

EAST RIDING OF YORKSHIRE COUNCIL

Local Impact Report

**Land surrounding Spaldington, Gribthorpe, Willitof, Brind, Wressle, North
Howden, Brighton, Newsholmem Brackenholme, Barmby on the Marsh**

LPA Reference Number: 24/01321/NSIP

Planning Inspectorates Unique Reference: EN010143

June 2024

EAST RIDING OF YORKSHIRE COUNCIL

Local Impact Report

Application for a Development Consent Order (DCO) for the construction, operation (including maintenance) and decommissioning of ground mounted solar photovoltaic (PV) panel arrays with approximate generating capacity of 400 MW. The Scheme includes underground cabling to connect to the national electricity transmission network at National Grid's Drax Substation; underground cabling between the areas of solar PV panels; areas of landscaping and biodiversity enhancement; and other associated development.

At Spaldington Airfield and surrounding land, Wood Lane, Brind, East Riding Of Yorkshire
By East Yorkshire Solar Farm Limited

1. RECOMMENDATION

- 1.1 The Local Impact Report was presented to Planning Committee on 20 June 2024 where it was resolved to agree the contents and recommendations set out in the Local Impact Report subject to the additional points raised by Members of the Planning Committee as set out in appendix 3.

2. INTRODUCTION

- 2.1 This report has been prepared by East Riding of Yorkshire Council in accordance with the advice and requirements set out in the Planning Act 2008 and Advice Note One: Local Impact Reports. It represents the Council's Local Impact Report (LIR) on the proposal. A LIR as defined in Section 60(3) of the 2008 Act is a 'report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)'. The content of the LIR is a matter for the Local Authority concerned as long as it falls within the statutory definition. The Council should cover any topics they consider relevant to the impact of the proposed development on their area and should draw on existing local knowledge and experience.
- 2.2 The LIR gathers together the views of a number of internal departments who have been consulted on the application and their full comments have been appended to the report. These are:

- Nature Conservation
- Trees and Landscaping
- Building Conservation and Heritage
- Public Rights of Way
- Lead Local Flood Authority and
- Land Drainage
- Highways
- Public Protection
- Archaeology

3. SITE DESCRIPTION AND OVERVIEW OF THE SCHEME

- 3.1 The scheme comprises of approximately 1,276 hectares (ha) of land which includes:

- the Solar PV areas (966 ha over 16 Solar PV areas) and associated solar PV infrastructure, including two Grid Connection Substations. The Solar PV Areas also incorporate areas of habitat creation/enhancement and landscaping. (The Solar PVs use east-west single axis tracker solar technology).
- Ecological Mitigation Area (107.9ha): area of land in the north-east of the site to be managed to provide good quality habitat for overwintering and migratory bird species, mitigating the loss of habitat elsewhere. This includes Golden Plover Mitigation Zone – 28.75 ha near to River Foulness to be managed as wet grassland habitat; and Goose Mitigation Zone – 79.09 ha to remain in the current arable rotation with amendments to improve habitat quality such as increased retention of stubble.
- Interconnecting Cable Corridor: the area outside of the Solar PV Site and Grid Connection Corridor within which the 33 kilovolt (kV) cables (Interconnecting Cables) linking the Solar PV Areas to the 33kV/132 kV Grid Connection Substations will be installed.
- Grid Connection Corridor: the area outside of the Solar PV Site within which the 132 kV Grid Connection Cables (and between Solar PV Areas 3b and 1c some 33 kV Interconnecting Cables) will be installed. The Grid Connection Corridor which links the Solar PV Site to the National Grid Drax Substation and Site Accesses lie within the administrative areas of East Riding of Yorkshire Council and North Yorkshire Council.
- Site Accesses: land required to facilitate access to the Site, such as new access routes or measures to provide better visibility splays.
- Operations and Maintenance Hub (Johnson's Farm): office, welfare, and storage within rebuilt existing derelict farm buildings.
- The specific development areas and types are identified in Appendix 2 (plans).

3.2 The Environmental Statements (ES) states the applicant has undertaken a considered approach to site selection and design. These include irradiance and topography, proximity to dwellings, (sought to avoid urban areas for the Solar PV and incorporating buffers from residential dwellings), agricultural land classification (ALC), accessibility, PROW, security, and lighting, network connection, site capacity, site layout design and appearance, project lifetime and decommissioning.

