

Helios Renewable Energy Project

Draft Statement of Common Ground with North Yorkshire Council

Planning Inspectorate Reference: EN010140

November 2024

Prepared on behalf of Enso Green Holdings D Limited

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1. Introduction

1.1. Overview

- 1.1.1. This Statement of Common Ground ('SoCG') has been prepared by Enso Green Holdings D Limited (the 'Applicant') in conjunction with North Yorkshire Council ('NYC') in respect of the Helios Renewable Energy Project Development Consent Order (the 'Proposed Development').
- 1.1.2. The SoCG sets out the matters of agreement between the Applicant and NYC and also explains those matters which, at the time of writing, remain in progress, or where agreement has not been achieved.
- 1.1.3. This SoCG is based on NYC's Relevant Representations received on 10 October 2024 **[RR-277 and RR-278]** and additional engagement with NYC.
- 1.1.4. The SoCG will be amended as the examination progresses in order to enable a final version to be submitted to the Examining Authority.
- 1.1.5. [This SoCG covers all the matters which are relevant to NYC.]

2. Record of Engagement

2.1. Summary of consultation and engagement

2.1.1. In addition to the consultation undertaken as part of statutory consultation, there have been a number of meetings and correspondence relating to the Proposed Development. Tables 2.1 and 2.2 show a summary of the meetings and correspondence that has taken place between the Applicant (including consultants on its behalf) and NYC in relation to the Proposed Development.

Table 2.1: Schedule of Meetings and Correspondence during the Pre-application Stage

Date	Form of Correspondence	From	To	Summary
11/10/23	Email	Applicant	NYC	Email providing advanced notice of upcoming Statutory Consultation and provision of final Statement of Community Consultation (SoCC). Email was accompanied by a letter outlining how the Applicant had addressed NYC's comments on the draft SoCC.
18/10/23	Email	NYC	Applicant	Email raising local MPs interest in the Proposed Development and identification of suspected Travelers site (Burn Caravan Park) nearby and request for them to be included in the formal consultation.
18/10/23	Email	Applicant	NYC	Email requesting appropriate meeting time to discuss feedback.
25/10/23	Email	Applicant	NYC	Email notification, accompanying formal postal notification, of commencement of Statutory Consultation.
30/10/23	Email	NYC	Applicant	Email requesting clarification of consultation material provided online versus via formal post and confirmation that County Hall has been listed as a location hardcopy documentation can be displayed.
30/10/23	Email	Applicant	NYC	Email stating online and hard copy information via post are identical and that both Selby and Snaith libraries provide free internet access for the viewing of consultation material, with a hard copy of the SoCC provided at both libraries.
02/11/23	Email	Applicant	NYC	Email requesting appropriate meeting time to discuss feedback.
20/11/23	Email	Applicant	NYC	Email requesting appropriate meeting time to discuss feedback.

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Date	Form of Correspondence	From	To	Summary
28/11/23	Email	Applicant	NYC	Email requesting confirmation of key views for photomontages, list of cumulative schemes and request for post-statutory consultation feedback meeting
28/11/23	Email	NYC	Applicant	Email advising suggested meeting teams to discuss statutory consultation feedback and seek clarification on nature of key views and list of cumulative schemes for assessment.
29/11/23	Email	Applicant	NYC	Email accepting meeting time proposal and providing clarification on key views and reissue of cumulative schemes.
14/12/23	Email	NYC	Applicant	Email confirming meeting time acceptability.
15/12/23	Email	NYC	Applicant	Email providing NYC formal statutory consultation response.
20/12/23	Email	Applicant	NYC	Email requesting email addresses of council technical staff to set up socio-economics and landscape calls.
22/12/23	Email	Applicant	NYC	Email following up request for email addresses.
03/01/24	Email	NYC	Applicant	Email advising suggested meeting times for landscape and socio-economics.
08/01/24	Email	Applicant	NYC	Email setting up meeting time for socio-economics post-statutory consultation feedback.
10/01/24	Email	NYC	Applicant	Email cancelling upcoming landscape meeting and suggestion of alternative dates.

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Date	Form of Correspondence	From	To	Summary
15/01/24	Email	Applicant	NYC	Email distributing agenda for upcoming (and later cancelled) landscape meeting.
16/01/24	Email	Applicant	NYC	Email requesting meeting with NYC Highways team.
17/01/24	Email	Applicant	NYC	Email distributing agenda for upcoming socio-economics meeting.
18/01/24	Email	Applicant	NYC	Email requesting NYC to review and sign off List of Cumulative Schemes for Assessment.
26/01/24	Email	Applicant	NYC	Email requesting meeting with NYC Highways team and NYC/sign off of List of Cumulative Schemes for Assessment.
30/01/24	Email	Applicant	NYC	Email requesting any clarification or any information regarding a non-official safeguarding maps for Burn Airfield.
31/01/24	Email	NYC	Applicant	Email providing copy of non-official safeguarding map.
31/01/24	Email	NYC	Applicant	Email advising upcoming leave.
01/02/24	Email	NYC	Applicant	Email advising appropriate time for NYC highways meeting.
02/02/24	Email	Applicant	NYC	Email requesting sign off of List of Cumulative Schemes for Assessment and follow up landscape meeting time.
12/02/24	Email	Applicant	NYC	Email requesting sign off of List of Cumulative Schemes for Assessment and follow up landscape meeting time.

