The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed East Yorkshire Solar Farm

Case Reference: EN010143

Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

20 October 2022

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1. INTRODUCTION

1.1.1 On 09 September 2022, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from East Yorkshire Solar Farm Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed East Yorkshire Solar Farm (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development, and by virtue of Regulation 6(2)(a) the Proposed Development is 'EIA development'.

1.1.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:

http://infrastructure.planninginspectorate.gov.uk/document/EN010143-000015

1.1.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.

1.1.4 The Inspectorate has set out in the following sections of this Opinion where it has/has not agreed to scope out certain aspects/matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects/matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

1.1.5 Before adopting this Opinion the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1, in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.

1.1.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including Advice Note 7: *Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping* (AN7). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

1.1.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

1.1.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg, on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Sections 2 and 3)

ID	Ref	Description	Inspectorate's comments
2.1.1	2.2.17	Site boundary	The Scoping Report describes that the final boundary for the Development Consent Order (DCO) may change from that used at scoping as options are refined. The ES should include an explanation of any changes and the reasons for them, ensuring that the scope of any assessments remains reflective of the maximum extent of the Proposed Development.
2.1.2	2.2.17	Additional land for cable connections	The Scoping Report states that Figure 1-1 shows the maximum area of land potentially required for the construction, operation and maintenance of the Proposed Development but also states that it may be subject to change as additional land is incorporated for cables between land parcels. The ES should clearly define the Proposed Development and identify any likely significant effects (LSE) of the whole Proposed Development, including the cable connections between the solar plots. It should be noted that if the Proposed Development materially changes prior to submission of the DCO application, the Applicant may wish to consider requesting a new scoping opinion.
2.1.3	2.3.6	Cumulative effects	Paragraph 2.3.6 of the Scoping Report states that a new Super Grid Transformer will be installed by National Grid in an existing spare bay of the National Grid Drax Substation to accommodate the Proposed Development connection. The ES should include this planned development within the assessment of cumulative effects, where

ID	Ref	Description	Inspectorate's comments
			significant effects are likely. The ES should also explain the degree of certainty regarding provision of the National Grid infrastructure.
2.1.4	2.3.7 and 2.4.2	Construction compounds	The Scoping Report explains that one or more temporary construction compound(s) will be required, the locations of which have yet to be determined. Paragraph 2.4.4 indicates that these would be within the site boundary. The ES should clarify whether additional land, that is not depicted within the plans in the Scoping Report, would be required. To ensure a robust assessment of LSE, the Inspectorate advises that the location and size of the construction compound(s), together with confirmation of the number of staff car parking spaces, is confirmed in the ES.
2.1.5	2.3.1 to 2.3.4 and 2.3.44	Flexibility	The Inspectorate notes the Applicant's intention to apply a 'Rochdale Envelope' approach to maintain flexibility within the design of the Proposed Development, namely relating to the photovoltaic (PV) panel type, the arrangement of supporting infrastructure, and inclusion and arrangement of battery energy storage systems. Paragraph 2.3.44 also states that a decision is expected to be made prior to the DCO submission about whether overhead lines (OHL) will be used instead of below-ground cabling for the electricity export connection to the National Grid. However, if both options are included in the application the appropriate worst case scenario (WCS) would be considered in each ES aspect chapter. The Inspectorate expects that at the point an application is made, the description of the Proposed Development will be sufficiently detailed to include the design, size, capacity, technology, and locations of the different elements of the Proposed Development. This should include the footprint and heights of the structures (relevant to existing ground levels), as well as land-use requirements for all elements and phases of the development. The description should be supported (as necessary) by figures, cross-sections, and drawings which should be

ID	Ref	Description	Inspectorate's comments
			clearly and appropriately referenced. Where flexibility is sought, the ES should clearly set out the maximum design parameters that would apply for each option assessed and how these have been used to inform an adequate assessment in the ES.
2.1.6	2.3.43 and 2.4.2	Watercourse crossings	Watercourses are proposed to be crossed during construction of the Proposed Development. The ES should identify which watercourses will be crossed and at what locations, with reference to an accompanying figure(s). The ES should describe the types of crossings that are required, their scale and dimensions and the nature of any associated construction works. Sufficient details should be provided to inform a robust assessment of LSE on relevant aspects/matters, including watercourse hydraulics and ecological receptors. Effort should be made to agree the approach to watercourse crossings with the relevant consultation bodies.
2.1.7	2.4	Construction programme and activities	Construction of the Proposed Development is anticipated to take an estimated 18-24 months, with a high-level overview of the construction programme and activities provided in Section 2.4 of the Scoping Report. This description should be developed in the ES to include key milestones, the duration and location of the required construction activities, and the proposed construction hours.
2.1.8	2.4.8	Abnormal loads	The Scoping Report identifies potential for road upgrades and widening, for example to accommodate abnormal loads if required. It is stated that this would be determined as the design develops. The Inspectorate expects that impacts which may result from such works, together with relevant mitigation measures, should be assessed within relevant aspect chapters of the ES where significant effects are likely to occur. The ES should set out the predicted number of abnormal loads and expected routeing.

ID	Ref	Description	Inspectorate's comments
2.1.9	2.4.10	Temporary closures of footpaths and public rights of way (PRoW) during construction	Should any temporary diversions of footpaths, PRoW or other recreational routes be required during construction, the impacts to users should be assessed in the ES and mitigation proposed for any residual LSE. This should include consideration of delay and access restrictions. Where possible the assessment should be supported by pedestrian counts, with effort made to agree the locations for such counts with relevant consultation bodies. The locations of any diversions or closures should be illustrated on suitable figures in the ES. The Inspectorate notes that impacts to PRoW are considered in a number of chapters in the Scoping Report. Cross-reference should be made between ES chapters as appropriate, and information should be consistent between chapters and avoid duplication.
2.1.10	2.4.14	Biodiversity mitigation and enhancement	The Inspectorate notes that a Framework Biodiversity and Landscape Management Plan will be submitted with the DCO application that will specify mitigation and enhancement measures that would support biodiversity net gain (BNG). The Plan should clearly differentiate between measures proposed to mitigate significant effects of the Proposed Development and measures proposed to support BNG.
2.1.11	2.5.4	Operational and maintenance activities	It is stated that sheep grazing may be utilised on the solar PV plots during operation and has multiple benefits. Any potential adverse impacts of this activity should also be assessed in the ES where significant effects are likely to occur.
2.1.12	2.6.1	Operational lifespan/Decommissioning	The Scoping Report states that the design life of the Proposed Development is expected to be at least 40 years with the potential for this to be longer depending on the condition of the equipment. The ES should explain how the uncertainty around the design life of the Proposed Development has been accounted for in reaching the

ID	Ref	Description	Inspectorate's comments
			assessment conclusions. Any potential impacts arising from the Proposed Development should it operate beyond the 40-year timeframe should be assessed in the relevant ES aspect chapters.
2.1.13	N/A	Plans	The ES should provide a plan showing the anticipated panel arrangement and location of associated infrastructure. Where there is flexibility in the Proposed Development design, multiple plans would aid understanding of the varying site arrangements.
2.1.14	N/A	Construction lighting	The Scoping Report does not provide a description of the proposed construction lighting strategy. Paragraph 2.4.10 suggests that the proposed Construction Environmental Management Plan (CEMP) will not address nuisances related to lighting. The ES should include a description of the proposed lighting strategy and evidence of any measures taken to minimise impacts on sensitive human and ecological receptors.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 5)

ID	Ref	Description	Inspectorate's comments
2.2.1	N/A	Electromagnetic field (EMF)	The Scoping Report provides no consideration of EMF. In line with relevant guidance (DECC Power Lines: Demonstrating compliance with EMF public exposure guidelines, A Voluntary Code of Practice 2012), cables above 132 kilovolts (kV) have potential to cause EMF effects. Although all proposed infrastructure associated with the development (eg, cables and substations) are below the 132kV threshold, the voltage of the OHL, which are being considered as an alternative to underground cabling, is not provided. Furthermore, there is potential for exceedances of 132kV where infrastructure overlaps. The Inspectorate considers that the ES should demonstrate the design measures taken to avoid the potential for EMF effects from the cable and substation infrastructure on receptors and address the risks to human health arising from EMF to the extent that it is relevant to the nature of the development and where significant effects are likely to occur.
2.2.2	5.3	Mitigation	The Proposed Development application will comprise three array areas, further divided into a series of land parcels, where solar panels will be installed. The Applicant should ensure that the generic and specific mitigation requirements for each of the array areas/parcels are clearly distinguished within the ES and draft DCO (dDCO).
2.2.3	5.4.3	Operational management and mitigation	It is stated that operational mitigation measures would be contained in an Operational Environmental Management Plan (OEMP) to be prepared in the event of the grant of the DCO. The Inspectorate recommends that a draft/outline version of the OEMP is submitted with the DCO application so that the proposed mitigation, and how it

ID	Ref	Description	Inspectorate's comments
			would be secured, is clearly identified and can be fully considered during the Examination.
2.2.4	5.7.2 – 5.7.4	'Other Environmental Topics' - approach	The Inspectorate is content that the Applicant takes a proportionate approach to assessment in the ES. However, limited detail has been provided in the Report in relation to aspects considered under 'Other Environmental Topics' which are proposed to be scoped in. The ES should contain information on potential impacts and assessments should be provided where significant effects may occur.
2.2.5	N/A	Scoping Table	The Inspectorate recommends the use of a table in the ES to set out key changes in parameters/options of the Proposed Development presented in the Scoping Report to those presented in the ES. It is also recommended that a table demonstrating how the matters raised in the Scoping Opinion have been addressed in the ES and/or associated documents is provided.
2.2.6	N/A	Monitoring of significant adverse effects	The ES should identify and describe any proposed monitoring of significant adverse effects and how the results of such monitoring would be utilised to inform any necessary remedial actions.
2.2.7	Appendix A	Transboundary effects	The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts. The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening.

ID	Ref	Description	Inspectorate's comments
			However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision. Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process. The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Climate Change

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	Table 6-2 and Table 6-5	In-combination climate change impact assessment – temperature change	The Scoping Report states that although impacts are expected as a result of projected temperature increases, when considered in combination with the Proposed Development these are not expected to have a significant impact on receptors. No justification is provided for this conclusion. In the absence of additional information, including the location of sensitive receptors, the Inspectorate is not in a position to agree to scope this matter out at this stage. The ES should assess the potential for temperature changes to exacerbate LSE relating to the Proposed Development, including the deliverability of mitigation measures such as, for example, vegetation screening and implications for achieving BNG.
3.1.2	Table 6-2, Table 6-3 and Table 6-5.	In-combination climate change impact assessment – sea level rise	The Applicant proposes to scope these matters out on the basis that the location of the Proposed Development means it is not susceptible to sea level rise. However, no evidence is provided to support this statement. The adjacent River Ouse is noted to be a tidal river at the point where it crosses the site boundary. On the basis of the current information, the Inspectorate does not agree to scope this matter out. The ES should include an assessment of in-combination impacts from sea level rise and resilience of the Proposed Development to sea level rise where significant effects are likely to occur.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.3	Table 6-2 and Table 6-5	In-combination climate change impact assessment – precipitation change	The Scoping Report states that significant impacts on surface water or groundwater levels are not expected as a result of precipitation changes in combination with the Proposed Development. It is stated that flow of precipitation to the ground would not be hindered and conversion from agricultural land to grassland would increase infiltration and reduce runoff rates. No drainage or flood risk modelling is presented to support this assertion. Solar panels have potential to alter runoff rates and patterns. In the absence of more detailed information regarding drainage design and controls, the Inspectorate does not agree to scope this matter out.
3.1.4	Table 6-2 and Table 6-5	In-combination climate change impact assessment – wind	The Applicant proposes to scope this matter out on the basis that the Proposed Development is not likely to significantly affect receptors in combination with projected changes in wind patterns. Table 6-3 notes that the Proposed Development may be vulnerable to changes in wind patterns, such as high winds, and that the resilience of the Proposed Development to these changes will be assessed within the climate change resilience review to identify any adaptation measures required, as stated in paragraph 6.6.9 of the Scoping Report. On the basis that the Proposed Development would be designed to be resilient to changes in wind patterns the Inspectorate is content that significant in-combination effects on receptors in relation to wind are unlikely to occur and as such agrees that this matter can be scoped out.

ID	Ref	Description	Inspectorate's comments
3.1.5	N/A	N/A	N/A

3.2 Cultural Heritage

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.2.2	N/A	Decommissioning	The Scoping Report states that impacts may arise during construction or operation but there is no discussion of potential effects during the decommissioning phase, unlike in other technical sections of the Scoping Report. The Inspectorate considers that the potential for decommissioning stage effects should be assessed, in particular in relation to buried archaeological resources, eg such as potential for harm due to removal of piles and any future requirement for deep ploughing.

3.3 Ecology

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	8.2.3 and Table 8-5	Statutory designated sites more than 2km from the site	The Applicant proposes to scope out effects on statutory designated sites (without mobile species) located more than 2km from the site. No justification is provided for scoping this matter out. The Inspectorate has considered the characteristics of the Proposed Development and is content to scope this matter out on the basis that significant effects are unlikely. However the ES should justify why this study area is appropriate in line with established guidance, seeking agreement from relevant consultation bodies where possible.
3.3.2	Table 8.5	Impacts to common and widespread habitats of low sensitivity and/or conservation interest	The Scoping Report states that impacts to common and widespread habitats of low sensitivity and/or conservation interest is proposed to be scoped out. No justification is provided for scoping this matter out, however paragraph 8.7.2 outlines the overall assessment approach and states that the assessment will focus on ecological features which are considered important and have potential to be affected by the Proposed Development rather than the addressing all habitats (and species) with potential to occur within the study area. In the absence of information, such as evidence demonstrating clear agreement with relevant statutory bodies and details of the proposed habitats to be scoped out, the Inspectorate is not in a position to agree to scope this matter out. Accordingly, the ES should include an assessment of this matter, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.

ID	Ref	Description	Inspectorate's comments
3.3.3	Table 8-4	Great Crested Newts (GCN)	Table 8-4 states that effects on GCN are currently scoped in but may be scoped out of the detailed impact assessment in the ES as District Level Licensing (DLL) is likely to be used to offset the effects of the Proposed Development on GCN. The Inspectorate understands that the DLL approach includes strategic area assessment and the identification of risk zones and strategic opportunity area maps. The ES should include information to demonstrate whether the Proposed Development is located within a risk zone for GCN. If the Applicant enters into the DLL scheme, Natural England (NE) will undertake an impact assessment and inform the Applicant whether their Proposed Development is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on GCN. The outcome of this assessment will be documented on an Impact Assessment and Conservation Payment Certificate (IACPC). The IACPC can be used to provide additional detail to inform the findings in the ES, including information on the Proposed Development's impact on GCN and the appropriate compensation required. For the avoidance of doubt, the Inspectorate agrees that this matter may be subsequently scoped out subject to the process set out above taking place and NE's agreement that it is appropriate. If the DLL route is not pursued, the Applicant should include an assessment within the ES, including baseline surveys in line with NE's Standing Advice for GCN which suggests considering the use of a 500m study area. The Inspectorate notes the statement in paragraph 8.2.6 that GCN surveys may need to be undertaken according to survey areas based on "widely accepted survey guidance". Where guidance has been relied upon this should be clearly referenced within the ES.

ID	Ref	Description	Inspectorate's comments
3.3.4	8.2.2 – 8.2.4	Study area	A 10km study area is used for internationally designated sites and a 5km study area is used for nationally designated sites that could be affected by the Proposed Development. The Scoping Report states (in paragraph 8.2.2) that this area "*should be sufficient in which to assess all possible effects on ecology and biodiversity"*. Where there is doubt as to the potential for effects to occur, a wider study area should be considered to ensure that all impact pathways are assessed, particularly where there is potential for the site to act as functionally linked land for mobile species such as bats or birds. The Inspectorate considers that a 30km search area should be used for sites designated for bats, in line with standard practice.
3.3.5	Table 8-4	Surveys	Paragraph 8.1.2 states that ecological surveys commenced in April 2022 and will continue into 2023. Table 8-4 states that breeding bird surveys are proposed to be completed from March to July inclusive. As such it is unclear whether the breeding bird surveys commenced in April 2022 or whether the surveys will be conducted from March to July 2023. If the surveys commenced in April 2022 this would not represent comprehensive baseline ecological data, as per the required survey periods set out in Table 8-4. The ecological baseline should be evidenced by comprehensive surveys in line with relevant guidance, and this should be confirmed in the ES.
3.3.6	Table 8-4	Foraging/commuting bat surveys	The Scoping Report states that detailed bat surveys will not be conducted within the Grid Connection Corridor on the basis that the effects on habitat would be temporary in nature. Although Table 8-4 suggests that there would be no changes in lighting within the cable corridor, details of the lighting strategy are not provided at this stage. Furthermore a lighting assessment is proposed to be scoped out of the assessment (as noted in paragraph 10.8.7 of the Scoping Report). In the absence of the proposed construction lighting strategy, as well as the anticipated duration of the construction phase (c. 18 – 24

ID	Ref	Description	Inspectorate's comments
			months) and the location of designated sites within the proposed cable corridor, the Inspectorate considers that there is potential for effects on foraging/commuting bat species within the Grid Connection Corridor during construction. The ES should ensure that ecological baselines are supported by robust assessments. Detailed bat surveys should be conducted for the Proposed Development site, including the Grid Connection Corridor, or the ES should provide evidence of agreement from relevant consultation bodies that such surveys are not required.
3.3.7	N/A	Confidential Annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.

3.4 Flood Risk, Drainage and Surface Water

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	9.5.43	Nutrient neutrality assessment	The Applicant proposes to scope out a nutrient neutrality assessment. Paragraph 9.5.41 states that although the site is located within a Local Planning Authority (LPA) area affected by nutrient pollution impacting on some designated sites, the nutrient pollution issues relate only to the Hornsea Mere Special Protection Area (SPA) which is not hydrologically connected to the Proposed Development site. It is stated (in paragraph 9.5.42) that the Proposed Development would result in the removal of pesticide and fertiliser use on the land and so would result in a reduced runoff of nutrients into surrounding watercourses. Furthermore, construction welfare facilities would not discharge into the mains network and would be temporary, and permanent welfare facilities would be small scale. Paragraph 9.8.11 states that it is not yet confirmed how any generated wastewater will be managed. The Inspectorate is content that the Proposed Development does not need to demonstrate nutrient neutrality through a nutrient neutrality assessment. However, where there is the potential for LSE to occur in relation to nutrient and/or other pollution on water bodies, this should be assessed within the ES. The ES should also include a description of any measures proposed to reduce pollutant runoff into nearby watercourses, eg design measures or best practice measures to be secured via the CEMP.

ID	Ref	Description	Inspectorate's comments
3.4.2	9.2.1	Study area	The Scoping Report states that a study area of "approximately 1km" from the site boundary is used to identify water bodies that could be affected by the Proposed Development and "approximately 2km" for the baseline assessment. It is unclear why these study areas are approximate, although it is noted that paragraph 9.4.2 states that the study area varies depending on the characteristics of species or habitat potentially impacted. The ES should explain how the study area was selected, ensuring that the area relates to the extent of LSE rather than an arbitrary or approximate study area boundary.
3.4.3	9.5.49	Designated sites	The Scoping Report identifies sites in the study area or downstream of the site that are designated for aquatic ecology. Table 8-1 of the ES Ecology chapter lists additional designated sites which appear to have hydrological components, eg Lower Derwent Valley Special Area of Conservation (SAC), Ramsar site, SPA and Local Nature Reserve (LNR); Breighton Meadows Site of Special Scientific Interest (SSSI); and Derwent Ings SSSI. It is unclear why these designated sites are not included. The assessment should consider all designated sites that could be affected by the Proposed Development, and evidence agreement with relevant statutory consultees regarding the scope of sites considered, where possible.
3.4.4	9.7.1	Water quality sampling	The Scoping Report states that no water quality sampling is proposed beyond a site walkover survey, but no justification is provided for this approach. The ES should describe the existing quality of water affected by the Proposed Development. Given that there are waterbodies within the site boundary, the Proposed Development site is located within multiple Water Framework Directive catchments, and construction impacts may alter water quality (as highlighted in

ID	Ref	Description	Inspectorate's comments
			paragraph 9.6.8), surface water quality surveys should be undertaken to inform the baseline and reported in the ES.
3.4.5	9.8.2	Embedded mitigation	The Scoping Report states that "*it is assumed that the protection of water environment receptors would be taken into account within the iterative design process"*. Where mitigation measures are relied upon to prevent a significant effect from occurring, these should be detailed within the ES, along with the proposed method by which these are to be secured within the DCO.
3.4.6	9.1.1	Ponds	Individual ponds are not considered within the Flood Risk, Drainage and Surface Water chapter on the basis that they will be assessed within the Ecology chapter of the ES. However, there is no mention of ponds within the Ecology chapter of the Scoping Report and so it is unclear whether they are assessed as sensitive receptors or not. The Inspectorate is of the opinion that any LSE on individual ponds should be assessed within the ES. Where there is the potential for impacts in terms of flood risk and volume this should be addressed within the Flood Risk, Drainage and Surface Water aspect chapter. Where there is the potential for effects on ecological features this should be addressed within the Ecology aspect chapter. Cross-reference should be made between the two chapters as appropriate.

3.5 Landscape and Visual Amenity

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	10.8.3	Effects on recreational receptors during construction	It is unclear whether this matter is proposed to be scoped out; it is not included within Table 10-1. However the Scoping Report states that an assessment of effects on PRoW which cross the site will not be undertaken. The Inspectorate considers that this matter may be scoped out on the basis of the relatively short duration and temporary nature of any potential effects.
3.5.2	10.8.7	Lighting assessment during construction and operation	The Applicant proposes to scope out a lighting assessment on the basis that any lighting during the construction phase would be directional and temporary and designed to be sensitive to light spillage; and operational lighting would be directed at the infrastructure and only motion triggered. Limited information is presented regarding the proposed lighting (during construction and operation) or the receptors that could be affected. As such the Inspectorate is not in a position to scope this matter out at this stage. The ES should clearly explain the construction and operational lighting strategy and any measures necessary to avoid or mitigate lighting effects. This should also include consideration of effects relating to intermittent lighting sources such as motion-activated security lighting.

ID	Ref	Description	Inspectorate's comments
3.5.3	10.2.4, 10.5.15 and 10.5.16	Study Area	The Scoping Report defines a preliminary study area of 5km from the solar PV site boundary. It is stated that this is based on the Zone of Theoretical Visibility (ZTV) and professional judgement. However, the ZTV shown in Figure 10-1 shows high visibility up to the study area boundary. The Scoping Report notes (in paragraph 10.5.15) that longer distance views are available to the east of the site due to the surrounding topography and visibility varies across the site (paragraph 10.5.16). This suggests that there is potential for visibility of the site from beyond the 5km study area. The Inspectorate considers that the study area should be informed by the extent of likely effects, including from elevated viewpoints, rather than an arbitrary boundary. The ES should evidence how the study area has been derived to ensure it is representative and it should be agreed with relevant consultation bodies where possible.
3.5.4	10.5.17	Receptors – boat users	The Scoping Reports refers to transient receptors such as users of cars, bicycles, buses or trains, but does not mention boat users. Considering the visibility of the site from parts of the Derwent and Ouse rivers, as shown in the preliminary ZTV (Figure 10-1), the ES should consider the potential for visual effects on receptors navigating the river. This should include the effects of the proposed lighting strategy on boat navigation, as noted in the response from the Canal and River Trust (Appendix 2 of this Opinion), particularly where there are safety concerns.
3.5.5	Figure 10-1 and 10.8.6	Zone of Theoretical Visibility	The ZTV shown in Figure 10-1 is based on a maximum panel height of 4.8m which is the maximum height of the tracker panels. However, the description of the Proposed Development (in paragraph 2.3.47) states that security cameras would be installed on 5m high poles. Furthermore, paragraph 2.3.44 states that there is the potential for OHL approximately 15m in height to be used instead of underground cabling. It is noted that paragraph 10.8.6 explains that the layout,

ID	Ref	Description	Inspectorate's comments
			siting, and heights of the solar panels, substations and associated structures are not yet confirmed, and that the landscape and visual impact assessment (LVIA) study area and receptors will be reviewed accordingly. The final ZTV should ensure that a WCS is assessed based on the maximum parameters of the Proposed Development, including any auxiliary infrastructure such as security camera poles, fences, or construction compounds.

3.6 Noise and Vibration

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	Table 11-2	Operational vibration	It is proposed to scope out this matter because no part of the Proposed Development would generate perceptible levels of vibration. Based on the nature and characteristics of the Proposed Development, the Inspectorate agrees that operational vibration may be scoped out from further assessment. However, the detailed description of the Proposed Development within the ES should demonstrate that operational plant and equipment is of a type and to be used in locations unlikely to result in significant vibration impacts on sensitive receptors.
3.6.2	Table 11-2	Separate assessment of decommissioning noise	The Inspectorate agrees that a separate assessment of decommissioning noise may be scoped out on the basis that the noise assessment presented for the construction phase would be representative, or an overestimate, of noise impacts during the decommissioning phase. However, it must be clearly articulated in the ES that decommissioning impacts have been considered.

ID	Ref	Description	Inspectorate's comments
3.6.3	Table 11-1 and Figure 11-1	Receptor locations	Table 11-1 lists 48 receptor locations whereas Figure 11-1 depicts only 36 locations. Care should be taken to ensure that information is reflected consistently and accurately throughout the ES.
3.6.4	11.6.8 – 11.6.9	Noise mitigation	It is stated that at this stage no specific noise mitigation measures have been included for operational plant and assumed that, based on the proposed installations, the plant will be designed to have no

ID	Ref	Description	Inspectorate's comments
			tonal, impulsive or intermittent features. The design features that would achieve this should be described in the ES. An assessment should be provided where significant effects may occur and mitigation for any significant residual effects should be described in the ES and secured in the DCO.
3.6.5	11.7.1	Methodology	The criteria for assessing the significance of noise and vibration effects should be clearly set out in the ES with reference to established guidance. Consistent with the Noise Policy Statement for England, Significant Observed Adverse Effect Level (SOAEL) and Lowest Observed Adverse Effect Level (LOAEL) should be defined for all of the construction, operational and decommissioning noise matters assessed.
3.6.6	11.7.2	Receptors	It is stated that baseline noise monitoring will be carried out to establish the noise environment around the Proposed Development site at selected locations representative of noise-sensitive receptors. The ES should explain the basis on which receptor locations were determined to be representative, with reference to relevant information including noise contour mapping.

