



**Application by East Yorkshire Solar Farm Limited for East Yorkshire Solar Farm
The Examining Authority's written questions and requests for information (ExQ1)
Issued on 28 May 2024**

The following table sets out the Examining Authority's (ExA's) written questions and requests for information - ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annexe C of the Rule 6 letter of 23 April 2024]. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 1 (indicating that it is from ExQ1) and then has an issue number and a question number. For example, the first question on air quality and emissions issues is identified as Q1.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

Reference to, for example, 'ES2.8' means section 2.8 of the Environmental Statement (ES). ES2.8.1 means paragraph 2.8.1 of the ES. Chapters 1 to 18 of the ES can be found at Examination Library references [APP-052 to APP-070] and [AS-014] (Chapter 10), [AS-016] (Chapter 16) and [AS-018] (Chapter 18).

The questions shaded blue in the section on the draft Development Consent Order mirror matters discussed in the Issue Specific Hearing on this topic [EV2-001 to EV2-005]. While parties who participated in the discussion at the hearing are free to add to their contributions, there is no need to replicate submissions.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact EastYorkshireSolarFarm@planninginspectorate.gov.uk and include 'East Yorkshire Solar Farm' in the subject line of your email.

Responses are due by Deadline 1 on 18 June 2024



Abbreviations used:

AEoI	Adverse effects on integrity	LEMP	Landscape and Ecological Management Plan
ALC	Agricultural Land Classification	LIR	Local Impact Report
Art	Article	LPA	Local planning authority
ALA 1981	Acquisition of Land Act 1981	LSE	Likely significant effect
BMV	Best and Most Versatile (agricultural land)	LVIA	Landscape and visual impact assessment
BNG	Biodiversity net gain	MAH	Major Accident Hazard
BoR	Book of Reference	NCA	National Character Area (landscape classification)
CA	Compulsory Acquisition	NE	Natural England
CEMP	Construction Environmental Management Plan	NH	National Highways
CPO	Compulsory Purchase Order	NPS	National Policy Statement
CTMP	Construction Traffic Management Plan	NSIP	Nationally Significant Infrastructure Project
dDCO	Draft DCO	OEMP	Operational Environmental Management Plan
DEMP	Decommissioning Environmental Management Plan	PA2008	Planning Act 2008
DML	Deemed Marine Licence	PINS	The Planning Inspectorate
EM	Explanatory Memorandum	PRoW	Public rights of way
ES	Environmental Statement	PRoWMP	Public Rights of Way Management Plan
ExA	Examining Authority	R	Requirement
ERYC	East Riding of Yorkshire Council	RR	Relevant Representation
FSF	Fixed South Facing (solar PV panels)	SAC	Special Area of Conservation
FRA	Food Risk Assessment	SAT	Single Axis Tracker (solar PV panels)
FZ	Flood Zone	SSCEP	Skill, Supply Chain and Employment Plan



GCC	Grid connection corridor	SI	Statutory Instrument
GHG	Greenhouse Gas	SoS	Secretary of State
HDD	Horizontal Directional Drilling	SPA	Special Protection Area
HE	Historic England	TA	Transport Assessment
HRA	Habitats Regulations Assessment	TP	Temporary Possession
HRAR	Habitats Regulations Assessment Report	WFD	Water Framework Directive
ICE	In-combination effects	ZTV	Zones of Theoretical Visibility
IDB	Internal Drainage Board		

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: [Examination Library](#). It will be updated as the examination progresses.

Citation of Questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ1 1.0.1 – refers to question 1 in this table.



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ExQ1	Question to:	Question:
1.	General and Cross-topic Questions	
1.0	Policy Context	
Q1.0.1	The Applicant and LPAs	The Overarching National Policy Statement for energy (EN-1) and National Policy Statement for renewable energy (EN-3) were published in January 2024. They update the 2011 versions of EN-1 and EN-3 referenced in the application submissions. Please set out any implications for the consideration of the proposal arising from the updated NPSs.
Q1.0.2	The Applicant and LPAs	On 15 May 2024 the Secretary of State for Energy Security and Net Zero made a written ministerial statement (WMS) entitled 'Solar and protecting our Food Security and Best and Most Versatile (BMV) Land'. Please set out any implications for the consideration of the proposal arising from this WMS.
Q1.0.3	The Applicant	On 30 April 2024 the Government issued an updated suite of National Infrastructure Planning Guidance. Please comment on any implications of the updated Guidance for the application proposal.
Q1.0.4	The LPAs	Please comment on the Applicant's review of development plan policies applicable to the proposal as set out in its Planning Statement [APP-233].
1.1	Environmental Statement	
Q1.1.1	The Applicant	ES5.4.3. Most topic chapters cross refer to Chapter 5 of the Environmental Statement (ES) when describing the rationale for determining the future baseline. In some cases the future baseline year is given and varies between topic chapters. In other cases no baseline year is specified. However, paragraph ES5.4.3 provides little information on the rationale used. Please expand on the rationale for determining the future baseline.
Q1.1.2	The Applicant	ES5.6.1. Please expand on whether and how the assessment of construction phase works takes into account the 'permitted preliminary works' as defined in Art 2 of the draft Development Consent Order (dDCO) [AS-008].
1.2	The Scheme	
Q1.2.1	The Applicant	With regard to the grid connection offer from national grid, please set out its terms, including any interactions with other energy schemes affecting the Drax substation, its timing and capacity (EN-1(24) paragraph 4.11.12 and EN-3(24) paragraphs 2.10.21 to 2.10.26).

ExQ1	Question to:	Question:
Q1.2.2	The Applicant	ES Section 2.8 Decommissioning and EN-3(24) paragraph 2.10.69 Please confirm whether or not the driven piles or any other below ground foundations used to support the solar PV panels would be removed when the site is decommissioned.
Q1.2.3	The Applicant	EN-3(24) advises that the output of solar farms is expected to change over time as the technology continues to evolve to become more efficient (paragraph 2.10.17) and the Statement of Need [APP-232] indicates that it is reasonable to expect panel efficiency to increase linearly during the 2020s. Please comment on the potential for improved panel efficiency to make it commercially viable to replace all of the solar PV panels before the end of the scheme's anticipated 40 year lifespan. Should this possibility form part of the assessment of the proposal?
Q1.2.4	The Applicant	ES2.4 and Table 2.1. Please clarify the number of solar PV panels proposed and the relationship between panel output and the number and configuration of inverters, transformers and switchgear.
Q1.2.5	The Applicant	ES Figure 2-3 sheet 1 refers to a Grid Connection Substation Potential Development Area at Area 1c. 'Potential Development Area' is not mentioned in ES Chapter 2 The Scheme. Please clarify the meaning of 'Potential Development Area'.
1.3	Parameters and mitigation	
Q1.3.1	The Applicant	Table 2-1 of ES Chapter 2 states that the typical working area for installation of the Grid Connection cables would be a 30m wide corridor but that this may be widened in places to accommodate required operations and narrowed in others, for example to minimise removal of hedgerows or at open cut watercourse crossings. Please confirm what the maximum width of the corridor would be, where that is secured in the dDCO and how that has been used to represent the worst case scenario for the assessments.
Q1.3.2	The Applicant	Horizontal Directional Drilling (HDD) is proposed at a depth of at least 5m beneath the riverbeds of the River Ouse and the River Derwent. A 16m buffer is proposed between the HDD send and receive pits from the landward flood defences beside the rivers, according to the framework Construction Environmental Management Plan (CEMP) [APP-238]. Please explain how this mitigation is secured for trenchless crossings under both the River Ouse and River Derwent.
Q1.3.3	The Applicant	The framework CEMP considers impacts from noise and vibration from construction works but navigational safety and silt mobilisation during the proposed HDD at the River Ouse and River Derwent do not appear to be considered. Please clarify how these matters have been assessed as

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ExQ1	Question to:	Question:
		part of the ES and identify any relevant mitigation measures that have been considered as part of this assessment.
Q1.3.4	The Applicant	The Water Management Plan is incorrectly defined as the Waste Management Plan in the CEMP Abbreviations list (page 132). Please correct this in the next iteration of the CEMP.
Q1.3.5	The Applicant	Subject to the necessary consents, the scheme is expected to be completed by 2027 (Statement of Need paragraph 7.6.4 among other references) and the scheme holds a grid connection offer date of 2029 (Statement of Need paragraph 7.6.3). Please explain the relationship between those dates and what would happen to the completed scheme in the period before the grid connection becomes available.
Q1.3.6	The Applicant	ES2.6.3 refers to construction works being carried out in a sequential manner and appears to imply that the solar PV panels nearest to the grid connection substation would be completed first. The construction period is expected to last some two years and the site covers a wide area. Therefore, the construction activity could be expected to affect the communities within the site to different degrees depending on its proximity. Please provide further clarity on the spatial sequencing and timing of the works over the site as a whole.
Q1.3.7	The Applicant	ES2.6.10. Please clarify who would be responsible for the maintenance of the area between the perimeter fence and the field edge (min 5m wide).
Q1.3.8	The Applicant	ES2.6.48 and CEMP2.3.5 refer to 'quiet non-intrusive works such as...' Please define this phrase more clearly.
Q1.3.9	The Applicant	The Design and Access Statement [APP-234] paragraph 5.2.12(b) refers to the use of buffer zones between the solar PV panels and residential properties. However, unlike the field stations and grid connection substations (paragraph 5.2.12(c)), no buffer distance is specified. Moreover, the Outline Design Principles Statement [APP-235] does not refer to a buffer between the solar PV panels and residential properties. This is the document to be used to control detailed design matters under Requirement 5 of the dDCO. Please give further consideration to the specification of a buffer for this purpose in the Outline Design Principles Statement, including an appropriate buffer width.
Q1.3.10	The Applicant	Please respond to the points made by the Forestry Commission [RR-118] regarding (a) access to woodland; (b) how the scheme proposals for the management and enhancement of woodland would