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Date	Form of Correspondence	From	To	Summary
20/02/24	Email	Applicant	NYC	Email requesting sign off of List of Cumulative Schemes for Assessment and follow up landscape meeting time.
29/02/24	Email	Applicant	NYC	Email requesting meeting to discuss SoCG.
29/02/24	Email	NYC	Applicant	Email advising upcoming leave following request for meeting.
01/03/24	Email	NYC	Applicant	Email advising upcoming leave following request for meeting.
20/12/23	Meeting			Initial discussion of NYC stat consultation response and Statement of Common Ground.
18/01/24	Meeting			Meeting to discuss NYC Socio-Economics/Population and Human Health response.
01/02/24	Meeting			Meeting to discuss NYC Landscape response.
12/02/24	Meeting			Meeting to discuss NYC Highways response and Statement of Common Ground.
19/02/24	Meeting			Meeting onsite to discuss landscape strategy and assessment (including views).
07/03/24	Meeting			Meeting to discuss Statement of Common Ground format and draft content.
24/05/24	Meeting			Meeting to discuss Landscape Strategy.

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Date	Form of Correspondence	From	To	Summary
31/05/24	Meeting			Meeting to discuss Statement of Common Ground.

Table 2.2: Schedule of Meetings and Correspondence during the Pre-Examination and Examination Stages

Date	Form of Correspondence	Summary
18/11/2024	Meeting	Meeting to discuss Statement of Common Ground and approach to Examination.
21/11/2024	Meeting	Meeting to discuss Landscape and Views.

3. Current Position

3.1.1. Table 3.1 provides a schedule that summarises the position on key matters between the Applicant and North Yorkshire Council. Appendix A details the position between the Applicant and North Yorkshire Council on each relevant representation.

3.1.2. Each matter is attributed a status as follows:

Agreed	The matter is agreed between the parties, or there are no significant disagreements such that the matter is considered closed.
Under discussion	This matter is neither 'agreed' or 'not agreed'. Technical work is being undertaken with the aim of achieving agreement, though the risk of disagreement remains.
Not agreed	The matter is not agreed between the parties and the outcome of the approach taken by the Applicant or North Yorkshire Council is considered to result in a materially different impact to the assessment conclusions.

Table 3.1: Key Matters

Matter	Status	Date
Relevant planning history and current proposals		Nov 2024
Planning policy		Nov 2024
Need For and Principle of the Proposed Development and the Examination of Alternatives		Nov 2024
Climate Change Resilience		Nov 2024
Socio-Economics		Nov 2024
Traffic and Transport		Nov 2024
Air Quality		Nov 2024
Noise and Vibration		Nov 2024
Ecology		Nov 2024
Landscape and Views		Nov 2024
Heritage		Nov 2024
Ground Conditions		Nov 2024
Water Environment		Nov 2024
Soils and Agricultural Land		Nov 2024
Cumulative Effects		Nov 2024
Draft DCO (Including requirements in the Draft DCO)		Nov 2024

4. Signatures

4.1.1. This Statement of Common Ground is agreed upon:

On behalf of North Yorkshire Council:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date:

Appendix A: Detailed Matters

A.1 Relevant planning history and current proposals

Table A.1: Relevant planning history and current proposals

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.1.1	Relevant Planning History	<p>The site is largely agricultural and the relevant planning history of the land within the Order Limits is limited. There are no pending or extant planning permissions across the Proposed Development Area and Underground Cable Connection Area. The following have overlapping red line boundaries with the Underground Grid Connection Cable Area:</p> <ul style="list-style-type: none"> • 2021/0788/EIA - land north and south of Camela Lane, Camblesforth, Selby • 2022/1125/FULM - Drax Power Station New Road, Drax, Selby • 2023/0128/EIA - Wade House Lane, Drax, Selby • ZG2023/0381/FUL - Drax Power Station, Selby <p>The following applications overlap the Order Limits along the A645:</p>	NYC has not yet confirmed its position on this matter.	Under discussion

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Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<ul style="list-style-type: none"> • 2023/0128/EIA – land south of A645, Wade House Lane, Drax, Selby • 2021/0788/EIA – land north and south of Camela Lane, Camblesforth, Selby 		
A.1.2	Current Proposals	The details of the Proposed Development are set out in the Environmental Statement (ES) Chapter 3: Site and Development Description [APP-023] .	NYC has not yet confirmed its position on this matter.	Under discussion