3.7 Socioeconomics and Land Use

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	Table 12-1	Minerals Safeguarding	The Inspectorate notes that the site is located within East Riding of Yorkshire's Minerals Safeguarding Area (MSA) EC6 and an (unnamed) area of safeguarded surface mineral resource in North Yorkshire, and that this matter is proposed to be scoped out on the basis that mineral deposits would not be permanently sterilised by the Proposed Development and could be extracted, if required, after its decommissioning. It is stated that this approach is subject to consultation with the two Councils. The Inspectorate is satisfied that this matter may be scoped out subject to confirmation that the Minerals Planning Authority agree to the suggested approach and that there would not be a LSE on minerals resources. The ES should evidence such agreement. A copy of the Minerals Safeguarding Report (as described at paragraph 16.7.17 of the Scoping Report) should be appended to the ES. The ES should identify the measures required to protect the material resources within the MSA during the construction, operation and decommissioning of the Proposed Development and confirm how these would be secured in the DCO.

ID	Ref	Description	Inspectorate's comments
3.7.2	12.2.1	Employment	The Inspectorate advises that estimates should be provided in the ES of the number and types of jobs created and they should be considered in the context of the available workforce in the area during each phase of the Proposed Development.

ID	Ref	Description	Inspectorate's comments
3.7.3	12.2.1 – 12.2.2	Study area	The ES should clearly set out the study areas relevant to the socio-economic and land use assessments. To aid understanding the ES should include a plan that depicts the extent of the study areas and the receptors.

3.8 Transport and Access

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	13.2.2	Junction capacity assessments	The Scoping Report states that, at this stage, it is not considered that junction capacity analysis will be required as part of the assessment but this would be discussed with National Highways (NH) and the local highway authorities. At this stage, the Inspectorate does not have sufficient information about the potential impacts to agree to scope this matter out. The ES should include an assessment of affected junctions or otherwise explain why significant effects are not likely to occur by reference to baseline data and predicted transport movements. However, this matter may be scoped out subsequently subject to agreement by NH and the local highway authorities, which should be evidenced in the ES.
3.8.2	Table 13-5	Hazardous loads during construction	The Scoping Report states that "There are no nearby road features which suggest that the transfer of materials poses a risk beyond that which would be expected on the general highway network." Limited explanation is provided to support this conclusion. The Inspectorate has considered the characteristics of the Proposed Development and considers that this matter may be scoped out from further assessment, however the ES should explain the measures employed to ensure safe vehicular transport of components such as panels and batteries to and from the site. The Applicant is referred to the Inspectorate's comments above on the description of the Proposed Development, in relation to abnormal loads.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.3	13.6.8 and Table 13-5	Operational phase transport effects	The Inspectorate agrees that operational transport effects may be scoped out from further assessment on the basis presented in the Scoping Report, including the anticipated number of daily vehicle movements (up to seven arrivals and departures). The description of development in the ES should confirm the anticipated trip generation during operation to justify this. It should also be demonstrated in the Transport Assessment (TA) that the operational phase will have lesser impacts on the Strategic Road Network (SRN) than the construction phase, as suggested in NH's consultation response contained in Appendix 2 of this Opinion.
3.8.4	13.6.10 and Table 13-5	Decommissioning phase transport effects	This matter is proposed to be scoped out due to uncertainties in relation to future vehicle movements and subject to further assessment at the time of decommissioning. The Inspectorate accepts that a full assessment may not be possible at the current time, however, the ES should provide commentary on the likely transport effects of the decommissioning process given the comments at paragraph 13.6.1 of the Scoping Report, that *"the greatest impact is likely to occur during the construction and decommissioning phases."*

ID	Ref	Description	Inspectorate's comments
3.8.5	Section 13.2	Study area	The ES should confirm the final study area for the assessment of traffic and transport, and explain how it has been selected. In addition to engagement with relevant consultation bodies, consideration should also be given to industry guidance, the extent of the potential impacts and likely receptors, both human and ecological. A plan illustrating the extent of the study area, and the expected route(s) of construction traffic, should be included in the ES.

ID	Ref	Description	Inspectorate's comments
			The Inspectorate draws the Applicant's attention to the comments of National Highways regarding inclusion of the SRN (M62 Junction 32) in the study area (see Appendix 2 of this Opinion).
3.8.6	13.5.3	Baseline data - Personal Injury Accident (PIA)	The construction traffic associated with the Proposed Development is expected to result in an increase in Heavy Goods Vehicle (HGV) movements, including on rural roads. In line with the Guidelines for the Environmental Assessment of Road Traffic (GEART) (1993), consideration should be given as to whether any qualitative assessment of local highway conditions on rural roads is required in addition to analysis of PIA data. PIA data for the most recent five year period not subject to Covid-19 restrictions should be used.
3.8.7	13.5.3	Baseline data - Census 2011	The Office for National Statistics began to publish new census data in Spring 2022. If travel modal share data is available, this should be used to inform the baseline in the ES.
3.8.8	13.5.6	Future baseline	The Inspectorate draws the Applicant's attention to the comments of NH regarding extrapolation of automatic traffic count (ATC) survey data using Trip End Model Presentation Program (TEMPro) growth factors based on middle layer super output area data (see Appendix 2 of this Opinion). The Applicant should make efforts to agree an alternative methodology for establishing the future baseline traffic levels with relevant consultation bodies, including NH and the local highway authorities.
3.8.9	13.5.8 to 13.5.11 and Figure 13-1	ATC surveys	The ATC survey locations should be kept under review as the construction traffic route is developed and finalised. The Inspectorate draws the Applicant's attention to the comments of NH regarding potential for use of the WEBTRIS database in respect of

ID	Ref	Description	Inspectorate's comments
			flows on the SRN in addition to ATC surveys (see Appendix 2 of this Opinion).
3.8.10	13.6.5	Impact assessment	The assessment of construction impacts in the ES should include consideration of all vehicle movements described in the Scoping Report, including HGVs, construction workers and ancillary construction traffic. Information about the predicted number of vehicle movements should be presented.
3.8.11	13.6.15	Highway improvements	If highways works/improvements are required as part of the mitigation for significant effects arising from construction transport, these should be fully explained within the ES and an assessment of any LSE as a result of these works should also be presented, as relevant. This should include consideration of any potential impacts to railway assets, such as bridges and level crossings, located on HGV routes.
3.8.12	Section 13.7	Impact assessment methodology	The impact assessment is proposed to be based on the methodology outlined in the GEART (1993). The Inspectorate understands that this guidance is planned to be updated by the Institute of Environmental Management and Assessment (IEMA). The ES should take account of future updates where relevant.
3.8.13	Table 13-3	Impact magnitude criteria	In addition to changes in HGV movements, the impact magnitude criteria should also account for changes to other vehicle movements on the SRN and local highway network, eg construction workers. The ES should explain how the criteria have been derived, ie by reference to relevant guidance.

3.9 Human Health

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.9.2	17.4.3	Other relevant aspects	In addition to the aspect chapters listed at paragraph 17.4.3 of the Scoping Report the Inspectorate considers that the human health assessment in the ES should also be informed by the outcome of assessments relating to flood risk, drainage and surface water/water quality (as addressed in Chapter 9 of the Scoping Report), where there is potential for LSE to occur. This could be through cross-referral within the chapters to avoid duplication of assessment.
3.9.3	14.7.4	Determining significance	The Scoping Report explains that NHS England's Healthy Urban Development Unit's Rapid Health Impact Assessment Toolkit (HUDU), (2019) which forms the basis of the assessment methodology, does not provide a methodology for assessing significance of effects. Therefore, it is proposed that the ES would not assign an effect significance and would instead identify positive, neutral, negative or uncertain effects as set out in Table 14-2. The Inspectorate notes that it is a requirement of the EIA Regulations for the ES to describe the LSE of the development on the environment, including those resulting from risks to human health. Therefore, the ES should confirm the threshold for determination of a significant effect in relation to human health impacts so that such effects can be described.

ID	Ref	Description	Inspectorate's comments
3.9.4	N/A	Electromagnetic fields (EMF)	The Scoping Report does not make any reference to potential impacts arising from EMF, including on human health receptors. The Applicant is referred to the Inspectorate's comments at ID 2.2.1 of this Scoping Opinion.

3.10 Soils and Agricultural Land

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Table 15-1	Agricultural land and land use during decommissioning	The Inspectorate agrees that on the basis that the decommissioning effects are expected to be similar to or of a lesser magnitude than the construction effects these matters may be scoped out. The Inspectorate notes that an outline of the general principles that would apply during decommissioning would be contained in the Framework Decommissioning Environmental Management Plan (DEMP) to be provided with the DCO application, and that a Detailed DEMP would be produced in advance of the commencement of decommissioning works.
3.10.2	Table 15-1	Soil resource quality during decommissioning	
3.10.3	Table 15-1	Loss of soil resources during decommissioning	

ID	Ref	Description	Inspectorate's comments
3.10.4	N/A	Cumulative effects	There is no reference in this chapter to the assessment of potential cumulative effects on soil resources and agricultural land. The ES should include such an assessment and identify any LSE and mitigation measures if required.
3.10.5	15.5.6 – 15.5.7	Baseline	The Inspectorate welcomes the provision of a plan that identifies the provisional Agricultural Land Classification (ALC) of land within the Site. The ES should quantify the areas of land according to Grades 1 to 5 of the ALC, including differentiating between Grades 3a and 3b.
3.10.6	15.5.10	Baseline	The Inspectorate notes that it is proposed that the detailed soil and ALC survey to be undertaken in Autumn 2022 excludes the Grid Connection Corridor on the basis that it would incur temporary impacts but following reinstatement of the soils would be available for

ID	Ref	Description	Inspectorate's comments
			farming in the same way as at present. ALC grading for the Grid Connection Corridor would be calculated using NE's 'Provisional ALC' to determine the proportions of ALC Grades 1, 2, 4 and 5. For areas provisionally mapped as Grade 3, the proportions of Subgrade 3a and 3b would be calculated using NE's 'Likelihood of BMV Agricultural Land'. The Inspectorate agrees that this approach is appropriate in the circumstances, however recommends that it is agreed with NE.

3.11 Other Environmental Topics: Air Quality

(Scoping Report Section 16.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	16.2.9	Operational phase effects	The Scoping Report describes that minimal traffic movements are anticipated during operation; it is anticipated that there will be seven operational arrivals and seven departures daily from light vehicles for maintenance and deliveries. On this basis, the Inspectorate is content to scope this matter out. The ES project description should confirm that there are no emissions from operational plant that require further assessment.

ID	Ref	Description	Inspectorate's comments
3.11.2	16.2.1 to 16.2.4	Baseline conditions	The Scoping Report makes reference to information about existing air quality levels that is available from local authority monitoring programmes, primarily for nitrogen dioxide (NO_2). It is unclear whether any further monitoring is proposed as part of the ES. Effort should be made to reach agreement with relevant consultation bodies, including the local authorities, as to whether any additional survey or monitoring work is required to inform the baseline, including for other pollutants. The Inspectorate notes that there is potential for air quality impacts on designated nature conservation sites. Baseline information from the Air Pollution Information System (APIS) may also be of relevance to the assessment.
3.11.3	16.2.5	Receptors	The Scoping Report describes that the Proposed Development is surrounded by ecological sites, which may be receptors for air quality impacts. Figure 8.1 shows the location of designated nature

ID	Ref	Description	Inspectorate's comments
			conservation sites relative to the scoping area; it includes a number of European, nationally and locally designated sites within a 2km and 10km radius. In addition to these receptors being screened for impacts from construction dust in the ES, the Inspectorate considers that sites that are sensitive to changes in air quality, including nitrogen and acid deposition, should also be considered for impacts arising from construction vehicle movements when details of the construction routes are known. In doing so, reference should be made to relevant guidance, eg Institute for Air Quality Management (IAQM) Air Quality Impacts on Designated Sites (2019). Where significant effects are likely to occur, an assessment should be included in the ES.
3.11.4	16.2.6	Study area	The Scoping Report indicates that the IAQM Guidance on the assessment of dust from demolition and construction (2014) is proposed to be used to inform the study area. The ES should explain how the screening criteria have been applied in the selection of the final study area for dust impacts; it is noted for instance that in addition to the 350m study area from the site boundary a potentially wider study area of up to 500m from the site entrance could be applicable in some circumstances.
3.11.5	16.2.6	Study area and receptor locations	The ES should include a plan showing the extent of the final study area, including proposed construction routes, the location of receptors (human and ecological) considered in the assessment and the proximity of the study area to the nearest air quality management area (AQMA) in Selby.
3.11.6	N/A	Detailed air quality modelling and assessment of effects from construction	The Inspectorate understands from information presented in the Scoping Report that it is proposed to scope out detailed air quality modelling and assessment of effects from construction including dust, and emissions from construction vehicles and plant, on the basis that

ID	Ref	Description	Inspectorate's comments
			a qualitative dust assessment and Framework CEMP taking account of IAQM guidance are proposed. Subject to the Inspectorate's comments above at ID 3.11.3 to 3.11.4 and confirmation that the proposed construction vehicle numbers alone or cumulatively with other proposals on relevant links will not exceed the relevant IAQM Environmental Protection UK (EPUK) thresholds, the Inspectorate considers that the need for detailed construction air quality modelling and assessment can be scoped out.
3.11.7	N/A	Air quality objectives	The ES should include information about the Air Quality Standards Regulations 2010 and the Air Quality Objectives.

3.12 Other Environmental Topics: Glint and Glare

(Scoping Report Section 16.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.1	16.3	Glint and Glare	The Applicant proposes to scope out a standalone ES chapter on glint and glare. The Scoping Report notes (in paragraph 16.3.12) that glint and glare calculations will be provided in a separate technical appendix and results will be incorporated into the Proposed Development design. Results will be considered within other aspect chapters where appropriate, and the assessment will be summarised in the 'Other Environmental Topics' chapter of the ES. The Inspectorate is content that glint and glare do not need to be assessed in a standalone chapter, however both matters should be addressed in other relevant aspect chapters and supported by detailed calculations as appropriate.
3.12.2	16.3.6	Construction/decommissioning	The Applicant proposes to scope out glint and glare effects during the construction and decommissioning phases on the basis that any effects would be temporary and localised in nature and would be minimised by measures outlined within the CEMP. The Inspectorate is content with this approach.
3.12.3	16.3.8	Aviation receptors	The Applicant proposes to scope out impacts of glint and glare on aviation on the basis that there is no evidence that glint and glare for solar farms interferes in any way with aviation navigation or pilot and aircraft visibility or safety as stated within the Draft National Policy Statement (NPS) EN-3.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Inspectorate considers that this matter may be scoped out from further consideration, however the description of development should explain how the panel design prevents the likelihood of glint and glare.

ID	Ref	Description	Inspectorate's comments
3.12.4	16.3.5 and Table 16-1	Railway and boat receptors	The Scoping Report identifies railways users as a potential glint and glare receptor, and the potential for glint and glare effects on trains to result in major accidents and/or disasters is included within Table 16-1. The Scoping Report makes no reference to the potential for glint and glare effects on boat users. The preliminary ZTV (Figure 10-1) shows the potential for visibility of the site from parts of the Derwent and Ouse rivers. As such, the glint and glare assessment should consider the potential for effects on boats.
3.12.5	16.3.25	Study area	The Scoping Report states that there is the potential for glint and glare effects on residential and road receptors up to 1km from the site boundary. The Inspectorate is of the opinion that there is potential for glint and glare effects to occur at a greater distance and that the ES should assess the potential for significant glint and glare effects to occur over wider distances. The study area used should be based on potential for significant effects to occur rather than an arbitrary distance. The Applicant is advised to use the ZTV developed for the LVIA to identify sensitive receptors with potential views of the site, which may therefore be affected by glint and glare. Effort should be made to agree the sensitive receptors with relevant consultation bodies. The locations of the sensitive receptors should be shown on an accompanying plan.

ID	Ref	Description	Inspectorate's comments
			The Applicant's attention is drawn to NH's and Network Rail's scoping consultation responses (contained within Appendix 2 of this Opinion) in relation to potential glint and glare effects on users of the strategic road network and railway infrastructure.
3.12.6	16.3.11	Worst case scenario	Modelling is proposed to assess the potential for glint and glare effects. Paragraph 2.3.12 of the Scoping Report notes that either fixed or tracker mounting structures could be used for the solar arrays. Given that the two different mounting structures are likely to lead to different glint and glare effects, the assessment should ensure that it assesses each of the WCSs.

3.13 Other Environmental Topics: Ground Conditions

(Scoping Report Section 16.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	16.4.4 and 16.4.8	Operation and Maintenance	Maintenance and operational activities are proposed to be scoped out. The Inspectorate agrees that the presence of chemicals such as oils, grease, fuels, lubricants and cleaning agents associated with the operation and maintenance of the facility are unlikely to result in significant effects. The Inspectorate expects that the ES will explain why the operational development will not give rise to routine emissions of chemicals. Furthermore, the Inspectorate requires that an outline of the Operational Environmental Management Plan is submitted with the DCO application.

ID	Ref	Description	Inspectorate's comments
3.13.2	16.4.9	Preliminary Risk Assessment (PRA)	The Scoping Report states that once the results of the PRA are known, and together with the proposed mitigation including a Framework CEMP, it is likely that it will be possible to demonstrate no LSE during construction and decommissioning of the Proposed Development in which case the ES would not include a specific chapter on this aspect. The Inspectorate considers that this approach is acceptable but if this matter is ultimately scoped out, the ES should still include an explanation as to how the conclusion of no LSE has been reached.
3.13.3	16.4.5	Minerals Safeguarding	The Applicant is referred to the Inspectorate's comments above at ID 3.7.1 on minerals safeguarding matters. Any implications for ground conditions arising from adherence to those comments should be

ID	Ref	Description	Inspectorate's comments
			addressed within the ES by cross-referencing the relevant information within the aspect chapters.

3.14 Other Environmental Topics: Major Accidents or Disasters

(Scoping Report Section 16.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	16.5.7	Effects on construction workers	The Applicant proposes that construction workers can be excluded from the assessment as a receptor *"..because existing legal protection is considered to be sufficient to minimise any risk from major accidents or disasters to a reasonable level."* The Inspectorate has considered the nature and characteristics of the Proposed Development and is content that significant effects on construction workers as a result of major accidents or disasters are not likely. This matter can be scoped out of the assessment.
3.14.2	Appendix B: Long List of Major Accidents and Disasters	Major accidents and disasters discounted at the long list stage	Appendix B of the Scoping Report describes possible major accidents and disasters that the Applicant considers could be relevant to the Proposed Development. It identifies a number of events that are proposed to be scoped out of further assessment and the reasons for that approach. The Inspectorate agrees that these matters can be scoped out of the ES on the basis of the information presented, aside from the aircraft and energy industry. The Inspectorate notes that the scoping study area extends across the consultation zone of two Major Accident Hazard (MAH) sites (Spaldington Airfield and DRAX Power). The ES should include an assessment of the vulnerability of the Proposed Development to major accidents arising from the proximity to these MAH sites or otherwise explain why significant effects are not likely to occur.

ID	Ref	Description	Inspectorate's comments
3.14.3	16.5.3	Guidance	The Scoping Report refers to an absence of established guidance for this aspect topic. Reference should be made to the IEMA guidance document 'Major Accidents and Disasters in EIA', where relevant.
3.14.4	Tables 16-1 and 18-2 and paragraphs 16.5.9 to 16.5.10	Assessment approach	A standalone ES chapter for major accidents and disasters is not proposed on the basis that potential effects relating to floods (including flood defence failure), fire, road and rail accidents (including from glint and glare), past mining and extractive industry, utilities failure and plant disease will be assessed in other ES chapters where relevant. The Scoping Report states that it is considered likely that real risk or serious possibility of such events interacting with the Proposed Development will be discounted prior to DCO submission and that the ES would note and explain this. The Inspectorate has considered the characteristics of the Proposed Development and agrees with this approach. However, the Inspectorate notes that none of the other Scoping Report chapters make any reference to consideration of major accidents and disasters. The ES should clearly signpost where these impacts are assessed in other relevant chapters and where any relevant mitigation measures are secured, if required. Table 16-1 acknowledges that there is a potential fire risk associated with the battery storage element of the Proposed Development, which is reduced by automatic cooling and suppression systems designed to regulate temperatures to within safe conditions. The Inspectorate considers that the risk of battery fire/explosion should be addressed in the ES, including where any measures designed to minimise impacts on the environment in the event of such an occurrence are secured. The Inspectorate notes that a Framework Battery Fire Safety Management Plan is also proposed and considers that this should be submitted as part of the DCO application. With regard to utilities failure, the Applicant's attention is drawn to the comments from the Health and Safety Executive (HSE) and

ID	Ref	Description	Inspectorate's comments
			Northern Gas Networks, noting the presence of several MAH pipelines within the scoping study area. With regard to road and rail accidents, the Applicant's attention is drawn to the comments of NH and Network Rail regarding potential impacts from glint and glare.

3.15 Other Environmental Topics: Telecommunications, Television Reception and Utilities

(Scoping Report Section 16.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.15.2	Section 16.6	Assessment approach	The Scoping Report states that existing infrastructure will be identified through consultation and a desk-based study and will inform the design and protective provisions to avoid impacts on receptors. The Inspectorate is content that a standalone ES chapter for this aspect is not required on that basis; however, the ES should explain the findings of the desk-based study and any required mitigation measures in the Other Environmental Topics chapter.
3.15.3	16.6.1	Overhead lines	The Scoping Report states two alternatives are under consideration for electricity export connection to the National Grid, one of which is OHL, and that flexibility may be retained within the DCO submission. The Applicant should seek to minimise optionality in the application, which could lead to extended discussion if accepted for examination. In the event that flexibility is sought, the ES should include an assessment of impacts arising from the installation and operation of OHL on telecommunications, television reception and utilities, where significant effects are likely to occur, or otherwise explain why significant effects are not likely.

ID	Ref	Description	Inspectorate's comments
3.15.4	16.6.2	Gas pipelines	With regard to utilities infrastructure, the Applicant's attention is drawn to the HSE's comments noting the presence of several MAH pipelines within the scoping study area.

3.16 Other Environmental Topics: Materials and Waste

(Scoping Report Section 16.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.16.2	16.7.5	Minerals Safeguarding Areas	The Applicant is referred to the Inspectorate's comments above at ID 3.7.1.
3.16.3	Section 16.7	Assessment approach	The Inspectorate agrees that a standalone chapter on materials and waste is not required in the ES and that the description of the materials required and potential streams of construction waste and estimated volumes can be included in the Other Environmental Topics chapter. A similar description and estimates should be provided in respect of decommissioning The ES should assess any impacts resulting from the transport of waste generated during construction and decommissioning of the Proposed Development which are likely to result in significant effects. Any assumptions made (such as with regard to quantities of contaminated material) should be clearly set out and justified in the ES. In addition, the ES should describe any measures implemented to minimise waste and state whether the waste hierarchy will be utilised. The Framework CEMP and Site Waste Management Plan (SWMP) should include as much detail as possible on on-site waste management, recycling opportunities and off-site disposal.

ID	Ref	Description	Inspectorate's comments
3.16.4	N/A	Cumulative effects	The potential for cumulative effects with other development should also be assessed in the ES, in line with the methodology presented in Section 5.6 of the Scoping Report.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES[1]

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Integrated Care Board	NHS Humber and North Yorkshire Integrated Care Board
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Humberside Fire and Rescue Service
	North Yorkshire Fire and Rescue Service
The relevant police and crime commissioner	Humberside Police and Crime Commissioner
	North Yorkshire Police and Crime Commissioner
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Spaldington Parish Council
	Holme upon Spalding Moor Parish Council
	Howden Parish Council
	Wressle Parish Council
	Bubwith Parish Council
	Foggathorpe Parish Council
	Eastrington Parish Council
	Barmby on the Marsh Parish Council

[1] Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Long Drax Parish Council
	Hemingbrough Parish Council
	Drax Parish Council
The Environment Agency	The Environment Agency
The Civil Aviation Authority	Civil Aviation Authority
Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs)	West Yorkshire Combined Authority ITA
	South Yorkshire PTE
The Relevant Highways Authority	North Yorkshire County Council
The relevant strategic highways company	National Highways
The Coal Authority	The Coal Authority
The relevant internal drainage board	Reedness and Swinefleet Drainage Board
	Foss Internal Drainage Board
	Ouse and Derwent Internal Drainage Board
	Ouse and Humber Drainage Board
	Selby Area Internal Drainage Board
	Cowick and Snaith Internal Drainage Board
	Black Drain Drainage Board
	Danvm Drainage Commissioners
	Dempster Internal Drainage Board
	Goole and Airmyn Internal Drainage Board
	Goole Field District Drainage Board
	Thorntree Internal Drainage Board
	Rawcliffe Internal Drainage Board

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Isle of Axholme and North Nottinghamshire Water Level Management Board
The Canal and River Trust	Canal and River Trust
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
The Forestry Commission	Yorkshire & North East Forestry Commission

TABLE A2: RELEVANT STATUTORY UNDERTAKERS[2]

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS Humber and North Yorkshire Integrated Care Board
The relevant NHS Trust	Yorkshire and the Humber Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	Highways England Historical Railways Estate
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Yorkshire Water
The relevant public gas transporter	Cadent Gas Limited
The relevant electricity generator with CPO Powers	Northern Gas Networks Limited
	Scotland Gas Networks Plc

[2] 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Leep Gas Networks Limited
	Last Mile Gas Ltd
	Quadrant Pipelines Limited
	Squire Energy Limited
	National Grid Gas Plc
	Drax Power Station
The Relevant Electricity Distributors with CPO Powers	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Indigo Power Limited

STATUTORY UNDERTAKER	ORGANISATION
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	Northern Powergrid (Yorkshire) plc
	UK Power Networks Limited
The relevant Electricity Transmitters with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operator Limited

TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))[3]

LOCAL AUTHORITY[4]
City of Bradford Metropolitan District Council
City of York Council
Cumbria County Council
Darlington Borough Council
Doncaster Council
Durham County Council
East Riding of Yorkshire Council

[3] Sections 43 and 42(B) of the PA2008

[4] As defined in Section 43(3) of the PA2008

LOCAL AUTHORITY[4]
Harrogate Borough Council
Kingston upon Hull City Council
Lancashire County Council
Leeds City Council
Middlesborough Council
North Lincolnshire Council
North York Moors National Park
North Yorkshire County Council
Redcar and Cleveland Borough Council
Ryedale District Council
Scarborough Borough Council
Selby District Council
Stockton-on-Tees Borough Council
Wakefield Council
Yorkshire Dales National Park

TABLE A4: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
West Yorkshire Combined Authority
South Yorkshire Combined Authority

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Canal and River Trust
Durham County Council
East Riding of Yorkshire Council
Environment Agency
Foggathorpe Parish Council
Harrogate Borough Council
Health and Safety Executive
Historic England
Leeds City Council
Long Drax Parish Council
National Grid Electricity Transmission Plc (provided in two separate responses)
National Grid Gas Plc
National Highways
NATS En-Route Safeguarding
Natural England
Network Rail Infrastructure Ltd
North Lincolnshire Council
North Yorkshire County Council and Selby District Council (joint response)
North Yorkshire Fire and Rescue Service
Northern Gas Networks Limited
Redcar and Cleveland Borough Council
Ryedale District Council

Selby Area Internal Drainage Board
Spaldington Parish Council
United Kingdom Health Security Agency
York Consortium Drainage Boards (Ouse and Derwent Internal Drainage Board)
Yorkshire and Humber Drainage Boards (Black Drain Drainage Board, Cowick and Snaith Internal Drainage Board, Danvm Drainage Commissioners, Dempster Internal Drainage Board, Ouse and Humber Drainage Board, Rawcliffe Internal Drainage Board, Reedness and Swinefleet Drainage Board)
Yorkshire Water

Canal & River Trust
Making life better by water

Your Ref EN010143

Our Ref IPP-168

Monday 3rd October 2022

BY EMAIL ONLY eastyorkshiresolarfarm@planninginspectorate.gov.uk

Dear Sirs

EN010143 East Yorkshire Solar Project - EIA Scoping Report Notification and Consultation

Thank you for your consultation on the Environmental Impact Assessment Scoping for the above project.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

Having reviewed the location of the proposed project and the Scoping Report, we wish to make the following comments:

The Trust are Navigation Authority for the River Ouse. The river is included within the development boundary of the Solar project, as it is included within the proposed cable corridor search area. Due to the nature of the need for cable connections to the Drax Power Station site, we understand that a crossing of the river is required. The river is classified as a freight waterway, and can accommodate large craft.