ExQ1	Question to:	Question:
		align with the Forestry Commission's objectives; and (c) whether the buffer between the solar PV panels and areas of woodland should be increased from 15m.
1.4 Need		
Q1.4.1	The Applicant	EN-1(24) paragraphs 3.3.25 to 27 outline the benefits of electricity storage. The flexibility provided by co-located storage is recognised in the Statement of Need Section 5.11. Together they establish the benefits of co-location of electricity storage for the wider electricity network. It is recognised that the proposal does not include a grid import connection. Nevertheless, and having regard to your response to Q1.5.1 below, please comment on the implications of the omission of electricity storage from the application proposal for (a) the wider network and (b) the fulfilment of EN-1(24) objectives.
Q1.4.2	The Applicant	Statement of Need paragraph 7.6.14. (a) Please expand on why SAT is preferred for the scheme, including consideration of any risks associated with its limited use to date in the UK. (b) If a combination of SAT and FSF were used, please provide further information on any environmental effects and whether any alternative or additional controls would be required.
1.5 Site selection and alternatives		
Q1.5.1	The Applicant	<p>EN-3(24) advises that 'Solar also has an important role in delivering the government's goals for greater energy independence' and seeks a five-fold increase in deployment (up to 70GW) by 2035 (paragraph 2.10.10). It also states that solar farm "applicants should, where possible, utilise suitable previously developed land, brownfield land, contaminated land and industrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land avoiding the use of "Best and Most Versatile" agricultural land where possible' (paragraph 2.10.29). The WMS seeks to avoid the use of Best and Most Versatile agricultural land. EN-3(24) advises that solar farm projects 'will be expected to direct considerable effort towards minimising the landscape and visual impact of solar PV arrays'. Concerns relating to both of these considerations, together with the scale of the proposal and its effect on the well-being and health of the local community, feature prominently in the Relevant Representations (RRs). The Government's 'Guidance related to procedures for the compulsory acquisition of land' advises that the Secretary of State (SoS) needs 'to be satisfied that the land to be acquired is no more than is reasonably required for the purposes of the development' (paragraph 11).</p> <p>EN-3(24) advises that 'Along with associated infrastructure, a solar farm requires between 2 to 4 acres for each MW of output' (paragraph 2.10.17). The application Order Limits extend to some 1276</p>

ExQ1	Question to:	Question:
		<p>hectares (ha) and the Solar PV area to 966ha (or 2387 acres) (ES2.2.3). Even taking the solar PV area alone, this indicates and output of some 600 to 1200 MW. The Statement of Need is silent on the capacity of the scheme, although the Planning Statement [APP-233] states that it would have an installed capacity of approximately 400MW (paragraph 5.3.2) and ES6.4.1 assumes capacity of 480MW. Both of these figures are significantly less than the output suggested by EN-3 given the size of the site.</p> <p>Please provide clarification of the output and efficiency (expressed in capacity and annual energy generation) of the proposed development having regard to:</p> <ol style="list-style-type: none"> a) The policy considerations set out above b) The size of the site c) The appropriateness of the site location with regard to (i) site irradiance, orientation and topography and (ii) the use of agricultural land d) The site layout e) The preferred tracked mounting system and the choice of solar PV panels f) The capacity of the proposed grid connection negotiated with National Grid and the appropriate allowance for over-planting
Q1.5.2	The Applicant	<p>ES Table 3-1 page 3-8. In response to a question about clustering the solar PV areas closer together, the Applicant's response refers to land availability. However, this consideration is covered only briefly in the Design and Access Statement [APP-234] and, in any event, it is proposed to use Compulsory Acquisition powers. Please expand on the rationale for the selection of the relatively dispersed pattern of the solar PV areas proposed compared with a more concentrated layout, with particular regard to the relative impacts on residential properties and landscape character.</p>
Q1.5.3	The Applicant	<p>ES3.5.13 concerns the Applicant's Stage 3 site selection process within a refined site area. It refers to Section 3.10 of the then draft EN-3 with regard to the preference for the use of brownfield and non-agriculture land. This preference is maintained in EN-3(24) (paragraph 2.10.29) and the WMS. Given this policy context, please expand on how the preference for use of brownfield and non-agricultural land was taken into account in earlier stages of the site selection process when, potentially, there may have been more opportunities to meet these preferences.</p>

ExQ1	Question to:	Question:
Q1.5.4	The Applicant	ES3.5.14 implies a somewhat opportunistic selection of the location for ecological mitigation sites based on the offer of land for that purpose. Please expand on the site selection process for the ecological mitigation areas.
2. Biodiversity (including Habitats Regulations Assessment (HRA))		
Q2.0.1	The Applicant	ES Table 8-1 page 8-8. Please provide an update on progress towards obtaining an Impact Assessment and Conservation Payment Certificate for great crested newts.
Q2.0.2	The Applicant, Natural England (NE) and local planning authorities (LPAs)	ES Table 8-1 page 8-25/26. Has there been any on-going consultation with NE and the LPAs to align habitat enhancement proposals with any Local Nature Recovery Strategies (see EN-1(24) paragraph 4.6.14)? If so, please provide further details.
Q2.0.3	NE	ES8.3.14. Please comment on the bird survey methodology, particularly that the spring passage period had not been covered by the 2022/23 surveys for non-breeding birds.
Q2.0.4	The Applicant and LPAs	ES8.3.17. Please provide an update on works and mitigation measures within the Wressle Verge and Tottering Lane, Gribthorpe Local Wildlife Sites.
Q2.0.5	East Riding of Yorkshire Council (ERYC)	ES8.3.20. Please comment on the Zone of Influence for mobile species associated with the Lower Derwent Valley SPA/Ramsar and Humber Estuary SPA/Ramsar.
Q2.0.6	NE	ES8.3.22. Please comment on the Applicant's approach to scoping out impacts on common and widespread habitats of low sensitivity and/or conservation interest.
Q2.0.7	The Applicant, NE and LPAs	ES8.4.2 appears to discount the effect on fauna of a longer construction period based on the likelihood of it occurring, rather than what the effect may be. (a) Applicant Please clarify your approach. (b) NE and LPAs Please comment on the Applicant's approach to this matter.
Q2.0.8	NE and LPAs	ES8.4.5. Please comment on the absence of an assessment of the air quality effects of construction traffic on ecological features.
Q2.0.9	The Applicant	ES8.4.7. The dust assessment is presented in ES Chapter 16: Other Environmental Topics, rather than in the ecology chapter. ES16.2.78 refers to the potential for overlaps of construction traffic effects with other schemes. Please provide an update on the schemes which could potentially interact with the Application proposal. How would this be managed in the event of schemes being constructed concurrently?

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ExQ1	Question to:	Question:
Q2.0.10	The Applicant and NE	ES8.4.10. Please comment on the suitability of the existing and Phase 1 habitat and condition assessment data used in the Biodiversity Metric 3.1 Habitat Condition Assessment for use in the Biodiversity Metric 4.0 assessment?
Q2.0.11	The Applicant	ES8.4.44 to 47. Given that terrestrial invertebrate and reptile field surveys or species-specific surveys for hedgehog, brown hare, polecat and common amphibians have not been undertaken, how can the ExA be confident that the mitigation proposed for these species would be adequate?
Q2.0.12	The Applicant, NE and LPAs	The effect of the proposal on the local deer population has been raised in a number of RRs. Please comment on concerns about impacts arising from changes to deer movements in the area as a result of the Proposed Development, particularly arising from the perimeter fencing around the solar PV panel areas (see also EN-1(24) paragraph 5.4.22).
Q2.0.13	The Applicant	ES8.4.74. How do you anticipate achieving 10% biodiversity net gain (BNG) for hedgerows at the detailed design stage? How would this be secured in the DCO?
Q2.0.14	The Applicant	ES Table 8.12 page 8-269-270. What evidence is there that the relatively narrow retained margins around the solar PV panels would be equally attractive to bird species such as curlew and skylark as the currently unincumbered arable fields?
Q2.0.15	The Applicant, NE and LPAs	ES Table 8.12 finds a considerable number of minor adverse effects which, considered individually, would not be significant as defined in the ES methodology. Please comment on the combined effect of this number of minor adverse effects.
Q2.0.16	The Applicant	ES8.7.24 suggests that the land used for the Grid Connection Corridor (GCC) cables and substations may be retained after the rest of the scheme is decommissioned, but then goes on to state that the land would be returned to the landowners in the same condition as prior to the development. These statements appear to be inconsistent - at least with regard to the substations. Please clarify the position.
Q2.0.17	The Applicant	ES Tables 8-15 and 8-16. A number of the identified cumulative schemes have yet to submit ecology assessments (eg within HRAs or ESs) and the cumulative effects assessment assumes that they would mitigate any significant effects. However, it is possible that such effects could not be mitigated but that decision-makers would find that the benefits of the scheme would outweigh the adverse effects and therefore grant consent. Please comment on this scenario.

ExQ1	Question to:	Question:
Q2.0.18	The Applicant	Please respond to the EA's concerns [RR-107] regarding (a) vegetation clearance and building works, (b) the need for an Invasive Non-native Species eradication plan, and (c) provisions to protect eels in the event that over pumping is required at larger drain crossings.
Q2.0.19	The Applicant	EN-1(24) paragraph 4.6.15 advises that applications should be accompanied by a statement demonstrating how opportunities for delivering wider (than BNG) environmental net gains have been considered and incorporated into proposals. Please clarify how the proposal meets this requirement.
Q2.0.20	The Applicant	EN-1(24) paragraph 5.4.44 advises that habitat creation or enhancement delivered, including biodiversity net gain, should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer. Section 6 of the Landscape and Ecological Management Plan (LEMP) [APP-246] sets out the establishment maintenance (5 years) and long-term management (project lifetime) regimes for new planting. While the establishment maintenance includes provision to replace failed or defective plants, there is no such provision in the longer term. Having regard to the aims of EN-1(24) paragraph 5.4.44, should the LEMP include provisions to replace failed or defective planting throughout the project lifetime?
2.1	Habitats Regulations Assessment	
Q2.1.1	The Applicant	Paragraph 1.1.4 of the Habitats Regulations Assessment Report (HRAR) [APP-244] explains that the scope and extent of the HRA was determined by ongoing engagement with NE, among other factors. Footnote 2 on page 12 states that NE were consulted on the draft HRAR on 28 September 2023 and a Discretionary Advice Service response was received on 20 October 2023. There are references throughout the HRAR in respect of consultation responses from or agreement with NE. However, neither the HRAR nor any other application document include evidence of NE's position in respect of the HRA. Please can the Applicant provide the supporting evidence of consultation and any agreement with NE.
Q2.1.2	The Applicant	The Conservation Objectives and 'threats and pressures' for each European site are shown in Table 5 (Section 4, page 23). However, the current conservation status of the European sites is not identified. Please provide this information for each European site considered in the Habitats Regulations Assessment (HRA).
Q2.1.3	The Applicant	A number of potential impact pathways are identified for effects on qualifying species of the Humber Estuary Special Area of Conservation (SAC) in the HRA Report (HRAR) Section 4 Table 6. However, only the water quantity, level and flow impact pathway is identified as relevant to the SAC in HRAR

ExQ1	Question to:	Question:
		Section 5. Section 6 considers the SAC during construction in relation to noise and visual disturbance, water quality, and water quantity level and flow; and water quality and water quantity level and flow during operation. Loss of functionally linked habitat, atmospheric pollution and introduction of invasive non-native species (INNS) are not addressed. The SAC screening matrix omits atmospheric pollution and INNS. Please confirm which impact pathways apply to the Humber Estuary SAC, to which features and to which phase(s) of the Proposed Development. The HRAR main text and the screening and integrity matrices should be updated accordingly, including the incorporation of any omitted assessments.
Q2.1.4	The Applicant	An in-combination effects (ICE) screening assessment is contained in HRAR Section 7, Table 10. Where it is determined that ICE may occur it generally does not identify which European sites and qualifying features may be affected or the phases of the Proposed Development in which the ICE could occur. In addition, not all of the adverse effects on integrity (AEol) assessments contained in HRAR Section 8 that identify the potential for ICE identify the European sites and features that may be affected. Please provide this information. 'Cumulative' and 'in-combination' are used interchangeably in the HRAR; references in relation to HRA should be to in-combination effects.
Q2.1.5	The Applicant	In relation to potential noise and visual disturbance effects on otter (a qualifying feature of the Lower Derwent Valley SAC and the River Derwent SAC), HRAR Section 8.1 explains that the majority of the construction and decommissioning works would be undertaken during daylight hours, apart from occasional works early morning/late evening and potentially some night-time Horizontal Directional Drilling (HDD) in wintertime. The likely frequency of the nocturnal works is not quantified further, nor is cross-reference made to relevant information contained in other application documents. Please provide this information or identify its location within other documents.
Q2.1.6	The Applicant	Although, in addition to river and sea lamprey, the bullhead feature of the River Derwent SAC is mentioned in HRAR Section 6.2, disturbance likely significant effects (LSE) are considered only in respect of lamprey. Please provide an LSE assessment in respect of disturbance for bullhead.
Q2.1.7	The Applicant	In respect of the River Derwent SAC and potential disturbance impacts on river and sea lamprey (HRAR Section 6.2), please provide details of the timings and duration of any potentially disturbing works and relate those to the core migratory periods for those species.