A.2 Planning policy

Table A.2: Planning policy

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.2.1	NPS	The relevant National Policy Statements (NPSs) for the Proposed Development include the Overarching National Policy Statement for Energy (EN-1) (Department for Energy and Climate Change, 2024) and the National Policy Statement for Renewable Energy and Infrastructure (EN-3) (Department of Energy and Climate Change, 2024), which represent the policy basis for the DCO Application.	NYC has not yet confirmed its position on this matter.	Under discussion
A.2.2	NPPF	The National Planning Policy Framework (NPPF) was originally published in 2012 and last updated in December 2023. Whilst the NPSs are the primary consenting framework against which the DCO application will be assessed, the NPPF is important and relevant, against which the proposals must also be assessed. The government's 'Planning Practice Guidance' constitutes guidance to support the government's planning policies for England and how these are expected to be applied.	NYC has not yet confirmed its position on this matter.	Under discussion
A.2.3	Development Plan	Local planning policies from the relevant authorities are 'important and relevant' considerations for the Secretary of State (SoS) in determining the DCO Application. The current	NYC has not yet confirmed its position on this matter.	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<p>adopted Development Plan of relevance to the proposals comprises:</p> <ul style="list-style-type: none"> • Selby District Core Strategy Local Plan (2013) (SDCSLP); • Saved Policies of the Selby District Local Plan (2005) (SDLP); and • The North Yorkshire Minerals and Waste Joint Plan (2022) (NYMWJP). <p>North Yorkshire Council are in the process of preparing a new Local Plan and given the stage of preparation the following draft document is a material consideration:</p> <ul style="list-style-type: none"> • Draft Selby Local Plan – Publication Version Consultation (2022) <p>The policies of relevance to the Application are:</p> <ul style="list-style-type: none"> • Selby District Local Plan (2005) <ul style="list-style-type: none"> • ENV1: Control of Development • ENV2: Environmental Pollution and Contaminated Land • ENV3: Light Pollution • ENV4: Hazardous Substances • ENV15: Conservation and Enhancement of Locally Important Landscape Areas • ENV28: Other Archaeological Remains 		

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<ul style="list-style-type: none"> • T1: Development in Relation to the Highway Network • T2: Access to Roads • T8: Public Rights of Way • RT5: The Trans-Pennine Trail <p>Selby District Core Strategy Local Plan (2013)</p> <ul style="list-style-type: none"> • SP1: Presumption in Favour of Sustainable Development • SP2: Spatial Development Strategy – A. c) Development in the Countryside • SP13: Scale and Distribution of Economic Growth – C. Rural Economy • SP13: Scale and Distribution of Economic Growth – D. • SP15: Sustainable Development and Climate Change – B. Design and Layout of Development • SP17: Low-Carbon and Renewable Energy – C • SP17: Low-Carbon and Renewable Energy – D • SP18: Protecting and Enhancing the Environment • SP19: Design Quality <p>North Yorkshire Minerals and Waste Joint Plan</p> <ul style="list-style-type: none"> • M01: Broad geographical approach to supply of aggregates • M02: Provision of sand and gravel 		

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<ul style="list-style-type: none"> • D07: Biodiversity and Geodiversity <p>Draft Local Plan:</p> <ul style="list-style-type: none"> • SG1: Achieving Sustainable Development (Strategic Policy) • SG4: Development in the Countryside • SG10: Low Carbon and Renewable Energy – A • SG11: Flood Risk – A • SG11: Flood Risk – B • SG11: Flood Risk – C • SG11: Flood Risk – D • SG13: Planning Applications and the Historic Environment • IC7: Public Rights of Way • NE1: Protecting Designated Sites and Species • NE3: Biodiversity Net Gain • NE4: Protecting and Enhancing Landscape Character • NE5: Protecting and Enhancing Rivers and Waterbodies • NE8: Pollution and Contaminated Land 		

A.3 Need For and Principle of the Proposed Development and the Examination of Alternatives

Table A.3: Need For and Principle of the Proposed Scheme and the Examination of Alternatives

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.3.1	Need for the Proposed Development	The Applicant considers that there is a clear need for this type of development as set out NPS EN-1 and NPS EN-3.	NYC has not yet confirmed its position on this matter.	Under discussion
A.3.2	Principle of the Proposed Development	Given the need for the Proposed Development and in the absence of any policies which would dictate otherwise, the Applicant considers the principle of the Proposed Development is acceptable.	NYC has not yet confirmed its position on this matter.	Under discussion
A.3.3	Examination of Alternatives	<p>The consideration of alternatives to the Proposed Development is set out in the ES Chapter 4: Alternatives and Design Evolution [AS-013] and the Alternative Site Assessment [APP-227]. This is considered to be in accordance with the requirements of the EIA Regulations and relevant policy.</p> <p>The Applicant benefits from a grid connection at Drax 132kV National Grid Substation. Taking the grid connection as a starting point (EN-3, Para 2.10.24), the Applicant has undertaken a detailed Alternative Site Assessment which takes into consideration the extent and availability of land required, the site and surrounding land uses, known environmental designations, relevant policies and</p>	NYC notes the Applicant’s position and has not undertaken its own assessment of alternatives.	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		committed developments. This has resulted in the proposed location of the Proposed Development.		