Landscape and Visual Amenity (Chapter 10)

The proposals would include a cable crossing of the River Ouse. Temporary works, including any construction compounds, could result in significant temporary effects to the setting of the Ouse and any adjacent riverside pathways.

Whilst paragraph 10.5.17 discusses likely receptors, including users of Public Rights of Way, we do **request that river users (including boaters) should also be considered** due to the likely proximity of temporary works to the river.

Canal & River Trust
Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN
T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

10.6.1 identifies the potential temporary impacts of construction activities on the landscape and visual amenity. We request that a representative view from the River in table 11.1 should be provided where the cable corridor crosses, so that a full assessment of temporary effects can be undertaken.

We advise that consideration should be given to the impact from construction compounds, and disturbance to soil for the construction of cables between the solar farms. We advise that, for any construction compounds near the river corridor, the LVIA should consider views during construction phase and indicate what efforts will be made to minimise the visual impact during the construction works.

The scoping report states that lighting impacts are not to be assessed, on the basis that operation during construction will be temporary (and only lit by motion sensors). Whilst this may be the case, there is a risk that lighting near the River Ouse could distract boaters at dusk. We therefore request that more clarity should be provided with regards to the location of lighting and potential impact on the river.

Other Environmental Considerations (Chapter 16)

Works in proximity to the River Ouse have the potential to increase the risk of pollution to the River through the runoff of silt-laden deposits or the release of dust. There is a significant risk of contamination through poor sediment management from exposed soils, with specific risks likely associated with drilling works in proximity to the river.

Paragraph 16.4.7 outlines a list of measures to help address pollution risks. The Framework CEMP, discussed in paragraph 16.4.6, would be expected to provide adequate information to ensure that the mitigation measures are adequate. We understand that this will be made available at submission of the application, and we would wish to review this and provide further comment at that stage.

General Comment on the Routing of the Cables

The submitted documents indicate that new cables will be sited underground. The Trust generally welcomes this approach, as it would help to minimise any impact on the visual appearance of our waterway corridors. It would also minimise any potential harm to navigation that could be caused through the positioning of cables above navigable channels.

Should the scheme be amended to incorporate above ground caballing or crossings of the River Ouse, then we advise that the Scoping Report would need to be amended to ensure that the visual impacts of the cables would be considered and mitigated for.

In addition, consideration would need to be given to the potential impact on Navigation on the River Ouse and the headroom available (notably, the Ouse in this location has unrestricted headroom).

Other Comments

Our consent as Navigation and Harbour Authority may be required for the installation of a new cable below the River Ouse.

Please note that the Canal & River Trust is a statutory undertaker which has specific duties to protect the waterways. Accordingly, it is likely that we will resist the use of compulsory powers which may affect our undertakings. Accordingly, we require that the acquisition of any rights over the River Ouse should be secured by agreement.

Canal & River Trust
Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN
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The proposals include works in close proximity to the Trust's waterways. In our capacity as landowner, we wish to advise that the applicant/landowner would likely be required to comply with the Trust's 'Code of Practice for Works affecting the Canal & River Trust'. The applicant/developer is advised to contact the Canal & River Trust's Works Engineering Team via switchboard on 0303 040 4040 should they have any questions or require further information upon the Code.

Yours Sincerely

Simon Tucker MRTPI
Area Planner

[redacted]

https://canalrivertrust.org.uk/specialist-teams/planning-and-design

Contact: Claire Teasdale
Direct Tel: 03000 261390
email: claire.teasdale@durham.gov.uk
Your ref: EN010143
Our ref: AACON/22/02679

Alison Down On Behalf Of The Secretary Of State
Planning Inspectorate
Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol
BS1 6PN
eastyorkshiresolarfarm@planninginspectorate.gov.uk

13 September 2022

Dear Ms Down

Town and Country Planning Act 1990 (as amended)

Proposed	Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) Regulations 10 and 11 Application by East Yorkshire Solar Farm Limited (the applicant) for an Order granting Development Consent for the East Yorkshire Solar Farm (the Proposed Development) Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested
At	East Yorkshire Solar Farm
For	Alison Down on Behalf Of The Secretary Of State

I write in response to your letter dated 12 September 2022 regarding the above.

I can confirm that Durham County Council does not have any comments regarding the matters raised in your letter.

Yours sincerely

Claire Teasdale

Claire Teasdale
Principal Planning Officer

From:	Matthew M. Sunman
To:	East Yorkshire Solar Farm
Subject:	EN010143 East Yorkshire Solar Farm - EIA Scoping Report Notification and Consultation
Date:	15 September 2022 17:55:55

Good Afternoon

Thank you for your email and consultation on the above.

I can confirm no comments on behalf of the East Riding of Yorkshire Council.

Kind Regards

Matthew Sunman
Principal Planning Officer - Minerals and Waste
[redacted]
CertHE, MPhysGeog (Hons), MSc Urban and Regional Planning,
MRTPI

Alison Down
Planning Inspectorate

eastyorkshiresolarfarm@planninginspectorate.gov.uk

Our ref: RA/2022/144905/01-L01
Your ref: EN010143

Date: 10 October 2022

Dear Alison

ENVIRONMENTAL IMPACT ASSESSMENT SCOPING OPINION. EAST YORKSHIRE SOLAR FARM.

Thank you for your consultation on the EIA Scoping Opinion for East Yorkshire Solar Farm. We have reviewed the scoping report by AECOM, dated September 2022 and are generally in agreement with the issues to be scoped into the Environmental Statement (ES).

Our comments on the submitted report are below, followed by some additional advice:

Chapter 2 - The Scheme

Paragraph 2.2.11 – it is stated that direct impacts on the River Derwent Site of Special Scientific Interest and Special Area of Conservation from the grid connection cable will be avoided by the use of trenchless crossing techniques. Paragraph 2.3.43 confirms that these trenchless techniques may also be used for river crossings, and in paragraph 8.8.3 it is stated that main rivers will be crossed using these techniques.

We are supportive of this approach. The use of trenchless techniques for crossing major watercourses is in line with best practice, but we recognise that potential for modifications to smaller watercourses in particular has been flagged. Use of techniques which avoid the need for any physical modification to watercourses is encouraged, but where modification is unavoidable, we would expect to see details of proposed mitigation measures to avoid or offset detrimental impacts to physical processes and any dependent habitats.

Paragraph 2.3.48 - where access tracks cross areas identified to be at risk from flooding, they should be maintained close to existing ground levels to avoid displacing flood risk. If raised, for example to allow safe access and egress in times of flood, consideration of displacement and also conveyance will need to be considered.

Paragraph 2.4.4 - compounds should be located outside areas identified to be at flood

risk during this phase (i.e. it may use climate change allowances appropriate for its lifetime).

Chapter 6 – Climate Change

Table 6-2: climate parameters for the in-combination climate change impact assessment of the Scheme – this indicates that Sea Level Rise may be scoped out of Chapter 6, which we feel contradicts with Chapter 9. For clarity, we believe the development site is likely to be susceptible to the risks of sea level rise. Flood risk in the area is tidal from some sources, and therefore rising sea levels are likely to increase that risk in the future. To ensure the risk is not underestimated, a Flood Risk Assessment (FRA) should be produced before that risk is considered for scoping out.

Chapter 8 - Ecology

Section 8.4 Consultation – we would recommend that the applicant includes the East Yorkshire Rivers Trust to their consultation list.

Paragraph 8.6.2 – we welcome the applicant's commitment to provide Biodiversity Net Gain (BNG). It is stated that BNG of at least 10% will be delivered and will include field boundary enhancements and seed planting.

We consider there are significant opportunities for BNG in this area, particularly around the rivers Ouse & Derwent and we'd welcome further discussion with the applicant in regard to this.

Table 8-4: Scope of proposed development ecology surveys – we note the applicant's intent to undertake a Phase 1 Habitat Survey. We recommend the use of UKHab, which can be used to inform BNG.

We are pleased to see that the applicant is proposing eDNA surveys for Great Crested Newts and support this approach.

Chapter 9 - Flood Risk, Drainage & Surface Water

Paragraph 9.1.1 - the scoping document includes different sources of flood risk, including surface water, groundwater and reservoir flood risk, which we support.

Paragraph 9.5.16 - it would be advisable to remove all references to the "Great Ouse", as this is a distinctly different waterbody in the Midlands area. The phrase "Yorkshire Ouse" should eliminate any confusion.

Paragraph 9.5.50 - The Environment Agency is responsible for the management of groundwater resources in England. Many activities result in physical disturbance of aquifers and groundwater resources. Examples include:

- construction of cuttings and tunnels
- developments that require piling
- foundation development

These activities can artificially lower or raise groundwater levels, alter groundwater flow paths, or even cut off groundwater flow completely. Some activities (for example, tunnels and open boreholes) can also interconnect aquifers that were previously separate. This can all result in resource and quality problems.

Piling or construction should not result in a detrimental impact on the water environment. Appropriate risk assessment should be undertaken to ensure any risks are appropriately understood and mitigation measures are emplaced. Mitigation measures can be integrated into a Construction and Environment Management Plan (CEMP).

Paragraph 9.5.64 – this confirms the presence of source protection zones (SPZs) within the study area.

The Environment Agency requires the promoters of schemes of national or regional significance to protect groundwater when choosing the location for their activity or development. In the cases where this is not possible due to national or regional interests, the Environment Agency expects to be fully involved in the scheme development to mitigate groundwater risks via the Environmental Permitting Regulations, where applicable. Promoters are expected (via the EIA process) to identify all the potential pollution linkages and apply best available techniques to mitigate the risks. We have the following groundwater position statement (C5) for pipelines and fluid filled cables.

The Environment Agency will normally object to pipelines or fluid filled cables that transport pollutants, particularly hazardous substances that:

- pass through SPZ1 or SPZ2 where this is avoidable
- are below the water table* in principal or secondary aquifers

Where there is an existing or unavoidable need for pipelines or fluid filled cables to pass through SPZ1 or SPZ2, operators are expected to adopt Best Available Techniques and operate in accordance with the Energy Networks Association guidance. Where existing pipelines or fluid filled cables are already below the water table, or if the water level subsequently rises, the Environment Agency will work with operators to mitigate the risks. The Environment Agency will only agree to any redevelopment scheme with sub water table pipelines or fluid filled cables for the transport of hazardous substances where there are substantial mitigating factors. When the opportunity to replace existing fluid filled cables in SPZ1 and SPZ2 arises the Environment Agency will work with the operators to agree the best environmental option. The Environment Agency expects operators to carry out a site-specific risk assessment prior to the decommissioning of pipelines or fluid filled cables in SPZ1 and SPZ2. It will then work with operators to agree the best available environmental option.

* The term ‘water table’ is taken to mean any laterally continuous groundwater including perched groundwater. Operators should consider the lifetime of the pipeline or cable in their assessment of the depth to groundwater.

Paragraph 9.6.3 - dewatering is the removal/abstraction of water in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface.

The dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests.

This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site.

Cont/d..

Materials and chemicals likely to cause pollution should be stored in appropriate containers and adhere to guidance for the storage of drums and intermediate bulk containers. We advise that polluting materials and chemicals are stored in an area with sealed drainage.

There are a number of uncertainties at this point in the design process. We would like to refer the applicant to some of our other groundwater position statements, including:

- Position statement B - Protection of water intended for human consumption
- Position Statement G - Discharge of liquid effluents into the ground
- Position Statement N - Groundwater Resources and abstraction

Paragraph 9.6.7 - we question the assumption that power cables will be left in situ beneath watercourses following decommissioning and would encourage the inclusion of commentary on the potential legacy impacts this could present for both natural geomorphic evolution and potential future restoration of affected areas. We note the applicant's intention to submit a Framework Decommissioning Environmental Management Plan (DEMP) alongside the ES.

The Framework DEMP should include the development components in section 2.6, including any remaining development that could affect flood risk infrastructure (even if left in situ these may have an adverse impact on flood risk).

Paragraph 9.7.11 – we note and welcome the intention for a FRA to be produced as a technical addendum to the ES. The FRA should be in accordance with the National Planning Policy Framework (NPPF), Planning Practice Guidance and also the relevant National Policy Statements (NPS). This is likely to have a bearing on the climate change allowances to be used, and also whether additional modelling will be required.

The FRA will need to:

- Evidence and demonstrate that risk from all sources, now and in the future is taken into account. This may need to include additional modelling, which the report indicates will involve some consultation with the Environment Agency.
- Take account of the relevant NPSs, and climate change allowances ("credible maximum").
- Evidence and demonstrate that for any reliance on current or proposed flood risk infrastructure, it is made clear what this dependence is. Contributions may be required or expected depending on the interaction, and we would recommend this is discussed with the relevant Risk Management Authorities.
- Evidence and demonstrate that sensitive flood risk infrastructure can be located outside flood risk areas; or within flood risk areas with sufficient mitigation.
- Include full justification of the lifetime of the development (Section 2.6.1 indicates 40 years, but it could be longer). The revised Planning Practice Guidance states that non-residential development should include an assessment of at least 75 years. We highlight the need for full justification for the lifetime, and that this may have a bearing on the evidence required and/or need for further modelling. We recommend that a longer lifetime is considered, to ensure that the development would remain safe under a longer lifetime and/or additional climate change impacts.
- Decommissioning risks at the appropriate time are understood, or that these risks would be explored at the appropriate time in the future.

Construction operations will be further detailed in the CEMP. The following activities may have an interaction with flood risk, and should therefore ensure they utilise any information from the FRA:

Cont/d..

- Storage of materials should be utilised outside flood risk areas
- Temporary watercourse crossings:
  - We do not believe there are any intended for 'main rivers,' but if they are required then we would ask to see further details. Culverts are unlikely to be acceptable over any 'main river' because of their adverse impacts.
  - Temporary crossings over ordinary watercourses should consider the PPG position on use of culverts and East Riding of Yorkshire Council's Local Plan Policy ENV 6. However, these fall under the remit of the appropriate Risk Management Authority; the lead local flood authority and/or internal drainage board may also make advice in relation to ordinary watercourses.

We recommend that the FRA informs the mitigation approach. We are supportive of the approach which sets out an avoidance – mitigation – control (offsetting), which follows the approach embedded in the PPG Flood and Coastal Change chapter.

The latest guidance on climate change can be found here: https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances. This includes a section on the "credible maximum scenario" which should be read in conjunction with the National Policy Statements.

Paragraph 9.7.12 - states that solar farms are considered to be 'essential infrastructure' in accordance with Annex 3 of the NPPF, which we agree with. It may be appropriate to consider the development in phases or component parts, as per PPG paragraph 079 to help demonstrate a sequential approach to development of the site.

Paragraph 9.7.14 - indicates compensatory storage may be required depending on results of the FRA. The need for compensatory storage will need to take into account the effects of climate change (i.e. not just the flood zones), and also the sensitivity of any receptors.

Chapter 16 - Other Environmental Topics

Section 16.4 Ground Conditions – this references the Guidance on Land Contamination Risk Management, indicating that the first step will be a preliminary risk assessment. The applicant should ensure that this guidance is followed:

We recommend that developers should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on Gov.uk for more information

Table 16-1: Major accidents or disasters shortlisted for further consideration - We are supportive of residual flood risks, such flood defence failure, being included in the FRA. Other residual risks are described in the PPG.

Section 16.7 Materials and Waste - the developer must apply the waste hierarchy as a

priority order of prevention, reuse, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found here:https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/ pb13530-waste-hierarchy-guidance.pdf

Observance of the waste hierarchy objectives and principles of the circular economy will depend upon the selection of the most sustainable option at every phase of a development project, from reduction through design and architecture, to the selection of the most efficient recovery process for the treatment and use of waste. Site Waste Management Plans (SWMP) are no longer a legal requirement. However, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice, so we are pleased to see that a Framework SWMP will be provided along the ES.

Consideration should be given to the potential storage, treatment and disposal of any waste produced, including waste produced as a result of construction, drilling, boring, tunnelling and excavations.

The circular economy is a concept designed to keep materials in use as long as possible, thus promoting resource efficient practice and deriving economic benefits. Adherence to the waste hierarchy and adoption of best practice in relation to site waste management planning will help you deliver against circular economy objectives.

Waste On Site:
The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice: • excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution • treated materials can be transferred between sites as part of a hub and cluster project • some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- the waste management page on Gov.uk

Waste Taken Off Site:
Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes: • Duty of Care Regulations 1991 • Hazardous Waste (England and Wales) Regulations 2005 • Environmental Permitting (England and Wales) Regulations 2016 • The Waste (England and Wales) Regulations 2011. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 and WM3 Guidance 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

Cont/d..

Paragraph 16.7.16 – this states that there are no historic or permitted landfill sites within the scheme's boundaries. A permitted closed landfill that accepted biodegradable wastes can be found adjacent to scheme Area 2A. It is unlikely that the scheme will impact on the ability of the permit holder to fulfil their permit obligations. Should the proposed scheme boundary change to include areas of the landfill, potential impacts and mitigation measures would need consideration. There are no other landfill or deposit for recovery schemes located within the scheme boundaries.

Additional Advice

Environmental Permitting Regulations

The River Derwent and the River Ouse are classified as 'main rivers', so a flood risk activity permit will be required for any temporary or permanent works in, over, under or in close proximity of those watercourses.

A flood risk permit will be required for any works (temporary or permanent) within 16m of the River Ouse or 16m of the River Ouse flood defences, taken from the landward toe. For the River Derwent, a permit will be required for any works within 8m of the watercourse (or 8m from landward toe of flood defences where present).

All main river crossings must utilise trenchless methods (e.g. HDD).

We note that Section 9.6.6 sets a minimum standard below bed level for cables. This should also apply where flood defences are present, but will also need to take account of maintenance, operation and future flood schemes. We recommend that further discussion is planned with the Environment Agency to ensure flood risk infrastructure and cable infrastructure is compatible over the lifetime of the development.

Land Ownership

The grid connection cable route crosses the River Derwent at Wressle and Loftsolme Bridge and the Ouse near Barmby Barrage; both involving Environment Agency land. The banks traversed by the proposed cable are occupied by various farmers on Farm Business Tenancies and therefore appropriate notification and negotiation will be required.

We recommend early engagement on activities in these areas.

Proposed DCO Requirements

Paragraph 2.4.14 confirms that a Framework Biodiversity and Landscape Management Plan will be submitted with the Development Consent Order (DCO) application and will specify mitigation and enhancement measures that will support BNG. We support the development of this framework and support the proposal for a DCO Requirement securing a more detailed Biodiversity and Landscape Management Plan to be produced post-consent.

Paragraph 16.7.20 confirms that both a Framework CEMP and a Framework Site Waste Management Plan (SWMP) will also be submitted with the DCO application. We support the development of these and the proposal for a more detailed CEMP and SWMP to be submitted post-consent and secured through DCO Requirements.

Cont/d..

Following the provision of a Framework DEMP, the report suggests that it is likely that a DCO Requirement will commit the applicant to producing a detailed DEMP which would be agreed with the relevant authorities at the time of decommissioning, and we would support this approach.

We trust this advice is useful.

Yours sincerely

Miss Lizzie Griffiths
Sustainable Places - Planning Specialist

[redacted]

End

From:	Trevor
To:	East Yorkshire Solar Farm
Cc:	[redacted]
Subject:	Ref: EN010143 - East Yorkshire Solar Farm - EIA Scoping Report Notification and Consultation
Date:	10 October 2022 21:17:09

For the attention of the Planning Inspectorate,

Foggathorpe Parish Council would like to formally submit the following comments, and we request that clarifications on the following are included within the scope of the proposed EIA related to East Yorkshire Solar Farm Ref: EN010143.

1) The Environmental Impact Assessment Scoping Report says the EIA will look at how the scheme will affect the local highway network. We would like to point out to the Planning Inspectorate that many of the roads in the area are very narrow and even require traffic to pull over onto the verges to allow traffic to pass. Construction Vehicles will increase edge deterioration and settlement of these roads. Gribthorpe is a single track, no-through lane with no passing places. We the parish council are concerned that emergency vehicles may not be able to reach Gibthorpe if this lane is obstructed in any way. Also, the road to Gribthorpe from Foggathorpe is a non- gritting/snow plough route. We ask that the EIA please address this and what will be done to mitigate the risk of potential delays and blockages from larger construction vehicles getting stuck in the verges and blocking access on narrow roads during construction.

2) The Scoping report says the EIA will cover Soils and Agricultural Land. We would like the Planning Inspectorate to note that the fields included in this proposal have not been graded since the 1980s. We ask that the EIA states how much of each grade of farmland, green space and natural environment will be lost to this scheme (we understand it is over 3,000 acres).

3) The applicant (Boom) states it will create 1-3 jobs. Can the EIA please estimate how many agricultural workers and farm contractor jobs will be lost? And what impact will the loss of said agricultural land have on local agriculture and crop production? Will that for instance increase hay prices locally? Can the EIA please address all these impacts.

4) The report says the EIA will cover "visual intrusion" under the "cultural heritage" section. Can the EIA please state how many residences will be affected by alterations to the surrounding environment that may impact their visual amenity, or adversely impact their residence in any other way (such as character and views, which is stated as being within the scope of the EIA). Residential properties should also be considered when assessing the impact of glint and glare. We would like the Planning Inspectorate to note that in Area 4, one field has no hedging at all and a decent hedge takes 10/12 years to mature. We also understand the proposed sub-station at the end of Fox Cover Lane (near area 5) is apparently 11 meters high.

On page 241 of the Scoping Report it says the EIA will include "Photomontages from key viewpoints". Can the EIA please include every residential area within 1 mile of the scheme as a "key viewpoint" so people can see how the scheme will

affect their residences visual amenity.

On page 244 of the Scoping Report it says an assessment will be undertaken to identify the potential for solar reflections to impact on sensitive receptors. Can the EIA please include each residence within the scheme as a "sensitive receptor" in this analysis and provide a list of each residence that will experience glint and glare as an appendix of the EIA.

5) In the Environmental Impact Assessment Scoping Report the map on page 23 shows all the local footpaths that may be adversely affected by the scheme.

Can the EIA please identify any and all footpaths or walking routes, that will be adversely affected by the scheme in such a way that residents will lose access to these walking routes, or that the scheme will render them so unpleasant from heat, loss of character and views, glint and glare, that nobody will want to use these footpaths. Please list all adversely affected footpaths as an additional Appendix in the EIA.

6) Can the EIA discuss preserving access to existing footpaths (during and after construction) and can the EIA please discuss the potential to enhance opportunities for people to walk, exercise and enjoy outdoor spaces in the surrounding environment as a mitigating measure where any route is adversely affected by the scheme due to visual intrusion?

In section 3 of the Scoping Report - " Alternatives Considered" (on pg. 43) it appears the applicant has only considered a ***"no development"*** alternative which obviously would not deliver the additional electricity generation capacity and other benefits associated with the Scheme. We do not believe a ***"no development"*** alternative is a good enough comparison to justify this scheme. It is not acceptable to compare this scheme to a ***"no development"*** alternative. We believe more alternatives should have been considered in the initial assessment. With this in mind can the EIA please discuss and explain the following:

7) The viability of alternative sites, such as how many acres are available within the "Grid Connection Corridor" closer to Drax Power station, that would not affect the visual amenity of any residential properties and still have the advantage of good connections to the grid? (e.g the fields shown on the map on pg 90)

8) How does a roof-top solar scheme compare to this scheme? A large roof-top scheme could feasibly be implemented on a large scale on large existing industrial buildings like Amazon warehouses and distribution centres. How would that compare to this scheme which will result in loss of countryside?

9) How much additional power production could be unlocked, by making grants available to increase adoption of private rooftop solar and home battery storage options in urban areas and around the country? And how would that compare to the benefits of this scheme?

10) And finally can the EIA please include a section that explores the impact on property prices within the affected area, because this may have an adverse effect on residential properties within the environment of this scheme.

Submitted by Trevor Sutherland on behalf of Foggathorpe Parish Council

From:	Jillian Rann
To:	East Yorkshire Solar Farm
Subject:	EN010143 - Consultation on Scoping Opinion for East Yorkshire Solar Farm (Our ref: 22/03536/LETFRE)
Date:	10 October 2022 09:15:38

Good morning,

Thank you for your letter dated 12 September 2022, consulting Harrogate Borough Council on the Scoping Opinion for this project.

Harrogate Borough Council does not wish to make any comments at this stage.