ExQ1	Question to:	Question:
Q2.1.8	The Applicant	In relation to the temporary removal of verge habitat within the River Derwent SAC for a construction access track, please explain how and where restoration of the habitat is secured within the application documents.
Q2.1.9	The Applicant	Operational water quality LSE (from surface runoff resulting in water pollution) are identified in the screening assessment (HRAR Section 6.3) for all of the European sites except the Lower Derwent Valley SAC (although the SAC is included in the AEoI assessment for this impact pathway in Section 8.2). Although a reference is made to the need for surface runoff to be managed in the operational phase no assessment or description of proposed operational mitigation is provided and the conclusion therein (para 8.2.13) refers only to construction and decommissioning. Section 9.1 and the title of Section 9.3 list operational water quality effects, however they are not addressed there either and the conclusion in paragraph 9.3.2 omits reference to this pathway for the Humber Estuary SAC. The relevant Evidence Notes (ENs) to the appropriate assessment (AA) matrices contained in HRAR Appendix C do not describe any operational mitigation. ES Chapter 8 paragraph 8.7.13 [APP-060] explains that a Framework Surface Water Drainage Strategy (fSWDS) [APP-098] has been developed to manage operational surface water runoff. However, the only references in the HRAR to the fSWDS are in relation to operational water quantity, level and flow effects. Please set out within an updated HRAR the proposed mitigation for operational water quality LSE.
Q2.1.10	The Applicant	<p>The information contained in HRAR Section 8.4 in relation to LSE arising from the potential loss of FL habitat in the operational phase on non-breeding birds is inconsistent both within that section and with that contained in Section 8 Tables 11 and 12 (incorrectly referenced as Tables 13 and 14):</p> <ul style="list-style-type: none"> para 8.4.5 states that potential impacts on greylag goose were excluded for reasons including no significant presence of suitable supporting habitat within the application site; no records obtained in the non-breeding bird surveys; and maximum foraging distances. (It also refers to HRAR paragraphs that do not exist; it is assumed the references should be to paragraphs 8.4.6 and 8.4.10.) However, para 8.4.7 and Table 12 identifies that the peak count for greylag goose within the application site equated to 5.6% of the Humber Estuary Special Protection Area (SPA)/Ramsar site population (3.4km away) and Table 11 indicates that they have a maximum foraging distance of 10km and there is potentially FL habitat within the application site. Paragraph 8.4.7 states that the peak count of 80 pink-footed goose (PFG) is “well below” the 1% threshold for the qualifying population of the Humber Estuary SPA and Ramsar site (shown in Table 12 as equating to 0.3% of the population), however they are assessed. It is not explained

ExQ1	Question to:	Question:
		<p>why effects on PFG are included but effects on greylag goose are excluded (although they are subsequently referenced within the HRAR); and</p> <ul style="list-style-type: none"> para 8.4.7 states that the peak count of golden plover (36) equated to 0.9% of the qualifying population (4,120) of the Lower Derwent Valley SPA/Ramsar site). In Table 12 the golden plover population of the Lower Derwent Valley SPA/Ramsar site is shown as 3,131, with the 36 individuals recorded as equating to 1.1% of the population. Paragraph 8.4.9 states that the survey results indicated that golden plover reached abundances over 1% of the qualifying population (which is inconsistent with para 8.4.7 but consistent with Table 12). <p>Please explain these inconsistencies and discrepancies and confirm whether greylag goose were included in the AEoI assessment for the Humber Estuary SPA and Ramsar site.</p>
Q2.1.11	The Applicant	<p>Section 8 paragraph 8.4.5 refers to information contained in Table 11 on maximum foraging distances, supporting habitats and preferred foraging resources for the qualifying bird species of the Lower Derwent Valley SPA and Ramsar site and Humber Estuary SPA and Ramsar site. It lists a number of species for which FL habitat was concluded to be potentially present on the application site but for which impacts had been excluded. This includes mallard and little egret, however mallard has been omitted from Table 11; and in respect of little egret it is indicated within Table 11 that there is no potentially FL habitat present on the site. Please confirm whether these are textual errors.</p>
Q2.1.12	The Applicant	<p>Reference is made in HRAR paragraph 8.1.9 to the 'Ecology Mitigation Zone' (depicted on HRAR Appendix A Figure 7) in the context of it being a representative location for noise modelling; and in Table 13 in relation to cropping data. It is not explained in the HRAR what this comprises and no reference is made to it in ES Chapter 8 (Ecology) [APP-060]. Please confirm that this was an error and intended to refer to the Ecology Mitigation Area(s).</p>
Q2.1.13	The Applicant	<p>HRAR paragraph 8.4.22 states that a 'master spreadsheet' would detail the future cropping rotations within the Goose Mitigation Zone and will accompany a legal agreement with the relevant landowners (in relation to the mitigation activities they would undertake). No additional information is provided on the level of engagement or agreement to-date with the relevant landowners, and the Framework Landscape and Ecological Management Plan [APP-246], which contains the proposed measures, makes no reference to the spreadsheet or legal agreement(s). Please set out the position in respect of relevant discussions with landowners and explain how and where this mitigation is secured.</p>

ExQ1: 28 May 2024

Responses due by Deadline 1 on 18 June 2024

ExQ1	Question to:	Question:
Q2.1.14	The Applicant	Please submit the bird surveys for the 2023/2024 passage/wintering period to the Examination (that it is noted may potentially result in changes to the HRAR/matrices and the proposed mitigation).
Q2.1.15	The Applicant	Please provide justification for its use of the 2013 Institute of Estuarine and Coastal Studies (IECS) Waterbird Disturbance Mitigation Toolkit in relation to noise disturbance (HRAR para 8.1.3).
Q2.1.16	The Applicant	<p>The screening matrices contained in HRAR Appendix B appear to contain a number of errors and omissions:</p> <ul style="list-style-type: none"> • the information within the matrices and accompanying ENs that identifies whether LSE from particular pathways is or is not excluded is not consistent with that contained in the HRAR main text, nor between the matrices and their respective ENs. For example, in respect of the River Derwent SAC screening matrix (Table 14) HRAR Section 6.3 concludes that operational visual disturbance will not result in LSE (on any European site), however it is indicated within the SAC matrix and EN b that it was taken forward to AA in respect of otter; operational water quality LSE is stated in HRAR paragraph 6.3.12 as taken forward to AA but shown as excluded in the matrix; • the information provided in respect of noise and visual disturbance is unclear. Although in the HRAR main text they are separated out where different conclusions on LSE apply to each, they are presented together as one pathway in the matrices, so the ENs do not reflect the HRAR conclusions; • EN a is shown within Table 14 under operational water quality, however that particular EN relates to disturbance from noise and vibration; • Table 14 includes INNS although it was not identified as a potential impact pathway for this European site; • Tables 15 – 19 (Lower Derwent Valley SPA, Lower Derwent Valley Ramsar site, Humber Estuary SPA, Humber Estuary Ramsar site and Humber Estuary SAC, respectively) do not include INNS although it was identified as a potential impact pathway for these sites (and also the Lower Derwent Valley SAC for which matrices were not provided); • Tables 17 - 19 (Humber Estuary SPA, Humber Estuary Ramsar site and Humber Estuary SAC) do not include atmospheric pollution although it was identified as a potential impact pathway for these sites; and • in-combination effects (ICE) have been omitted from the screening and integrity matrices.

ExQ1	Question to:	Question:
		Please explain these apparent errors and omissions and provide corrected and updated matrices that are consistent with the HRAR main text.
Q2.1.17	The Applicant	Screening and integrity matrices have not been provided for the Lower Derwent Valley SAC although potential impact pathways were identified for this site, for some of which LSE were predicted. Please provide these matrices and ensure that they are consistent with the HRAR main text.
Q2.1.18	NE	Please confirm whether it agrees with the Applicant's conclusions in respect of LSE and AEoI for the European sites and features considered in the HRAR which are not specifically referenced in its Relevant Representation.
3. Climate Change		
Q3.0.1	The Applicant	ES Table 6.2 Statutory consultation responses. NE and the Ouse and Derwent Internal Drainage Board (IDB) expressed concern over the effect of the proposal on soil properties. Please expand on the limitations of the assessment of this matter and your degree of confidence in its findings.
Q3.0.2	The Applicant	ES6.4.4. (a) Please provide further detail on the methodology and assumptions used in the findings on embodied carbon. The Jolywood Environmental Product Declaration appears not to take into account carbon emissions from the transport of the panels from China or similar originating countries to the application site. (b) Where is this impact considered?
Q3.0.3	The Applicant	ES6.4.7. Table 6.3 and ES6.7.19. Please expand on the effects of periodic replacement and end of life disposal of components containing sulphur hexafluoride (SP ₆).
Q3.0.4	The Applicant	ES6.4.8. IEMA guidelines state that a comparable baseline should be used as a reference point, which may be based on an alternative design 'for a project of this type.' As well as the use of the Combined Cycle Gas Turbine, please give consideration to using a comparison with other solar farm designs/locations in order to aid the understanding of the relative merits of the scheme.
Q3.0.5	The Applicant	ES6.6 . Please expand on the consideration given to minimising embedded carbon in the selection and specification of the components used in the scheme.
Q3.0.6	The Applicant	ES Tables 6-15 and 6-16. (a) Please provide the sources for the embodied emissions in the materials used and activities undertaken. (b) Do the figures in Table 6.15 include the materials used in the grid sub-stations, field station units and switchroom buildings?

