Applicant's position in respect of the use of agricultural land for the Proposed Development.
CU.1.4	Applicant	The Applicant also mentions, in the ES Non-Technical Summary [APP-022], that it would manage their impact upon agricultural land via Soil Resource Management Plan. However the Soil Resource Management Plan [APP-116] does not seem to deal with cumulative effects. Can the Applicant please explain their approach?	The Soil Resource Management Plan [APP-116] will manage the Proposed Developments impacts upon soil resources and is not intended to manage impacts arising from other developments. The Applicant would expect those other developments to have their own soil resource management plans in place.
CU.1.5	Applicant	Chapter 13 of the ES [APP-036] deals with cumulative effects. In it the Applicant states that although significant cumulative effects have been identified in relation o land use and socioeconomics there is no essential mitigation available to reduce this effect. Can the Applicant please clarify what additional mitigation it has considered and why it has been dismissed?	The Applicant confirms that it has considered and concluded that there is no further essential mitigation available to reduce cumulative effects on agricultural land. To reach this conclusion, the Applicant has considered the Institute of Environmental Management and Assessment's (IEMA) Guidance *A New Perspective on Land and Soil in Environmental Impact Assessment (February 2022)*, and approach to mitigation. Within this guidance it is suggested that the loss of land itself cannot be mitigated for. As such, the only mitigation available to mitigate for the temporary loss of agricultural land created by the Proposed Development would be to avoid the loss of agricultural land in the first instance. Whilst it is not possible to avoid the use of agricultural land, the Proposed Development has minimised the loss of agricultural land as far as possible in site selection and design development. It is noted that the loss of agricultural land is temporary and will be returned to use following the decommissioning of the Proposed Development.

ExQ1	Question to:	Question:	Applicant's response
			The Applicant highlights section 2.3 of its Comments on Relevant Representations [REP1-004] which sets out in more detail the Applicant's position in respect of the use of agricultural land for the Proposed Development.
CU.1.6	Applicant	Can the Applicant please also confirmed how it has assessed the cumulative effects of the Proposed Development on identified residential receptors, particularly considering those that might be potentially affected by any visual and landscape impacts as well as an additional effect such as noise and/or traffic, during construction and also during operational and decommissioning stages.a	Cumulative effects of the Proposed Development with other committed developments have been assessed using the methodology set out in ES Chapter 13 Cumulative Effects [APP-036]. A long list [APP-161] and short list [APP-162] of committed developments have been identified to feed into this assessment and their cumulative effect with the Proposed Development considered where it has been assessed as appropriate to do so. Each topic presented within the EIA is then included within the cumulative effects assessment, the receptors from which are assessed, this includes for residential receptors. In-combination effects (intra-project effects) have also been assessed, using the methodology set out in ES Chapter 13 Cumulative Effects [APP-036], using the conclusions from each topic chapter to understand the effects upon any common receptors. This includes residential receptors, termed 'human receptors' for the purposes of the assessment. ES Appendix 13.1 In-Combination Effects Table [APP-160] presents the findings of this assessment for each construction, operation and decommissioning.
CU.1.7	Applicant	How has the Applicant taken into consideration, in relation to need, the impact of other generating facilities located or proposed to be located within the vicinity of the Proposed Development?	The Proposed Development is a nationally significant infrastructure project (NSIP) which would provide energy to the national grid. As set out in Chapter 3 of the Planning Statement [APP-163], it is required to meet an urgent national need for new energy infrastructure. Moreover, as a low-carbon form of energy generation, the Proposed Development is defined by NPS EN-1 as 'critical national priority' infrastructure (CNP) urgently required in order to meet national decarbonisation targets and achieve net zero ambitions. In relation to other generating facilities located or proposed to be located within the vicinity of the Proposed Development, the potential impact of those facilities has been assessed via the

ExQ1	Question to:	Question:	Applicant's response
			cumulative effects assessment, reported in ES Chapter 13 [APP-036]. This has been undertaken as part of the environmental assessment work and has not informed consideration of need, which as stated above, is already established through national policy.