3.3 Several small rural villages and hamlets including Gribthorpe, Willitof, Spaldington, Brind and Wressle and the market town of Howden are located in the surrounding area of the Order limits. At the closest point, the boundary of the Solar PV Site is located 1.6 kilometres (km) north-west of new residential developments in the north of Howden and approximately 1.3 km west of the villages of Brighton and Wressle. The closest residential properties in the hamlets of Gribthorpe and Brind and the village of Spaldington are approximately 20 metres (m) from the Solar PV Site, whilst the closest properties in the hamlet of Willitof are approximately 120 m away. The village of Newsholme is located adjacent to the south of the Solar PV Site.

3.4 A National Grid Gas transmission pipeline is located 140 m from the southern boundary of Solar PV Area 2g and 60 m from the southern boundary of Solar PV Area 3c. To the south of Solar PV Area 2b and between Solar PV Areas 2d and 2e, there is an existing wind farm and anaerobic digestion plant. The windfarm is located on the former Spaldington Airfield and has five 2.3 MW turbines. An anaerobic digestion plant is located within the farm unit.

3.5 Fishing lakes are sited to the north-east of Solar PV Areas 1a and 1b. At the southernmost lake, closest to the Solar PV Site, there are six holiday homes. Other recreational facilities in the vicinity of the Solar PV Site include Boothferry Golf Club located between Solar PV Areas 2d and 2e off Spaldington Lane. Brighton Airfield is

to the west of Solar PV Area 1a and north-west of Solar PV Area 2a. The Airfield includes the Real Aeroplane Company and has a single grass runway and is open to members and flying visitors throughout the year.

- 3.6 The eastern boundary of the Ecology Mitigation Area is formed by the River Foulness and further east are residential properties in the hamlet of Arglam which lies beyond the river (approximately 315 m east of the Order limits at the closest point).
- 3.7 The local transport network close to the site comprises several strategic connections including the M62, the A63, and the A614 which is a single carriageway road running to the east of the Scheme close to Solar PV Area 2g. There are several other smaller B roads and lanes adjacent to and within the Solar PV Site, Ecology Mitigation Area and Interconnecting Cable Corridor.
- 3.8 The grid connection corridor passes approximately 170 m south of Wressle at the closest point. It is adjacent to Hagthorpe Hall and Brackenholme Cottages at the hamlet of Brackenholme. The village of Hemingbrough is approximately 1.1 km north of the Grid Connection Corridor and the village of Barmby on the Marsh is approximately 80 m south of the Corridor (across the River Derwent) at the closest points. The Grid Connection Corridor is approximately 400 m north/north-west of the village of Drax. Loftsome Bridge Hotel is located approximately 160 m east, and Yorkshire Water's Water Treatment Works is located approximately 100m south east, both east of the River Derwent.
- 3.9 Drax Power Station and the National Grid Drax Substation complex are located to the west. Drax Power Station is a former coal fired power station which now produces 14 terawatt-hours (TWh) of renewable energy a year from biomass sources. This is within North Yorkshire Councils administrative area.

4. PRE-APPLICATION CONSULTATION

- 4.1 East Riding of Yorkshire Council have expressed the opinion that the applicant has complied with the relevant sections of the Planning Act 2008 (as amended) in their duty to consult the appropriate local authorities, the prescribed consultees, identified land interests, the local community and to publicise the application.
- 4.2 Planning and Specialist Officers from East Riding of Yorkshire Council have been involved in discussions with the Project Team and Consultants for the East Yorkshire Solar Farm Project during the various Consultation stages.

5. PLANNING HISTORY – CUMULATIVE DEVELOPMENT

- 5.1 Cumulative Effects and Interactions with other applications are considered in the Environment Statement (ES). The Planning Statement (PS) provides an overview of the relevant planning history within or adjacent to the Order limits.
- 5.2 There are no large-scale solar developments either consented or built in the vicinity of the Order Limits. Some solar development has been approved at local farms or businesses in Holme on Spalding Moor, Howden, Spaldington and Brind, however these are very small scale and too far from the Order Limits to be included in the cumulative impact assessment. The short list provided in the ES is up to date.

