



# Marine Management Organisation

Marine Licensing  
Lancaster House  
Hampshire Court  
Newcastle Upon Tyne  
NE4 7YH

T +44 (0)300 123 1032  
F +44 (0)191 376 2681  
[www.gov.uk/mmo](http://www.gov.uk/mmo)

East Yorkshire Solar Farm Limited  
Case Team  
National Infrastructure Planning  
[eastyorkshiresolarfarm@planninginspectorate.gov.uk](mailto:eastyorkshiresolarfarm@planninginspectorate.gov.uk)

Planning Inspectorate Reference:  
EN010143

## [By email only]

26 June 2024

Dear Sir or Madam,

### **Planning Act 2008- Application for an Order Granting Development Consent for East Yorkshire Solar Farm.**

Thank you for your email notification from the East Yorkshire Solar Farm Limited Case Team, received by the Marine Management Organisation (the “MMO”) case team on 11 June 2024, notifying the MMO of the following events at The Parsonage Hotel and Spa, Escrick, York, North Yorkshire, YO19 6LF and virtually via Microsoft Teams:

1. Compulsory Acquisition Hearing 1 (Tuesday 9<sup>th</sup> July 2024 at 14:00)
2. Open Floor Hearing (Tuesday 9<sup>th</sup> July 2024 at 18:00)
3. Issue Specific Hearing 2 (Wednesday 10<sup>th</sup> July 2024 at 10:00)

### **The MMO’s role in Nationally Significant Infrastructure Projects**

The MMO was established by the Marine and Coastal Access Act 2009 (the “2009 Act”) to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive, and biologically diverse oceans and seas. The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence. Inshore waters include any area which is submerged at mean high water spring (“MHWS”) tide. They also include the waters of every estuary, river, or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area.

In the case of Nationally Significant Infrastructure Projects (“NSIPs”), the 2008 Act enables Development Consent Order’s (“DCO”) for projects which affect the marine environment to include provisions which deem marine licences.

As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health,



other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.

Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (“dML”) enable the MMO to fulfil these obligations.

Further information on licensable activities can be found on the MMO’s website. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note.

### The Project: East Yorkshire Solar Farm

The project comprises a generating station of above 50 megawatts and therefore qualifies as a Nationally Significant Infrastructure Project under sections 14(1)(a) and 15(2) the Planning Act 2008 (as amended) due to its capacity.

The project will use ground-mounted solar photovoltaic (PV) panel arrays to generate electrical energy from the sun. A Battery Energy Storage System (BESS) is proposed to store any excess energy generated and export it to the national electricity transmission system (national grid) to meet peaks in demand. The Scheme includes underground cabling between the different areas where solar PV panel arrays are proposed to be located and to the national grid at National Grid’s Drax Substation; areas of landscaping and biodiversity enhancement; and associated infrastructure.

The project is proposed to be located on land northwest of the market town of Howden, near the villages of Spaldington, Brind and Wressle in the administrative area of East Riding of Yorkshire Council and will connect to the national grid at National Grid’s Drax Substation in the administrative area of North Yorkshire Council.

### MMO comments

The MMO wishes to apologise for not providing a response at deadline 1 on 18 June 2024. The MMO note that we are not aware of any previous letters or notifications from the applicant to inform the MMO of East Yorkshire Solar Farm Limited’s intention to submit an application for a Development Consent Order (DCO) under the Planning Act 2008 (the “2008 Act”) for the proposed Project. The MMO have contacted the applicant requesting that a named contact within the organisation set up an account on the MMO’s Marine Case Management System (“MCMS”) in order that a DCO application can be created to enable MMO to charge for our services when providing comments relating to this application.

Please note that the applicant has also been informed that the MMO has powers under the Infrastructure Planning (Fees) Regulations 2010 (as amended) to charge for its services in relation to any advice, information or other assistance (including a response to a consultation) provided in connection with:

- an application or proposed application, for an order granting development consent, and



- an application/proposed application to make a change to, or revoke, such an order, and
- any other prescribed matter relating to NSIPs, including both statutory and non-statutory work.

Therefore, due to a lack of pre-application engagement with the applicant and our late receipt of notice of this examination period, the MMO has not had sufficient time to review the documents in consultation with our scientific advisors at the Centre for Environment, Fisheries and Aquaculture (Cefas) as well as share the relevant Environmental Statement chapters with our MMO coastal team. As such, the MMO are currently issuing a holding response at deadline 2 and will provide comments accordingly following our review. The MMO endeavour to provide full comments on documents received for deadline 1 and 2 at deadline 3 on 23 July 2024.

### Your feedback

We are committed to providing excellent customer service and continually improving our standards and we would be delighted to know what you thought of the service you have received from us. Please help us by taking a few minutes to complete the following short survey (<https://www.surveymonkey.com/r/MMOMLcustomer>).

If you require any further information please do not hesitate to contact me using the details provided below.

Yours faithfully,



Alicia Hardman-Vaughan  
Marine Licensing Case Manager

D +44 [REDACTED]  
E [REDACTED]@[marinemanagement.org.uk](mailto:marinemanagement.org.uk)

Copies to:

Fiona Jeyes (MMO)- Marine Licensing Case Officer:  
[REDACTED]@[marinemanagement.org.uk](mailto:marinemanagement.org.uk)

Amy Trakos (MMO)- Marine Licensing Senior Case Manager:  
[REDACTED]@[marinemanagement.org.uk](mailto:marinemanagement.org.uk)