Kind regards,

Jillian Rann MRTPI
Principal Development Management Officer
Place-Shaping & Economic Growth
Harrogate Borough Council
P O Box 787
Harrogate
HG1 9RW

[redacted]
Website: www.harrogate.gov.uk

Health and Safety Executive

CEMHD Policy - Land Use Planning,
NSIP Consultations,
Building 1.2,
Redgrave Court,
Merton Road,
Bootle, Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

Email: eastyorkshiresolarfarm@planninginspectorate.gov.uk

Dear Mr Briody (Associate EIA Advisor)

Date: 3 October 2022

PROPOSED EAST YORKSHIRE SOLAR FARM (the project)
PROPOSAL BY EAST YORKSHIRE SOLAR FARM LIMITED (the applicant)
INFRASTRUCTURE PLANNING (ENVIROMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended) REGULATIONS 10 and 11

Thank you for your letter of 12 September 2022 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the proposed East Yorkshire Solar Farm project components as specified in the AECOM Environmental Impact Assessment Scoping Report, September 2022, (EN010143-000015), (Figure 1-1 – Site Location Plan) cross the Consultation Zones of two Major Accident Hazard (MAH) sites with the following operators.

- HSE Ref #3257 operated by ITS Inglis Transport Services Ltd, Spaldington Airfield Spaldington, Goole, DN14 7NX
  (Note: East Yorkshire Solar Farm Project's Grid connection corridor and Solar PV, Plots 2b, 2c, 2d, are impacted by this MAH site)

- HSE Ref #4468 operated by DRAX Power Limited. Selby North Yorkshire,
  YO8 8PH. (Note: East Yorkshire Solar Farm Project's Grid connection corridor is impacted by this MAH site)

The Applicant should make contact with the above operators, to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident.

There are also several major accident hazard pipelines that the proposed development crosses, associated with the following operators:

- National Grid Gas PLC
  Pipelines- HSE Ref # 7738 (7 Feeder Cawood/ Eastoft) & HSE Ref # 14134 (29 Feeder Ganstead to Asselby pipeline)

- Northern Gas Networks

The Applicant should make the necessary approaches to the relevant pipeline operators. There are three particular reasons for this:

i) the pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.

ii) the standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds.

iii) to establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present, AECOM Environmental Impact Assessment Scoping Report, September 2022, (EN010143-000015), Section 2.5.3, states that a small number of operational staff i.e., one to three people would be present at any one time at the site. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

Hazardous Substance Consent

Would Hazardous Substances Consent be needed?

It is not clear whether the applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an addition rule in the Schedule for below-threshold substances. If hazardous substances planning consent is required, please consult HSE on the application.

Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive. This document includes consideration of risk assessments on page 3

Explosives sites

HSE has no comment to make as there are no licensed explosives sites in the vicinity.

Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

[redacted]

Allan Benson
CEMHD4 NSIP Consultation Team

Historic England

Our ref:
PL00791142
Your ref
:

Date:
07/10/2022

BY EMAIL
eastyorkshiresolarfarm@planninginspectorate.gov.uk>

Dear Sir/Madam

East Yorkshire Solar Farm EIA Scoping

Thank you for your email regarding the East Yorkshire Solar Farm.

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

In terms of our area of interest, we do not at this time have any detailed comments to make on the East Yorkshire Solar Farm EIA Scoping. However, we do have some general comments.

The archaeological component seems to be satisfactory subject to further consultations with under control – there has obviously been a lot of conversations between the consultants, NYCC and East Riding Principal Archaeologists and they have agreed a sequence of works to create the archaeological baseline.

- the methodology should be amended as the 'significance of effects' is not the same as the 'effect on significance'.
- We don't agree with the ranking of heritage assets (Table 7 – 1). The emphasis on Grade II buildings should be higher than 'Medium'.
- More credence should be placed on long distance views. We appreciate that the red line area is purely notional at the moment, there will be changes and not the entirety of the area will be given over to solar panels. Information on how views change as the viewer moves through the landscape – taking a more dynamic approach rather than an approach to views based on fixed points.
- There is obviously going to be a lot of archaeology being done, and it would be useful if the consultant and the Principal Archaeologists at NYCC and E Yorks could agree a suite of overarching research questions for the project: What do we need to know about the development of this area, what are the big archaeological / heritage questions?

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

Jim Hanrahan (MRTPI)
Development Adviser | North East and Yorkshire
Mobile: [redacted]

From:	White, Louise
To:	East Yorkshire Solar Farm
Cc:	Carr, Jonathan; EastYorkshireSolarFarm@Boom-Power.co.uk
Subject:	EN010143 East Yorkshire Solar Farm - EIA Scoping Report Notification and Consultation
Date:	13 September 2022 18:05:24
Attachments:	image002.png image004.png EN010143 East Yorkshire Solar Farm - Statutory Consultation.pdf

Dear Joseph,

Thank you for sending the attached letter to Leeds City Council. I can provide comment on behalf of the Leeds Planning Service.

I note that the proposed built development lies mainly within East Yorkshire but the grid connection from it would feed into the DRAX substation within Selby. Whilst I consider that Leeds City Council is a consultation body as defined by the EIA Regulations, mainly so because the Leeds district abuts the Selby district, I do not consider it essential for us to provide comments on the submitting Scoping Opinion. We are content for our planning colleagues within Selby Council to make representations on the Scoping Opinion because they are directly affected by the proposal, in additional to East Yorkshire.

That said, in principle, Leeds City Council supports renewable energy generation as a measure to meet national and local Climate Change commitments but we will leave matters of detail to those Council's directly affected. I hope this is acceptable but should you require anything further then please do not hesitate to email me.

Kind regards

Louise White
Planning Team Leader (Minerals, Waste and Energy)
Development Management
Leeds City Council.

From:	Roger Turnbull
To:	East Yorkshire Solar Farm
Cc:	Michelle Thorpe
Subject:	Proposed East Yorkshire solar farm
Date:	23 September 2022 22:17:58

Dear Sir

Long Drax Parish is not proposed to have solar panels, but is the route for the cables to go from the River Ouse crossing to Drax Sub station. The proposed route area looks wide, but there will be restrictions due to Drax Abbey scheduled monument, Drax power Station cooling water make up pipeline Trees with TPOs along Pear Tree Avenue and The Old Lodge cottage.

It has been noted that the proposed cables will most likely be underground, but may be above ground on pylons. The underground proposal is preferred, due to the negative visual impact of pylons. The area adjacent to Drax Power Station has a number of 132 and 400Kv circuits on pylons and we do not want see any more.

Construction of the cable route will be disruptive to local residents, due to traffic, noise, dust, mud on road and site lights, so we would wish that this would be minimised to prevent complaints and concerns.

The river crossing needs to be constructed without compromising the flood defences at any time as during flood tides water does rise onto the foreshore testing the bank.

Road closure need to be a consultation with the PC so that residents are not stranded or their businesses are not compromised.

As the Solar Farm plans to be built on arable land reducing it to scrub land with sheep to eat the weeds, loss of food production will need to be considered as a whole for the area and the country, as this is not the only large solar farm plan in the area.

Regards

Roger Turnbull
Chair Long Drax Parish Council.

1-3 Strand
London WC2N 5EH

www.nationalgrid.com

Planning Inspectorate
The Square, Temple Quay,
Temple Quay House,
Bristol
BS1 6PN

6th October 2022

Dear Sir/Madam,

APPLICATION BY EAST YORKSHIRE SOLAR FARM LIMITED (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE EAST YORKSHIRE SOLAR FARM (THE PROPOSED DEVELOPMENT) SCOPING CONSULTATION

This response is from National Grid Electricity Transmission (NGET) with regard to our proposals for Scotland England Green Link 2 (SEGL2). The project is a major reinforcement of the electricity transmission system comprising a two gigawatt (GW) High Voltage Direct Current (HVDC) link from Peterhead in Aberdeenshire, Scotland to Drax in North Yorkshire, England.

SEGL2 – Onshore Works

NGET is currently seeking planning permission from East Riding of Yorkshire Council (application reference 22/01990/STPLFE) and from Selby District Council (application reference 2022/0711/EIA) for the development of the onshore components for SEGL2. These comprise approximately 68km of underground High Voltage Direct Current (HVDC) cables from Fraisthorpe to Drax, a converter station located off New Road at Drax and underground High Voltage Alternating Current (HVAC) cables between the converter station and Drax 400kV Substation as well as associated temporary works to facilitate construction. Subject to planning permission being granted it is expected that construction of the onshore components will be undertaken between 2024 and 2029.

Interface with the proposed East Yorkshire Solar Farm

NGET and Boom Power have held preliminary discussions regarding our respective interests and ensuring that our developments take account of each other. Areas of the proposed Solar PV Site (identified as 2g and 3c in Figure 1-1 of the Scoping Report) as well as its proposed Grid Connection overlap with the application boundary for SEGL2 including the proposed HVDC cable route corridor and converter station site. We therefore note that Boom Power will need to have regard to the onshore components of SEGL2 in developing its scheme and will need to fully consider it as part of the cumulative assessment of its East Yorkshire Solar Scheme.

Please note that this response is provided separate to any further representation on the likely interface between the East Yorkshire Solar Farm and existing operational assets held by NGET.

I hope the above information is useful. If you require any further information, please do not hesitate to contact me on the details below.

Yours sincerely,

David Ritchie
SEGL2 Onshore Consents Lead
National Grid Electricity Transmission

National Grid House
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Complex Land Rights
Ellie Laycock
Development Liaison Officer
UK Land and Property
[redacted]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
eastyorkshiresolarfarm@planninginspectorate.gov.uk

10 October 2022

Dear Sir/Madam

APPLICATION BY EAST YORKSHIRE SOLAR FARM LIMITED (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE EAST YORKSHIRE SOLAR FARM (THE PROPOSED DEVELOPMENT)

SCOPING CONSULATION REPONSE

I refer to your letter dated 12th September 2022 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET). Having reviewed the scoping report, I would like to make the following comments regarding NGET infrastructure both existing and proposed within or in close proximity to the current proposed red line boundary.

NGET has an existing high voltage electricity overhead transmission line referred to as 4VC and a proposed new infrastructure project, Scotland to England Green Link 2 (SEGL2), within the scoping area. The overhead line forms an essential part of the electricity transmission network in England and Wales. The SEGL2 proposal forms an essential extension to this link to transmit Green Energy by 2030 from the East coast to the existing network.

Overhead Lines

4VC 400kV OHL	Drax – Thornton 1
	Drax – Thornton 2

SEGL2

NGET is proposing a 68km onshore cable route between the cable landfall at Fraisthorpe and a new converter location adjacent to the existing Drax facility. This is scheme is subject to a recent planning application that was submitted to both Selby and North Yorkshire County Council. Please note that a separate response has been provided on the likely interface between the Proposed Development and the proposed SEGL2 project.

National Grid House
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Specific Comments – Electricity Infrastructure:

- NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset

- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004)".

- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.

- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.

- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.

- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.

- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above.

- NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.

- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

To download a copy of the HSE Guidance HS(G)47, please use the following link:
http://www.hse.gov.uk/pubns/books/hsg47.htm

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Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Further Advice

We would request that the potential impact of the proposed scheme on NGET's existing and proposed assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where any diversion of apparatus may be required to facilitate a scheme, NGET is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGET. Further information relating to this can be obtained by contacting the email address below.

Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.

NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: **box.landandacquisitions@nationalgrid.com**

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

The information in this letter is provided not withstanding any discussions taking place in relation to connections with electricity customer services.

Yours faithfully

[redacted]

Ellie Laycock
Development Liaison Officer, Complex Land Rights

National Grid House
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Vicky Cashman
DCO Liaison Officer
[redacted]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
eastyorkshiresolarfarm@planninginspectorate.gov.uk

30 September 2022

Dear Sir/Madam

APPLICATION BY EAST YORKSHIRE SOLAR FARM LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE EAST YORKSHIRE SOLAR FARM

SCOPING CONSULATION REPONSE

I refer to your email dated 12th September 2022 regarding the above proposed DCO. National Grid Gas has reviewed the Scoping documents provided and wishes to make the following comments.

National Grid Gas (NGG) Infrastructure within or in close proximity to the development

NGG has identified at this stage the following apparatus within the vicinity of the proposed works:

- Feeder Main 29 – Ganstead to Asselby
- Feeder Main 7 – Cawood to Susworth T West

Note: No liability of any kind whatsoever is accepted by National Grid Gas or its agents or contractors for any error or omission

Please note that NGG has existing easements for these pipelines which prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip.

Should any diversions be required to facilitate the scheme, NGG will require adequate notice and discussions should be started at the earliest opportunity. Please be aware that diversions for high pressure apparatus can take in excess of two years to plan and procure materials

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGG's apparatus, NGG will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective Provisions.

Where diversions are required to facilitate the scheme, it is essential that adequate temporary and permanent land take, land rights and consents are included within the Order to enable works to proceed in time and to provide appropriate rights for NGG to access, maintain and protect apparatus in future

Key Considerations:

National Grid House
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

- NGG has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

- Please be aware that written permission is required before any works commence within the NGG easement strip.

- The below guidance is not exhaustive and all works in the vicinity of NGG's asset shall be subject to review and approval from NGG's plant protection team in advance of commencement of works on site.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid Gas's Specification for Safe Working in the Vicinity of NGG Assets. There will be additional requirements dictated by NGG's plant protection team.

- NGG will also need to ensure that its pipelines remain accessible during and after completion of the works.

- Our pipelines are normally buried to a depth cover of 1.1 metres, however actual depth and position must be confirmed on site by trial hole investigation under the supervision of a NGG representative. Ground cover above our pipelines should not be reduced or increased.

- If any excavations are planned within 3 metres of NGG High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a NGG representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.

- Below are some examples of work types that have specific restrictions when being undertaken in the vicinity of gas assets therefore consultation with NGG's Plant Protection team is essential:

    - Demolition
    - Blasting
    - Piling and boring
    - Deep mining
    - Surface mineral extraction
    - Landfilling
    - Trenchless Techniques (e.g. HDD, pipe splitting, tunnelling etc.)
    - Wind turbine installation
    - Solar farm installation
    - Tree planting schemes

Pipeline Crossings:

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Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with NGG prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the NGG pipeline without the prior permission of NGG
- NGG will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to NGG.
- An NGG representative shall monitor any works within close proximity to the pipeline to comply with NGG specification T/SP/SSW22

Cable Crossings:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A new service should not be laid parallel within an easement strip
- Clearance must be at least 600mm above or below the pipeline
- An NGG representative shall approve and supervise any cable crossing of a pipeline.
- A Deed of Consent is required for any cable crossing the easement

We request that the potential impact of the proposed scheme on NGG's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where any diversion of apparatus may be required to facilitate a scheme, NGG is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGG. Further information relating to this can be obtained by contacting the email address below.

Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGG apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO. NGG requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection.

Yours Faithfully

[redacted]

Vicky Cashman, Consultant DCO Liaison Officer

From:	Geoghegan, Simon
To:	East Yorkshire Solar Farm
Cc:	[redacted] Spatial Planning
Subject:	EN010143 - Proposed East Yorkshire Solar Farm
Date:	21 September 2022 16:32:14
Attachments:	ERYC - PINS - EN010143 - East Yorkshire Solar Farm - DevHU0123 TM001 .pdf

We are responding to an Application by East Yorkshire Solar Farm Limited (the Applicant) for an Order granting Development Consent for the East Yorkshire Solar Farm (the Proposed Development), and specifically to a Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.

Our Technical Memorandum is attached, and states our position clearly; this is about protecting the safety and smooth operation of the Strategic Road Network, in this case sections of the M62 Motorway, throughout the construction and operation of the solar farm sites proposed. We recommend that a number of documents should be prepared, and we give the sources for the content of those.

As far as National Highways are concerned, the Scoping Consultation does not need to end now, and we will work directly with the applicant and their consultants to bring about a refined document to go into the DCO process.

Best Wishes.

I am currently working from home. Communications are best sent by email.
The Telephone number given below works via the internet.
Please leave messages as email.

Simon GP Geoghegan, Planning and Development
National Highways | 2 City Walk | Leeds | LS11 9AR
[redacted]
Web: www.nationalhighways.co.uk

East Yorkshire Solar Farm – DCO – Scoping Request – JSJV Review

Prepared for:	Simon Geoghegan (National Highways)
Prepared by:	Jonathan Parsons
Date:	20 September 2022
Case Reference:	DevHU0123
Document Reference:	TM001
Reviewed/approved by:	Richard Edwards

Overview

The Jacobs Systra Joint Venture [JSJV] has been tasked by National Highways to review an Environmental Impact Assessment Scoping Report [the Report] produced by AECOM in support of solar farm development proposals at land north of Howden, East Riding of Yorkshire. The development proposals are going through the Development Consent Order [DCO] process, reference EN010143.

The development proposals located across numerous parcels of land, in and around, Howden, Wressle and Spaldington, and in close proximity to M62 Junction 37, which forms part of the Strategic Road Network [SRN], hence the need for this review to ensure that the development proposals do not materially impact upon the capacity, operation and safety of the SRN.

This Technical Memorandum [TM] reviews the relevant sections of the Report, advising AECOM on the suitability of their proposals with regards to the SRN.

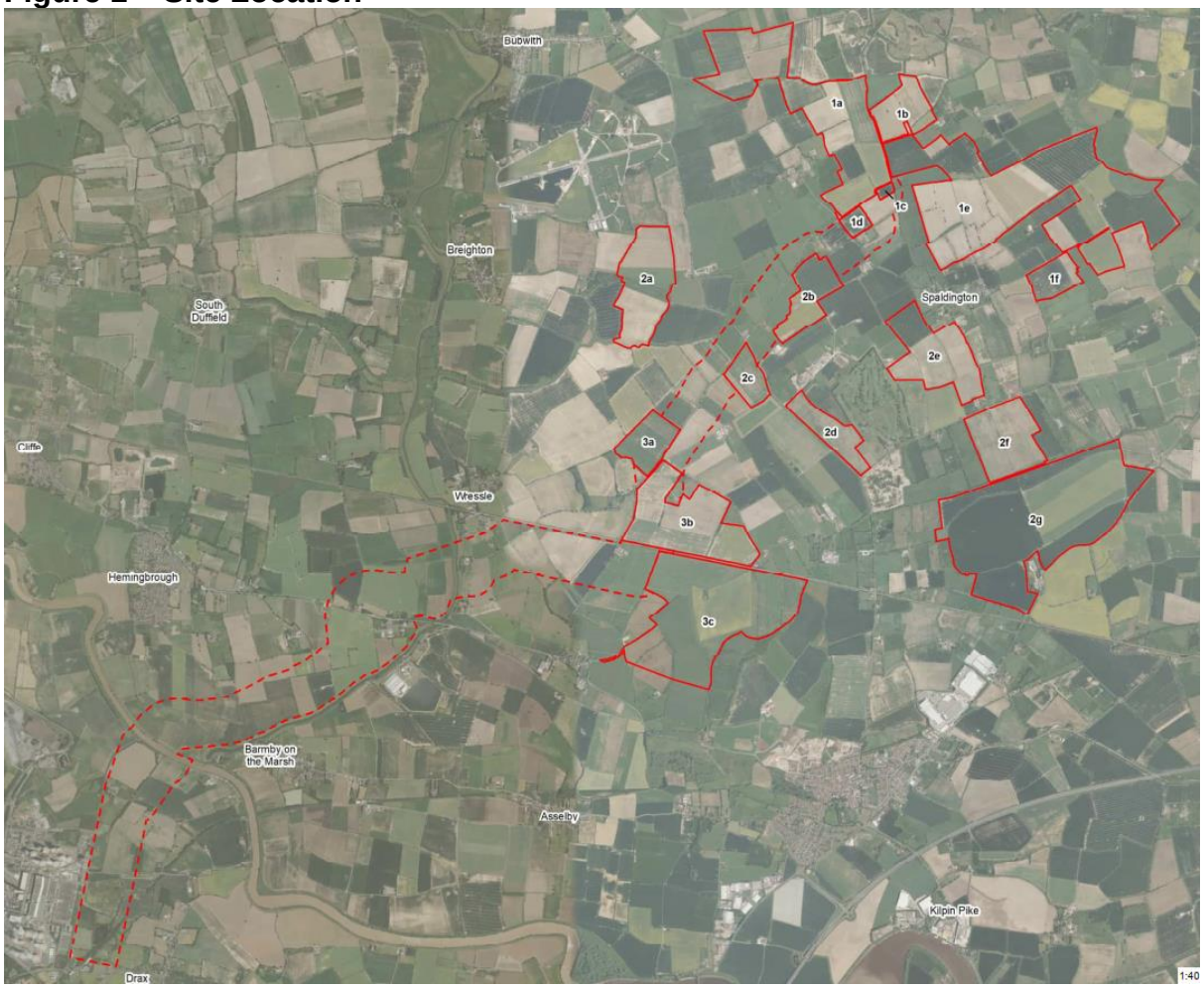
A summary and conclusions are provided at the end of this TM.

EIA Scoping Report Review

The Scheme

The location of the development proposals can be seen at Figure 1.

Figure 1 – Site Location



(Source: Site Boundary Plan, EIA Scoping Report, Page 18)

It is stated that the development proposals comprise the installation of solar photovoltaic [PV] generating panels, associated electrical equipment, cabling and on-site energy storage facilities across a proposed site which lies between Selby and East Riding of Yorkshire together with grid connection infrastructure. Furthermore, it is stated that the development proposals would allow for an anticipated export of approximately 400 megawatts (MW) electrical capacity.

AECOM states that due to its proposed generating capacity, the development proposals are classified as a Nationally Significant Infrastructure Project [NSIP] and will therefore require consent via a DCO under the Planning Act 2008.

The Report states that it assesses the expected maximum extent of land that would be included within the application for a DCO, which includes all land being considered for the purposes of the scheme and provides a 'plan sufficient to identify the land' for the purposes of the Report. Furthermore, it is stated that it should be noted, this represents the likely maximum extent based on all the options for components that have been, and will be, the subject of consultation and is likely to be refined as the design progresses.

Construction Programme and Activities

Construction Staff

It is stated that based on AECOM's experience of other similar sized solar projects, it is currently estimated that up to 600 staff per day will be required to work on the development proposals during peak construction period, which is likely to include construction of the 132/33 kV substations, export cable, modifications to the National Grid Drax Substation, and building of solar PV in some of the early plots.

Furthermore, it is stated that the numbers above are expected to be a worst case based on the most rapid build out programme, and there will be noticeably fewer workers outside peak activities.

This is noted by JSJV, and it is considered that this should be detailed by AECOM within a Construction Traffic Management Plan [CTMP].

Construction Traffic and Site Access

AECOM states that based on the preliminary construction material and equipment requirements, it is anticipated that there could be up to a total 15 heavy goods vehicle [HGV] movements per day for a 52-week peak construction period, based on the most rapid build out. Furthermore, it is stated that this number is indicative, excludes construction staff transportation and ancillary construction traffic, and is subject to refinement; and that a reasonable worst-case scenario will be assessed in the Environmental Statement [ES]. This approach is accepted by JSJV at this point in the process.

The Report states that it is anticipated that the existing local roads will be utilised, subject to suitability of these roads to carry HGVs. In addition, it is stated that the need for road upgrades, widening and new road construction, for example for abnormal loads [AILs] or to ensure visibility splays at site access / egress points, will be determined as the scheme design develops, and will be assessed as appropriate.

The Report states that a Framework CTMP will be developed and submitted with the application. This is welcomed by JSJV, and more detail regarding its contents are discussed later in this TM. Furthermore, it is considered by JSJV that the CTMP and Transport Assessment [TA] should be aligned and consistent with each other.

Construction Environmental Management

The Report states that a Framework Construction Environmental Management Plan [CEMP] will accompany the DCO application, which will describe the framework of mitigation measures identified in the ES to be followed and to be carried forward to a Detailed CEMP prior to construction. Furthermore, it is stated that the aim of the CEMP is to reduce nuisance impacts from:

- Use of land for temporary laydown areas, accommodation, etc.;
- Construction traffic (including parking and access requirements) and changes to access and temporary road or footpath closure (if required);
- Noise and vibration;
- Utilities diversion;
- Dust generation;
- Soil removal; and
- Waste generation.

It is stated that the detailed CEMP will be produced by the appointed construction contractor and agreed with the local planning authorities following grant of the DCO and prior to the start of construction (for example, as part of a requirement attached to the DCO) and will identify the procedures to be adhered to and managed by the Principal Contractor throughout construction.

This approach is considered acceptable by JSJV, although it is considered by JSJV that mechanisms should be put in place by AECOM to minimise the level of trip generation at peak times on the SRN and local road network.

Decommissioning

AECOM states that the design life of the development proposals is expected to be at least 40 years, although the design life could be longer than this depending on the condition of equipment.

Furthermore, it is stated that when the operational phase ends, the site will require decommissioning. It is stated that all PV modules, mounting poles, cabling, inverters, transformers and switchgear would be removed from the Solar PV Site and recycled or disposed of in accordance with good practice and market conditions at that time; and the site will be returned to its original use after decommissioning.

The Report states that a Framework Decommissioning Environmental Management Plan [DEMP] will be prepared as part of the EIA and will set out the general principles to be followed in the decommissioning of the Scheme; and a Detailed DEMP be prepared and agreed with the relevant authorities at that time of decommissioning, in advance of the commencement of decommissioning works, and would include timescales and transportation methods. Given the proposed timescales between the site becoming operational and decommissioning, it is considered by JSJV that the DEMP should be prepared at the time of decommissioning.

The Report states that the effects of decommissioning are usually similar to, or of a lesser magnitude than, construction effects and will be considered in the relevant sections of the ES. This is noted by JSJV and will be reviewed within the DEMP at the appropriate time, but as above, it is considered by JSJV that mechanisms should be put in place by AECOM to minimise the level of trip generation at peak times on the SRN and local road network.

Transport and Access

Introduction

It is stated that this section of the Report outlines the anticipated traffic and transport scope of assessment for the development proposals; and the objectives of the chapter are to:

- Describe the baseline environment in relation to traffic and transportation;
- Outline the methods and assessment to be undertaken for inclusion within the ES; and
- Identify any potential effects on users of the local transport network that may arise as a result of the development proposals and any potential mitigation measures.

Study Area

It is stated that due to the nature of the development proposals and the number of individual solar PV plots involved, consideration will need to be given to a number of locations within the surrounding highway network which could potentially be impacted. Key roads likely to require consideration include:

- A63;
- A614;
- A163;
- A645;
- B1228 Street Lane / Wood Lane;
- Wood Lane;
- Tottering Lane;
- Ings Lane;
- Willitoft Road;
- Spaldington Lane;
- Brind Lane;
- Rowlandhall Lane;
- Bell Lane; and
- New Road.

The Report states that the extent of the study area for assessment in terms of highway impact will be subject to discussion, and agreement will be sought with National Highways, and East Riding of Yorkshire Council, Selby District Council and North Yorkshire County Council as highway authorities for the SRN and Local Road Network respectively. Furthermore, it is stated by AECOM that at this stage, it is not considered that junction capacity analysis will be required.