6. KEY POLICIES AND DOCUMENTS

Development Plan and Local Guidance

East Riding Local Plan Strategy Document (ERLP SD) (April 2016)

Policy A4 Goole & Humberhead Levels sub area
Policy A6 Vale of York sub area
Policy S1 Presumption in favour of sustainable development
Policy S2 Addressing climate change
Policy S4 Supporting development in Villages and the Countryside
Policy S8 Connecting people and places
Policy EC1 Supporting the growth and diversification of the East Riding economy
Policy EC4 Enhancing sustainable transport
Policy EC5 Supporting the energy sector
Policy EC6 Protecting mineral resources
Policy ENV1 Integrating high quality design
Policy ENV2 Promoting a high-quality landscape
Policy ENV3 Valuing our heritage
Policy ENV4 Conserving and enhancing biodiversity and geodiversity
Policy ENV5 Strengthening green infrastructure
Policy ENV6 Managing environmental hazards

National Planning Policy Framework

National Policy Statements

NPS EN-1 – Overarching National Policy Statement for Energy
NPS EN-3 – National Policy Statement for Renewable Energy Infrastructure

Guidance/supporting documents

Supplementary Planning Document - Sustainable Transport (2016) (SPD)
Flood Risk Sequential and Exception Test SPD (Nov 2021)
Lower Derwent Valley SPD
Landscape Character Assessment

7. KEY ISSUES

7.1 East Riding of Yorkshire Council consider the key issues in relation to this Nationally Significant Infrastructure Project are:

- Flexibility
- Principle of Development/Policy Background
- Impact on Best and Most Versatile Land
- Design, Landscape and Visual Impact
- Highways and Transportation
- PROW and Countryside Access
- Flood Risk and Drainage
- Living Conditions
- Trees and Landscaping

- Heritage Assets
- Minerals Safeguarding

Flexibility

- 7.2 The applicant has prepared an outline design principles statement (ODP Statement) which provides the guiding principles for the detailed design of the scheme and is secured by a requirement of the DCO. When the detailed design for the scheme is submitted for approval by the relevant planning authority (East Riding of Yorkshire Council and North Yorkshire Council), those details must be in accordance with the design principles set out in the ODP Statement
- 7.3 Securing the detailed design post-consent is necessary to achieve technological and design flexibility for the scheme because solar photovoltaic (PV) technology is rapidly evolving. The Scheme seeks to allow provision in the DCO for the technological innovation and improvements that may be realised at the time of procurement and construction, to ensure that the Scheme can be constructed taking advantage of innovation and cost efficiencies.
- 7.4 That necessary flexibility has been facilitated by the adoption of the 'Rochdale Envelope' approach in the Environmental Statement (ES). The Rochdale Envelope approach ensures the maximum parameters and realistic worst case have been assessed, and that envelope is defined by the design principles set out in this document. Therefore, by requiring that the detailed design of the scheme must be in accordance with the design principles, there can be confidence that the environmental effects would be the same as or no worse than those assessed and reported in the ES.

Principle of Development and Policy Background

Planning Act 2008

- 7.5 In accordance with Section 104 of the Planning Act 2008, in determining applications for development consent decision makers must have regard to:
- (a) any national policy statement which has effect in relation to development of the description to which the application relates;
 - (aa) the appropriate marine policy documents (if any), determined in accordance with section 59 of the Marine and Coastal Access Act 2009;
 - (b) any local impact report submitted to the Secretary of State before the deadline specified in a notice under section 60(2);
 - (c) any matters prescribed in relation to development of the description to which the application relates; and
 - (d) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision

Section 105 of The Planning Act 2008 applies where there is no specific NPS in relation to the development proposed and directs that in these instances that, in determining the application, the Secretary of State must have regard to:

(a) any local impact report submitted before the deadline specified in a notice under Section 60(2);

(b) any matters prescribed in relation to development of the description to which the application relates; and

(c) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.

National Planning Policy

National Planning Policy Framework (NPPF) (2023)

7.6 Paragraph 160 of the NPPF identifies that the planning system should provide positive strategies to help increase the use and supply of renewable and low carbon energy.

7.7 Paragraph 163 states that when determining planning applications for renewable and low carbon development, local planning authorities should:

- (a) Not require applicants to demonstrate the need for renewable energy; and
- (b) Approve applications if impacts are (or can be made) acceptable.

National Planning Practice Guidance (NPPG)

7.8 The PPG on Renewable and Low Carbon Energy states (para. 7) that in considering applications for renewable energy:

- The need does not automatically override environmental protections;
- Cumulative impacts require particular attention, especially the impact large scale solar farms can have on landscape and local amenity;
- Recognising effect of local topography on landscapes including flat areas;
- Protecting heritage assets
- Sites in or close to National Parks and AONB's will need careful consideration;
- Protecting local amenity.