A.4 Climate Change Resilience

Table A.4: Climate Change Resilience

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.4.1	ES Methodology	The approach to the assessment of Climate Change Resilience (Adaptation) and the approach to the assessment of climate change mitigation (GHG Emissions) is set out in ES Chapter 12: Climate Change [APP-032] .	NYC has not yet confirmed its position on this matter.	Under discussion
A.4.2	ES Baseline	Baseline conditions are set out in ES Chapter 12: Climate Change [APP-032] . The existing baseline is determined using data from the Met Office. This includes the future baseline based on future climate conditions up to 2066.	NYC has not yet confirmed its position on this matter.	Under discussion
A.4.3	Predicted Impacts	The potential impacts assessed include long term changes to climate norms, heatwaves, low rainfall and drought and heavy rainfall and flooding.	NYC has not yet confirmed its position on this matter.	Under discussion
A.4.4	Design, Mitigation and Enhancement Measures	Embedded mitigation and measures to be adopted by the Proposed Development in relation to climate change resilience and adaptation are set out in Sections 12.5.4-	NYC has not yet confirmed its position on this matter.	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		12.5.12 of ES Chapter 12: Climate Change [APP-032]. No additional mitigation is required.		
4.4.5	Residual Effects	With the mitigation measures applied residual effects were assessed as being not significant.	NYC has not yet confirmed its position on this matter.	Under discussion

A.5 Socio-Economics

Table A.5: Socio-Economics

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.5.1	ES Study Area and Methodology	The scope and methodology for this topic are set out in ES Chapter 13: Socio-Economics [APP-033]. The chapter identifies a Local Study Area comprising the three electoral wards of Camblesforth and Carlton; Brayton and Barlow; and Thorpe Willoughby and Hambleton. A Population and Human Health Technical Note [APP-118] has additionally been prepared and submitted, which provides health and wellbeing baseline conditions and a summary of the Population and Human Health effects of the Proposed Development.	NYC considers that further assessment of population health and vulnerable population groups is required.	Under discussion
A.5.2	ES Baseline	The baseline Data Sources are detailed in ES Chapter 13	NYC has stated that there is a notable	Under

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<p>[APP-033], Table 13.2.</p> <p>The baseline data relating to population health is provided within the Population and Human Health Technical Note [APP-118].</p>	omission in relation to population health and health inequalities in the baseline data.	discussion
A.5.3	Predicted Impacts	The predicted impacts of the Proposed Development are set out in ES Chapter 13: Socio-Economics [APP-033], Section 13.5.	NYC does not agree with the impacts the Proposed Scheme could have for this topic.	Under discussion
A.5.4	Design, Mitigation and Enhancement Measures	No significant adverse socio-economic effects have been identified during the construction, operational or decommissioning phases and therefore no further mitigation beyond the mitigation identified in the ES chapters on noise and vibration, landscape and transport and access is required.	NYC does not agree that no further mitigation is required in relation to human health.	Under discussion
A.5.5	Residual Effects	ES Chapter 13 [APP-033] reports that there would no significant residual effects relating to job creation, economic output, workforce expenditure and local amenity during the Construction, Operation and decommissioning phases.	NYC currently does not agree with these conclusions.	Under discussion
A.5.6	Consideration of Human Health in EIA	Human Health impacts have been scoped out of the ES, as per the adopted scoping opinion from July 2022. Impacts to human health arising from the Proposed Development have however been considered in ES, throughout various independent chapters. The Population and Human Health	NYC is concerned that Public Health has not been adequately scoped into the ES.	Under discussion.

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		Technical Note [APP-118] includes summaries of, and signposting to, these assessments of the impact of the Proposed Development on human health.		
A.5.7	New Employment Opportunities	The Proposed Development will create a range of social and economic benefits by providing new employment opportunities and generating economic activity. These benefits will be both temporary (during construction phase of the Proposed Development) and permanent (via the creation of good quality long term employment opportunities during the operational phase).	NYC does not currently agree with the Applicant's assessment of new employment opportunities.	Under discussion

A.6 Traffic and Transport

Table A.6: Traffic and Transport

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.6.1	Study Area	The study area is set out in ES Chapter 10: Transport and Access [APP-030] .	NYC has not yet confirmed its position on this matter.	Under discussion
A.6.2	Future Baseline	The Applicant has set out the approach to committed development in Sections 10.4.19-10.4.23 of ES Chapter 10: Transport and Access [APP-030] .	NYC has not yet confirmed its position on this matter.	Under discussion
A.6.3	Trip Generation, Distribution and Assignment (Construction Workers and Construction Vehicles)	The Applicant has set out the trip generation, trip distribution, and trip assignment in Table 10.12 of ES Chapter 10: Transport and Access [APP-030] .	NYC has not yet confirmed its position on this matter.	Under discussion
A.6.4	Construction route	The construction traffic route is set out in paragraphs 10.5.31-10.5.38 of ES Chapter 10: Transport and Access [APP-030] .	NYC has not yet confirmed its position on this matter.	Under discussion
A.6.5	Predicted Impacts (Operation)	The Applicant considered the potential impact during operation in paragraphs 10.5.68-10.5.70 of ES Chapter 10: Transport and Access [APP-030]	NYC has not yet confirmed its position on this matter.	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		and it was concluded that the traffic impacts during the operational phase will likely be negligible.		
A.6.6	Design, Mitigation and Enhancement Measures	Mitigation has been identified to safeguard the environment in the outline Construction Traffic Management Plan (oCTMP) [APP-122]. These measures will be secured in the detailed Construction Traffic Management Plan as a Requirement of the DCO.	NYC has not yet confirmed its position on this matter.	Under discussion
A.6.7	Design, Mitigation and Enhancement Measures	A Stage 1 Road Safety Audit, where considered necessary, will be undertaken during the detailed design phase.	NYC has not yet confirmed its position on this matter.	Under discussion
A.6.8	Abnormal Indivisible Loads (AIL)	AIL Strategy – The Applicant’s AIL strategy is subject to ongoing engagement with the LHA and National Highways. AIL movements will be subject to measures included in the oCTMP [AS-006] to manage the movements including all necessary notifications.	NYC has not yet confirmed its position on this matter.	Under discussion
A.6.9	Residual Effects	It is considered that there will be no significant residual effects on the highway network within North Yorkshire.	NYC has not yet confirmed its position on this matter.	Under discussion