ExQ1: 28 May 2024

Responses due by Deadline 1 on 18 June 2024

ExQ1	Question to:	Question:
Q3.0.7	The Applicant	ES6.7.30. Please provide a source for the 'typical' yield figure of 922 kilowatt hour per kilowatt-peak per year and explain why a 'typical' yield is appropriate to assess the application scheme.
Q3.0.8	The Applicant	ES6.7.34. Please provide comparable representative carbon intensity figures for other forms of renewable energy – especially solar and wind - in order to understand the relative efficiency of the application proposal.
Q3.0.9	The Applicant	EN-1(24) paragraph 5.3.7 seeks the submission of a Greenhouse Gas (GHG) Reduction Strategy secured under the DCO. Please clarify how the proposal meets this requirement.
4. Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations		
Q4.0.1	The Applicant	The Schedule of Negotiations and Powers Sought [APP-024] is ordered by the name of landowners, whereas the Book of Reference (BoR) [AS-012] is ordered according to the plot numbers on the Land Plan [AS-004]. This makes it difficult to cross-reference the two documents. Please consider providing a version of the Schedule of Negotiations and Powers Sought ordered in the same way as the BoR.
Q4.0.2	The Applicant	Please respond to the concerns of the Canal and River Trust [RR-036] regarding Plot 18/09 in the BoR.
Q4.0.3	The Applicant	Please respond to the EA's concerns [RR-107] regarding omissions from the BoR.
Q4.0.4	The Applicant	There appears to be an inconsistency for Plot 9/58 between Parts 2 and 3 of the BoR, when compared to the Land Plan and Table 1 of the Schedule of Negotiations and Powers Sought. While this plot is described as permanent acquisition of new rights in Parts 2 and 3 of the BoR, the Land Plan and Table 1 of the Schedule of Negotiations and Powers Sought describe the plot as being subject to temporary possession in Part 1. Please clarify the position.
5. Draft Development Consent Order (DCO)		
5.0 Articles		
Q5.0.1	The Applicant	Art 2 Many of the Requirements secure mitigation measures prior to commencement. The dDCO also allows for 'permitted preliminary works' to take place before commencement. These works include

ExQ1	Question to:	Question:
		<p>activities such as site preparation, remedial works, diversion and laying of apparatus and provision of temporary means of enclosure which may have environmental effects.</p> <p>a) Would this include the works described in ES8.6.13-16?</p> <p>b) How will these activities be controlled and mitigated when they could be carried out in advance of commencement and the approval of the detailed CEMP and LEMP?</p>
Q5.0.2	The Applicant	<p>Art 2</p> <p>Please clarify what is meant by 'each part' of the authorised development in the definition of 'date of final commissioning'.</p>
Q5.0.3	The Applicant	<p>Art 6</p> <p>a) For each disapplication sought, please provide an explanation of the effect of disapplication including how any protective provisions, Requirements or other controls would prevent any adverse impact arising.</p> <p>b) Please provide an update on the negotiations with the regulators affected by clauses (a), (d) and (f) in order to comply with the terms of section 150 of the PA2008.</p>
Q5.0.4	The Applicant	<p>Art 9</p> <p>a) Applicant Please provide further justification of the need for the powers under this Art having regard to its potential effects on vehicular and pedestrian access . (b) Applicant and the LPAs Should the requirement to restore altered streets at clause 3 be subject to a time limit for completion of the restoration work?</p>
Q5.0.5	The Applicant	<p>Art 11</p> <p>Please provide further justification of the need for the powers under this Art having regard to its potential effects on vehicular and pedestrian access.</p>
Q5.0.6	The Applicant and the LPAs	<p>Art 11</p> <p>Should the power under Art 11(1) be limited to public rights of way (PRoW) within the Order Limits?</p>
Q5.0.7	The Applicant	<p>Art 12</p> <p>Should the private roads subject to this Art be identified specifically to give relevant landowners the opportunity to comment on this power?</p>

ExQ1	Question to:	Question:
Q5.0.8	The Applicant	<p>Arts 29 and 30</p> <p>a) Please provide justification for why the wide powers under these Arts (which also allow temporary possession of land not listed in a Schedule) are necessary and appropriate and explain what steps have been taken to alert all landowners, occupiers, etc. within the Order Limits to the possibility that these powers will be exercised.</p> <p>b) Should any provisions relating to notices/counter notices which do not reflect the Neighbourhood Planning Act 2017 (NPA2017) proposed regime (not yet in force) be modified to more closely reflect the incoming statutory regime? For example:</p> <ul style="list-style-type: none"> • should the notice period in Art 29(2) be three months as set out in the NPA2017 rather than 14 days. Other than precedent, what is the justification for 14 days? • under the NPA2017, the notice would also have to state the period for which the acquiring authority is to take possession. Should such a requirement be included in this case? <p>c) NPA 2017 provisions include the ability to serve a counter-notice objecting to the proposed temporary possession so that the landowner would have the option to choose whether temporary possession or permanent acquisition was desirable. Should this article make a similar provision, whether or not in the form in the NPA 2017?</p>
Q5.0.9	The Applicant	<p>Art 31</p> <p>Please provide an update on negotiations with statutory undertakers who have made representations which engage s127 of the PA2008.</p>
Q5.0.10	The Applicant	<p>Art 35 and Art 47</p> <p>a) Please explain how the guarantees set out in Art 47 would operate in the event that the benefit of the Order was transferred to a holding company or subsidiary of the undertaker in accordance with Art 35(3)(b).</p> <p>b) Should Art 35(5) be amended to require notification of the Marine Management Organisation where a transfer takes place without consent which relates to the provisions of the Deemed Marine Licence (DML)?</p>
Q5.0.11	The Applicant	<p>Art 38</p> <p>Please consider changing the word 'near' to 'encroaching on' in clause (1)</p>
Q5.0.12	The Applicant	<p>Art 39</p>

ExQ1	Question to:	Question:
		Please provide further information on the trees to which this Art applies and give consideration to whether they should be identified in a schedule.
Q5.0.13	The LPAs	Art 46 Please comment on the 8-week deemed consent provision in Art 46(4)
Q5.0.14	The Applicant	Art 47 Please explain why the guarantee in respect of compensation or other form of security cannot be provided during the examination.
Q5.0.15	The Applicant	Art 49 a) Please consider removing the word 'take' from clause (1). b) Please provide an update on discussions with the Crown authority regarding the requirement for consent under s135(1) of the PA2008.
5.1	Schedule 2 - Requirements	
Q5.1.1	The Applicant	Requirement (R) 3 As currently drafted, this R allows the applicant, with the approval of the LPA, to amend documents certified under the Order and on which any decision to grant consent for the DCO would be based. Having regard to PINS Advice Note 15 (section 17), please consider removing the words 'documents certified under article 40 (certification of plans and documents, etc.) and' from clause 3(1).
Q5.1.2	The Applicant	Rs 6, 7, 11, 13, 17 These Rs include the phrase 'substantially in accordance with'. This lacks precision. Please consider an alternative form of words or further definition of the phrase.
Q5.1.3	The Applicant	R 11 Atypically, this R on the CEMP does not list the management plans that would be contained in the detailed (post-consent) CEMP. Please confirm which plans will be included in the CEMP and update Requirement 11 of the dDCO accordingly.
Q5.1.4	The Applicant	R 18

ExQ1	Question to:	Question:
		What certainty is there that the Applicant or its successor will undertake the decommissioning works? (a) should the dDCO include provision for a bond or other means of funding the decommissioning works; or (b) supply the provisions within the agreements with site land owners which would secure the decommissioning works?
5.2	Schedule 3 and Article 6– Legislation to be modified or disapplied	
Q5.2.1	The Applicant	Please provide an update on progress with the relevant bodies in relation to legislative requirements proposed to be disapplied and included in the DCO, as set out in Section 3.2 of the Consents and Agreements Position Statement [APP-020].
5.3	Schedule 16 – Procedure for discharge of requirements	
Q5.3.1	The LPAs	Please comment on the procedure for discharging requirements and the appeals process including the provisions for deemed consent.
Q5.3.2	The Applicant	There appears to be little substantive difference between clauses (2) and (3) of this Art. Please explain why both are necessary.
5.4	Explanatory Note	
Q5.4.1	The Applicant	Please update the note to include the address where the DCO can be inspected.
6.	Human Health	
Q6.0.1	UK Health Security Agency	ES Table 14-1 page 14-4. Are you content with the Applicant's approach to the assessment of effects on vulnerable and disadvantaged populations?
Q6.0.2	North Yorkshire Council (NYC)	ES Table 14-1 pages 14-7 to 11. Please comment on the Applicant's approach to more sensitive population groups, including the classification of the construction phase as a short term effect and the effect on GP services.
Q6.0.3	The Applicant	ES14.4.21. The responses to NYC during scoping (Table 14-1) and the characterisation of health (ES14.4.5 to 17) acknowledge that the assessment should consider effects on the population, including groups within it. However, the definition of effects set out in this paragraph refers to 'an area'. Please clarify the approach to the assessment of the affected population and groups within it.
Q6.0.4	The Applicant	ES14.4.23. Accepting the limitations of the data available, should the assessment nevertheless seek to quantify the prevalence and nature of sensitive groups within the study area population?

ExQ1	Question to:	Question:
Q6.0.5	The Applicant	ES Table 14-4. Please comment on the characterisation of the health impact magnitude criteria having regard to the definition of human health as including well-being, not just the absence of illness (ES14.415).
Q6.0.6	The Applicant	ES14.7.9. Please provide further justification for the finding of a very low magnitude of healthcare service impact having regard to the definitions at ES Table 14-4 and your response to ExQ6.0.4.
Q6.0.7	The Applicant	ES14.7.14. Please review the findings in this paragraph having regard to your responses to ExQ6.0.4 and ExQ6.0.6.
Q6.0.8	The Applicant	ES14.7.111 to ES14.7.115. No assessment is made of the effect of the change in landscape character as a result of the proposal. Given the widespread concern in RRs regarding this effect of the proposal (commonly expressed as the 'industrialisation' of the landscape) and the widely recognised value placed on having a connection to green space, please comment on the effect of this change to the landscape on the mental health and well-being of the local population.
Q6.0.9	The Applicant	Please respond to the concern expressed in a number of RRs that the proposed security lighting and CCTV cameras would lead to a loss of privacy for nearby residential occupiers.
7.	Historic Environment	
Q7.0.1	The Applicant	ES7.4.6 (a) Does the reference to grassland in this paragraph include areas to be used for solar PV panels? (b) If so, how has the effect of the mounting structure driven poles (3.0-5.0 m deep (ES Table 2-1)), fencing and any below ground cabling been taken into account?
Q7.0.2	The Applicant	Please address the concerns raised by Historic England (HE) [RR-146] with regard to (a) the level of detail of archaeological assets presented in the assessment; (b) the potential research themes identified and their contribution to mitigation; (c) whether the sense of 'experience' is adequately covered in the assessment of the significance of places; and (d) the cumulative landscape change impact of the scheme with other solar farm proposals in the area.
Q7.0.3	HE, ERYC and NYC	ES7.4.13 and ES Appendix 7-2 Cultural Heritage Desk Based Assessment [APP-080]. Please comment on the scope of this Assessment, the evaluation of heritage assets and their settings and the assessment of archaeological potential and potential research themes. It would be helpful if your response had regard to the Applicant's response to Q7.0.2 above.