Appendix A Statements from Panel Area Landowners

Baker, Michael

From: [redacted]
Sent: 26 August 2024 21:28
To: Baker, Michael
Subject: [EXT] Statement re Manor Farm Brafferton

Dear Michael,

I confirm that the land is subject to an Option Agreement with RWE for Byers Gill Solar.

Within our farm business succession plan, the farm would be managed by our son. It is predominantly a grassland holding.

Should the Byers Gill Solar Farm be granted development consent, this would have a positive effect on the viability of the farm.

When my wife and I are no longer able to support our son in the business, the costs in time and additional labour on a stock rearing farm would be offset by the income from the Solar development. This would, hopefully, keep the farm viable for future generations.

Sincerely

Chris Firby

Baker, Michael

From: CHRISTOPHER THOMSON [redacted]
Sent: 21 August 2024 19:58
To: Baker, Michael
Subject: [EXT] BYERS GILL SOLAR FARM

Hi Michael,

I confirm that the land is subject to an Option Agreement with RWE for Byers Gill Solar. Should the Byers Gill Solar Farm be granted development consent, this would have a positive effect on the viability of the farm holding.

Chris

Baker, Michael

From: Clare Wise [redacted]
Sent: 21 August 2024 12:46
To: Baker, Michael
Subject: [EXT] Re: Byers Gill Solar - request from the Planning Inspectors

I confirm that the land is subject to an Option Agreement with RWE for Byers Gill Solar. Should the Byers Gill Solar Farm be granted development consent, this would have a positive effect on the viability of the farm holding.

I'll go further and say that the solar will provide a lifeline to a family farm struggling under post Brexit and Ukraine economic volatility and climate change. Resulting farming markets no longer provide sufficient income to allow for reinvestment or growth. The solar project will fund both and secure a future for a hard working farm committed to food production and the environment. It's essential farms are allowed to diversify in this manner to preserve the wider economic and environmental benefits of farming to the local economy and beyond.

Sent from my iPhone

Baker, Michael

From: David Hewitson [redacted]
Sent: 27 August 2024 08:45
To: Baker, Michael
Subject: [EXT] Statement

Good Morning

I confirm that the land is subject to an Option Agreement with RWE for Byers Gill Solar. Should the Byers Gill Solar Farm be granted development consent, this would have a positive effect on the viability of the farm holding.

Kind Regards

David Hewitson

Baker, Michael

From: David Thompson [redacted]
Sent: 22 August 2024 15:35
To: Baker, Michael
Subject: [EXT] Re: Byers Gill Solar - request from the Planning Inspectors

Good Afternoon Michael

I confirm that the land is subject to an Option Agreement with RWE for Byers Gill Solar. Should the Byers Gill Solar Farm be granted development consent, this would have a positive effect on the viability of the farm holding.

Kind regards David Thompson

Baker, Michael

From: Grahame Thomas [redacted]
Sent: 21 August 2024 19:14
To: Baker, Michael
Subject: [EXT] Conformation

I can confirm part of our holding is subject of an option agreement with RWE as part of the Byers Green solar project.
If the Byers Green project is granted development consent it will have a substantial positive impact on the viability of our holding.
Grahame Thomas
East Ketton farm
Brafferton
Darlington
DL13LJ
Sent from Outlook for iOS

Baker, Michael

From: Stewart Chapman [redacted]
Sent: 27 August 2024 14:25
To: Baker, Michael
Subject: [EXT] Re: Byers Gill Solar - request from the Planning Inspectors

I confirm that the land is subject to an Option Agreement with RWE for Byers Gill Solar. Should the Byers Gill Solar Farm be granted development consent, this would have a positive effect on the viability of the farm holding.

Regards Stewart Chapman
Sent from AOL on Android

Baker, Michael

From: Sharon Brown [redacted]
Sent: 29 August 2024 13:31
To: Baker, Michael
Subject: [EXT] Re: Byers Gill Solar - request from the Planning Inspectors

Stephen Brown confirms the land is subject to an Option Agreement with RWE for Byres Gill Solar. Should the Byres Gill Solar Farm be granted development consent, this would have a positive effect on the viability of the farm holding