7.9 Para. 13 sets out particular planning considerations for assessing large scale ground mounted solar farms as follows:

- Focussing development towards previously developed and non-agricultural land;
- Where on greenfield land (i) whether the proposed use on any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; (ii) the proposal allows for continued agricultural use, and/or (iii) encourages biodiversity improvements around arrays;
- Recognising they are temporary, and conditions can require their removal when no longer in use;
- Effect on visual impact including on landscape, glint and glare, on neighbouring uses and aircraft safety;
- Any additional impact from arrays that follow the sun;
- Need for and impact of lighting and fencing;
- Protection of heritage assets;
- Potential to mitigate visual impact through natural screening;
- Energy generating potential.

National Policy Statements

- 7.10 New National Policy Statements for Energy (EN-1 to EN-5) came into force on 17th January 2024.
- 7.11 NPS EN-1 (the Overarching National Policy Statement for Energy) sets out the Government's energy policy and this is supported by 4 technology specific NPS documents. NPS EN-1 confirms that the provision of nationally significant low carbon infrastructure is now a critical national priority (CNP). It introduces a policy presumption that the urgent need will in general outweigh any other residual impacts that are not capable of being addressed through the application mitigation. However, section 104 of the 2008 Planning Act still applies.
- 7.12 EN-1 sets out a number of impacts that should be assessed, whilst recognising these are not exhaustive:
- Biodiversity, ecological, geological conservation and water management
 - Landscape, visual and residential amenity
 - Glint and glare
 - Cultural heritage
 - Construction including traffic and transport noise and vibration
- 7.13 Solar power is now included in NPS EN-3 (National Policy Statement for renewable energy infrastructure). Section 105 of the 2008 Planning Act therefore no longer applies to solar DCO applications. EN-3 states that solar is a key part of the government's strategy for low-cost decarbonisation of the energy sector and that a five-fold increase in ground and rooftop solar deployment will be expected in order to meet decarbonisation ambitions by 2035. The government seeks large scale ground-mounted solar deployment but is looking for development mainly on brownfield land, industrial and low and medium grade agricultural land. In terms of best and most versatile land EN-3 states that where possible previously developed, contaminated and industrial land should be utilised, but that that should not be the predominating factor. Where agricultural land is used poorer quality land should be preferred.
- 7.14 NPS EN-3 sets out a number of considerations but recognises that there will also be considerations specific to individual projects. The issues identified are:
- Irradiance and site topography
 - Network connection
 - Proximity to dwellings (visual amenity, glint and glare)
 - Agriculture land classification and land type
 - Accessibility
 - Public rights of way
 - Security and lighting

Local Planning Policy

- 7.15 The ERLP SD contains various policies which are relevant to the proposal. These include policies specific to the principles of energy production proposals and sustainable development, and more generic policies which although not specifically referencing energy schemes have overarching considerations which should be assessed as part of the identified potential impacts. The following policies are relevant.

- 7.16 Policy S1 (Presumption in favour of sustainable development) and S2 (Addressing climate change) of the ERLP SD promote a positive approach to sustainable development that reflects the presumption in favour of sustainable development in the NPPF and supports development that contributes to a reduction in greenhouse gas emissions. Policy S2 defines how that will be delivered and identifies policies ENV1 and EC5 as relevant. Renewable energy sources and decentralised energy generation is promoted through policy S2, in appropriate locations. In that respect the sustainable development requirement is applied across the ERLP SD policies. These policies reflect the national policy direction which supports renewable energy but identifies that they should still be assessed against a range of potential local impacts.
- 7.17 The whole site lies in the open countryside. Policy S4 (Supporting development in Villages and the Countryside) applies in that respect. The policy supports energy development and associated infrastructure where proposals respect the intrinsic character of their surroundings. The site is not identified as having high landscape value, but a landscape assessment is still required to assess local impacts and mitigation. Notwithstanding that, the policy recognises that energy development can support other objectives of the Plan and in that respect Policy EC5 (Supporting the energy sector) is relevant.
- 7.18 Policy EC5 supports energy sector development where any significant adverse effects are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. This includes the cumulative impacts of the proposal with other existing and proposed energy sector developments, the character and sensitivity of landscapes, and the effects of development on a range of issues such as local amenity, biodiversity, noise, traffic, and flood risk. This reflects the advice in NPPG which sets out the types of issues that need to be assessed. These are addressed in this Local Impact Report. Subject to those assessments policies S4 and EC5 support the principle of the development.
- 7.19 The majority of the sites fall within the Goole & Humberhead Levels sub area with a small portion to the north within the Vale of York sub area. Policy A4 applies to the Goole and Humberhead Levels sub area and Policy A6 to the Vale of York sub area. Both policies do not specifically reference energy development but do identify the different landscape character types as assessed in the East Riding Landscape Character Assessment and important biodiversity and archaeological assets. Part of the development site falls within the Humberhead Levels Nature Improvement Area (NIA) which aims to create and restore wetland habitat. It is noted that wetland mitigation is included within the proposal.