It is considered by JSJV that the SRN should be included within the SRN – namely M62 Junction 37 – as this will be the principle point of access to the development proposals from vehicles travelling from further afield. Furthermore, it is considered by JSJV that this junction may require to be assessed through junction capacity analysis within the TA as the DCO submission develops.

Legislation, Planning Policy Context and Guidance

JSJV has reviewed this section of the Report and found it to be broadly acceptable. However, DfT Circular 02/2013 should be referenced within this section as JSJV consider that the SRN should be included within the study area.

Furthermore, it is stated that in accordance with the policies and guidance set out above, a TA will be prepared (scope and approach to be confirmed with National Highways and East Riding of Yorkshire Council), which identifies the impact of the development proposals and what mitigation is required. This approach is accepted by JSJV, and it is considered that this TM will inform the scope of the TA.

Consultation

It is stated that National Highways and other local authority Highways teams (East Riding of Yorkshire Council, North Yorkshire County Council and Selby District Council) will be consulted with regard to traffic and transport to determine, and seek agreement on, the scope and approach. AECOM state that this will include the extent of the study area for assessment in terms of highway impact and the scoping of potential junction capacity analysis.

This approach is welcomed by JSJV and it is considered that this TM forms part of the consultation process, with JSJV advising AECOM on National Highways' requirements with regards to the transport and highways elements of the DCO submission.

Sources of Baseline Information and Consultation

AECOM states that in order to inform the assessment of the development proposals, information from a number of sources will be collected. The sources which will be used are set out below:

- Automatic Traffic Counts [ATCs] will be undertaken at a number of locations in the vicinity of the development proposals to determine the baseline traffic conditions of the surrounding highway network. Average Annual Daily Traffic [AADT] flows will be derived from the ATC data to enable the baseline traffic flows to be established at the required design years. The extent of the traffic data and scope for any traffic surveys that may be required will be agreed with East Riding of Yorkshire Council, North Yorkshire County Council and Selby District Council Highways;
- Personal Injury Accident [PIA] data for the most recent five-year period, obtained, from the highway authorities, will provide information on each collision including severity as well as factors which attributed to the collision;
- Local travel information will be gathered from various sources including local bus operators and East Riding of Yorkshire Council, North Yorkshire County Council and Selby District Council;
- OS / Architectural Base Mapping will be used to ascertain an accurate geographical representation of the areas in the vicinity of the Scheme; and
- Travel mode share data from the 2011 Census.

With regards to the data sources, it is considered by JSJV that the SRN should be included within the study area, and as such, AECOM may need to utilise the WEBTRIS database in order to identify flows at the SRN. However, this may need to be supplemented by ATCs to ensure the study area is comprehensively covered with regards to base flows in the network peak hours. Furthermore, it is considered that the PIA data collected should be for the most recent five-year period where COVID-19 restrictions were not in place.

It is stated that to determine the impact of the development proposals, a number of scenarios will be assessed using the information collated above. The scenarios considered appropriate for assessment are:

- Baseline (2022);
- Peak Construction Year without the Scheme; and
- Peak Construction Year with the Scheme.

It is considered by JSJV that for the purposes of the TA, the assessment scenarios should be compliant with DfT Circular 02/2013, whilst also ensuring that the peak years of construction are included as assessment years to ensure the impact at the SRN can be assessed.

AECOM states that the peak construction year will be ascertained from the construction programme once available and will consider both HGV and all other traffic associated with the construction of the development proposals. JSJV welcomes that the scenarios will be built on a ‘first principles’ approach to trip generation.

This is considered by JSJV to be the most accurate methodology to enable to understand and assess any peak hours impacts at the SRN.

It is further stated that the future baseline will be established by extrapolating the 2022 ATC data to future years using appropriate factors (based on the local MSOA) using the industry standard software TEMPro; and this will provide a robust estimate as to the future baseline traffic levels during the three phases of construction. It is considered by JSJV that using the local MSOA will only account for trips ends that occur in the MSOA and this does not take into account through movements. As such, this approach will need to be reconsidered by AECOM.

In addition, a consideration of any committed and cumulative developments within the area will also be included.

This approach is welcomed by JSJV, and it is recommended that the Local Planning Authorities are consulted to ensure a comprehensive list of committed developments is included within the assessment scenarios. Furthermore, it is considered by JSJV that Local Plan sites should be considered as a consequence of the stated timescales for construction and decommissioning.

Planned Surveys

It is stated that ATCs will be undertaken during a neutral month and will provide two-way traffic flows, classified by vehicle type, including HGVs. Furthermore, it is stated that the locations and timings of the ATC surveys, along with the requirement for any detailed junction capacity modelling will be agreed with East Riding of Yorkshire Council, North Yorkshire County Council and Selby District Council. JSJV consider that as a consequence of this TM, the SRN should also be included within the study area and National Highways should be added as an organisation to seek agreement from.

Potential Effects and Mitigation

AECOM states that the nature of the development proposals is such that the greatest impact is likely to occur during the construction and decommissioning phases and this will be the focus of the assessment of transport affect presented in the ES. This is accepted by JSJV.

Construction

It is stated that during construction there will be temporary increases in traffic flows on the road network that will be used by construction vehicles to access the different construction areas.

As such, the Report states that a key change from the baseline position is the number and percentage of HGVs using local roads; and that traffic generation for each phase of the development will be provided to AECOM so that it can be used for assessment purposes and inform the future baseline.

It is stated that traffic associated with the different aspects of the development proposals and phases (split by vehicles / HGVs) will then be added to the network to form the future traffic levels; and this will then be used to form the basis for assessment. This approach is accepted by JSJV, although it is reiterated by JSJV that it is not just HGV movements in the network peaks which need to be assessed, but also the movements of construction workers.

AECOM states that further detail on proposed access to the development proposals will be included within the ES chapter and the TA, which will be submitted with the application. This is accepted by JSJV.

Furthermore, it is stated that the potential mitigation measures, which could be implemented during the construction phase include:

- Development of a CTMP, which includes details on restrictions of HGV movements to certain routes, days of the week and times of the day; and
- Development of a Construction Worker Travel Plan [CWTP], which includes details of methods to be used to encourage sustainable travel to / from sites for workers.

This approach is accepted by JSJV, although it is considered by JSJV that a restriction on start and end times to construction shifts could be used to minimise the impact in the network peak hours. Furthermore, it is considered by JSJV that the CWTP and TA should be aligned and consistent with each other.

Operation

It is stated that it is anticipated that there will be up to three permanent staff on-site at any one time during the operational phase, predominantly undertaking maintenance tasks. In addition, as a worst-case assumption at this stage it is assumed by AECOM that there will be 10 to 20 visitors per week (equating to 2 to 4 visitors per day) for deliveries and servicing of equipment.

In addition, staff vehicles and those used for maintenance will primarily be four wheeled drive vehicles and vans, with HGVs rarely accessing the site during the operational phase (only required for exceptional maintenance activities).

As such, it is stated that due to the low level of trips likely to be generated within the network peak hours (with up to seven arrivals and seven departures expected daily), it is proposed to scope operational phase transport effects out the EIA; and further detail of the operational stage transport arrangements will be set out in the ES and TA to support this approach.

It is considered by JSJV that the operational phase of the development proposals is likely to have less impact at the SRN than the construction phase. However, this will need to be demonstrated in the TA by AECOM, using a ‘first principles’ approach to trip generation for this phase.

Decommissioning

It is stated that at this stage the number of vehicle movements required to decommission the development proposals is not known, as such the level of predicted impact cannot be identified at this stage. However, it is predicted by AECOM to be similar to the construction phase.

As such, the Report states that at the time of decommissioning, an assessment similar to that undertaken for the construction phase as part of the ES would be carried out.

As noted previously within this TM, given the proposed timescales between the site becoming operational and decommissioning, it is considered by JSJV that the DEMP should be prepared at the time of decommissioning. This can then be reviewed to ensure it is fit for purpose.

Mitigation

AECOM states that based on the potential for significant effects generated by the development proposals on traffic and transport, it is likely that mitigation will be required to reduce the potential impacts. This acknowledgement by AECOM is welcomed by JSJV at this stage in the process.

The following are stated by AECOM as being potential measures:

- Embedded and additional measures including travel planning and HGV management will be incorporated into a Framework CTMP to be submitted with the application;
- Programming of HGV movements may be subject to restricted periods of the day and the working week on some, or all, of the access routes. For example, on routes close to schools HGV movements may be restricted during drop off and pick up times to improve traffic flow and safety;
- Other minor highway improvements could potentially be carried out in sensitive locations to reduce the impact of the construction traffic; and
- The assessment of routes from the A-road network to the sites will determine the feasibility of routes and where mitigation works are required.

The Report states that it is anticipated that all mitigation required will be set out within the outline designs where required for route improvements between the A-road network and the development proposals. In addition, swept path analysis will be presented to support these designs where required; and temporary diversion or other mitigation measures for footpaths and cycle paths will be proposed where necessary. It is considered by JSJV that this approach at this stage in the process is accepted, although it is considered that a further measure could be a restriction on start and end times to construction shifts could be used to minimise impact in network peak hours.

Transport Assessment

AECOM states that the ability of the highway network to accommodate the development traffic will be assessed and reported in a TA which will form a technical annex to the ES Chapter; and the TA will include information on:

- A review of relevant national, regional and local policies;
- Description of the existing baseline conditions – a thorough description of the roads, railway lines, footpaths, bridleways and cycle paths. Traffic flows on these routes and levels of use on bridleways, footpaths and cycle paths will be measured through site observations and agreed with the relevant planning authority;
- A review of the road safety data for the most recent five-year period within the identified search area;
- Description of the development proposals, setting out timescales for construction, compound locations, access routes to compounds, construction methods;
- Traffic generation of compounds and any other relevant sites for construction staff with a profile of arrivals and departures for the day and HGV traffic with a profile of arrivals and departures for the day;
- Distribution and assignment of trips on the road network with construction traffic distributed based on a gravity model of worker catchment area and HGVs assigned from the road network;
- Analysis of abnormal load requirements and routing;
- Swept path analysis to assess construction vehicle movements and access suitability;
- Mitigation measures; and
- Summary and conclusions.

In previous sections of this TM, JSJV has already made comments regarding issues that inform the different sections that comprise a TA. And as such, they should be incorporated within the TA, which should by compliant with DfT Circular 02/2013.

Assumptions, Limitations and Uncertainties

The Report states that at this stage the exact extent of the study cannot be confirmed in terms of traffic and transport as detailed discussions have not yet taken place with National Highways or East Riding of Yorkshire Council / North Yorkshire County Council / Selby District Council as highway authorities for the SRN and local road network respectively. It is considered by JSJV, that by way of this TM, that the SRN should be included in the study area.

Summary of Elements Scoped In and Scoped Out

A summary of the elements scoped into and out of the assessment of transport and access are presented in Table 13-5 in the Report.

JSJV agree with the elements that have been scoped in, however, evidence will have to be provided within the TA for justification that the elements that have been scoped out should not be included for assessment purposes.

Additional Considerations

Having reviewed the Report, JSJV has the following additional considerations.

Glint and Glare

It is not known at this stage as to whether glint and glare from the development proposals will be an issue for users of the SRN. As such, some form of glint and glare assessment will need to be produced by AECOM to advise National Highways on the impact of this issue at the SRN.

Whilst the below is an exhaustive list of what National Highways would require with regards to the assessment of glint and glare, due to the development proposals' proximity to the SRN, the appropriate level of assessment should be produced by AECOM.

When considering glint and glare, it is considered that the following information should be provided within each application:

- Outline of the site context, including location, proximity to SRN, topography and height above sea level; and
- Outline of proposal details, including scale, site boundary, site map, mounting arrangements and orientation.

In addition, it is considered by JSJV that the following information should be provided where it is considered that glint and glare has the potential to impact upon users of the SRN:

- Overview of sun movements, including time, date, latitude and longitude, as well as the relative reflections;
- Identification of potential receptors of concern. For National Highways the primary concern will be the reflection of the sun from the solar panels towards surrounding road users;
- Identification of representative locations approximately every 100m along the surrounding road network where the solar development may be visible, if only marginally;

- Undertake geometric calculations to determine whether a solar reflection may occur for each of the identified road-based receptors from the proposed development. A height of between 1.05m and 2.0m should be added to the overall ground height at a particular location to reflect the estimated eye level of a road user, in line with the visibility envelopes in CD109;
- Height differences between the solar panels and the SRN in question need to be considered. If the road-based receptors are below the envisaged reflection, then there is no need for a Visual Impact Assessment;
- Where it has been calculated that a reflection may occur for road receptors, consideration should be made of the location of the solar reflection with respect to the location of the sun in the sky, its angle above the horizontal and the time of day at which a reflection could occur;
- Provide a breakdown of the significance of the impacts and determine whether the solar reflection is likely to be a significant nuisance or a hazard to safety;
- Consider the influence of appropriate measures such as screening, revised use of materials and orientation to mitigate the potential impact on road users; and
- Consider the impact on signage and gantries at the SRN which may impair driver decision-making.

In additional, there are a number of further considerations which the applicant will be required to consider:

- Does the panel elevation angle provided by the applicant represent the elevation angle for all of the panels within the development;
- Does the assessment consider not only the reflection from panel faces, but also from the frame or reverse of the panel, as these can often be comprised of materials with reflective capability;
- Does the assessment consider an appropriate number of receptors, rather than a singular location; and
- Is street view imagery and satellite mapping used for the purpose of desk-based studies up to date.

TA

With regards the TA, the following parameters need to be given due cognisance within the assessment:

Trip Generation and Distribution

- Traffic Generation and Distribution for all phases of the development;
- Number of AILs (i.e. length, width, height etc.);
- Number of HGV movements;
- Distribution of construction vehicles, AIL routing and staff / operational movements; and
- Timings of vehicle movements.

Construction / Operational / Decommissioning

- AIL route options via the SRN to site;
- Details of measures to mitigate AIL movements; and
- Drawings required for proposed improvements (if required).

Geometric / operational constraints on proposed routes

- Geometry and visibility at access point(s) to / from SRN;
- Accident record at access point(s) to / from SRN;
- The radius and road width at curves, bends, junctions and structures;
- Vehicle Swept Path Analysis;
- The gradient of inclines and declines;
- Width and height under road and railway bridges and viaducts;
- Axle load and gross train weight limits on roads and bridges;
- Clearance under overhead lines and gantries;
- Lay-by areas that can be utilised for temporary parking and lay-bys that can be used to let traffic pass slow moving abnormal loads; and
- Any other obstruction that may restrict the transportation of materials to and from the site.

CTMP / CWTP

JSJV consider that the following parameters need to be taken into account in the CTMP and CWTP, in addition to the comments made previously within this TM:

- Identification of the approved haul routes to site (including AIL routes) and identification of measures to prevent the use of any unauthorised routes;
- Identification of the site access strategy;
- Details of the expected traffic generation associated with the construction period including maximum daily HGV trips;
- Identification of the proposed works programme by construction task;
- Identification of workforce numbers for the site, details of workforce travel arrangements and working hours;
- Details of site working hours and details of any exceptions (concrete pours etc);
- Measures to minimise wherever possible the use of public roads at peak periods whenever practicable (Morning and Evening Peak Hours and school start / finish times);
- Details of measures to reduce the number of delivery trips to site such as a combination of consolidated ordering, rationalising suppliers and consolidated deliveries;
- Details of measures to reduce on-site waste such as recycling and re-use of materials to minimise the number of collections from site;
- Provision of wheel washing facilities (or mechanical rumble devices where mains water is not available) on all site exits;
- Vehicles carrying soil and other dusty materials to be fully sheeted when travelling to or leaving site;
- Use of on approved mechanical road sweeper to clean the surrounding road network of any mud or debris deposited by site vehicles. The road sweeper should be available whenever needed;
- Measures to safely manage pedestrians;
- Details for the use of any traffic lights on public roads for safety. If used, traffic queues will require monitoring and sequences to reduce potential congestion;
- Details for any temporary traffic management and warning signs;
- Details for publicising the movement of abnormal loads;
- Details of a site liaison officer who will act as point of contact for the CTMP and CWTP; and
- Details regarding the monitoring the success of the CTMP and CWTP.

Summary and Conclusions

The Jacobs Systra Joint Venture has been tasked by National Highways to review an Environmental Impact Assessment Scoping Report produced by AECOM in support of solar farm development proposals at land north of Howden, East Riding of Yorkshire. The development proposals are going through the Development Consent Order [DCO] process, reference EN010143.

The development proposals located across numerous parcels of land, in and around, Howden, Wressle and Spaldington, and in close proximity to M62 Junction 37, which forms part of the Strategic Road Network, hence the need for this review to ensure that the development proposals do not materially impact upon the capacity, operation and safety of the SRN.

This Technical Memorandum has reviewed the relevant sections of the Report, advising AECOM on the suitability of their proposals with regards to the SRN. Furthermore, additional considerations have been provided by JSJV as to what National Highways would expect to be presented within the submission as the DCO progresses.

From:	NATS Safeguarding
To:	East Yorkshire Solar Farm
Subject:	RE: EN010143 East Yorkshire Solar Farm - EIA Scoping Report Notification and Consultation [SG34009]
Date:	13 September 2022 13:58:20
Attachments:	image003.png image004.png image005.png image006.png image007.png image008.png image009.png image010.png

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Our Ref: SG34009

Dear Sir/ Madam

NATS operates no infrastructure within 20km of the proposal site. Accordingly it anticipates no impact from the proposal and has no comments to make on the Scoping Opinion.

Yours faithfully

NATS Safeguarding

[redacted]

4000 Parkway, Whiteley,
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www.nats.co.uk

Date: 10 October 2022
Our ref: 406718
Your ref: EN010143

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BY EMAIL ONLY

Dear sir/madam

Environmental Impact Assessment Scoping consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11

Proposal: East Yorkshire Solar Farm
Location: between Selby and East Riding of Yorkshire

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 12 September 2022, received on 12 September 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Detailed advice on scoping the Environmental Statement is available in the attached Annex.

Natural England notes that it has not had any previous engagement from the applicant on the project.

For any further advice on this consultation please contact consultations@naturalengland.org.uk.

Yours sincerely

Hannah Gooch
Yorkshire and Northern Lincolnshire Area Team
Natural England

Annex A – Natural England Advice on EIA Scoping

1. General Principles

1.1 Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided[1].
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- An outline of the structure of the proposed ES

1.2 It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Cumulative and in-combination effects

2.1 A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2.2 The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

a. existing completed projects;

b. approved but uncompleted projects;

[1] National Infrastructure Planning (planninginsepctorate.gov.uk) Insert 2 – information to be provided with a scoping request, Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements

c. ongoing activities;
d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

3. Biodiversity and Geodiversity

3.1 The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.

3.2 Ecological Impact Assessment (EcIA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. Guidelines have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

3.3 For additional information relating to Solar Parks please refer to the Technical Information Note at the link below, which provides a summary of advice about their siting, their potential impacts and mitigation requirements for the safeguarding of the natural environment. Solar parks: maximising environmental benefits (TIN101).

4. International and European sites

4.1 The development site is within or may impact on the following European/internationally designated nature conservation sites:

- Humber Estuary Special Area of Conservation (SAC)
- Humber Estuary Special Protection Area (SPA)
- Humber Estuary Ramsar site
- River Derwent SAC
- Lower Derwent Valley SAC
- Lower Derwent Valley Ramsar
- Lower Derwent Valley SPA

4.2 The ES should thoroughly assess the potential for the proposal to affect internationally designated sites of nature conservation importance / European sites, including marine sites where relevant. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), listed Ramsar sites, candidate SAC and proposed SPA.

4.3 Article 6 (3) of the Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant effect upon a European Site, either individually or in combination with other plans or projects.

Table 1: Potential risk to International designated sites: the development is within or may impact on the following European/Internationally designated site(s)	
Site name(s) (with link to Conservation Objectives and Citation)	**Potential impact pathways where further information/assessment is required**
1. Humber Estuary Special Protection Area (SPA) European Site Conservation Objectives for Humber Estuary SPA - UK9006111 (naturalengland.org.uk) 2. Humber Estuary Ramsar Designated Sites View (naturalengland.org.uk) 3. Lower Derwent Valley SPA European Site Conservation Objectives for Lower Derwent Valley SPA - UK9006092 (naturalengland.org.uk) 4. Lower Derwent Valley Ramsar Designated Sites View (naturalengland.org.uk)	Potential impacts to Functionally Linked Land Potential impacts that may arise from the proposal relate to the presence of mobile SPA interest features that are located outside the site boundary. Natural England advises that the potential for offsite impacts should be considered in assessing what, if any, potential impacts the proposal may have on European sites. Natural England advises the HRA should consider; • Any impacts due to potential direct loss of functionally linked feeding habitat for Humber Estuary designated birds; • the potential for loss of functionally linked land which is adjacent to the project due to disruption of open vistas; • the potential for noise and visual disturbance impacts on functionally linked land during construction and operation. Table 8-4 of the EIA Scoping document states that wintering and passage bird surveys will be undertaken for the proposed development site. We welcome this approach and recommend that surveys are also carried out during the passage period. We recommend using 'amended' vantage point (VP) surveys (principally following NatureScot Recommended bird survey methods to inform impact assessment of onshore wind Farms guidance March 2017 v.2. Natural England recognise that the NatureScot VP guidance is written for impacts associated with wind turbines, but it is acknowledged in the guidance (page 14) that VP surveys provides useful information and overview of bird usage of a site specifically in relation to potential disturbance and displacement. Natural England considers the use of the NatureScot guidance for VP as an appropriate methodology to be used to assess other developments that can impact on SPA birds). The surveys should cover different tidal states and consideration should also be given to surveys in poor weather/ visibility conditions as large movements of birds can be observed at this time. Vantage point surveys may also need to take account of surveys at dusk and dawn, depending upon the bird species (i.e. geese and swans). If geese and swans have the potential to use the development site or surrounding area, we would expect to see surveys 1 hour before and 1 hour after, dusk and dawn during the respective bird survey season (i.e. winter, spring and autumn passage. Depending upon the site, it may also be necessary to consider nocturnal surveys (specifically for waders).

	The requirement for provision of mitigation should be informed by the survey results. Natural England has produced a review paper which includes information on the impacts of solar farms on birds, we recommend that this is considered when undertaking the assessment (NEER012). Potential Water Quality Impacts Potential for impacts to designated sites through surface water run-off from the development site will need to be assessed, this should include potential for increased nutrient and other pollutant inputs. Potential Air Quality Impacts See section 14 below.
1. Humber Estuary Special Area of Conservation European Site Conservation Objectives for Humber Estuary SAC - UK00300170 (naturalengland.org.uk) 2. Lower Derwent Valley SAC European Site Conservation Objectives for Lower Derwent Valley SAC - UK0012844 (naturalengland.org.uk)	Potential Water Quality Impacts Potential for impacts to designated sites through surface water run-off from the development site will need to be assessed, this should include potential for increased nutrient and other pollutant inputs. Potential Air Quality Impacts See section 14 below.
River Derwent SAC European Site Conservation Objectives for River Derwent SAC - UK0030253 (naturalengland.org.uk)	Potential Water Quality Impacts Potential for impacts to designated sites through surface water run-off from the development site will need to be assessed, this should include potential for increased nutrient and other pollutant inputs. Potential Air Quality Impacts See section 14 below. Potential Dust Impacts on River Derwent SAC Potential for impacts from dust on River Derwent within 200m of construction area will need to be assessed.

5. Nationally designated sites - Sites of Special Scientific Interest

5.1 Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on the SSSI and its special interest features can be found at www.magic.gov .

5.2 The development site is within or may impact the following Site of Special Scientific Interests:

- Humber Estuary SSSI
- River Derwent SSSI
- Breighton Meadows SSSI
- Derwent Ings SSSI

5.3 The potential impact pathways to these sites are the same as those set out in Table 1 above for their corresponding European sites.

5.4 The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

6. Protected Species

6.1 The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species' populations in the wider area.

6.2 The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

6.3 Natural England has adopted standing advice for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required. Applicants can make use of Natural England's charged Pre Submission Screening Service for a review of a draft wildlife licence application.

7. District Level Licensing for Great Crested Newts

7.1 Based on Table 8-4, Natural England is aware that East Yorkshire Solar Farm Limited are considering applying to use the District Level Licensing scheme for great crested newts (GCN).

7.2 Where strategic approaches such as district level licensing (DLL) for great crested newts (GCN) are used, a letter of no impediment (LONI) will not be required. Instead, the developer will need to provide evidence to the Examining Authority (ExA) on how and where this approach has been used in relation to the proposal, which must include a

counter-signed Impact Assessment and Conservation Payment Certificate (IACPC) from Natural England, or a similar approval from an alternative DLL provider.

7.3 The DLL approach is underpinned by a strategic area assessment which includes the identification of risk zones, strategic opportunity area maps and a mechanism to ensure adequate compensation is provided regardless of the level of impact. In addition, Natural England (or an alternative DLL provider) will undertake an impact assessment, the outcome of which will be documented in the IACPC (or equivalent).

7.4 If no GCN surveys have been undertaken, Natural England's risk zone modelling may be relied upon. During the impact assessment, Natural England will inform the Applicant whether their scheme is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on GCN.

7.5 The IACPC will also provide additional detail including information on the Proposed Development's impact on GCN and the appropriate compensation required.

7.6 By demonstrating that the DLL scheme for GCN will be used, consideration of GCN in the ES can be restricted to cross-referring to the Natural England (or alternative provider) IACPC as a justification as to why significant effects on GCN populations as a result of the Proposed Development would be avoided.

8. Priority Habitats and Species

8.1 Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found here. Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

8.2 Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to download. Further information is also available here.

8.3 An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

8.4 The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

9. Ancient Woodland, ancient and veteran trees

9.1 The ES should assess the impacts of the proposal on any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

9.2 Ancient woodland and ancient and veteran trees are irreplaceable habitats of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 180 of the NPPF sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

9.3 Natural England and the Forestry Commission have prepared standing advice on ancient woodland, ancient and veteran trees.

10. Biodiversity net gain (BNG)

10.1 Natural England notes and supports the applicant's aspiration to deliver over 10% Biodiversity Net Gain measured utilising the Biodiversity Metric 3.1 stated within the scoping report. However, given the scale of the project and a history of successful delivery of BNG for solar projects. Natural England encourages the applicant to commit to delivery of 10% BNG in all habitat types identified within the order limits, in accordance with the Environment Act 2021. Natural England considers that major infrastructure developments should set the highest environmental standard. They should lead by example in showing how investment in sustainable infrastructure can better serve communities, including through the delivery of environmental goals, such as flood resilience, expanding natural habitats and contributing toward Net Zero greenhouse gas emissions. Nature-based solutions built into infrastructure schemes provide one means for setting in place the government's 25 Year Environment Plan.