ExQ1	Question to:	Question:
Q7.0.4	The Applicant	ES7.4.27 recognises that effects may be temporary or reversible. However, these considerations are not reflected in the criteria in ES Table 7-5. (a) Should Table 7-5 be amended to deal with temporary effects? ES7.7.35 finds that the effect of the construction compound on the setting of Wressle Castle would be very low due to its temporary duration. (b) Please comment on whether this assessment should cover temporary effects separately.
Q7.0.5	The Applicant	ES7.6.6. How does the assessment of the construction of the solar PV infrastructure take into account potential compaction of the archaeology?
Q7.0.6	The Applicant	ES7.6.7 deals with the effects on two of the five temporary construction compounds. Please set out the effects on the other three compounds.
Q7.0.7	The Applicant	ES7.7.9 refers to '18 records within the Order Limits that are on the HER.' ES Appendix 7-2 paragraph 4.5.5 states that there are '52 records in the HER that are located wholly or partially within the Site.' Please explain the difference between these figures and their characterisations in the respective subsequent paragraphs.
Q7.0.8	The Applicant	ES7.7.19. Please explain why the setting of the medieval moated site east of Gribthorpe (MHU3206) makes only a limited contribution to its significance.
Q7.0.9	The Applicant	ES7.7.24 to 28 identify a number of significant effects on archaeological interests. What consideration has been given to amending the scheme to avoid or reduce these effects?
Q7.0.10	The Applicant	ES7.7.44. Please expand on the considerations leading to the choice of Johnson's Farm as the operation and maintenance hub in light of the identified significant effect on this heritage asset.
Q7.0.11	The Applicant	ES7.75. Please comment on any flexibility to alter the routing of the GCC to avoid the potential effect on the non-designated moat site at Hagthorpe.
Q7.0.12	The Applicant	ES7.7.49 states that the impact of solar PV area 2a on the Outgang drove road would be low on the basis that it would only affect the route at a particular point. The extent of the road is not clear from ES Figure 7-2 and therefore it is difficult to establish how much of the route would be affected by the scheme. Please clarify the extent of the route and the proportion that would be affected.
Q7.0.13	The Applicant	ES7.8.3. Please provide an update on progress in preparing the Overarching Written Scheme of Investigation, including consultation with HE and the relevant LPAs.
8.	Land Use and Soils	

ExQ1: 28 May 2024

Responses due by Deadline 1 on 18 June 2024

ExQ1	Question to:	Question:
Q8.0.1	The Applicant and NE	The proposed approach to the soil and Agricultural Land Classification (ALC) surveys of the interconnecting cable corridor land is set out in the Applicant's response to NE of 9 May 2023 (ES Appendix 15-3 [APP-118]). (a) Applicant Please confirm why this approach was not included in the survey programme for the Solar PV Site (it is not explained in the ES whether there were access difficulties). (b) NE Please comment on the Applicant's approach to the soil and ALC surveys.
Q8.0.2	The Applicant	ES Table 15-1 page 15-14. Scoping in the ALC survey of the GCC as suggested by NE would allow its results to better inform the detailed routing to minimise use of BMV land. Please comment.
Q8.0.3	The Applicant	ES15.4.2. Please expand on the effect on agricultural productivity of the proposals for the Ecological Mitigation Area.
Q8.0.4	The Applicant	ES15.4.8. Reference is made to the agricultural business model for grazing including the provision of 'vegetation management services' among other things. Does this mean that the solar farm operator would pay the sheep farmer to graze sheep on the land?
Q8.0.5	The Applicant	ES Table 15-4. The negative impact magnitude criteria used all refer to permanent, irreversible loss of soil function or volumes over a range of areas. As such, they do not take into account the long term, reversible loss which the ES considers would result from the proposal (see ES15.4.10). The IEMA guidelines advise practitioners to focus on interests relevant to their specific proposals (ES15.2.28). Should the magnitude criterion be amended to take long term, reversible loss into account? If so, please update your findings accordingly
Q8.0.6	The Applicant	ES15.1.3 page 15-32 (note that the paragraph numbering in this section is wrong). No criteria for impact magnitude or significance are provided. Please provide this information or explain its absence.
Q8.0.7	The Applicant	ES Figure 15-1. The key for this figure annotates ALC Post 1988 Classification with cross hatching, but the plan shows cross hatching covering a relatively small part of the study area and none within the site area. Please explain the extent of ALC Post 1988 Classification shown on the plan.
Q8.0.8	NE	ES Appendix 15-3. Please comment on (a) the extent and distribution of the more detailed investigation (1 observation per ha) undertaken for the Survey Report; and (b) the rationale for not undertaking laboratory soil testing and its implications for sustainable soil re-use and identifying areas of habitat enhancement.

ExQ1: 28 May 2024**Responses due by Deadline 1 on 18 June 2024**

ExQ1	Question to:	Question:
Q8.0.9	The Applicant	ES15.5.25 and Table 15-11 state that 12.99ha of land is BMV. However, the table also indicates that there is 12.99ha of Grade 1 plus 1.97 of Grade 2 and 46.44 of Grade 3a - all of which comprise BMV land (ES15.4.32). Please explain the position and update the findings accordingly.
Q8.0.10	The Applicant	ES15.6.2b. Please provide further information on the locations of designated soil storage areas.
Q8.0.11	The Applicant	ES15.7.8, ES15.7.11, ES15.7.21 and ES15.7.33. Please explain how the effects findings reported in these paragraphs have been assessed having regard to your response to ExQ8.0.5 (ES Table 15.4).
Q8.0.12	The Applicant	ES Table 15-6 and ES15.7.13 to 15 and ES15.7.24. The criteria for high and medium sensitivity of soil resources includes Field Capacity Days for clay soils of 150 days. The Agricultural Quality Report (ES Appendix 15-3 [APP-118]) refers to a Field Capacity Day threshold of 130 days for permeable clays and ascribes wetness classes accordingly (paragraph 2.5). Please explain this difference and its implications for your findings, including assigning a medium sensitivity to the Foggathorpe association.
Q8.0.13	The Applicant	ES15.7.18. Please explain how your significance findings have been assessed in the apparent absence of criteria for magnitude of impact for soil resources (see Ex8.0.6).
Q8.0.14	The Applicant	EN-3(24) paragraph 2.10.34 advises that soil management proposals should be in line with the ambition set out in the Environmental Improvement Plan to bring at least 40% of England's agricultural soils into sustainable management by 2028 and increase this up to 60% by 2030. Please set out how the framework Soil Management Plan [APP-241] meets this requirement.
Q8.0.15	The Applicant	Please provide further information on what would happen to the field stations foundations and below ground poles for the solar PV tables when the site is decommissioned.
Q8.0.16	The Applicant	Please respond to the widespread concern expressed in RRs that the scale of the proposal would change the land use character of the area from predominantly agricultural to industrial.
9. Landscape and Visual		
Q9.0.1	The LPAs	ES Table 10-1 page 10-11 and ES 10.3.6-10. Please comment on the selection of representative viewpoints.

ExQ1: 28 May 2024

Responses due by Deadline 1 on 18 June 2024

ExQ1	Question to:	Question:
Q9.0.2	The LPAs and NE	ES Table 10-1 page 10-12. Please comment on the Applicant's approach to the tranquillity assessment and its finding of no significant noise effects.
Q9.0.3	The LPAs and NE	ES Table 10-1 page 10-13. Please comment on the content of the LEMP, including whether it gives adequate consideration to wider landscape character opportunities to enhance green infrastructure and the provisions for long term maintenance.
Q9.0.4	NE	ES Table 10-2 page 10-17. Please comment on the omission of the Yorkshire Wolds National Character Area (NCA) from the landscape and visual impact assessment (LVIA).
Q9.0.5	The Applicant	ES10.4.3. (a) Please expand on the methodology used to assess views from residential locations. (b) How have the concerns of neighbouring occupiers (expressed in pre-application consultation and in a number of RRs) been taken into account?
Q9.0.6	The Applicant	ES10.4.15. The Zones of Theoretical Visibility (ZTV) (ES Figure 10.5) includes fairly large areas to the west of the application site (north of Hemingborough) and east (towards Newport) which are omitted from the study area. Please expand on the reasons for omitting these areas.
Q9.0.7	The Applicant	ES10.4.37. (a) Please expand on how the advice in Technical Guidance Note 2/19: 'Residential Visual Amenity Assessment' regarding significant effects prior to year 15 has been applied to the proposal. (b) Should such effects trigger the need for a Residential Visual Amenity Assessment?
Q9.0.8	The Applicant	ES Figure 10-8. (a) It would be helpful to include on the plan the direction of each viewpoint. (b) Please check the direction of view stated on the viewpoint photography. For example, Figure 10-31 VP22 states that the direction of view is east, whereas the photograph appears to show the view to the north (including the distinctive church spire at Hemingborough). ES Figure 10-36 VP27 states that the direction of view is north, whereas the photograph appears to show the view to the west.
Q9.0.9	The Applicant	ES10.6.16 refers to grassland habitats being used to create a corridor connecting Gribthorpe and Willitof. While an ecological enhancement area appears to perform this function through Area 1b (although it is bisected by land outside the Order Limits), it is not clear from ES Figure 2-3 how this would be achieved across Area 1a. Please clarify how this corridor would be achieved.
Q9.0.10	The Applicant	ES Table 10-9 pages 10-66 to 67 (a)The characterisation of the Humberhead Levels (NCA39) is a flat, low-lying and large scale agricultural landscape, with widespread evidence of drainage history, long unbroken views and many areas of international ecological and historical importance (ES Appendix 10-3 Table 1 [APP-100])