Local Plan Update

- 7.20 The Local Plan Update was submitted to the secretary of state on 31 March 2023 and an examination is underway. Hearing sessions took place in October and November 2023, but the examination process is ongoing. The Inspector is yet to issue any interim statement that would assist in determining whether particular policies are likely to be found sound or otherwise. Public consultation on potential modifications will be required. Therefore, the weight to be given to the policies contained within the Local Plan Update will continue to vary on a case-by-case basis and the NPPF provides guidance on assigning weight. Having regard to this, officers consider that the weight of policies within the Local Plan Update ranges from none to limited, reflecting the fact that there are some unresolved objections, and the examination is ongoing.

Conclusion

- 7.21 In summary ERLP SD policies promote sustainable development and renewable

energy schemes where they are in an appropriate location. The site is classed as countryside, but energy sector development is supported subject to assessment of specific local impacts outlined in policy EC5. These reflect national advice contained in NPS EN1 and EN3, paragraphs 160 and 163 of the NPPF and paragraph 7 of the PPG on Renewable and Low Carbon Energy which recognises that there is a need to support renewable energy production but that the wider benefits need to be weighed against residual harm. However, the recent Ministerial Statement now places greater emphasis on protection of the most valuable agricultural land. Therefore whilst the ERLP SD supports the principle of the development the local impacts are addressed through more specific policies and are assessed below.

Impact on Best and Most Versatile Land (BMVL)

- 7.22 The extent of the site area comprises 1,276 ha of land, the majority of which is greenfield land. The scheme is separated into 4 parts – the solar PV area, the ecology mitigation area, the interconnecting cable corridor, the grid connection corridor, and site accesses. It is proposed to use a large amount of agricultural land for the vast majority of the proposal and as such the application has been accompanied by an Agricultural Land Classification Assessment (ALC) to assess the quality of the farmland that will be lost.
- 7.23 Minimising the loss of Best and Most Versatile Agricultural Land is supported by both National and Local Policy. The National Planning Policy Framework states that “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development”
- 7.24 National Policy Statement (NPS) EN-1 paragraph 5.10.8 (Ref. 3), and NPS EN-1 paragraph 5.11.1(Ref. 2) state: “Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5)”.
- 7.25 NPS EN-1 paragraph 5.10.15 (Ref. 3) states that the decision maker: “should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification” and that little weight should be given to the loss of poorer quality agricultural land (in grades 3b, 4 and 5).
- 7.26 NPS EN-3 (Ref. 4) provides clarification and guidance on how policies relating to Best and Most Versatile (BMV) agricultural land should be interpreted for solar NSIP schemes. It clarifies at paragraphs 3.10.14 to 3.10.16 that “Whilst the development of ground mounted solar arrays is not prohibited on agricultural land classified 1, 2 and 3a the impacts of such are expected to be considered. It is recognised that at this scale, it is likely that applicants’ developments may use some agricultural land. Applicants should explain their choice of site, noting the preference for development to be on brownfield and non-agricultural land.”
- 7.27 Paragraph 3.10.18 of NPS EN-3 (Ref. 4) states that “if necessary, field surveys should be used to establish the ALC grades” in accordance with the current, grading criteria, “to identify the soil types to inform soil management at the construction, operation, and decommissioning phases in line with the Defra Construction Code”. Paragraph 3.10.19 of NPS EN-3 further states that a Soil Resources and Management Plan should be developed, to help minimise impacts on soil health and potential land contamination.