10.2 Natural England recognises the high opportunity for the development to deliver Biodiversity Net Gain (BNG) on-site and it is recommended that the following guidance is applied in order to achieve this:

- Biodiversity Net Gain: Good Practice Principals for Development
- BS 8683: 2021 Process for designing and implementing Biodiversity Net Gain. Specification.

10.3 In addition, the applicant should be aware of forthcoming guidance and legislation in relation to the Environment Act 2021, which may be released in the interim prior to submission of the DCO application.

10.4 Natural England notes the requirement to provide a Framework Biodiversity and Landscape Management Plan as part of a DCO submission. It is recommended that this includes details specific to the approach to BNG including; how the mitigation hierarchy has been applied, metric calculations, management and future monitoring and the legal mechanism by which any BNG will be secured. It is also noted that the lifetime of the proposal is predicted to span 40 years and it is stated that a Framework Decommissioning Environmental Management Plan (framework DEMP) will be produced to ensure work will have regard to environmental legislation at the time of decommissioning at the end of this period. In order to align with Biodiversity Net Gain Good Practice Principle 8: Create a Net Gain Legacy to achieve long-term benefits to nature, Natural England recommends that the framework DEMP also includes and adheres to any ecological measures identified within the Construction Environmental Management Plan (CEMP) and highlights the likely need for updated ecological surveys at the time of decommissioning.

10.5 In order to maximise nature recovery and target habitat enhancement where it will

have the greatest local benefit it is recommended that locally identified opportunities should be acknowledged and incorporated into the design of BNG (both on and off-site). This should include any locally mapped ecological networks and priority habitats identified by East Riding of Yorkshire Council. In addition, Local Nature Recovery Strategies (LNRS) are a new mandatory system of spatial strategies for nature established by the Environment Act 2021 which will contribute to the national Nature Recovery Network (NRN). Work is currently underway to develop these strategies, which will identify strategic priorities for nature protection, recovery, and enhancement. Given the size, scale and opportunities afforded by the application is therefore recommended that engagement with relevant local planning authorities, responsible authorities and statutory consultees (including Natural England) is undertaken to align habitat enhancement through the development with any emerging plans and policies in relation to LNRS.

11. Connecting People with nature

11.1 The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 100 and there will be reference in the relevant National Policy Statement. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

11.2 Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

12. Soils and Agricultural Land Quality

12.1 Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line paragraphs 5.168, 5.167 and 5.179 of the NPS for National Networks. Further guidance is set out in the Natural England Guide to assessing development proposals on agricultural land.

12.2 The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

12.3 This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).

- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.

- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

12.4 Further information is available in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites and The British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.

12.5 We also note that in section 15.5.10 of the Scoping Report it states that the Grid Connection Corridor will be scoped out of the soil and ALC surveys. We advise that the corridor should be scoped into the surveys as correct soil handling techniques will need to be employed during the construction period to ensure that the development area can return to its former land quality (ALC grade).

13. Air Quality

13.1 Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg) [2]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NOx and SO_2 against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

13.2 The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System

[1] Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK

(www.apis.ac.uk).

Habitats Regulations Assessment

13.3 The EIA Scoping document states in section 16.2.7 that during the construction and decommissioning phases of the development there may be an increase in traffic associated with the site. However, information on anticipated access routes has not yet been provided, therefore it is unknown whether there will be an increase in traffic within 200m of any European sites.

13.4 Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001

13.5 In addition, ammonia can be emitted from vehicle exhaust emissions as a by-product of the catalytic conversion process designed to reduce emissions of nitrogen oxide.

13.6 Natural England therefore advises that ammonia sourced from traffic emissions should be included for assessment within the HRA. For further information please see this report from Air Quality Consultants (AQC) that looks at ammonia emissions from roads for assessing impacts on nitrogen-sensitive habitats. The current CREAM model created by AQC used to assess ammonia emissions from road traffic has not been peer reviewed, however, at this time it has been recognised as a Best Available Tool and we deem it appropriate to be used where any caveats associated with this model are also considered within the assessment.

River Derwent SAC

13.7 If access roads are identified as being within 200m of River Derwent SAC, Natural England also advises that potential air quality impacts on supporting habitats associated with the River Derwent SAC, including riparian habitats, such as wet woodland and fen, should be assessed. The riparian zone is explicitly considered in the conservation objectives and condition assessment for SAC / SSSI river habitats, partly in terms of vegetation composition and 'naturalness', and so it is considered to contribute significantly to site integrity. In the literature, there appears to be no data available specifically on the effects of ammonia gas on riparian vegetation. There is some evidence for effects on herbaceous species, for example woodland ground flora, upon which the critical level for the protection of higher plants was based. The application of this critical level therefore needs to be based on expert judgement.

13.8 To assess impacts, we recommend that the critical load for the most sensitive riparian habitat type is used as a proxy value; the relevant critical levels/loads for 'Fen, Marsh and Swamp' and 'Broadleaved, Mixed and Yew Woodland' can be found on Air Pollution Information System (APIS) (2022) to inform the assessment.

13.9 We would highlight that the Conservation Objectives Supplementary Advice (COSA) should be used to inform any Habitats Regulations Assessment (HRA) considering potential impacts on the SAC. The HRA should assess the effect the project will have in relation to quality of the river and impacts to the riparian habitats and what implications that will have on meeting the site targets, alone and in-combination.

14. Climate Change

14.1 The England Biodiversity Strategy published by Defra establishes principles for the

consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 174), which should be demonstrated through the ES.

From:	Town Planning LNE
To:	East Yorkshire Solar Farm
Subject:	Ref EN010143-000015 - East Yorkshire Solar Farm
Date:	29 September 2022 17:47:45
Attachments:	image001.png

FAO – Planning Inspectorate
Ref – EN010143-000015
Proposal – Scoping Opinion for the East Yorkshire Solar Farm
Location – East Yorkshire Solar Farm

Thank you for your letter of 12 September 2022 providing Network Rail with an opportunity to comment on the abovementioned Scoping Opinion.

With reference to the protection of the railway, the Environmental Statement should consider any impact of the scheme upon the railway infrastructure and upon operational railway safety. In particular, it should include a Glint and Glare study assessing the impact of the scheme upon train drivers (including distraction from glare and potential for conflict with railway signals). We note that this is referenced in the scoping document. It should also include a Transport Assessment to identify any HGV traffic/haulage routes associated with the construction and operation of the site that may utilise railway assets such as bridges and level crossings during the construction and operation of the site.

Please note that if the intention is to install cabling/network connections through railway land, the developer will be need an easement from Network Rail and we would recommend that they engage with us early in the planning of their scheme in order to discuss and agree this element of the proposals.

Kind regards

Matt Leighton
Town Planning Technician
Diversity and Inclusion Champion
Network Rail Property - Eastern Region
George Stephenson House, Toft Green, York, YO1 6JT

Please note I am on study leave on Wednesdays for the foreseeable future and will be unavailable on these days

From:	Tanya Coggon
To:	East Yorkshire Solar Farm
Cc:	Clare Allcock
Subject:	Your Ref: EN010143 Our ref: SCO/2022/9 Scoping Consultation Response
Date:	05 October 2022 15:23:19

Good Afternoon

Thank you for giving North Lincolnshire Council the opportunity to comment with regards to the scoping of the solar farm project, north of Howden East Yorkshire.

I can confirm that North Lincolnshire Council have no comments to make in respect of this scoping opinion at this stage.

North Lincolnshire Council would like to take the opportunity to note that the proposal could affect the Humber Estuary SPA and Ramsar site. The proposals for wintering and passage bird surveys appear appropriate to inform an HRA in terms of potential likely significant effects on the Humber Estuary Special Protection Area (SPA) and Ramsar site.

The project will need to be considered alone and in combination with other plans or projects that could affect the European Sites. For the in-combination assessment, it is recommended to use the in-combination database that is administered by the Humber Nature Partnership. North Lincolnshire Council would expect other Competent Authorities to lead on Habitat Regulations Assessments.

I trust that this has provided the necessary clarification. Do not hesitate to contact me should you wish to discuss this matter further.

Kindest regards

Tanya Coggon

Principal Development Management Officer – Major Applications

[redacted]

North Lincolnshire Council

Place Planning & Housing

Economy & Growth

Business Development

Church Square House

[redacted]

[redacted]

[redacted]

Please let us know what you think about the customer service you received during your enquiry by completing our customer satisfaction survey on our Consultations Page on the council web site: http://ow.ly/4mNWDJ

The Planning Inspectorate
By Email
Eastyorkshiresolarfarm@planninginspectorate.gov.uk

Michael Reynolds
Business and Environmental Services
East Block
County Hall
Racecourse Lane
Northallerton
DL7 8AD

[redacted]

Email: [redacted]

Our Ref: Michael Reynolds
Your Ref: EN010143

Date: 10 October 2022

Dear Sirs

East Yorkshire Solar Farm
Scoping Report

Thank you for consulting North Yorkshire County Council and Selby District Council on the scoping report for the above project.

Please accept this response on behalf of both North Yorkshire County Council and Selby District Council.

Our responses on the various chapters are as follows:

Environmental Health

Air Quality

16.2.3 Selby District Council has one AQMA which is not considered likely to be affected by the Scheme.

16.2.7 the potential for air quality impacts arises from the construction phase which will be considered in accordance with IAQM guidance and mitigation measures incorporated into a CEMP (16.2.10).

16.2.9 following construction, the Scheme is expected to result in minimal alternation to the baseline situation, which is not disputed considering the unlikely potential for air quality impacts associated with the Grid Connection Corridor

Overall, the report identifies negligible impact on the AQMA within the Selby district and air quality impacts during the construction phase will be addressed via a CEMP using suitable assessment methodology. This is considered a suitable approach.

Noise and Vibration

2.3.40 electricity will be exported to National Grid Drax Substation via cables and associated cabling will be underground (2.3.37), which creates a potential for amenity impacts during the construction phase within the Selby district. Operational noise effects from the Cable Route Corridor are anticipated to be none or minimal, depending on the final installation choice (11.2.1). Therefore, the scoping in of noise and vibration levels associated with construction and decommissioning works into the noise and vibration assessment is appropriate (as is proposed). So too is adopting BS5228-1/2:2009+A1:2014 assessment methodology.

2.4.10 A Construction Environmental Management Plan (CEMP) will accompany the DCO application, which will describe the framework of mitigation measures identified in the ES.

11.2.2 sensitive receptors are identified, albeit a finalised list to be selected through the Scoping process (11.2.3). I would point out that there does not appear to be any sensitive receptors identified within the Selby district along the Grid Connection Corridor despite the 300m receptor buffer (11.2.1). It is not clear whether this is a deliberate omission or if there are simply no sensitive receptors within 300m of the corridor.

2.3.7 during the construction phase, one or more temporary construction compound(s) will be required, located on or near the cable route (2.4.2). These should be well defined in advance with a view to protecting existing residential amenity.

Overall, the report identifies a potential for amenity impacts during the construction phase in relation to the Grid Connection Corridor, primarily from underground cable installation. The applicant commits to accompanying the DCO application with a CEMP and the proposed assessment methodology is appropriate. There is uncertainty regarding the identification of sensitive receptors in the Selby district which should be addressed in the noise and vibration assessment, but is otherwise considered a suitable approach.

Contaminated Land

Section 16.4 of the EIA Scoping Report covers ground conditions and land contamination. It states that a Phase 1 Preliminary Risk Assessment report will be prepared and that it will be presented as a technical appendix to the ES. The Phase 1 report will include details of the site and surrounding land (including development history, geology, hydrogeology and environmental setting), details of any previous site investigation/remediation/validation reports, the finding of a site walkover survey, a conceptual site model and conclusions and recommendations based on the findings.

It is anticipated that the results and recommendations of the Phase 1 report, once incorporated into the Framework CEMP, along with the environmental design and management measures for the construction, operation and decommissioning phases, will negate the need for a specific ground conditions chapter in the ES.

The proposal to prepare a Phase 1 preliminary risk assessment report and present it as a technical appendix to the ES is acceptable. If the Phase 1 report identifies a potential source of land contamination, then a Phase 2 intrusive site investigation and risk assessment will be needed to assess whether it poses a significant risk to

the proposed solar farm and associated receptors. If significant land contamination is identified, then appropriate remedial action will be required to make the site safe and suitable for its proposed use.

Cumulative Impact Assessment

The cumulative impact assessment is in line with the PINS advice note. The Authorities anticipate working closely with the applicant on this matter and have no further comment at this time.

Transport

The Authority has reviewed the EIA scoping report for transport this morning and suggest it's a comprehensive piece of work which we are happy that the developer runs with. It is noted they will be consulting NYCC along with the other consultees so am comfortable with the chapter on transport.

Minerals and Waste Planning

Planning Services welcome the inclusion of reference to the Minerals and Waste Joint Plan and relevant Policies and the consideration of minerals resources. There are no further comments.

Ecology

I am broadly agreeable to the scope of the proposed ecological survey and assessment work, which is being undertaken in accordance with current standards. I am pleased to see that breeding, wintering and passage bird surveys will be undertaken in order to identify land which make be classed as 'functionally linked' land which will form part of the Habitat Regulations Assessment (HRA).

I am also pleased to see that a BNG assessment will be provided with the aim of delivering a minimum of 10% net gain.

In relation to the grid connection at Drax, it is worth noting that there are a number of other proposed projects within the area around Drax, some of which will have temporary impacts and some permanent. This could result in cumulative impacts on habitats and species within the local area. I would like to see this considered as part of the cumulative and in combination assessment.

Landscape

The project comprises the proposed construction, operation and decommissioning of a ground mounted solar farm which will cover 1,173 ha (excluding grid connection corridor) which lies on a site between East Riding of Yorkshire and Selby.

The scheme includes installation of solar photovoltaic generating panels, associated electrical equipment, cabling and energy storage. The photovoltaic panel site is located on farmland 1.4km northwest of Howden.

The Scheme will also include two 132 kV export circuits connecting the 132/33 kV substations to the National Grid Drax Substation. National Grid Drax Station is approximately 86.2km southwest of the solar PV site.

The grid connection corridor shows a 500m search area. The grid connection cable will be either underground or over-ground within the grid connection corridor, subject to further design.

The proposed development is expected to have a generating capacity in excess of 400MW and an expected lifespan of at least 40 years. The equipment will be reviewed at the end of the design life of the Scheme to determine whether it remains in a viable condition to continue operation after that time. The Solar PV Site will be returned to its original use after decommissioning.

These comments principally relate to Chapter 10 Landscape and Visual in the Applicant's EIA Scoping Report, but comments overlap with other topic areas such as Cultural Heritage, Ecology, Noise, Soils and Agricultural Land, Cumulative Effects.

We would agree with the EIA Scoping Report, that Landscape and Visual Amenity should be 'scoped in' and considered within the EIA.

There is potential for significant adverse landscape and visual effects, particularly because of the overall scale and nature of the proposed development and long-term land use change (effects on land use, landscape character and openness, ongoing erosion of landscape quality, absorption of settlements and communities).

There is potential for significant adverse cumulative landscape and visual effects, particularly because there are a number of current major planning applications in the local area around Drax Power Station (including NSIP's, Screening and Scoping applications).

Key landscape considerations within the EIA / LVIA should include:

- Cumulative landscape and visual effects (significance of the National Grid connection point at Drax Power Station).
- The overall scale and nature of the proposed development
- The expected lifespan of at least 40 years (long-term landscape and visual effects)
- Wider landscape strategy and connectivity
- Long-term maintenance and management.

The landscape strategy and mitigation should be proportionate to the scale of the development and be robust enough to accommodate these large-scale and cumulative effects at a wider strategic level.

Given the large landscape-scale of the proposed development, we would strongly encourage the Applicant to seek out opportunities to protect, enhance and better join up existing Green Infrastructure, to create new Green Infrastructure, in addition to incorporation of other measures to mitigate or minimise the consequences of development.

In relation to landscape and visual amenity we are generally supportive of an LVIA methodology undertaken to GLVIA 3. This should also include photography to current LI

guidance on 'Visual Representation of Development Proposals', and we also have the following comments:

The LVIA should also consider and explain the wider landscape-scale effects of this application linked to the National Grid connection point at Drax Power Station, the significance of this connection point at a strategic level and the potential for wider cumulative effects.

Glint and Glare – Glint and glare has potential to affect landscape and visual amenity. We would wish to see clear explanation of proposed methodology for the Glint and Glare assessment.

Soils and Agricultural Land – We would generally welcome the proposed methodology and approach set out in the Scoping Report Chapter 15 Soils and Agricultural Land. A Soil Resource Plan and Soil Management Plan will be needed in order to protect and manage site soils, including protection and restoration of ALC best and most versatile land where appropriate.

Landscape and Visual Methodology – We would generally welcome the proposed methodology and approach set out in the Scoping Report Chapter 10 Landscape and Visual (to follow guidance as set out in GLVIA Third Edition (LI and IEMA, 2013), and the Technical Guidance Note (TGN) 02/21: Assessing Landscape Value Outside Designations, Landscape Institute, 2021).

This should also include photography to current LI guidance on 'Visual Representation of Development Proposals' (see Photographs and Photomontages below).

Study Area – We would support the proposal for a 5km radius study area for the LVIA, where linked to direct visual effects from the proposed Solar PV Site. The Applicant should also consider a wider landscape study area for cumulative effects, considering the National Grid connection at Drax Power Station as the central connection point.

Existing Trees and Vegetation - There is potential for the development to adversely affect existing boundary trees and vegetation. This should be reviewed, protected and retained where appropriate. A tree survey and arboricultural impact assessment will be required to BS5837:2012. This is important if boundary vegetation is needed for ongoing screening of the site.

The operational life of the proposed scheme should also be taken into account. We would wish to see certainty that site vegetation would be retained during the maintenance management period and not later removed as a consequence of the development (e.g. managed due to potential shading).

Temporary access, storage and working areas – these should be taking into account as part of the assessment.

Visual Assessment and Representative Viewpoints - The quantity and location of representative viewpoints should be agreed with the Planning Authority.

The principle of using representative viewpoints to illustrate the experience of different types of visual receptor is acceptable, however the assessment should aim describe and assess the full effects of the development (not limited to a summary of viewpoints) and to explain the scale and geographical extent of effects.

Photographs and Photomontages – should be in-line with Technical Guidance Note (TGN) 06/19 Visual Representation of Development Proposals (Landscape Institute, 2019).

We would wish to see photomontages to explain how adverse effects will be mitigated over time. Photographs should include winter views where possible to explain the worst-case scenario.

Assessment of Tranquillity – There is potential for significant adverse noise effects associated with construction, decommissioning activities, and operational noise arising from static plant installations (inverter stations and energy storage containers). Consideration should be given to assessment of tranquillity and effect on local character and setting, particularly in relation heritage and other local sensitive receptors such as residential properties. PROW, local farmsteads. We would wish to agree a methodology and approach for this.

Cumulative Effects – the LVIA should consider cumulative landscape and visual effects in conjunction with other similar developments in the study area including those currently being considered or approved by planning authorities but not yet implemented.

Landscape Proposals, Mitigation, Maintenance and Aftercare – We would wish to see mitigation proposals considered as part of a landscape strategy which includes a masterplan and which considers Green Infrastructure in a wider context.

Initially, the Landscape Strategy should focus on overarching principles with clear aims and objectives.

Objectives should be clear and include landscape, biodiversity and green infrastructure. Landscape and visual mitigation should drive the strategy and be linked through to the management plan (rather than just a maintenance schedule).

Landscape proposals and mitigation should have regard for and contribute to the wider landscape character, connectivity of green infrastructure and sustainable transport (Selby DC policy SP12, SP18, SP19, ENV1).

Selby DC policy SP12 states “In all circumstances opportunities to protect, enhance and better join up existing Green Infrastructure, as well as creating new Green Infrastructure will be strongly encouraged, in addition to the incorporation of other measures to mitigate or minimise the consequences of development”.

Selby falls within the Leeds City Region Green Blue Infrastructure Strategy area. GI is also defined in the NPPF.

The applicant should consider a wider strategic approach to landscape proposals and mitigation of cumulative effects and how this would contribute to Natural England's 15 Green Infrastructure Principles of 'Why', 'What' and 'How' (https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/GIPrinciples.aspx).

Link to Natural England's Green Infrastructure Principles and the England Green Infrastructure Mapping: https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/GIPrinciples.aspx

Long-term maintenance and management should be considered, particularly where this is needed for ongoing mitigation, screening and biodiversity benefit. Sufficient stand-off distance should be provided from existing trees and vegetation where these are to be retained and protected and to allow maintenance access.

The Applicant should consider offsite mitigation to compensate for and offset residual adverse effects where this cannot be achieved within the site.

Heritage / Archaeology

To follow

LLFA

To follow

PROW

To Follow

Should you have any further queries please don't hesitate to contact Michael Reynolds on the above details or contact the author of the section directly should you have their details.

Yours faithfully

Michael Reynolds
Senior Policy Officer (Infrastructure)

NORTH YORKSHIRE
FIRE & RESCUE SERVICE

NYFRS Reference: Premises: 00403577
Job: 1254592

Scarborough Fire Station
North Marine Road
Scarborough
North Yorkshire
YO12 7EY

When telephoning please ask for: E Head

[redacted]

Email: [redacted]

23 September 2022

Dear Sir or Madam

East Yorkshire Solar Farm Ltd, YO8 6EL

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 12th September 2022
Plans No: **:** EN010143

Your communication has been dealt with as follows:

At this stage in the planning approval process the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority have no observation to the proposed development. The North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the Fire Authority.

The majority of information we collect regarding business fire safety is non-personalised information, however any personal data we collect will be managed in accordance with our Privacy Notice which can be viewed on our website, www.northyorksfire.gov.uk/about-us/data/privacy-policies/.

Under the Regulatory Reform Order 2005 we are obliged to publish a public register of enforcement action which can be viewed via our website, www.northyorksfire.gov.uk/about-us/financial/lists-and-registers/.

East Yorkshire Solar Farm Ltd

YO8 6EL

Should you require further information please contact the officer whose name appears at the head of the letter.

Yours faithfully

E Head

From:	Before You Dig
To:	East Yorkshire Solar Farm
Cc:	Before You Dig
Subject:	RE: EXT:EN010143 East Yorkshire Solar Farm - EIA Scoping Report Notification and Consultation
Date:	12 September 2022 12:19:35
Attachments:	image003.png image004.png image005.png
Importance:	High

Good afternoon,

NGN has a number of gas assets in the vicinity of some of the identified "site development" locations. It is a possibility that some of these sites could be recorded as Major Accident Hazard Pipelines(MAHP), whilst other sites could contain High Pressure gas and as such there are Industry recognised restrictions associated to these installations which would effectively preclude close and certain types of development. The regulations now include "Population Density Restrictions" or limits within certain distances of some of our "HP" assets.

The gas assets mentioned above form part of the Northern Gas Networks "bulk supply" High Pressure Gas Transmission" system and are registered with the HSE as Major Accident Hazard Pipelines.
Any damage or disruption to these assets is likely to give rise to grave safety, environmental and security of supply issues.

NGN would expect you or anyone involved with the site (or any future developer) to take these restrictions into account and apply them as necessary in consultation with ourselves. We would be happy to discuss specific sites further or provide more details at your locations as necessary.

If you give specific site locations, we would be happy to provide gas maps of the area which include the locations of our assets.
(In terms of High Pressure gas pipelines, the routes of our MAHP's have already been lodged with members of the local Council's Planning Department)

Kind regards,

Jennie Adams

Administration Assistant
Before You Dig
Northern Gas Networks
1st Floor, 1 Emperor Way
Doxford Park
Sunderland
SR3 3XR

Before You Dig: 0800 040 7766 (option 5)
www.northerngasnetworks.co.uk

facebook.com/northerngasnetworks
twitter.com/ngngas
Alternative contact:
[redacted]

Get involved! Have your say in the future of your gas network and win great prizes, by taking part in our BIG customer survey at together.northerngasnetworks.co.uk Keep posted to take part in a range of activities from workshops to roadshows. Together, we are the network.

From:	Helen Conti
To:	East Yorkshire Solar Farm
Subject:	Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested
Date:	29 September 2022 17:12:23
Attachments:	image001.png

Dear Planning Inspectorate

Thank you for consulting Redcar and Cleveland Council on this project.

I can advise that at this time the Council have no comments to make on the proposed scheme.

Kind regards

Helen

Helen Conti
Senior Planning Officer
Redcar and Cleveland Borough Council

Redcar and Cleveland House
Kirkleatham Street
Redcar
Yorkshire
TS10 1RT

[redacted]

[redacted]
Website: http://www.redcar-cleveland.gov.uk

Follow us on Twitter: @redcarcleveland
Like us on Facebook: facebook.com/redcarcleveland

From:	Development Management
To:	East Yorkshire Solar Farm
Subject:	RE: EN010143 East Yorkshire Solar Farm - EIA Scoping Report Notification and Consultation
Date:	06 October 2022 15:29:31
Attachments:	image003.png image004.png

Hello,

Thank you for your email.

I can confirm that we have no comments to add on the proposed scope of the Environmental Statement.

Kind regards

Hayley

Hayley Hunter (Atkinson)
Planning and Regulation Technical Support Officer
[redacted]

www.ryedale.gov.uk
Ryedale District Council | Ryedale House | Malton | North Yorkshire | YO17 7HH

From:	Shire Group Planning
To:	East Yorkshire Solar Farm
Subject:	RE: EN010143 East Yorkshire Solar Farm - EIA Scoping Report Notification and Consultation
Date:	07 October 2022 14:57:57
Attachments:	image001.png image003.png

Good afternoon,

Thanks you for your invitation to respond and please accept our apologies for the late response. **The Selby Area IDB** as a Consultee give the following comments/recommendations:

The Selby Area IDB should be consulted for any works affecting watercourses within their district. Also, our current guidelines for any increase in surface water discharge are as follows: -

If the surface water were to be disposed of via a soakaway system, the IDB would have no objection in principle but would advise that the ground conditions in this area may not be suitable for soakaway drainage. It is therefore essential that percolation tests are undertaken to establish if the ground conditions are suitable for soakaway drainage throughout the year.

If surface water is to be directed to a mains sewer system the IDB would again have no objection in principle, providing that the Water Authority are satisfied that the existing system will accept this additional flow.

If the surface water is to be discharged to any ordinary watercourse within the Drainage District, Consent from the IDB would be required in addition to Planning Permission and would be restricted to 1.4 litres per second per hectare or greenfield runoff

No obstructions within 7 metres of the edge of an ordinary watercourse are permitted without Consent from the IDB.

If surface water or works are planned adjacent to a Main River within the Drainage District, then the Environment Agency should be contacted for any relevant Permits.