ExQ1	Question to:	Question:
		<p>Notwithstanding the presence of existing energy infrastructure, please provide further justification for finding that the NCA has a low susceptibility to the proposal and that there would be little perceptible change to the key landscape characteristics.</p> <p>(b) Construction and operation phase effects. Please provide clarification of the description of the loss of arable farmland as 'small scale', having regard to the size of the site (1276ha), most of which is in agricultural use, and the consequential finding of a very low impact over a small geographical extent.</p>
Q9.0.11	The Applicant	<p>ES Table 10-10. No assessment appears to be provided for Open Farmland (LCT5) or Foulness Open Farmland (LCT7) despite the solar PV panels being located within these areas (ES Figure 10-3). Please explain this omission or provide an assessment.</p>
Q9.0.12	The Applicant	<p>ES Table 10-11. Howden to Bubwith Farmland (LCA5A) West of Holme on Spalding Moor Farmland (LCA5B), South of Holme on Spalding Moor Farmland (LCA7A) and Eastington Farmland (LCA7B). (a) These areas have many of the characteristics of the Humberhead Levels (NCA39). Having regard to the matters referred to in ExQ9.0.10, please provide further justification for finding that they would have a low susceptibility to the proposal. (b) LCA5B and LCA7B share many landscape characteristics and the solar PV panels appear to cover similar proportions of each area. Please provide further justification for finding that the Operation Phase Year 1 effect on LC5B would be moderate adverse (significant), whereas the effect on LCA7B would be minor adverse (not significant).</p>
Q9.0.13	The Applicant	<p>ES Section 10.7 Landscape impact generally. The assessment of landscape impact has been undertaken on the basis of published national and local character areas. While there is support for this approach in EN-1(24) paragraph 5.10.12, the NPS also recognises that energy infrastructure is likely to have visual effects on many receptors, some of which are sensitive, including local residents (EN-1(24) paragraphs 5.10.13 and 5.10.14). A significant number of RRs have expressed concern regarding the large scale of the proposal relative to nearby local communities and residential properties and its 'industrialising' effect on the landscape. Although these concerns relate to the size of the proposal, they would be experienced at a smaller scale than the national and local character areas used in the LVIA. The Guidelines for Landscape and Visual Impact Assessment (3rd Edition) recognise that the geographical extent of landscape effects should be considered and refers to a range of scales including site level and the immediate setting (see paragraph 5.50). Potentially therefore, the effects of the proposal, when experienced at a smaller scale, could be more</p>

ExQ1	Question to:	Question:
		concentrated. Please consider expanding the LVIA to include an assessment of landscape effects at the scale experienced by the local community.
Q9.0.14	The Applicant	ES Table 10-12. (a) (see also question ExQ9.0.8). The direction of the view being described is not always clear. Please review the table and clarify view directions. (b) ES10.1.5 states that photomontages have been prepared for several viewpoint locations that lie in close proximity to the scheme or where significant effects were identified within the Preliminary Environmental Information Report. However, for example there is no photomontage for VP1, which is close to the proposal and is assessed to experience a significant adverse effect, but a photomontage is provided for VP2 which is not as close and has no significant effects. Please offer further rationale for the photomontages provided.
Q9.0.15	The Applicant	ES Figures 10-39 to 10-55. The photomontages do not include Winter Year 15 images. Please provide these images or explain their omission.
Q9.0.16	The Applicant	ES Figure 10-41 VP4. The year 15 photomontage appears to show mitigation hedge planting along both visible edges of Area 2f. However, it is not clear from ES Figure 2.3 whether such planting is proposed along the western edge of Area 2f. Please clarify the position.
Q9.0.17	The Applicant	ES Figure 10-43 VP6. The Operation Year 15 assessment states that the woodland to the west would remain visible, retaining some of the key characteristics of the view. However, the Summer Year 15 photomontage shows the proposed planting screening medium and long range views. Please elaborate on the year 15 assessment of this viewpoint.
Q9.0.18	The Applicant	ES Figure 10-44 VP7. The construction phase and operation phase Year 1 assessments state that the upper sections of the GC substations would be discernible. However, they are not shown in the photomontage. Please clarify the position.
Q9.0.19	The Applicant	<p>ES Section 10.7 Visual impact assessment generally. For context:</p> <ul style="list-style-type: none"> • ES10.7.11 states, in relation to Howden Route 20, that gaps in the mitigation planting aim to provide longer distance views, but goes on to say that views from outside the route would be heavily screened by mitigation planting. • VP10a and VP10b. The Operation Phase Year 15 assessment for VP10a refers briefly to the foreshortening of the view north, albeit that the mitigation grassland would provide a degree of

ExQ1	Question to:	Question:
		<p>open aspect. The assessment for VP10b does not refer to a foreshortening effect, although Figures 2-3 and 10-47 show hedge planting along the PRow.</p> <p>Solar PV panels, fencing and, in many cases hedge planting, is proposed on both sides of a number of PRows and highways flanked by solar PV areas. (a) Please expand on the cumulative foreshortening / enclosing effect of these changes to what are, in many cases, currently extensive views. (b) Although some views are of landscapes assessed to have low value, the change would be experienced over a wide area. Please comment on this aspect.</p>
Q9.0.20	The Applicant	ES10.10.13. Please provide further explanation for the selection of the viewpoints (2, 14, 23, 24 and 29) included in the visual effects cumulative assessment.
Q9.0.21	The Applicant	Significant visual effects during decommissioning on users of the long-distance Howden 20 route (moderate adverse) during decommissioning are reported in ES Chapter 10, but not reported in the summary within ES Chapter 18 (summary of Environmental Effects). Please explain or correct this discrepancy.
10. Noise and Vibration		
Q10.0.1	The Applicant and ERYC	ES Table 11-2. The ERYC consultation response (page 11-8) requests that the threshold values of noise to be applied during daytime working are included in the CEMP/Decommissioning Environmental Management Plan (DEMP) [APP-240]. Such values do not appear to be included in the CEMP/DEMP or the dDCO. (a) Applicant Please explain the rationale for not including them. (b) ERYC Please comment on the Applicant's approach.
Q10.0.2	ERYC	ES Table 11-2 (page 11-8) and ES 11.4.11. Please comment on the treatment of operational phase noise effects, including low frequency noise and the flexibility of plant, in the Operational Environmental Management Plan (OEMP) [APP-239].
Q10.0.3	The Applicant	ES11.4.5 begins by stating that the solar PV mounting structures would be installed by direct drive technique and ends by stating that they would use auger piles. Please clarify the position.
Q10.0.4	The Applicant	ES Table 11-4. Please review accuracy of the receptor distances used in this table. In particular, the figures given for the distance between receptors 9, 38, 40, 41 and 45 and the GCC seem amiss (by cross-referencing with Figures 1-3 and 11-3).
Q10.0.5	The LPAs	ES11.4.53 and Table 11-6. Please comment on LOAEL and SOAEL thresholds used.

ExQ1: 28 May 2024

Responses due by Deadline 1 on 18 June 2024

ExQ1	Question to:	Question:
Q10.0.6	The Applicant	ES Appendix 11-4 [APP-107] Table 3. For some lines in this table, the figures appear to be wrong (that is, the difference between the central inverter option and the string inverter option is not as stated.). Please review the table.
Q10.0.7	The Applicant	ES11.4.56 and ES11.7.18. Please provide further explanation of (a) the relationship between the values set out in ES Tables 11-7 and 11-8, and (b) how they relate to the findings in ES11.7.18.
Q10.0.8	The Applicant	ES Table 11- 8. This table does not include typical construction types for the kinds of residential buildings which are likely to be most affected by the proposal. Columns 2 and 3 have the same headings. Please review and update the table.
Q10.0.9	The Applicant	ES Table 11-8 (page 11-27) purports to set out vibration criteria for cosmetic damage to buildings according to BS-5228-2:2009+A1:2014 (Table B.2). However, the information presented within ES Table 11-8 differs from that set out in BS-5228. Please confirm whether this is a textual error and if the vibration assessment that was undertaken was based on the criteria provided in BS-5228.
Q10.0.10	The LPAs	ES11.4.44 to 11.4.73. Do you have any comments on the assumptions and assessment criteria set out in these paragraphs?
Q10.0.11	The Applicant and the LPAs	ES11.6.4. (a) The LPAs Please comment on the approach to noise generating activities (NGAs) in the first and last working hours of the day. Would the restriction be enforceable? (b) Applicant and the LPAs How would the restriction on NGAs operate with regard to the construction compounds which may be the focal point for workers arriving and leaving the site in the first and last hours of the day?
Q10.0.12	The Applicant	ES11.6.10b indicates the possible use of open cut cable laying as an alternative to HDD. Other parts of the ES assess and propose mitigation based on the use of HDD for sensitive (eg Landscape and Visual Chapter 10) and main river (eg Chapter 8 Ecology) crossings. Please comment on this difference in approach.
Q10.0.13	The Applicant	ES11.6.15. Should the reference in the last sentence of this paragraph be to the OEMP rather than the Outline Design Principles Statement?
Q10.0.14	The Applicant	ES11.6.15 and Figure 11-2. Please expand on the rationale for the locations of the noise contours shown in Figure 11-2.

ExQ1: 28 May 2024**Responses due by Deadline 1 on 18 June 2024**

ExQ1	Question to:	Question:
Q10.0.15	The Applicant	ES11.7.4 and Table 11-12. How do the construction noise predictions for NGA1 take into account the locations of the construction compounds where activity may be concentrated.
Q10.0.16	The Applicant	ES11.7.9. What assurance can be given that there is sufficient flexibility in the scheme layout to ensure that no cable laying work would take place within 15m of receptors R16, R26 and R42?
Q10.0.17	The Applicant	ES11.7.13 and Table 11-15. Please clarify the rationale for the selection of the receptors in Table 11-15. It does not appear to include all of the receptors closest to potential HDD locations (by cross referencing with Figures 2-4 and 11-1).
Q10.0.18	The Applicant	ES11.7.19. Please provide further justification for the finding that ground borne vibration from piling would be below the LOAEL.
Q10.0.19	The Applicant and LPAs	ES11.7.21, ES11.7.25 and ES11.7.26. Please comment on whether the use of communication with affected receptors would be sufficient to mitigate the effect such that it would be not significant.
Q10.0.20	The Applicant	R8 is not listed in ES11.7.23. However, according to ES Table 11-4, R8 is within 25m of the GCC. Please review the distance between the GCC and all receptors.
Q10.0.21	The Applicant	ES11.7.27. Based on ES Figures 2-4 and 11.1, receptors R46 (HDD3), R43 and R44 (HDD4) appear to be in close proximity to HDD sites. Please check the distance between HDD sites and all R* receptors.
Q10.0.22	The LPAs	ES11.7.36. Please comment on whether all reasonable steps have been taken to minimise adverse noise effects.
Q10.0.23	The LPAs	ES11.10.3 states that professional judgement has been used to conclude that there would be no cumulative noise effects at distances of more than 500m. Do you have any comments on this approach?
Q10.0.24	The Applicant	ES11.10.12 and ES11.10.13. These findings assume that the identified cumulative developments would not give rise to significant noise effects after mitigation at the construction and operational phases. However, it is possible that decision makers could find that the benefits of the scheme would outweigh any such effects. Please comment on this eventuality.