- 7.28 A Written Ministerial Statement was published on 15th May 2024. The Statement prioritises protection of high value agricultural land for food production over solar projects and encourages more use of brownfield land and rooftops. This statement sets out that due weight needs to be given to the proposed use of Best and Most Versatile land when considering whether planning consent should be granted for solar developments. For all applicants the highest quality agricultural land is least appropriate for solar development and as the land grade increases, there is a greater onus on developers to show that the use of higher quality land is necessary. Applicants for Nationally Significant Infrastructure Projects should avoid the use of Best and Most Versatile agricultural land where possible. Both the NPPF, NPSs and the ministerial statement are a material consideration in the determination of any application.
- 7.29 In terms of Local Policy, Policy S4 of the ERLP SD states that development will be supported in the countryside where it does not lead to a significant Loss of Best and Most Versatile Agricultural Land.
- 7.30 The applicant's ALC assessment identifies that approximately 92.9 % of land within the Solar PV Site is of non-BMV quality (Subgrade 3b and Grade 4). BMV land comprises approximately 6.3 % of land within the Solar PV Site; this is mainly located in Solar PV Areas 2g and 3c. Further isolated patches of Subgrade 3a land were identified within the Solar PV Areas 1a and 2f however due to their small size all these areas of BMV land are likely to only be farmable as per the lower grade surrounding land. The remaining land is non-agricultural (tracks etc.).
- 7.31 The assessment identifies that approximately 80.8% of the Ecology Mitigation Area is of non-BMV quality (Subgrade 3b). 17.1% is of BMV quality (Subgrade 3a), however the majority of this (10.5 %) is in the Goose Mitigation Zone which will remain in arable rotation. The remaining land is non-agricultural.
- 7.32 The ALC Data show that the majority of agricultural land within the Grid Connection Corridor (61.2 %) is of non-BMV quality (Subgrade 3b). Similarly, 81.72 % of the Interconnecting Cable Corridor is of non-BMV quality (Subgrade 3b).
- 7.33 The assessment concludes that the irreversible loss of 0.41 ha of BMV agricultural land for tree and hedge planting within the Solar PV Site would result in a slight adverse effect which is not considered to be significant. Whilst there would be long term loss of 59.91 ha of Grades 1, 2 and 3a BMV land through conversion of arable land which will be taken out of farmland during operation, this would be reversible, because it could be turned back into farmland following decommissioning. This is considered to result in a slight adverse effect which is not considered to be significant.
- 7.34 For the Ecology Mitigation Area, the assessment concludes that the long term, reversible loss of 7.20 ha of BMV land through conversion of arable land to grassland for the Golden Plover Mitigation Zone (which is taken out of agricultural production during operation of the Scheme but returned to agricultural use following decommissioning) would result in a slight adverse effect which is not considered to be significant. The 11.29 ha of BMV land used for the Goose Mitigation Zone would remain in arable rotation with amendments to improve habitat quality such as increased retention of stubble. The assessment therefore concludes there would be no loss of BMV agricultural land and therefore no effect on this part of the site.
- 7.35 The assessment confirms the agricultural land within the Grid Connection and Interconnecting Cable Corridors will be temporarily disturbed during construction and will be reinstated to its original condition (ALC grade) on completion of construction. The land can be farmed after installation of the buried cables.

7.36 The Council's Nature Conservation Officer has considered the impact on soils and agricultural land. They have stated that permanent loss of agricultural soils will likely occur through the installation of the grid connection substations, and areas of habitat enhancement. Scheme wide, losses are predominantly temporary reversible. Parts of the ecology mitigation area will be sensitively farmed during operation as arable rotation or grassland. During operation, land under the panels is technically available for sheep grazed (EN010143/APP/6.2) and soil carbon improvements may be experienced through the cessation of farming for the operational period. Measures to protect soil resources are outlined and allows for detailed survey work. Section 15.6 outlines a commitment to protecting soils "by the use of best practice in soil stripping, handling and storage of soil materials during construction, operation and decommissioning, these are also considered within the Framework CEMP [EN010143/APP/7.7] and Framework SMP [EN010143/APP/7.10]. Soils and Agricultural Land are considered in the Framework Decommissioning Management Plan and appear appropriate and in line with best practice. The Nature Conservation Officer has concluded that there will be no significant adverse effects to soils or agricultural land are predicted to occur as a result of the scheme.

Conclusion

7.37 Overall, the assessment concludes that over 80% of the farmland which will be used for the proposal is not considered to be Best and Most Versatile (BMV) and of the land that is in the higher grades, loss will either be reversible and where it is not reversible is only a very small amount which is not considered to be significant. On this basis, the report is considered to provide evidence to justify compliance with National and Local Policy and the recent ministerial statement and that the development would not result in a significant loss of BMV, the loss that would occur would have a negative impact in terms of food security, but this would not be significant.