A.7 Air Quality

Table A.7: Air Quality

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.7.1	Design, Mitigation and Enhancement Measures during construction and operation	The mitigation measures proposed are set out in the outline Construction Environmental Management Plan (oCEMP) [APP-121] .	NYC has not yet confirmed its position on this matter.	Under discussion
A.7.2	Cumulative effects	The approach to cumulative assessments is set out in ES Chapter 15: Cumulative Effects [APP-035] . The effects of any dust creation are not expected to be significant.	NYC would like to see assurances that the cumulative effects of any dust creation during the construction phase combined with other relevant developments in the area has been taken into account.	Under discussion
A.7.3	Residual Effects	No residual effects are predicted for Air Quality.	NYC has not yet confirmed its position on this matter.	Under discussion

A.8 Noise and Vibration

Table A.8: Noise and Vibration

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.8.1	Study Area and methodology	The study area and methodology are set out in ES Chapter 11: Noise and Vibration [APP-031] .	NYC has not yet confirmed its position on this matter.	Under discussion
A.8.2	ES Baseline	The baseline is described in Section 11.4 of ES Chapter 11: Noise and Vibration [APP-031] , taking into account monitoring undertaken at locations agreed with NYC.	NYC has not yet confirmed its position on this matter.	Under discussion
A.8.3	Predicted Impacts	Section 11.5 of ES Chapter 11: Noise and Vibration [APP-031] sets out the results of the noise and vibration predictions. Construction and operational noise and vibration are identified as being not significant.	NYC does not raise any objections in relation to construction and operational noise and vibration [RR-277] .	Under discussion
A.8.4	Design, Mitigation and Enhancement Measures	The mitigation measures proposed are set out in the oCEMP [APP-121] .	NYC notes the proposed mitigation measures for the construction and operational phases as set out in the oCEMP [RR-277] .	Under discussion
A.8.5	Residual Effects	No residual effects are predicted for Noise and Vibration.	NYC has no objections relating to construction or operational noise and vibration following mitigation [RR-277] .	Under discussion

A.9 Ecology

Table A.9: Ecology

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.9.1	ES Study Area and Methodology	The ES Study Area and Methodology are set out in ES Chapter 8: Biodiversity [APP-028] . The Applicant considers the methodology described therein remains appropriate.	NYC has not yet confirmed its position on this matter.	Under discussion
A.9.2	ES Baseline	The scope of the baseline data gathering is set out in Section 8.3 of ES Chapter 8: Biodiversity [APP-028] . The Applicant considers that the scope of ecological surveys is commensurate with the scale and scope of the Proposed Development. The Applicant is continuing to consult with NYC and Natural England with regards to the scope of the surveys.	NYC is satisfied with the scope of ecological survey undertaken to inform the ES and that there is sufficient survey information available upon which to make an assessment of the impacts of the scheme upon ecological receptors. NYC welcomes ongoing consultation with itself and Natural England with regards to the scope of the surveys [RR-277] .	Under discussion
A.9.3	Habitats Regulation Assessment	Information to inform a Habitats Regulations Assessment (HRA) Report is included in the ES [APP-151] . This Report considers the following European designated sites: <ul style="list-style-type: none"> • Lower Derwent Valley SPA/Ramsar; and • Humber Estuary SPA/Ramsar. 	NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of Ecology [RR-277] .	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		The Information to Inform HRA [APP-151] concludes that the Proposed Scheme would not lead to adverse effects on the integrity of any European Site, subject to the securing of the mitigation measures identified in the Report.		
A.9.4	Predicted Impacts	The Applicant has set out their assessment of impacts on ecological receptors in Section 8.5 of ES Chapter 8: Biodiversity [APP-028] .	NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of Ecology [RR-277] .	Under discussion
A.9.5	Design, Mitigation and Enhancement Measures	Primary design measures (i.e. embedded measures) are set out in ES Chapter 8: Biodiversity [APP-028] , including specific measures that will be contained within the detailed CEMP.	NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of Ecology [RR-277] .	Under discussion
A.9.6	Cumulative effects	The ecological assessment of cumulative effects is presented in Section 8.6 of ES Chapter 8: Biodiversity [APP-028] . The proposed development is not likely to have any discernible cumulative or in-combination effects. In addition there are no cumulative direct effects on statutory or non-statutory designated sites or their associated qualifying interest species.	NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of Ecology [RR-277] .	Under discussion

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Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.9.7	Residual Effects	The Applicants assessment of residual effects is set out in Section 8.7 of ES Chapter 8: Biodiversity [APP-028] . There will be no significant adverse residual effects.	NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of Ecology [RR-277] .	Under discussion