ExQ1	Question to:	Question:
11.	Socio-economic Effects	
11.0	General socio-economic effects	
Q11.0.1	The Applicant	ES12.4.5. The assessment assumes that the shortest likely construction period represents the worst case scenario because it would result in the greatest intensity of activity. However, a longer construction period may lead to disturbance and inconvenience over a longer period. Please comment.
Q11.0.2	The Applicant	ES Table 12-4. The level and nature of activity in the construction and decommissioning would be very different from those during the operational phase. Please comment on how this is taken into account in the additionality factors in ES Table 12-4.
Q11.0.3	The Applicant	ES12.5.10. There appears to be a typographical error for the number of working age residents in the study area. Please review this figure.
Q11.0.4	The Applicant	ES12.5.47. Please expand on why a future baseline year of 2042 was used for this topic particularly when, due to the uncertainty regarding future land uses, the existing baseline is used for that parameter.
Q11.0.5	The Applicant	ES12.7.12. The multiplier effects described in the HCA Additionality Guide appear to relate to the long-term effects of various types of development. Is it appropriate to apply a medium range multiplier to the short-term effects during the construction period, particularly when there is little evidence that a significant proportion of the construction materials (eg the solar PV panels) would be sourced locally and therefore contribute to the supply linkage multiplier within the study area?
Q11.0.6	The Applicant	ES12.7.15 and Skills, Supply Chain and Employment Plan (SSCEP) [APP-247]. The Applicant's commitment to pursuing the opportunities identified in the SSCEP is variously described as 'consider', 'investigate' or the like. What level of reliance can be placed on achieving the claimed outputs set out in SSCEP Table 6.1?
Q11.0.7	The Applicant	ES12.7.33 and ES12.7.50. ES Table 10-12 provides the visual assessment from representative viewpoints. It finds that the sensitivity of PRoW (where present) is medium or high because 'users of PRoW are typically likely to be involved in activity which includes enjoyment of the view'. (a) Given this finding, please expand on why ES12.7.33 and ES12.7.50 find that PRoW would have a low sensitivity. (b) Please comment whether the proposed fencing and planting would have a detrimental enclosing effect on the views along the PRoW, notwithstanding the proposed buffer separation.

ExQ1: 28 May 2024**Responses due by Deadline 1 on 18 June 2024**

ExQ1	Question to:	Question:
Q11.0.8	The Applicant	ES12.7.34 and 12.7.35. How would permission to use, and compensation for any damage caused to, private verges and hardstandings be secured in the DCO?
Q11.0.9	The Applicant	ES12.7.44. (a) Please provide further details of the expected loss of three existing jobs. (b) Has there been any consultation on this matter with the affected agricultural businesses?
Q11.0.10	The Applicant	ES12.10.7 Although the effect on the hotel, bed and breakfast, and inns accommodation sector is assessed as negligible overall, Table 12-19 indicates that the number of rooms available in summer months would be very low, suggesting that even a small increase in demand from the concurrent implementation of cumulative schemes could lead to a shortage. Please comment.
Q11.0.11	The Applicant	Please expand on how equality, diversity and inclusion matters have been taken into account in the assessment of socio-economic effects.
11.1 Public Rights of Way		
Q11.1.1	The Applicant and ERYC	ES2.3.4. Please provide an update on the routing of the Howden 20.
Q11.1.2	The Applicant	Public Rights of Way Management Plan (PRoWMP) paragraph 3.7.2e [APP-245]. (a) Please expand on the content of the proposed communication strategy. (b) Please provide information on any consultation with local access groups.
Q11.1.3	The Applicant	PRoWMP paragraphs 3.7.4 - 3.7.6. Please clarify the proposals for the maintenance and reinstatement of the surfacing of PRoW, and management of any adjoining vegetation, during the construction phase.
Q11.1.4	The Applicant	PRoWMP paragraph 3.7.5. Please clarify the meaning of the word 'considered' in this paragraph. Does it imply some uncertainty about whether the proposed measures would be implemented?
Q11.1.5	The Applicant	ES12.6.10 and PRoWMP paragraph 4.1.5b. What is the purpose of the eastward permissive route. Would it provide public access over the Habitat Enhancement Area?
12. Transportation and Traffic		
Q12.0.1	The Applicant, National Highways (NH) and the LPAs	Please provide an update on discussions with NH and the local highway authorities and whether any agreement has been reached regarding the need for junction capacity assessments to support any conclusions reached in the assessment of transport effects.

ExQ1: 28 May 2024

Responses due by Deadline 1 on 18 June 2024

ExQ1	Question to:	Question:
Q12.02	NH	ES Table 13-1 page 13-7 and Table 13-2 page 13-14. Is NH content that M62 j37 is scoped out of the assessment?
Q12.03	The Applicant	ES13.4.8 recognises that winter working hours may mean workers coming and going closer to network peak hours. While the percentage increase may be lower due to the higher traffic baseline, the network itself may be operating closer to capacity and therefore more sensitive to a relatively small percentage increase in movements. Please comment.
Q12.04	The Applicant and LPAs	ES13.4.30 and ES Tables 13-5 and 13-14 Transport Assessment Appendix 13-4 paragraph 4.3.3 [APP-113] state that the ATC locations are considered to provide representative traffic flows. The ATC locations are also used for the measurement of receptor sensitivity. Please comment on whether locations selected to provide representative traffic flows necessarily capture an appropriate range of locations to measure receptor sensitivity which is likely to be related to the nature of nearby land uses.
Q12.05	The Applicant and LPAs	ES Table 13-6. (a) Please comment on whether the criteria set out in this Table capture the full extent of matters referred to in the cited IEMA Guidelines. (b) Are the thresholds set at reasonable levels.
Q12.06	The Applicant	ES13.5.51 and ES13.5.52. Given that seven of the 14 incidents identified along the B1228 were on the section of road that would be used to access Compound B, please provide further justification for finding that construction traffic would not aggravate the existing pattern of safety issues.
Q12.07	The Applicant and the LPAs	Transport Assessment (TA) ES Appendix 13-4 [APP-112] paragraph 5.8.1 refers to informal parking, and paragraph 9.5.5 c and u refers to minimum and limited levels of parking at the compounds, but does not appear to specify the minimum number of spaces to be provided. The Construction Traffic Management Plan (CTMP) ES Appendix 13-5 [APP-113] paragraph 5.4.2 specifies the maximum numbers of spaces at each compound and appears to be based on TA Table 19. (a) Applicant Please clarify the arrangements for construction worker parking, including the minimum number and distribution of spaces and the capacity of the compounds to accommodate them. (b) Applicant Would the minibuses used to transport construction workers remain at the compounds during the working day and therefore require space to park? If not, should their movements off site be added to the trip generation figures used in the TA? (c) LPAs Please comment on the assumptions used for construction worker minibus use and car sharing in TA paragraphs 7.2.2 to 7.2.4.

ExQ1: 28 May 2024**Responses due by Deadline 1 on 18 June 2024**

ExQ1	Question to:	Question:
Q12.0.8	The Applicant	ES13.7.2 Please expand on the justification for the number of vehicle movements expected during the construction phase.
Q12.0.9	The Applicant	ES13.7.10 and Table 13-18. Link 6 would experience a greater increase in traffic movements than link 5. Please clarify why the additional hourly traffic numbers are considered to be 'low' (ES13.7.10) or 'medium' (Table 13-18).
Q12.0.10	The Applicant	ES13.7.14. Please provide further justification for it to be 'considered' that there is sufficient capacity on the network.
Q12.0.11	The Applicant	ES13.7.20 states that the sensitivity of link 15 is very low whereas Tables 13-5 and 13-18 put it at low. Please clarify the position and comment on whether a low sensitivity would affect your finding of a minor/negligible effect. Please review any inconsistency with ES Table 13-19.
Q12.0.12	The Applicant	ES13.7.22 and ES13.7.23. Please provide further justification for the assumption that the pattern of safety issues on the identified links does not suggest that the issues would be aggravated by construction traffic movements, including taking into account the width and character of the roads.
Q12.0.13	The Applicant	ES13.7.25 to 13.7.31. LEMP Section 6.1 sets out a range of landscape maintenance activities to be undertaken during the operational phase (some of which would be more intensive in the first 12 months of operation). Please clarify how the traffic movements associated with these activities have been taken into account in the operational phase assessment.
Q12.0.14	The Applicant	ES13.10.5. Please clarify why some of the cumulative schemes listed in ES Appendix 17.1 Shortlist of Cumulative Schemes [APP-125] are not considered in ES Table 13-24.
Q12.0.15	The Applicant and the LPAs	What consideration has been given to the use of a planning agreement or similar mechanism to coordinate and control the cumulative effect of the construction traffic movements generated by the application proposal and other schemes in the area (see EN-3(24) paragraphs 2.10.139 to 2.10.143).
Q12.0.16	The Applicant	A considerable number of RRs express concern regarding damage to highway verges and associated utility services from construction vehicles, particularly given the narrowness of some roads in the area. Please comment on this concern and set out any measures to avoid or mitigate such damage.
Q12.0.17	The Applicant	A number of RRs suggest that, rather than routing traffic through Newsholme, access could be taken directly from the A63. Please provide further justification for the routing of construction traffic through Newsholme.

ExQ1	Question to:	Question:
Q12.0.18	The Applicant	The Canal and River Trust [RR-036] suggests that the River Ouse has the potential to be used for the transport of construction materials to the site. EN-1(24) paragraph 5.14.12 supports the use of environmentally sustainable alternatives to road transport, including inland waterways. Please set out what consideration has been given to the use of the River Ouse for the transport of construction materials including abnormal indivisible loads (see EN-1(24) paragraph 5.14.16.
13. Water Environment		
13.0 General water environment		
Q13.0.1	EA	ES Table 9-1 page 9-34. (a) Is the EA content that preparation of the Water Management Plan (WMP) and any associated mitigation is left until after the DCO is granted? (b) Are the scope and terms of the WMP adequately defined in the CEMP?
Q13.0.2	The Applicant	ES9.3.13. (a) Please provide an update on the request for information on River Ouse and Derwent flood defences. (b) Does this information have any implications for the design of the HDD?
Q13.0.3	The Applicant	ES9.4.22. Where would the water for the Intermediate Bulk Containers come from and how would it be delivered to the site?
Q13.0.4	The Applicant	ES9.4.58 draws a distinction between receptor sensitivity and receptor importance. While recognising that distinction, should the sensitivity of the receptor still be taken into account, perhaps in the magnitude of impact criteria (ES Table 9-4)?
Q13.0.5	EA, Lead Local Flood Authorities	ES Table 9-12. Do you have any comments on the assumptions used to determine flood extents in Areas 2a and 1e.
Q13.0.6	The Applicant	ES9.6.11. Given the configuration of the site, there would be numerous points of access to and crossing from the public highway. How would mud deposits from vehicles be controlled in these circumstances?
Q13.0.7	The Applicant	ES9.7.4 and ES state that the Water Framework Directive (WFD) reportable Fleet Dyke watercourse would be crossed by the grid connection cables. However, that does not appear to be consistent with ES Table 9-6 page 9-75 which states that it would be crossed by the interconnecting cables. Moreover, it is not clear from ES Figure 9-1 where, in relation to the GCC and substations, the reportable Fleet Dyke rises and ES Figures 9-1 and 9-2 show different routes for the watercourse between Area 1d and the southern boundary of Area 2a. ES Figure 9-2 appears to show it running