Recommendations:

- Should Consent be required from the IDB as described above, we would recommend that this is a PLANNING CONDITION of any PLANNING DECISION.
    - Reason: requirements of Land Drainage Act 1991 (as amended)
- PLANNING CONDITION for Larger Development: Should on-site SuDS or flow restriction be proposed as part of any larger development the IDB requests that those restricted flow measures or attenuation are put in place before occupancy and within 3 months of development progressing on site.
- Reason: not to increase flood risk downstream of sites during temporary works / development.
- ANY surface water discharge into ANY watercourses in, on, under or near the site requires CONSENT from the Drainage Board.

For further guidance, pre-application advice & consent form visit: www.shiregroup-idbs.gov.uk

and select ‘Selby Area IDB’.

For direct enquiries e-mail: [redacted]

Mark Joynes
Financial Officer
Shire Group of Internal Drainage Boards
[redacted]

From:	Spaldington PC
To:	East Yorkshire Solar Farm
Subject:	Spaldington Parish Council response to the Solar Panel installations in the local area
Date:	05 October 2022 12:17:24

Good Morning,

Following a meeting of the Spaldington Parish Council, the issue of the installation of solar panels in the local community was discussed and the following statement was agreed by the Councillors:

> *At this time the Spaldington Parish Council have reservations and concerns about the installation of such a widespread solar panel electricity generation and while they may appreciate the possible environmental benefits from a renewable energy generation standpoint, they are concerned that this widespread project would have a severely negative impact on the local community through loss of farmland, increased traffic as well as any other issues caused by the running of the equipment linked to the solar panels. They do wish to be fully kept updated on the progression the project takes and wish to receive any and all information on this project to ensure that the local community are kept fully abreast with the developments. They wish to reserve their final viewpoint until more information and research is provided on the impact of the project.*

Please can you ensure the Spaldington Parish Council are kept informed of any developments with this project.

Regards,

Simon.

Mr S R Baxter JP MIFA ADPS ADIP
Clerk and Responsible Financial Officer
Spaldington Parish Council

UK Health Security Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

nsipconsultations@ukhsa.gov.uk
www.gov.uk/ukhsa

Your Ref: EN010143
Our Ref: 60282CIRIS

Ms Alison Down
EIA Advisor
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN

10th October 2022

Dear Ms Down

Nationally Significant Infrastructure Project
East Yorkshire Solar Farm, PINS Reference EN010143
Scoping Consultation Stage

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

Environmental Public Health

We recognise the promoter's proposal to include a health section. We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an Environmental Statement (ES), we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*', setting out aspects to be addressed within the Environmental Statement[1]. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

Recommendation

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e., an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

It is noted that the current proposals do not appear to consider possible health impacts of Electric and Magnetic Fields (EMF).

Recommendation

We request that the ES clarifies this and if necessary, the proposer should confirm either that the proposed development does not impact any receptors from potential sources of EMF; or ensure that an adequate assessment of the possible impacts is undertaken and included in the ES.

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1 https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658

Human Health and Wellbeing - OHID

This section of OHID's response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted scoping report OHID wish to make the following specific comments and recommendations:

Methodology - Determination of significant effects

It is noted that Chapter 14 is drafted with reference to HUDU and as such no assessment of significance is proposed for human health. This does not conform to the requirements of the EIA Regulations and as such an assessment of significance will be required to form part of the ES.

Recommendations

The ES must provide an assessment of significance for those health determinants scoped into the population and human health chapter.

The population and human health assessment should draw upon the findings from other relevant chapters, including air quality and noise.

As there is not a defined approach to the assessment of significance for population and human health, it is strongly advised that any proposed approach is agreed with OHID/UKHSA and the local public health team. The guidance issued by the International Association of Impact Assessment (IAIA)[2] could be used as a basis for the assessment of significance.

Vulnerable populations

An approach to the identification of vulnerable populations, other than deprivation, has not been provided. The impacts on health and wellbeing and health inequalities of the scheme may have particular effect on vulnerable or disadvantaged populations (including those that fall within the list of protected characteristics).

[2] Cave, B., Claßen, T., Fischer-Bonde, B., Humboldt-Dachroeden, S., Martín-Olmedo, P., Mekel, O., Pyper, R., Silva, F., Viliani, F., Xiao, Y. 2020. Human health: Ensuring a high level of protection. A reference paper on addressing Human Health in Environmental Impact Assessment. As per EU Directive 2011/92/EU amended by 2014/52/EU. International Association for Impact Assessment and European Public Health Association.

Recommendation

The EIA should clearly identify the range of vulnerable populations that have been considered within the assessment.

Yours sincerely,

On behalf of UK Health Security Agency
nsipconsultations@ukhsa.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

From:	Planning
To:	East Yorkshire Solar Farm
Subject:	RE: EN010143 East Yorkshire Solar Farm - EIA Scoping Report Notification and Consultation
Date:	15 September 2022 10:48:07
Attachments:	image004.png image005.png image006.png

Hello Joseph,

Thank you for the opportunity to comment on this matter.

The site area for this application sits outside of the Board's drainage district.

There are no Board maintained watercourses in the vicinity; as such it is not considered that the proposal will have a material effect on the Board's operations and therefore the Board has no comment to make.

However, we believe it falls within the area of :-

Ouse and Humber Drainage Board
24 Innovation Drive
Green Park
Newport
East Riding of Yorkshire
HU15 2FW

The Board does not need to be re-consulted regarding any amendments or further applications relating to this matter.

Kind regards,

Charlotte Gill

Planning Officer

Working Hours: Tuesday to Friday - 8.30am to 2pm

York Consortium Drainage Boards

Airedale Drainage Commissioners
Ainsty (2008) Internal Drainage Board
Beverley & North Holderness Internal Drainage Board
Foss (2008) Internal Drainage Board
Ouse & Derwent Internal Drainage Board

Address: Derwent House | Crockey Hill | York | YO19 4SR

[redacted]

Telephone: 01904 720 785 (Option 4)

Website: http://www.yorkconsort.gov.uk

Yorkshire & Humber Drainage Boards

Scoping Report Consultation Response

Local Planning Authority ("LPA")	**East Riding of Yorkshire Council**
Reference	**EN010143**
Internal Drainage Board	**Ouse and Humber Drainage Board**
Description and Location of Development	**Scoping Report Consultation - East Riding Solar Farm Project**
Date of Response	**05 October 2022**
Responding IDB Officer	**Liam Plater**

Dear Local Planning Authority,

Thank you for consulting Ouse & Humber Drainage Board, ("the Board") on the above scoping report consultation.

The Board is not currently a statutory consultee to the town and country planning process but as the Internal Drainage Board ("IDB") is the relevant statutory authority and supervising body for drainage matters within its district, except where these matters concern main rivers[1,2] or public sewers.

It is unlawful for a development to take place that results in activities that are contrary to the Land Drainage Act 1991 ("the Act") or Local Land Drainage Bylaws ("the Bylaws"), the Board therefore encourages the LPA and developers to engage with the Board throughout the planning consultation process. Failure to comply with the Act or Bylaws may mean the Board will use their statutory powers to prevent all or part of a development from progressing.

Regardless of planning permission, land drainage consent may also be required. This is a separate permission from the planning application process, which must be made directly to the Board. Please visit our website, or contact us for more information.

Please direct all emails to development@yorkshirehumberdrainage.gov.uk.

Our response begins on the second page.

[1] Unless water is displaced by activities carried out on main rivers of estuarine waters that impact the internal drainage district.

[2] It is advised that for major developments, the LPA should also consult the Lead Local Flood Authority as the statutory consultee or follow their standing advice. For developments in flood risk zone 2 or 3 (or critical drainage areas in flood risk zone 1) the LPA should consult the Environment Agency or follow their standing advice.

OUR RESPONSE

The Board has **NO OBJECTION** to the above consultation at this stage, and requests that it is consulted throughout the planning process to ensure a satisfactory drainage design is developed.

The Board would like to draw attention to its Advice for Developers Document, attached to this response, as well as local Land Drainage Byelaws. In relation to this proposed the development, The Board would like to highlight the requirement for a 9-metre gap to be left adjacent to all watercourses.

This response does not mean the Board supports this application; its position is neutral.

If any changes are made during the planning consultation process that may impact the drainage or flood risk of the development or the local land drainage system, please reconsult the Board.

Should the Board become aware of any matters it was not aware of or changes are made to the application it reserves the right to make an objection.

ADVICE FOR DEVELOPERS

Please visit our website for more information about planning and development control, including the land drainage consent process. The Board's policy document *"Technical Guidance for Developers and Standing Advice for Local Planning Authorities"* can be found here.

The Board offers up to 30 minutes of free pre-application telephone advice to developers. We also offer a chargeable pre-application service for more detailed advice; if you need to contact us please call us on 01430 430237.

ADVICE FOR LPA CASE OFFICERS

The Board wishes to better support LPAs in making decisions about drainage and flood risk in internal drainage districts and catchment areas and assist with their validation and decision-making process. The Board's development control officers are available to offer reasonable support to LPA case officers on drainage and flood risk matters; please contact us on 01430 430237 for further guidance or assistance.

Yorkshire & Humber
Drainage Boards

Technical Guidance for Developers
&
Standing Advice for Local Planning Authorities

Black Drain Drainage Board

Cowick and Snaith Internal Drainage Board

Danvm Drainage Commissioners

Dempster Internal Drainage Board

Ouse & Humber Drainage Board

Rawcliffe Internal Drainage Board

Reedness & Swinefleet Internal Drainage Board

Vale of Pickering Internal Drainage Board

The South Holderness Internal Drainage Board also subscribe to this guidance

01430 430237
development@yorkshirehumberdrainage.gov.uk
yorkshirehumberdrainage.gov.uk
@idbyorkshire

Document Control		
Version	Approved	Next Review
2.01	17/08/2020	~~17/08/2021~~
2.02	05/09/2020	05/09/2021

Contents

Legal Notice

*The Applicant, Agent or any other user of this guidance agrees that by following the advice given, the Internal Drainage Boards **("IDBs")** shall under no circumstances whatsoever, be liable to the Applicant, Agent or user of this document, whether in contract, tort (including negligence), breach of statutory duty, or otherwise, for any loss of profit, or any indirect or consequential loss arising under or in connection with advice given or procedures followed.*

A favourable response from an IDB to a planning application does not imply land drainage consent is or will be granted. On becoming aware of changes to a planning application the IDBs reserve the right to withdraw any comment made to the local planning authority.

The IDBs that subscribe to the standing advice and guidance contained within this document are listed on the cover page of this document, please refer to individual policy positions of other IDBs.

*Yorkshire and Humber Drainage Boards **("YHDB")** is a public sector management group that directly represents 8 IDBs through arrangements made under S11 of the Land Drainage Act 1991. Administrative services are provided on behalf of YHDB by Ouse and Humber Drainage Board, a public authority constituted under statutory instrument.*

A map showing England's Internal Drainage Districts and contact details for all IDBs in England can be found at www.ada.org.uk.

Data Protection Notice

We will process the information you provide in line with the Data Protection Act 2018 so that we can deal with your application. We may also process or release the information to:

- *offer you documents or services relating to environmental matters;*
- *consult the public, public organisations and other organisations (for example, Health & Safety Executive, local authorities, emergency services, Department for Environment, Food and Rural Affairs) on environmental issues;*
- *carry out research into environmental issues and develop solutions to problems;*
- *provide information from the public register to anyone who asks;*
- *prevent anyone from breaking environmental law, investigate cases where environmental law may have been broken, and take any action that is needed;*
- *assess whether customers are satisfied with our service and improve it where necessary; and*
- *respond to requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 (if the Data Protection Act allows).*

We may pass information on to our agents and representatives to do these things for us.

Copyright Notice

This policy references and acknowledges the works of others throughout this document.

1. Introduction

1.1. The following guidance is intended to assist developers when designing drainage systems that are both sustainable and where appropriate mimic natural processes. This means a development will not result in an increased flood risk elsewhere or result in a negative impact on existing drainage systems and should ensure the users of the development are safe. Any such design should work over the lifetime of the development within acceptable design parameters which consider future climate change. This kind of drainage design is commonly referred to as Sustainable Drainage Systems **("SuDS").**

1.2. In addition to SuDS the placement of any development, its associated infrastructure or ancillary works must not physically interfere with the local land drainage system.

1.3. These measures are required to protect the local land drainage network to ensure lawful compliance with local land drainage bylaws **("the Bylaws")** and the Land Drainage Act 1991 **("the Act").**

1.4. The information given in this guidance is intended to help a developer support a Land Drainage Consent Application. It is also intended to support the local planning authority **("LPA")** with their consultation, validation, and decision-making processes where YHDB internal drainage districts coincide with unitary or lower tier local authority districts.

1.5. YHDB encourages developers to work within the town and country planning process to provide evidence required by relevant [Flood] Risk Management Authorities **("RMAs")** to support an application in respect of drainage and flood risk.

1.6. Failure to provide information or consult with IDBs during the planning process may result in delays or viability issues later, or in worst case scenarios *'returning to the drawing board'.*

2. Policy Area

2.1. The area to which this guidance applies is made up of the internal drainage districts of the Black Drain Drainage Board, Cowick and Snaith Internal Drainage Board, Danvm Drainage Commissioners, Dempster Internal Drainage Board, Ouse & Humber Drainage Board, Rawcliffe Internal Drainage Board, Reedness & Swinefleet Internal Drainage Board, Vale of Pickering Internal Drainage Board and the South Holderness Internal Drainage Board and from time to time may be applied to the catchment area outside of, but draining into these internal drainage districts. This is the **("Policy Area").**

2.2. A map of internal drainage districts in England can be accessed at ada.org.uk.

3. The Role of IDBs, other RMAs and LPAs

3.1. IDBs have a very important role in any process that may have an impact on flood risk or the local land drainage system. The statutory position is that IDBs are public authorities that shall exercise a general supervision over all matters relating to the drainage of land within their districts, meaning they are the relevant authority that makes decisions about land drainage

including giving permission to discharge to the land drainage system and regulating actions that may impact it through the land drainage consent process.

3.2. IDBs are not currently a statutory consultee to the town and country planning process but do have powers to stop and reverse unlawful changes that may increase flooding or impact the local land drainage system using enforcement powers.

3.3. LPAs may consult IDBs on development proposals; this is to ensure that as the relevant authority, IDBs are satisfied that the proposals mitigate potential increased flood risk and have no adverse impact on the local land drainage system.

3.4. Outside of internal drainage districts the relevant authority for land drainage is the LLFA, this is a statutory function provided by a unitary or upper tier local authority. The LLFA holds many of the same powers as an IDB, but not all LLFAs make use of local land drainage bylaws.

3.5. The LLFA is also the statutory body for managing and coordinating flood risk management locally and publish the Local Flood Risk Management Strategy that other RMAs must act consistently with or have regard to when making decisions. The LLFA is a statutory consultee to the town and country planning process which means the LPA must consult with them on major planning applications.

3.6. The Environment Agency **("EA")** is the authority that has powers to manage flooding from main rivers and the sea. The EA is a statutory consultee to the planning process. The EA hold a strategic role to coordinate the national response to all types of flood risk.

3.7. Water and Sewerage Companies **("WSC")** are responsible for the public sewerage system. They have powers to manage the impact on the public sewer network and may enter into an agreement to adopt sewers built by the developer.

3.8. The highway authority may adopt drainage apparatus, however these apparatus are usually associated exclusively with the drainage of the adoptable highway.

3.9. There are 6 LLFAs and 8 LPAs in the Policy Area, we recognise that although each authority will have broadly the same technical requirements, one authority may require a higher standard than another. YHDB boards will always accept a higher technical standard if required by another RMA or LPA. In the unlikely event technical standards of two authorities' conflict YHDB officers may communicate directly with the other authority to seek an agreed standard.

4. Land Drainage Consent

4.1. If a person wishes to change, or by their actions cause changes to the local land drainage system, either directly or indirectly, a land drainage consent may be required. A land drainage consent is a separate permission to a planning consent.

4.2. In the simplest terms a land drainage consent is required if any proposal or action may be contrary to Bylaws or the Act. If you can answer yes to any of the following questions it is likely a land drainage consent will be required:

- ***"Do you plan to place any structure, fencing or planting within 9 metres of the top of the bank of a watercourse, the outside toe of a raised flood defence or the outside edge of a piped watercourse?"***

- ***"Will your actions increase the flow or volume of water entering a board maintained watercourse either directly or indirectly by any means whatsoever, including water entering the internal drainage district from outside and water entering via any other watercourse or pipeline?"***

- ***"Do you plan to introduce anything in, below, above, or next to a watercourse?"***

4.3. When considering the above questions, the answer may not be obvious, e.g. stripping topsoil off a site planned for a major development will increase the flow and volume of water and will require consent.

4.4. Please also consider if any action may displace water within or into a drainage district, without the agreement of the IDB this may contravene the Bylaws e.g. a scheme to divert exceedance flows from a river to prevent flooding elsewhere will still require land drainage consent if it increases flows to a watercourse within the Policy Area.

4.5. For further information and to make an application for land drainage consent please download our consent guidance document and application form which can be found on our website.

5. Design Principles (Surface Water Drainage)

5.1. Before considering any commercial or other viability issues, the developer should first work with his designer to ask - ***"is the development at flood risk, and how can it be drained without causing a flood risk to its users or increasing flood risk outside of the development?".*** The answer to this question will influence the design and layout of roads, other infrastructure, and buildings. Taking the opposite approach e.g. **"firstly let's assess how many housing units can this piece of land accommodate"** could result in costly abortive design works if the site is at flood risk or cannot be effectually drained.

5.2. If the new development is proposed to discharge all surface water directly to the sea or a large tidal body such as an estuary, YHDB do not require attenuation on site, otherwise the guidance should be followed. Please be aware that any new discharge to main rivers may require the consent of the EA.

5.3. YHDB recognise that for smaller developments the level of information required to assess flood risk is sometimes disproportionate to the size of the development. There is an option in this guidance to follow a simple method which explains to smaller developers how to undertake hydraulic equations without support from specialists, although this method is acceptable to YHDB, other RMAs may require more detailed information. For larger developments, the developer may wish to seek the advice of a consulting engineer or other qualified or experienced person.

5.4. The IDBs advocate the dual use of public open space **("POS")** and regional SuDS systems. If the LPAs policy agrees with this stance, from an engineering standpoint it is important to understand where on the site POS is proposed.

6. Design Principles (Fluvial or Tidal Displacement)

6.1. Deliberate flooding of land within an internal drainage district (either directly or by displacement) to prevent more damaging flooding elsewhere, may be an appropriate method of managing flood risk in other areas, however the agreement of the affected landowner should be sought and land drainage consent applied for to ensure technical and maintenance proposals are robust.

6.2. If works are planned to lower or raise flood defences on a river or tidal body that impacts the Policy Area (either directly or indirectly) or diverts exceedance flows from a river or tidal body into the Policy Area which will cause an increase in volume of flow to a watercourse, land drainage consent will be required.

6.3. Exceedance flows should be established by understanding how changes on the entire fluvial or tidal system may impact the policy area e.g. raising flood defences on the opposite bank of a river may cause the Policy Area to flood earlier than it does presently.

6.4. Any such proposal should be designed to accommodate exceedance flows in the 1 in 200-year event plus allowances for climate change over the lifetime of the development, which should be taken to be 100-years. Climate change allowances should use the Higher Central Estimate for peak river flow and sea level rise estimates contained within the latest climate change allowances for flood risk assessments published by the EA.

6.5. If water is introduced into the Policy Area from elsewhere that results in over 25,000m3 of water being impounded above natural ground level, this may be classified as a reservoir. Any engineering proposal that is a reservoir will need to meet the reservoir safety regulations[1], which may include for the provision of a designed spillway. You must tell the EA if you intend to build a reservoir. The position of the spillway and any designed secondary flow exceedance route that enters the Policy Area must be agreed with YHDB.

6.6. For land drainage consent to be considered in these circumstances the following 4 preliminary tests must be passed:

- TEST 1 - Will the proposals result in an exceedance volume being contained in a discrete area e.g. impounded using barrier banks, valves?
- TEST 2 - Are there formal agreements in place with the owner(s) of land within the discrete area where exceedance volume is to be contained?
- TEST 3 – Do the proposals include for the provision of permanent infrastructure to remove at least 95% of the exceedance volume from the discrete area, by extent, from the Policy

[1] For more information visit https://www.gov.uk/government/publications/design-operation-and-adaptation-of-reservoirs-for-flood-storage

Area to a depth of less than 100mm within 72 hours of the event occurring (provided the fluvial or tidal system has capacity to accept the return of the exceedance volume)?

- TEST 4 - Is there a long-term funded maintenance strategy in place to manage the permanent infrastructure constructed to meet the above tests over the lifetime of the development?

6.7. If you are planning these types of works anywhere on a tidal or fluvial system and this may impact the Policy Area, please speak with YHDB officers early as possible in the process.

7. Design Principles and Policies of other Authorities

7.1. Developers are encouraged to speak to the IDB, LPA, EA, Highways Authority and WSC early to discuss a development's drainage and flood risk proposals. This is important to ensure the proposed design is compatible with the individual authorities' acceptable technical standards.

7.2. This guidance should be read in conjunction with the National Planning Policy Framework, the Local Flood Risk Management Strategy[2], the Strategic Flood Risk Assessment[3] and relevant technical notes or supplementary planning advice issued by local authorities. If any part of the drainage design forms part of an adoption agreement with a WSC the designer should ensure that the design complies with the WSC's technical requirements.

8. Hydraulic Design (Surface Water)

8.1. This guidance is based on the publication *"Sustainable Drainage Systems – Non-statutory technical standards for sustainable drainage systems: Department for Environment, Food and Rural Affairs: 2015"* **("NSTS")** and other publications referenced throughout.

8.2. The guidance differs from the NSTS where it asks the developer to identify the Critical Duration rather than the 6-hour duration. The Critical Duration is the event likely to cause the highest volume within the proposed engineered drainage system for the specified return period. YHDB consider that applying a standard duration regardless of the size of impermeable area and peak runoff rate will give erroneous results, e.g. a large warehousing development with metalled car parks will have a very different critical duration to a small residential development with gardens and landscaping.

8.3. Other RMAs may ask for the 6-hour duration storm to be used for the calculation; however, sensitivity testing should be undertaken to compare this to the critical duration. The IDB will accept designs that are oversized for the critical duration but not undersized.

8.4. If a proposed development introduces a new impermeable area that is estimated to be greater than 249m^2, applicants are advised to complete the form found at Appendix A – *'Sustainable Drainage Information*' accompanied by guidance notes found later on in this document. Please then submit this and the required supporting information as evidence along with the planning application documents to the LPA (or in the case of permitted development directly to YHDB). Once this information is published by the LPA, YHDB development control

[2] Published by Unitary or Upper Tier Local Authority Lead Local Flood Authority Department
[3] Published by Unitary or District Authority Local Planning Authority Department

officers may assess the information and if relevant make comments to the LPA or directly to the developer.

8.5. The design should consider flooding within the development, peak flow control, design attenuation, off site flood risk and the runoff destination.

8.6. In the case of greenfield areas to be developed the design should ensure runoff from the development mimics natural processes as closely as possible. The drainage system should be designed to attenuate (store) additional rainfall volume generated over the duration of the design rainfall event due to the development and release this at a controlled rate to the runoff destination, usually a downstream watercourse or piped system.

8.7. Ideally the design should restrict flows generated from the site in the 1 in 1-year rainfall event using the method set out in IH124 QBAR[4] (Nominally 1.4 litres per second per hectare (l/s/ha)), this is normally achieved using an engineered flow control device, this could be a pump or a mechanically actuated valve but in most cases will be a static flow control device which restricts the amount of water that can pass through it. Where static flow control device such as a vortex flow control or orifice plates are used, they must not have an orifice (diameter) of less than 75mm which will give a flow rate that is normally not less than 3.5 litres per second (l/s).

8.8. YHDB consider orifices smaller than 75mm may block more easily and will result in unacceptable drain-down periods increasing flood risk overall, however new designs or novel approaches to reduce this runoff rate further may be considered if effective operation and long term serviceability issues are proven to be met. If a novel approach or new proprietary product is proposed that has a diameter of less than 75mm or flow rate of less than 3.5 l/s then please contact YHDB to discuss this further.

8.9. For residential development, a 10% additional allowance in impermeable area should be made for 'urban creep'; this accounts for extensions, patios and conservatories built during the life of the development.

8.10. The design event shall be based on the critical duration for the 1 in 100-year rainfall event + allowances for climate change on greenfield sites (always 40% for residential development). FSR[5]/FEH[6] rainfall profiles will be accepted when making this calculation.

8.11. It is important to understand that a return period does not represent a future time frame, it represents a statistical probability of an event occurring, e.g. a 1 in 100-year rainfall event represents a 1% chance of that rainfall event occurring in a given year. It is entirely feasible that a 1 in 100-year event could occur in the same place twice in the same year.

8.12. The runoff destination should be considered in accordance with the following hierarchy:

[4] Institute of Hydrology Report Nr. 124: 1994
[5] Flood Studies Report: 1975
[6] Flood Estimation Handbook: 2013

- Infiltration to ground
- Discharge to a watercourse or river
- Discharge to a surface water sewer or highway drain
- Discharge to a combined sewer

8.13. Due to the nature of ground conditions and seasonal variation in ground water levels within an internal drainage district, conditions are often not conducive to infiltration to ground.

8.14. Unless an existing connection exists (and this was made lawfully), discharge to a watercourse or river outside of the development will require the agreement of the landowner(s) through which the watercourse or river passes. Discharge to a main river may require the consent of the EA. Discharge to a public sewer or highway drain may require the consent of the WSC or Highway Authority.

8.15. The developer should show they have considered a Sustainable Drainage (SuDS) approach to design:

- Source Control - *e.g. unbound surfaces, planted areas, runoff paths to gardens*
- Site Control - *e.g. slowing the flow down, e.g. swales in verges*
- Regional Control - *e.g. dry attenuation basin with a flow control device*

8.16. The design should consider exceedance flow above the design event, consider if the route of the water will be changed due to the development e.g. will a new wall deflect water in a new direction?

8.17. For developments on previously developed land the peak runoff rate, where the water leaves the site should be as close as reasonably practicable to the greenfield runoff rate especially where there is no existing positive drainage system. For areas that have a proven existing positive drainage system, a higher rate will be accepted only where detailed sensitivity testing is undertaken to establish the current maximum rate at which water leaves that system. This should be assessed up to the current 1 in 30-year rainfall event where water does not escape at ground level. In other words, the peak runoff rate should never exceed the rate of discharge from the drainage system prior to the redevelopment. Any such proposal will require a body of evidence potentially including surveys and computer modelling.