A.10 Landscape and Views

Table A.10: Landscape and Views

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.10.1	ES Study Area	An initial study area for the purposes of desk studies and field surveys was set at 5km. Following the initial assessment, an updated Zone of Theoretical Visibility (ZTV) was prepared based on the parameters of the proposed development and the screen effect of existing vegetation and settlements. Updated ZTVs are presented in Figures 7.6-7.11 of ES Chapter 7: Landscape and Views [APP-069 to APP-074] .	NYC has not yet undertaken a full assessment of the Applicant's submission in respect of Landscape and Views [RR-277] .	Under discussion
A.10.2	ES Methodology – viewpoints	The visual assessment viewpoints are based on those shown on Figure 7.12 of ES Chapter 7: Landscape and Views [APP-075] .	NYC has not yet undertaken a full assessment of the Applicant's submission in respect of Landscape and Views [RR-277] .	Under discussion
A.10.3	ES Methodology – visualisations	The visual assessment visualisations are based on those shown in Appendix 7.7 of ES Chapter 7: Landscape and Views [APP-140 to APP-141] . Additional photomontage locations have been added to the LVIA, taking into consideration comments received from NYC.	NYC has not yet undertaken a full assessment of the Applicant's submission in respect of Landscape and Views [RR-277] .	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.10.4	ES Methodology	<p>The Applicant confirms that the LVIA will follow guidance stipulated in the EIA Scoping Report covering:</p> <ul style="list-style-type: none"> • GLVIA Third Edition (LI and IEMA, 2013); and • Landscape Institute Technical Guidance Note 2/21: Assessing landscape value outside national designations <p>The LVIA has been updated to address concerns from NYC regarding methodology.</p>	<p>NYC has not yet undertaken a full assessment of the Applicant's submission in respect of Landscape and Views [RR-277].</p>	Under discussion
A.10.5	ES Baseline	<p>The baseline conditions are set out in Section 7.4 of ES Chapter 7 Landscape and Views [APP-027]. The descriptions are based on a timeframe of winter (2023/2024) and therefore considers a maximum visibility scenario.</p>	<p>NYC has not yet undertaken a full assessment of the Applicant's submission in respect of Landscape and Views [RR-277].</p>	Under discussion
A.10.6	Designations	<p>The Site is not designated in landscape terms, and there are no national landscape designations within the study area.</p>	<p>NYC has not yet undertaken a full assessment of the Applicant's submission in respect of Landscape and Views [RR-277].</p>	Under discussion
A.10.7	Predicted Impacts	<p>The predicted impacts presented in the ES are an accurate reflection of the likely landscape and visual effects of the Proposed Development.</p>	<p>NYC has not yet undertaken a full assessment of the Applicant's submission in respect of Landscape and Views [RR-277].</p>	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		Following changes to the LVIA approach and presentation, there have been some changes to predicted impacts.		
A.10.8	Design, Mitigation and Enhancement Measures	<p>The Applicant has provided reasonable and appropriate mitigation, proportionate to the level of effects predicted to result from the Proposed Development, and as a result has minimised harm to the landscape resulting from the Proposed Scheme (in accordance with paragraph 5.9.8 of NPS EN-1).</p> <p>The Applicant has followed guidance made available by NYC in forming its Landscape Strategy, particularly the use of hedgerows for screening. Further, the Applicant has taken account of comments received from NYC in updating its Landscape Strategy prior to submission.</p> <p>An outline Landscape Ecology Management Plan (oLEMP) [APP-143] has been submitted with the DCO application.</p>	NYC has not yet undertaken a full assessment of the Applicant's submission in respect of Landscape and Views [RR-277] .	Under discussion
A.10.9	Residual Effects	Current assessment shows there will be no long term significant adverse effects.	NYC has not yet undertaken a full assessment of the Applicant's submission in	Under discussion

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Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
			respect of Landscape and Views [RR-277].	
A.10.10	Cumulative effects	The Applicant has confirmed that cumulative effects during the Construction Phase have been considered should the construction programme overlap with other recently approved schemes.	NYC has not yet undertaken a full assessment of the Applicant's submission in respect of Landscape and Views [RR-277].	Under discussion

A.11 Heritage

Table A.11: Heritage

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.11.1	ES Study Area and Methodology	The Applicant sets out a description of the Study Area and Methodology for assessment of heritage matters in Section 6.3 of ES Chapter 6: Cultural Heritage [APP-026] .	NYC has not yet confirmed its position on this matter.	Under discussion
A.11.2	ES Baseline	The Applicant sets out the baseline in Section 6.4 of ES Chapter 6: Cultural Heritage [APP-026] .	NYC has not yet confirmed its position on this matter.	Under discussion
A.11.3	Predicted Impacts - Archaeology	Measures to be adopted by the project in the form of an AMS have been established through consultation with the Principal Archaeologist for NYC.	NYC confirms that the archaeological potential of the Site has been appropriately assessed and the mitigation strategy is suitable [RR-277] .	Agreed
A.11.4	Predicted Impacts – Built Heritage	The impacts of the Proposed Development on Grade 1 Listed Camblesforth Hall, Grade I Listed Carlton Towers and Grade II Listed Manor Farmhouse at the construction and operational phases are not significant.	NYC has not yet confirmed its position on this matter.	Under discussion
A.11.5	Design, Mitigation	The Applicant confirms that mitigation	NYC agrees with the mitigation measures as set out	Under