ExQ1: 28 May 2024

Responses due by Deadline 1 on 18 June 2024

ExQ1	Question to:	Question:
		alongside the GCC. Please clarify the position and provide details of the Fleet Dyke cable crossings and its relationship to the GCC.
Q13.0.8	The Applicant	ES9.7.16, ES9.7.17, ES9.7.18 and ES 9.7.21. (a) Please clarify the distinction made between watercourses directly impacted by construction works (ES9.7.16) and watercourses not directly worked on, even when this is said to include open span crossings (ES9.7.17) and open cut installations are said to be 'intrusive' (ES9.7.18). (b) Please review the findings in ES9.7.17 and ES9.7.21 in the light of your response to EQ13.0.7.
Q13.0.9	The Applicant	ES9.7.25. Please clarify what is meant by 'no continuous foundations' having regard to statements elsewhere that strip foundations may be used for Field Substations/ Field Station Units (eg ES9.6.47) and that the foundation type for the GC substations has not been specified.
Q13.0.10	The Applicant	ES9.7.60. Would material, other than backfilled soil, be used to bed and cover the GCCs? If so, please comment on its effect on groundwater flows.
Q13.0.11	The Applicant	ES9.7.65 refers to a 30m buffer between the HDD send and receive pits for the River Ouse and River Derwent crossings and the water edge, whereas ES9.6.18 and ES Table 22 refer to a 16m distance between the pits and the landward toe of the flood defences in these locations. Please clarify the difference between these distances.
Q13.0.12	The Applicant	ES9.7.87. Please comment on the need for additional hardstanding areas for access, parking, storage and the like at the Johnson Farm hub and, if needed, how it would be drained.
Q13.0.13	The Applicant	A number of RRs refer to the potential for the scheme to damage existing land drainage systems and thereby increase the risk of flooding. EN-3(24) paragraph 2.10.86 also requires proposals to avoid the need to impact on existing drainage. Please set out any investigation of existing land drainage in areas where works would take place and any precautions proposed to ensure its protection.
Q13.0.14	The Applicant	EN-1(24) paragraph 5.8.37 requires proposals having drainage implications to comply with any National Standards published by Ministers under paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010. Please set out how the proposal meets this requirement.
Q13.0.15	The Applicant	EN-1(24) paragraphs 5.8.38 and 39 refer to the operation and maintenance of sustainable urban drainage systems, including identifying the responsible body. Requirement 9 of the dDCO states that any approved surface water drainage strategy must be maintained throughout the operation of the authorised development. However, neither the framework Surface Water Drainage Strategy [APP-

ExQ1	Question to:	Question:
		098] or the Operational Environment Management Plan (OEMP) [APP-239] provide substantive information on how the surface water drainage system would be maintained. Please clarify the proposals for maintenance of the system, including who would have responsibility.
Q13.0.16	The Applicant	Please provide details of any consultation with the Marine Management Organisation regarding the terms of the Deemed Marine Licence proposed at Schedule 15 of the dDCO (see EN-1(24) paragraph 5.16.4).
13.1	Flood risk	
Q13.1.1	The Applicant	Flood Zone 3 (FZ3) areas identified in ES Figure 9-4 [APP-154] are not distinguished as either FZ3a or 3b. The FRA [APP-097] describes areas within the Order Limits which are within FZ3b and Table 9-12 (Flood Risk from Tidal and Fluvial Sources – Solar PV Site) of ES Chapter 9 also refers to FZs 3a and 3b. Please provide a figure which shows the location and extent of FZ3a and FZ3b within the red line boundary.
Q13.1.2	The Applicant	Notwithstanding that the FRA appears to address the worst case of the GCC being in FZ3b, please identify the areas of the GCC in FZs 3a and 3b according to other data sources, such as, for example, relevant Council Strategic FRAs.
14.	Other Environmental Topics	
14.0	Air Quality	
Q14.0.1	The Applicant, NE and LPAs	ES Table 16.1 page 16-6. Has the need for further air quality monitoring been discussed and, if so, what was the outcome?
Q14.0.2	The Applicant	ES Table 16.1 page 8. Figure 16-1 does not show the location of human and ecological receptors as requested by the Planning Inspectorate (PINS). Although designated ecological sites are shown separately on Figures 8-1 and 8-2, in the absence of a plan showing both, it is difficult to relate the air quality study area boundaries to the ecological designations. Please provide a plan showing all of these features.
Q14.0.3	The Applicant	ES16.2.18 states that ecological sites 'will be screened for sensitivity to construction dust and nitrogen deposit'. When will this take place and how will the results be incorporated into the air quality assessment and mitigation proposals?

ExQ1	Question to:	Question:
Q14.04	The Applicant	ES16.2.69 and Table 16-10. Please expand on how the mitigation measures in Tables 16-4 and 16-5 would result in no significant effects.
Q14.05	The Applicant	ES16.2.77. Please review the approach to the availability of information available for cumulative schemes. For example, both the consented Drax Carbon Capture with Storage DCO and the Drax Re-power DCO ESs include a quantitative Air Quality assessment and identify construction traffic routes. Please update the availability of information on other cumulative scheme currently in the planning approval process.
14.1	Glint and Glare	
Q14.1.1	The Applicant	ES16.3.4. Please comment on the potential for local changes in the orientation of the solar panels at the detailed design stage to affect the Glint and Glare Assessment ES Appendix 16-2 [APP-122].
Q14.1.2	The Applicant	ES16.3.14. Please provide any supporting evidence or precedent for the magnitude of impact criteria used in this paragraph.
Q14.1.3	The Applicant	Glint and Glare Assessment. Please expand on how the modelling used in this assessment provides results for impacts throughout the day, year and for the range of tilt angles of the solar panels (see EN-3(24) paragraph 2.10.105).
14.2	Ground Conditions	
Q14.2.1	EA	ES Table 16-16 page 16-67. Are you content that the Water Management Plan and Site Investigation and Generic Quantitative Risk Assessment would be prepared post-consent?
14.3	Major Accidents and Disasters	
Q14.3.1	The Applicant	ES Table 16-18 pages 16-82, 83 and 85 advise that the 'Applicant is in contact' with the owners of major pipelines crossing the site, that 'exact routings and information on appropriate clearances will be obtained to inform the detailed design of the Scheme' and that indicative plans have been provided. (a) Please provide an update on these consultations. (b) What degree of accuracy can be placed on the positions of the Major Accident Hazard (MAH) pipelines shown on ES Figure 2-3 [APP-138]?
Q14.3.2	The Applicant	ES Table 16-19 pages 16-87 and 88. Please provide an update on discussions with Northern Gas Networks regarding protective provisions and the need or otherwise for a Private Asset Protection Agreement and pipeline crossing deed.

ExQ1	Question to:	Question:
Q14.3.3	The Applicant	ES16.5.19 and Scoping Report Appendix B page 283 [APP-073] advise that crime has been scoped out on the basis that the proposal is unlikely to be a target due to its rural location and the low number of exposed targets. However, based on a number of RRs, the risk of crime is a fairly widespread fear because of the rural location and the nature of the equipment. Please provide further details on the vulnerability of the proposal to criminal activity during the operational stage.
Q14.3.4	The Applicant	ES16.5.35 is said to provide an assessment of the acceptability of the construction or decommissioning phases in connection with the consultation zones of the MAH sites and pipelines crossing the site. However, paragraphs 16.5.35 to 16.5.39 are mainly concerned with working hours and provide limited assessment of the risks posed to the MAH sites and pipelines by the construction and decommissioning activities. Please expand on this assessment.
14.4 Materials and Waste		
Q14.4.1	The Applicant	ES Section 16.7 includes a number of references to estimates of material use and waste generation being based on similar NSIPs. Please provide details of the NSIP projects used for this comparison and any adjustments made for the respective sizes of those schemes and the application proposal.
Q14.4.2	The Applicant	Excavated material (uncontaminated soil and stones) is not considered in the construction waste estimates or when calculating the waste recovery rate, as it is proposed to re-use this material where possible in the on-site construction works. Please confirm whether the ES has assessed the worst-case scenario that could be permitted under the DCO, given that it may not be possible to re-use all the material.
Q14.4.3	The Applicant	ES16.7.21. Please provide justification for assuming that the landfill diversion rate would be more than 60%.
Q14.4.4	The Applicant	ES16.7.41 states that decommissioning waste would be dealt with in accordance with relevant legislation by licensed waste hauliers. ES16.7.42 refers to the DEMP. Neither ES section 16.7 or the DEMP provide substantive information on the disposal of the solar PV panels when the site is decommissioned. Nor does the ES refer to the possibility of the panels being replaced during the lifetime of the scheme in the event that this becomes commercially attractive due to improved technology. (a) Please comment on this eventuality having regard to ES Table 16-27 which advises that there would be no wholesale replacement of the solar panels. ES2.7.22 and ES16.7.63 refer briefly to recycling rates for some components of the panels. (b) Please provide further details of the

ExQ1	Question to:	Question:
		options for disposal of the solar PV panels with particular regard to the capacity and location of facilities and the options for any components which are difficult to re-use/recycle.
Q14.4.5	The Applicant	ES16.7.51. Please provide further justification for considering that the proposal would achieve the good practice recovery rates identified in ES Table 16-25.
Q14.4.6	Minerals Planning Authority	ES16.7.71. Please comment on the Applicant's assumptions regarding the consideration given to cumulative material use and waste generation in the region.
14.5	Electric and Electro-magnetic Fields	
Q14.5.1	NE	ES16.8.27. Please comment on the Applicant's approach and findings regarding the electro-magnetic field effects of the proposal on fish in the River Ouse and River Derwent.
Q14.5.2	UKHSA	ES16.8.23 and ES16.8.24. Please comment on the applicant's assessment of the electro-magnetic effects of the proposal on human health in the light of concerns expressed on this matter in a number of the RRs.
15.	Cumulative Effects and Interactions	
Q15.0.1	The Applicant	ES Tables 17-1 and 17-2. Please expand on the methodology used for the selection of receptors, descriptions of impacts and interactions and cross reference them more directly to the effects identified in ES Chapters 6 to 16.
Q15.0.2	The Applicant	ES Table 17-3. (a) Please explain the justification for the Zone of Influence for Agricultural land (up to 5km) having regard to the definition of the study for this resource in ES Chapter 15. (b) Please expand on the cumulative effects of the loss of agricultural land having particular regard to the updated advice in the WMS dated 15 May 2024.
Q15.0.3	The Applicant	ES Appendix 17-1 Shortlist of Cumulative Schemes [APP-125]. It would be helpful to have a plan showing the site areas for the identified schemes.
Q15.0.4	The LPAs	ES Appendix 17-1. Please provide an update on the status of the identified shortlisted schemes within your area.
Q15.0.5	The Applicant	Please update the shortlist based on the updated information provided by ERYC and NYC (contained in their RRs and, if possible, the responses to Q15.0.4). Please update the relevant sections of the ES topic chapters accordingly.

ExQ1: 28 May 2024

Responses due by Deadline 1 on 18 June 2024

ExQ1	Question to:	Question:
Q15.06	The Applicant	Please respond to the concern expressed in a number of RRs that the area already accommodates a range of energy related developments, including wind farms and an anaerobic digestion plant, and that the application proposal would exacerbate the effects energy related development on the well-being of the local community.