9. Further Advice

9.1. YHDB offers up to 30 minutes of free pre-application telephone advice to developers. We also offer a chargeable pre-application service for more detailed advice; please contact us for more details on 01430 430237.

10. Standing Advice for Local Planning Authorities

10.1. YHDB wish to better support LPAs in making decisions about drainage and flood risk in internal drainage districts and catchment areas, this guidance is intended to assist with their validation and decision-making process. YHDB development control officers are available to offer reasonable support to LPA case officers on drainage and flood risk matters; please contact us on **01430 430237** for further guidance or assistance.

10.2. Paragraph 163 of the National Planning Policy Framework states that ***"when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere."*** This provision is underpinned by the statutory definition of flooding set out in Section 1 of the Flood and Water Management Act 2010 which defines a flood as ***"any case where land not normally covered by water becomes covered by water".***

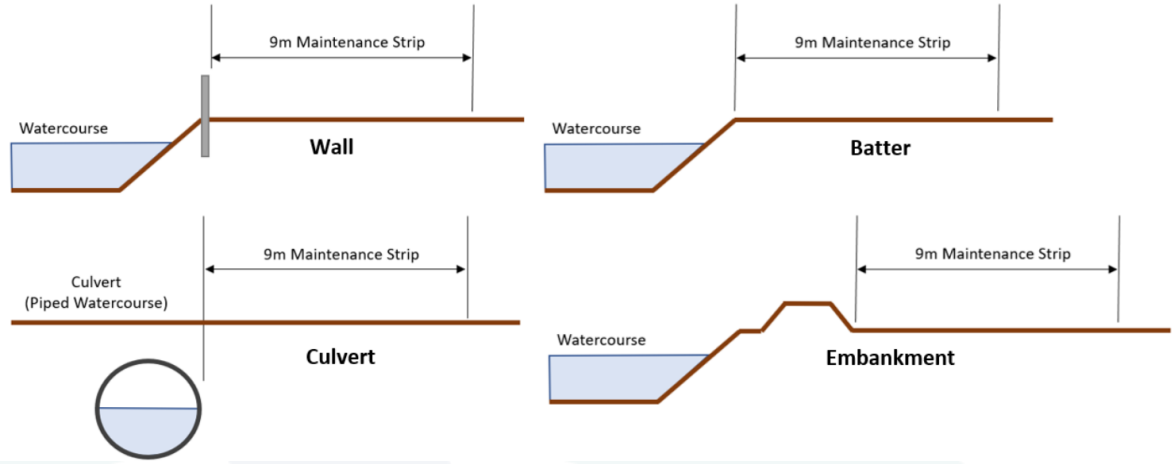
10.3. It is important that the control of flow of water and the proximity of development to drainage systems should be considered against provisions that are set out the Bylaws or the Act e.g. if planning consent was given to construct a building 5m from a watercourse without land drainage consent, and this development was to go ahead this would be unlawful.

10.4. Please use the standing advice matrix below to decide if you should consult the IDB. If you are unclear, please contact us on **01430 430237.**

Any development		
Any development with a new impermeable area greater than 249m2	Consult	Include roofs, drives and paths even if they are marked as unbound or permeable.
A discharge to the local land drainage system is proposed in the application	Consult	The applicant should consult the IDB to establish if land drainage consent is required before further consultation. See NOTE 1
The proposed means of access for the development crosses a watercourse	Consult	The applicant should consult the IDB to establish if land drainage consent is required before further consultation. See NOTE 1
A structure, road, fence-line, or planting is proposed within 9 metres of a watercourse	Consult	The applicant should consult the IDB to establish if land drainage consent is required before further consultation. See NOTE 1
A garden or landscaped area is within 9m of a watercourse.	Consult	The applicant should consult the IDB to establish if land drainage consent is required before further consultation. See NOTE 1
No structure, road, fence-line, or planting is proposed within 9 metres of a watercourse	Do not consult	
Change of use only	Do not consult	With no significant changes to paths, drives, roads or means of access
I am unclear if I should consult the IDB		
Please speak with an IDB development control officer on 01430 430237		

Note 1 – No Obstructions within NINE metres of the Edge of the Watercourse

It is unlawful without the prior consent of the internal drainage board for any person to erect any building or structure, whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the landward toe of the bank where there is an embankment or wall or within 9 metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within 9 metres of the enclosing structure.



By section 66(6) of the Land Drainage Act 1991 every person who acts in contravention of or fails to comply with any of the land drainage Byelaws is liable on summary conviction in respect of each offence.

Consultation email addresses

Black Drain Drainage Board
Cowick and Snaith Internal Drainage Board
Danvm Drainage Commissioners
Dempster Internal Drainage Board
Ouse & Humber Drainage Board
Rawcliffe Internal Drainage Board
Reedness & Swinefleet Internal Drainage Board
Vale of Pickering Internal Drainage Board

development@yorkshirehumberdrainage.gov.uk

South Holderness Internal Drainage Board

info@southholdernessidb.co.uk

11. How to Provide Supporting Information

11.1. This guidance is to be read in conjunction with the "***Sustainable Drainage Information"*** form which can be found at ***Appendix A.*** It advises you on how to fill in the form and what information and evidence is required to support the information you have given. These requirements are not exhaustive so further information may be required.

11.2. The planning authority or the applicant have no statutory requirement to provide this information, however failure to do so may result in YHDB objecting to the proposed development due to lack of information.

12. Box A1 – Total Area of The Proposed Development Site (Redline Area)

12.1. Provide a location plan of the development, to scale of 1:1000 or 1:1250 or 1:2500 ideally on a recent Ordnance Survey base-map, the plan should include a local named road and nearby building to help identify its location, along with a north arrow.

12.2. Provide a site plan of the development, of an appropriate scale that allows all the items listed below to be easily identified.

12.3. The plan should have a red line drawn around the area to be developed to define the exact area of the application including means of access. The exact area should be entered in Box A1.

12.4. You should include lines for existing below ground surface water drainage or watercourse culverts (where known), these should be marked with a dashed blue line with an arrow marking the direction of flow. Ideally you should mark any manhole or outfall positions and annotate (label) these.

12.5. Watercourses should be shown and marked with a solid blue line with an arrow indicating direction of flow and annotated with the words: **"watercourse".**

12.6. If topographical (level) information is available this should be shown with the datum clearly indicated e.g. Metres above Ordnance Datum (mAOD).

12.7. There must be no new buildings, hedges, fences, or trees within 9m of a watercourse without consent of the IDB. If any are proposed and you have not contacted the IDB in advance, it is likely the IDB will object to the application.

12.8. The IDB always presumes against culverting (piping) of watercourses, and in general will only ever consider this in respect of means of access and health and safety (where health and safety cannot be managed in another way). If culverting is proposed and you have not contacted the YHDB in advance, we are likely to object to the application

13. Box A2 – Existing Impermeable Area

13.1. On the site plan of the development you have prepared for box A1 shade the existing impermeable area Green, annotate this with **"*Existing Impermeable Area*"** with the area shown in m^2.

13.2. If there is an existing positive (piped) drainage system that you intend to use as part of the proposed development please provide evidence of this such as, as-built records of drainage or a recent drainage / CCTV survey report proving positive drainage.

13.3. If an impermeable area has been constructed previously without land drainage consent, the IDB may ask for the whole area to be treated as greenfield.

14. Box A3 – Total New Impermeable Area

14.1. On the site plan of the development you have prepared for box A1, shade the total impermeable area red. The shaded area should be annotated ***"New Impermeable Area"*** with the area shown in m^2. Enter this value in Box A3.

14.2. Include roofs, paths, roads, parking, drives or any other surface that will not allow rainfall to naturally percolate into the ground below.

14.3. For residential developments where there is an estate road, include verges between the adoptable footpath and the adoptable highway.

14.4. You may exclude unbound surfaces from the impermeable area such as gravel or non-crushable clean stone that is placed directly on earth or on a permeable geotextile fabric.

14.5. You may exclude surfaces from the impermeable area where a proprietary product that is designed for infiltration such as permeable paving is proposed, provided such a product is accredited and the proposed installation meets the technical specification of the manufacturer. If a proprietary product is proposed, please supply supporting product and technical information.

14.6. Any material that will compact or bind over time, such as crushed stone or bitumen macadam planings are to be treated as impermeable.

15. Box A4 – Urban Creep Allowance

15.1. This value only applies to residential development and accounts for the fact that householders build extensions, conservatories, and new paved areas over the lifetime of the development.

16. Box A5 – Design Impermeable Area

16.1. There is no additional guidance - follow instructions on the form.

17. Box A6 – Is the design impermeable area greater than 249m^2?

17.1. If the answer is no, then you do not have to submit any more information at this stage. The IDB may consider allowing an unrestricted discharge to the local land drainage system and may ask for a contribution to improve the local land drainage system to allow such a discharge.

18. Box A7 – Design Discharge Rate

18.1. Enter the runoff value; this will depend if the development is greenfield or brownfield or both. If the site is entirely or partly brownfield with a proven positive drainage system you may enter the brownfield runoff rate. If you are unsure or you are unable to provide the evidence requested to calculate brownfield runoff, you may wish to treat the development as greenfield only, this would be acceptable.

Greenfield Calculations

18.2. If applicable, calculate and enter the figure for the greenfield runoff rate of the part of the development that is to be made impermeable. Enter this in Box A7. You can do this in 2 ways:

18.3. Divide Box A5 by 10,000 and multiply by 1.4† or;

18.4. Divide Box A5 by 10,000 and multiply by Qbar (1 year) ††

18.5. *†1.4 l/s/ha is the generic standard greenfield runoff rate adopted by most flood risk management authorities[7]. YHDB accept this greenfield runoff rate.*

18.6. *†† A more advanced method may give a higher existing runoff rate than 1.4l/s/ha. The accepted method is to use Qbar (1 year) which may result in a smaller attenuation area. This should be established by the method set out in Institute for Hydrology Report 24 (IH124). You should show your workings which should include hydrological region, soil type, standard annual average rainfall (SAAR) and the 2.3 year to 1-year growth factor adjustment.*

Brownfield Calculations

18.7. If applicable, calculate and enter the figure for the brownfield runoff rate for the part of the site that is already impermeable and has a proven positive drainage system. If you are unsure or you are unable to provide the evidence requested, you may wish to treat the development as greenfield only.

18.8. Provide evidence of an existing positive drainage system such as a recent CCTV survey accompanied by a plan.

18.9. Using hydraulic modelling software to undertake sensitivity testing, calculate the critical duration and peak volume in the piped system up to the point that no part of the existing drainage system surcharges (floods out of manholes at ground level); do this for a range of

[7] If this rate differs from a rate determined another RMA or the LPA please contact the Board for further advice.

durations and return periods up to a maximum of the 1 in 30-year rainfall event. Please provide the results of this simulation.

18.10. From this simulation calculate the maximum discharge rate where water leaves the site; this is the brownfield design discharge rate. Enter this value in l/s in Box A7.

18.11. If applicable, if the development is partly greenfield and partly brownfield, you may add the brownfield design discharge rate and the greenfield design discharge rate together and enter this value in Box A7.

19. Box A8 – Peak Flow Control Rate

19.1. The flow control rate is the maximum rate at which the rainwater that lands on the new impermeable area is permitted to leave the development.

19.2. Flow is usually controlled using a static orifice pipe or a vortex control device but can be controlled using other methods. When using a static flow control device this should be 75mm in diameter or larger to prevent blockage, if you are considering using a small diameter product please contact the IDB on 01430 430237.

19.3. YHDB considers that if flows are restricted to less than 3.5l/s, drain down times may be unacceptable; therefore, if the design discharge rate is less than 3.5l/s this figure should be rounded up to 3.5l/s. If this value cannot be achieved, please contact the IDB on 01430 430237.

19.4. The IDB recognises that proprietary products that may achieve a lesser rate are available and will consider these if robust evidence can be provided on the effectiveness and serviceability of these products over the lifetime of the development.

20. Box A9 – Surface Water Disposal Hierarchy

20.1. The applicant should always take a hierarchical approach to disposal of surface water in the following order:

20.2. Infiltration

20.3. *Due to the nature of ground conditions and seasonal variation in ground water levels within an internal drainage district conditions are often not conducive to infiltration, the IDB require a high degree of evidence that this method will work.*

20.4. *If you are using this method, please go to Box B1.*

20.5. Discharge to watercourse

20.6. *This is the IDB's preferred method. A watercourse can include discharge to a culverted (piped) watercourse; in this case please provide evidence that the culvert is in a serviceable condition and maintained. The applicant will need the permission of the person(s) that owns the land on the route to, or next to the watercourse.*

20.7. *If you are using this method, please go to Box C1.*

20.8. Discharge to surface water sewer

20.9. *The applicant is advised to contact their local WSC before considering this method.*

20.10. *If you are using this method, please go to Box C1.*

20.11. Discharge to combined sewer

20.12. *The applicant is advised to contact their local WSC before considering this method. If the IDB considers that this will increase the volume of water entering the local land drainage system elsewhere, it will object.*

21. Box B1 – Have You Conducted a Valid Soakaway Test?

21.1. If you are intending to use a soakaway as your means of disposal you must provide a valid test.

21.2. The test should be carried out in accordance with BRE365 or other method approved by the IDB. In addition:

21.3. The test should be conducted between December 1st and March 31st. If this is not possible results should be supported by a report from a qualified hydrologist.

21.4. Two test pits are required to be excavated to a minimum depth of 1.5m. The test should be conducted 3 times per pit and on each occasion the pit should be allowed to drain completely.

21.5. The tests should be evidenced with photographs with a tape or measuring staff included in the image for scale.

21.6. The IDB should be contacted and given notice of at least 7 days of when the test is to be undertaken and invited to witness the test. The IDB may or may not attend. Alternatively, if the test is witnessed by an officer of another flood risk management authority the IDB will accept the results.

21.7. If groundwater or saturated earth is exposed during the excavation the IDB will consider the test to have failed.

21.8. For developments where the new impermeable area is over 500m^2 please contact the IDB first to discuss the technical approach to a soakaway for a larger development.

22. Box C1 – Can You and Do You Wish to use The Simple Method?

22.1. The IDB does not unduly wish to impose disproportionate requirements on small developers.

22.2. If the design impermeable area in Box A5 is between 250m^2 and 750m^2 the applicant can choose a simple method for hydraulic calculations that the IDB will accept.

22.3. To ensure these results are robust it is important the applicant understands and accepts that this method uses figures that are conservative and are likely to overestimate requirements such as attenuation volume.

23. Box C2 – Simple Method - Rainfall Volume Over Duration

23.1. The simple method assumes 60mm of rain will fall over the design impermeable area; this figure already includes an allowance for climate change. By multiplying this figure by the design impermeable area this tells us how much water the drainage system needs to cope with.

24. Box C3 – Simple Method - Volume Discharged Over Duration

24.1. The simple method assumes the (critical) storm duration is 60 minutes (3,600 seconds); by multiplying the flow control rate in Box A8 by 3.6, this tells us how much water leaves the drainage system during the critical storm duration.

25. Box C4 – Simple Method - Design attenuation volume

25.1. This is the amount of water that needs to be stored on site and released at a controlled rate so that flood risk is not increased elsewhere.

26. Box D1 – Complex Method - Design Attenuation Volume

26.1. This is the amount of water that needs to be stored on site and released at a controlled rate so that flood risk is not increased elsewhere for the critical storm duration.

26.2. Work this out using industry standard probabilistic rainfall data and catchment descriptors. Ensure the method used matches the figures stated in Part A.

26.3. You may use modelling software to produce the results. You may submit calculations produced by the software as evidence, however this information should be summarised clearly in a cover sheet.

26.4. Failure to summarise results clearly may result in a request for further information.

26.5. The design attenuation volume shall be calculated using the 1 in 100-year rainfall event + 40%[8] (1% Annual Exceedance Probability + 40% allowance for climate change (CC)). The entire attenuation volume should be accommodated within the development area unless clearly achievable off-site arrangements have been identified.

26.6. If any part of the development is subject to an agreement under Section 104 of the Water Industry Act 1991 the WSC may require that attenuation below the 1 in 30-year rainfall event (3.3% Annual Exceedance Probability) event + CC is held in a drainage system without

[8] If a smaller climate change allowance is proposed for non-residential development, please contact the YHDB

surcharging, any volume between the 1 in 30-year rainfall event + CC and 1 in 100-year rainfallevent + CC event may be designed to be held in above ground areas designed for such a purpose e.g. swales, public open space or a car park. If a two-tier solution of this type is proposed, please show calculations for the 1 in 30-year event + CC and 1 in 100-year event + CC.

26.7. Please state any assumptions on the cover sheet.

27. Box D2 – Complex Method - Critical Storm Duration

27.1. Establish the critical storm duration based on the peak design attenuation volume for the 100-year (1% Annual Exceedance Probability) event + 40% for climate change.

28. Box E1 – Have You Provided a Suitable Engineering Design?

28.1. For all developments components must be designed to ensure structural integrity of the drainage system and any adjacent structures or infrastructure under anticipated loading conditions over the design life of the development considering the requirement for reasonable levels of maintenance. The materials, including products, components, fittings or naturally occurring materials, which are specified by the designer must be of a suitable nature and quality for their intended use.

28.2. For minor developments, a general arrangement drawing should be provided showing the line and direction of any proposed drainage system. This should indicate manhole, outfall, flow control details and attenuation proposals. The drawing should be clearly annotated.

28.3. For major developments the following information is requested:

28.4. A topographical survey in metres Above Ordnance Datum (mAOD) which should include existing general site levels, existing intermediate ground levels for proposed off-site drainage works, crown, intermediate and channel level of the nearest adjacent public highway, bank/cover and invert level of the receiving watercourse/sewer/culvert.

28.5. A plan showing the line, dimensions, and levels in mAOD of all existing (and to be retained) and proposed drainage apparatus, flow control details and attenuation systems.

28.6. Cross sections with dimensions and levels in mAOD of all existing and proposed drainage apparatus.

28.7. The engineering standard to be used for construction and materials, e.g. WRC Sewers for Adoption. Where novel proprietary products or bespoke solutions are proposed please submit supporting technical information.

28.8. For sites over 4 hectares or ‘masterplan’ developments the IDBs encourage a regional SuDS scheme which should drain water into a central storage area which can be drained down at the flow control rate. Ownership or commercial considerations should not influence this approach.

28.9. This list is not exhaustive, if further information is required, the LPA will be asked for further information.

29. Box E2 – Do You Have a Long-Term Maintenance Plan in Place?

29.1. For major development, the LPA is required by a development management procedure order (Written Statement HCWA161) to ensure that suitable ongoing maintenance arrangements are in place over the lifetime of the development. The IDB will always ask for a condition to ensure a suitable maintenance plan is in place and will ask the LPA to ensure that any such plan is monitored and if necessary, enforced over the lifetime of the development.

29.2. The IDB does not favour private maintenance arrangements for drainage apparatus and associated land, from a land drainage consent stance any such proposal will result in a high degree of scrutiny from the Board unless the development is likely to remain under single ownership and within a single curtilage over its lifetime. If a private maintenance arrangement is planned, please contact the IDB to discuss your proposals before making your planning submission.

29.3. The following approaches to maintenance arrangements are supported by the IDBs:

- Vesting of drainage apparatus in an IDB or other public RMA
- Adoption of drainage apparatus under section 104 of the Water Industry Act 1991.
- Adoption of drainage apparatus as part of a Section 38 agreement
- Or a combination of the above.

29.4. Please provide a comprehensive statement on how drainage apparatus will be maintained in the future.

Please Read in Conjunction with Above Guidance

SUSTAINABLE DRAINAGE INFORMATION

This form and the associated guidance is provided to assist developers so they might prepare adequate information so the IDB is better able to comment on planning applications within its district / catchment area. There is no statutory requirement to complete this form or provide the suggested supporting information, however failure to provide relevant information in an appropriate form or level of detail may result in the Board objecting to the application on grounds of insufficient information. Determination of planning applications remains a matter for the Local Planning Authority (LPA).

Regardless of the LPA decision, if any part of a development is found to be constructed contary to the Land Drainage Act 1991 or Local Land Drainage Bylaws this may be an offence.

As well as planning consent the development may require land drainage consent, please see our website for further information.

PART A - BASIC INFORMATION
Fill the Box in marked "VALUE" with a number or response
Refer to the accompanying Guidance Sheet about how to complete this form and ensure all supporting information is included

LINE	INFORMATION REQUIRED	VALUE	UNIT	DESCRIPTION
A1	Total area of proposed development	A1	m2	Also known as the redline area. Inlcude everything within the redline regardless of surface type. Enter this value.
A2	Existing impermeable area.	A2	m2	Enter Existing Impermeable Area Enter this value.
A3	Total new impermeable area	A3	m2	Enter New Impermeable Area Enter this value.
A4	Urban Creep Allowance	A4	m2	This is for residential development only, enter NA if the development is not residential. This is the value on Line A3 multiplied by 0.1 or 10%. Enter this value = **(A3 x 0.1).**
A5	Design impermeable Area	A5	m2	This is the value on Line A3 added to the value on Line A4. Enter this value = **(A3 + A4).**
A6	Is the design impermeable area greater than 250m2?	A6	YES/NO	If the answer is **NO** then **STOP.** The Board does not require any further information. Do not fill in any more of this form and submit it with the information requested so far. Enter this value = **(YES or NO).**
A7	Design Discharge Rate	A7	l/s	Enter the Design Discharge Rate To calculate these values see the guidance note. Enter this value = **(Greenfield Rate) OR (Brownfield Rate) OR (Greenfiled + Brownfield Rate)**
A8	Peak Flow Control Rate	A8	l/s	If the value on Line A7 is less than 3.5 then enter 3.5 otherwise enter the value from Line A7. Enter this value = **(A7) or (3.5).**
A9	Surface water disposal heirarchy	A9	I/W/S/C	Enter **I** for Infiltration, **W** for Watercourse, **S** for Surface Water Sewer or **C** for Combined Water Sewer. If discharge is to infiltration go to **Line B1** otherwise go to **Line C1.** Enter this value = **(I) or (W) or (S) or (C).**

PART B - DISCHARGE TO INFILTRATION (SOAKAWAY)
Fill the Line in marked "VALUE" with a number or response
Refer to the accompanying Guidance Sheet about how to complete this form and ensure all supporting information is included

B1	Have you conducted a valid soakaway test?	B1	YES/NO	Have you completed a successful BRE 365 (or approved) soakaway test and did it pass? If the answer is **NO** use another method of surface water disposal. Enter this value **(YES) or (NO).** Go to Line **E1.**

PART C - DISCHARGE TO WATERCOURSE, CULVERT, SURFACE WATER SEWER or COMBINED SEWER - SIMPLE METHOD
Fill the Line in marked "VALUE" with a number or response
Refer to the accompanying Guidance Sheet about how to complete this form and ensure all supporting information is included

C1	Can you and do you wish to use the simple method?	C1	YES/NO	If you wish to use the simple method, enter **YES** and go to **Line C2.** Otherwise enter **NO** and go to **Line D1.** Enter this value = **(YES) or (NO).**
C2	Simple Method - Rainfall volume over duration including climate change	C2	m3	This is the value on Line **A5** multiplied by **0.06** Enter this value = **(A8 x 0.06)**
C3	Simple Method - Volume discharged over duration	C3	m3	This is the value in Line **A8** multiplyied by **3.6.** Enter this value = **(A8 x 3.6)**
C4	Simple Method - Design attenuation volume	C4	m3	This is the value on **Line C2** minus the value on **Line C3.** Enter this value = **(C2 - C3)** **Go to Line E1**

PART D - DISCHARGE TO WATERCOURSE, CULVERT, SURFACE WATER SEWER or COMBINED SEWER - COMPLEX METHOD **Fill the Line in marked "VALUE" with a number or response** **Refer to the accompanying Guidance Sheet about how to complete this form and ensure all supporting information is included**				
D1	Complex Method - Design Attenuation Volume	D1	m3	Enter the design attenuation volume for the 100 year event (1% Annual Exceedance Probability) and include an allowance of 30%* to account for climate change. (*See Guidance) Enter this value.
D2	Complex Method - Critical Storm Duration	D2	min	Enter the critical storm duration. Enter this value.
D4	Go to **Line E1**			
PART E - DESIGN AND SUBMISSION **Fill the Line in marked "VALUE" with a number or response** **Refer to the accompanying Guidance Sheet about how to complete this form and ensure all supporting information is included**				
E1	Have you provided a suitable engineering design?	E1	YES / NO	Provide a suitable engineering design - see guidance. Enter this value = **(Yes or No)**
E2	Do you have a long term maintenance plan in place?	E2	YES / NO / NA	Only fill this in for a major development. Provide a statement on how the drainage apparatus will be maintained in the future. Enter this value = **(Yes, No or NA)**
E3	Have you prepared all of the supplementary documents and evidence requested in the guidance document?	E3	YES/NO	Ensure all the information requested is submitted to the local planning authority to support your application Enter this value = **(Yes or No)**

The applicant understands that by following the advice given, the Internal Drainage Boards (IDBs) shall under no circumstances whatsoever be liable to the applicant, whether in contract, tort (including negligence), breach of statutory duty, or otherwise, for any loss of profit, or any indirect or consequential loss arising under or in connection with advice given or procedures followed.

Name of Applicant / Business Name of Developer	
Address of Applicant	
Name of Agent (If authorised to act on behalf of applicant)	
Telephone Number(s) of Applicant	
Email Address of Applicant	
Address of Agent	
Agent Telephone Number(s)	
Agent Email Address	
Signed on Behalf of Developer	
Name	
Position	
Date	

Yorkshire Water Services
Developer Services
Pre Development Team
PO Box 52
Bradford
BD3 7AY

Tel:
Fax:
For telephone enquiries ring:
Francis Davies on 0345 120 8482

Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Your Ref: EN010143
Our Ref: Y012555

4th October 2022

Dear Sir/Madam,

From Drax Station to various areas in East Yorkshire - Scoping Opinion / Application for an Order granting Development Consent for the East Yorkshire Solar Farm Development

Thank you for consulting Yorkshire Water regarding the above proposed development.

Chapter 9 of the Scoping Report, produced by AECOM and dated September 2022 states that an FRA will form an appendix to the ES (Environmental Statement), reviewing the current and future flood risk. This document will help to inform scheme design and set out any mitigation requirements which need to be addressed in the within the Surface Water Drainage Strategy.

Yorkshire Water welcome the above and have no further comments to make on the scoping request. However, the developers must contact Yorkshire Water with regard to protecting water and sewerage infrastructure that is laid along the route of the cable and within the Solar PV Site.

Yours faithfully

Francis Davies
Pre-Developement and Planning
[redacted]