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
	and Enhancement Measures	measures are set out in Section 6.6 of ES Chapter 6: Cultural Heritage [APP-026] . Measures identified include the AMS and an Archaeological Watch Brief during the implementation of the underground cable corridor.	within the AMS in respect of archaeology [RR-277] . NYC has not yet confirmed its position on this matter in respect of Built Heritage.	discussion
A.11.6	Residual Effects	The Applicant sets out the residual effects on below ground archaeological deposits and on the identified heritage assets in Section 6.7 of ES Chapter 6: Cultural Heritage [APP-026] . The identified effects are not considered to be significant.	NYC has not yet confirmed its position on this matter in respect of Built Heritage.	Under discussion

A.12 Ground Conditions

Table A.12: Ground Conditions

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.12.1	Phase 1 Ground Conditions Assessment	The Phase 1 Ground Conditions assessment [APP-114 to APP-116] concludes that there are potential risks associated with possible contamination in limited areas of the site. An intrusive investigation is recommended to characterise the conditions at the site and to confirm the anticipated absence of contamination across the majority of the Site.	NYC has little concern with the Application as it relates to land contamination [RR-277].	Under discussion
A.12.2	Unexploded Ordnance Survey	A detailed UXO desk based threat assessment will be undertaken post-consent to inform the need for mitigation during in-ground works including intrusive investigation.	NYC has not yet commented on UXO.	Under discussion

A.13 Water Environment

Table A.13: Water Environment

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.13.1	ES Study Area and Methodology	<p>The ES Study Area and Methodology are set out in ES Chapter 9: Water Environment [APP-029].</p> <p>The methodology in the ES has drawn from the more detailed FRA and considers flood risk to and from the Site, and from all sources including:</p> <ul style="list-style-type: none"> • Tidal (flooding from the sea); • Fluvial (flooding from watercourses); • Pluvial (direct rainfall and surface water flooding); • Groundwater; • Overwhelmed Sewers and Drainage Systems; and • Artificial Sources <p>The Applicant considers the methodology described therein remains appropriate.</p>	<p>NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of the Water Environment [RR-277].</p>	Under discussion
A.13.2	ES Baseline	<p>The scope of the baseline data gathering is set out in Section 9.4 of ES Chapter 9: Water Environment [APP-029]. The Applicant</p>	<p>NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of the Water Environment [RR-277].</p>	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		considers that the scope of FRA is commensurate with the scale and scope of the Proposed Development.		
A.13.3	Flood Risk Assessment (FRA)	The Proposed Development has been informed by a Flood Risk Assessment (FRA) [APP-232-235] , ensuring the Proposed Development does not increase flood risk elsewhere and incorporates sustainable drainage systems.	NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of the Water Environment [RR-277] .	Under discussion
A.13.4	Predicted Impacts	The Applicant has set out their assessment of impacts on flood risk in Section 9.5 of ES Chapter 9: Water Environment [APP-029] .	NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of the Water Environment [RR-277] .	Under discussion
A.13.5	Design, Mitigation and Enhancement Measures	Primary design measures (i.e. embedded measures) are set out in ES Chapter 9: Water Environment [APP-029] , including permanent design measures as well as specific measures that will be contained within the detailed CEMP.	NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of the Water Environment [RR-277] .	Under discussion
A.13.6	Cumulative effects	The assessment of cumulative effects is presented in Section 9.8 of ES Chapter 9: Water Environment [APP-029] . The Proposed Development is not likely to have any discernible cumulative or in-combination effects. In addition there are no cumulative direct effects on	NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of the Water Environment [RR-277] .	Under discussion

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Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		statutory or non-statutory designated sites or their associated qualifying interest species.		
A.13.7	Residual Effects	The Applicants assessment of residual effects is set out in Section 9.7 of ES Chapter 9: Water Environment [APP-029]. There will be no significant adverse residual effects.	NYC has not yet undertaken a full assessment of the Applicant’s submission in respect of the Water Environment [RR-277].	Under discussion

A.14 Soils and Agricultural Land

Table A.14: Soils and Agricultural Land

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.14.1	ES Study Area and Methodology	The Study Area and Methodology are set out in Section 14.3 of ES Chapter 14: Soils and Agriculture [APP-034] .	NYC has not yet confirmed its position on this matter.	Under discussion
A.14.2	ES Baseline	The Applicant sets out the Baseline Conditions in Section 14.4 of the ES Chapter 14: Soils and Agriculture [APP-034] . The ALC Survey confirms that the Site is made up of the following Best Most Versatile (BMV) grade land: Grade 1 – 15ha (3.7%) Grade 2 – 162ha (40.5%) Grade 3a – 207ha (51.8%) Grade 3b – 11ha (2.8%) Non-agricultural land – 5ha (1.2%)	NYC has not yet confirmed its position on this matter.	Under discussion
A.14.3	Use of BMV land	The Site Selection process as set out in the Planning Statement has determined that the use of BMV land is necessary.	NYC notes the Applicant’s position. NYC would encourage further discussion to better understand	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<p>The site selection process determines that the use of BMV is unavoidable, given alternative sites within proximity of the grid connection point are also classified as BMV, or unsuitable on the basis of land fragmentation/severance, environmental constraints or committed for other uses/development.</p>	<p>the choices for land take including options appraisal and mechanisms used [RR-277].</p>	
A.14.4	<p>Predicted Impacts</p>	<p>The likely effects of the Proposed Development are set out in Section 14.5 of ES Chapter 14: Soils and Agriculture [APP-034]. Approximately 7.4ha of land will be affected by fixed equipment and will be restored at decommissioning. This is not considered to be significant. The underground cable will have no effect on agricultural land quality or activity during construction.</p> <p>There will be no significant effects during operation on soils or agricultural land quality.</p>	<p>NYC has not yet confirmed its position on this matter.</p>	<p>Under discussion</p>
A.14.5	<p>Design, Mitigation and Enhancement Measures</p>	<p>Design, Mitigation and Enhancement measures are set out in the Outline Soils Management Plan at Appendix 14.3 of the ES [APP-173]. The OSMP identifies the importance and sensitivity of the soil resource and provides specific guidance to ensure that there are no significant adverse effects on the soil resource as a result of the Proposed Development.</p>	<p>NYC has not yet confirmed its position on this matter.</p>	<p>Under discussion</p>

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Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.14.6	Residual Effects	Residual effects are set out Section 14.7 of ES Chapter 14: Soils and Agriculture [APP-034]. No significant adverse effects are expected.	NYC has not yet confirmed its position on this matter.	Under discussion

A.15 Cumulative Effects

Table A.15: Cumulative Effects

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.15.1	Intra-project Effects	Intra-project effects are set out in Section 15.2 of ES Chapter 15: Cumulative Effects [APP-035]. No significant intra-project effects are anticipated.	NYC has not yet confirmed its position on this matter.	Under discussion
A.15.2	Inter-Project Effects	<p>Table 15.1 of ES Chapter 15 [APP-035] details the projects that have been identified for the assessment of likely significant cumulative effects. No significant (beneficial or adverse) cumulative effects were identified for the following technical disciplines:</p> <ul style="list-style-type: none"> • Cultural Heritage; • Landscape and Views; • Water Environment; • Transport and Access; • Noise and Vibration; • Socio-Economics; and • Soils and Agricultural Land. <p>The solar developments identified from the list of cumulative developments for assessment make clear commitments to achieve measurable biodiversity gains; therefore, a major beneficial (significant) cumulative effect to habitats has been identified at the local level.</p>	NYC has not yet confirmed its position on this matter.	Under discussion

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Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		Moderate beneficial (significant) effect at the local level identified to a reduction in carbon emissions associated with the cumulative operation of several schemes related to the generation or storage of renewable energy.		

A.16 Draft DCO (Including requirements in the Draft DCO)

Table A.16: Draft DCO (Including requirements in the Draft DCO)

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.16.1	DCO Requirements	The DCO will include a number of Requirements which require matters of detail to be approved by the relevant authority as well as creating a process for the discharge of those requirements.	NYC has not yet confirmed its position on this matter.	Under discussion

Appendix B: Local Policy considered important and relevant for North Yorkshire

Selby District Local Plan (2005)	Selby District Core Strategy Local Plan (2013)	Draft Local Plan	Minerals and Waste Local Plan
ENV1: Control of Development	SP1: Presumption in Favour of Sustainable Development	SG1 Achieving Sustainable Development (Strategic Policy)	M01: Broad geographical approach to supply of aggregates
ENV2: Environmental Pollution and Contaminated Land	SP2: Spatial Development Strategy – A. c) Development in the Countryside	SG4: Development in the Countryside	M02: Provision of sand and gravel
ENV3: Light Pollution	SP13: Scale and Distribution of Economic Growth – C. Rural Economy	SG10: Low Carbon and Renewable Energy – A	D07: Biodiversity and Geodiversity
ENV4: Hazardous Substances	SP13: Scale and Distribution of Economic Growth – D.	SG11: Flood Risk – A	
ENV15: Conservation and Enhancement of Locally Important Landscape Areas	SP15: Sustainable Development and Climate Change – B. Design and Layout of Development	SG11: Flood Risk – B	
ENV28: Other Archaeological Remains	SP17: Low-Carbon and Renewable Energy – C	SG11: Flood Risk – C	
T1: Development in Relation to the Highway Network	SP17: Low-Carbon and Renewable Energy – D	SG11: Flood Risk – D	
T2: Access to Roads	SP18: Protecting and Enhancing the Environment	SG13: Planning Applications and the Historic Environment	
T8: Public Rights of Way	SP19: Design Quality	IC7: Public Rights of Way	
RT5: The Trans-Pennine Trail		NE1: Protecting Designated Sites and Species	
		NE3: Biodiversity Net Gain	
		NE4: Protecting and Enhancing Landscape Character	

NE5: Protecting and Enhancing Rivers and Waterbodies
NE8: Pollution and Contaminated Land