7.38 The assessment has been carried out by a competent professional however in order to guide our consideration the Council has commissioned their own Independent Consultant to carry out a desk-based assessment and verify the findings of the report. The Independent Consultant has provided his initial findings which confirms the Agricultural Land Classification Assessment has been undertaken by a competent professional using conventional auger techniques. The overall findings suggest that between 10-20% of the site is BMVL and given that approximately 80% of the site is all one soil type or very similar, these results are plausible. He has recommended that further survey work should be undertaken along the cable route to ensure the soil resources are not damaged and where permanent structures such as compounds or sub-stations are proposed to accurately determine the ALC grade and ensure its future full restoration. If sheep grazing is a consideration there should be an indication of the extent, scale, and likelihood of its operation, such as a named grazier/farmer or system that is proposed. The grazing plan acknowledges some of the challenges. 7.39

Though not a consultee on this Local Impact Report, Natural England will also be a consultee as part of the wider examination process and will be required to comment and be satisfied that there is no significant loss of BMV having regard to National Policy.

Design, Landscape and Visual Impact

7.40 Policy ENV1 of the ERLP SD requires all development proposals to contribute to safeguarding and respecting the diverse character and appearance of the area through their design, layout, construction and use and seek to reduce carbon emissions and make prudent and efficient use of natural resources particularly land, energy, and water. It sets several criteria to be met to achieve a high-quality design that optimises the potential of the site and contributes to a sense of place.

- 7.41 Policy ENV2 of the ERLP SD seeks to promote a high-quality landscape and requires development proposals to be sensitively integrated into the existing landscape, demonstrate an understanding of the intrinsic qualities of the landscape setting and, where possible, seek to make the most of the opportunities to protect and enhance landscape characteristics and features. Development should protect the character and individual identity of settlements, protect and enhance important open spaces, retain important hedgerows and trees, maintain or enhance the character and management of woodland, retain, not detract from and enhance wetland and water feature characteristics and protect and enhance views across valued landscapes.
- 7.42 Policy EC5 of the ERLP SD requires proposals for the development of the energy sector, including solar PV will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. Sub-section A1 states that developments and associated infrastructure should be acceptable in terms of (A1) the cumulative impact of the proposal with other existing and proposed energy sector developments; (A2) the character and sensitivity of landscapes to accommodate energy development, with consideration to the identified Important Landscape Areas.
- 7.43 Sub-area policy A4 sub-section C2; requires development proposals to have regard to the character and quality of landmarks, such as Howden Minster. Policy A6 sub-section C2 seeks to protect the diverse character, skyline and views across the Lower Derwent Valley Important Landscape Area.

Design

- 7.44 The scheme has been designed with mitigation provided including retaining established vegetation/features that contribute to landscape character and visual amenity and proposed enhancement which are in keeping to the relevant character areas. The overall objective of the landscape design is to integrate the Scheme into its landscape setting and avoid or minimise adverse landscape and visual effects as far as practicable (section 10.6.6) via:
- retaining and following existing features, including vegetation
 - replace lost vegetation with areas of new planting
 - filter and screen views of more prominent components
 - provide new permissive routes connecting to the PRow increasing connectivity
- 7.45 The Scheme has been designed, as far as practicable, to avoid adverse effects on the landscape and views through site selection, selection of locations of structures, landscape characteristic enhancement and refinement (section 10.6.1). The Council's Trees and Landscape Officer has been consulted on the application considered that the following design mitigation which have been embedded in the Scheme to minimise effects on landscape character and visual amenity are welcomed and acceptable:
- Siting in the landscape: Solar PV areas within large scale amalgamated fields with off sets increased where required due to views and or retention of landscape features. Grid connection Substations within small, enclosed field providing visual containment. Suitable offsets from PRow's. Underground connection cables and re-use of existing buildings for office/welfare/storage facilities minimise visual intrusion.

- Conserving existing vegetation patterns: offsets from landscape features (10-30m), utilising existing openings and access tracks where possible, reinstatement where practicable, key views retained where practicable.
- Creating new green infrastructure: provision of semi-improved and species-rich grasslands, new woodland, wet grassland associated with the River Foulness and general hedgerow improvement including repair and tree planting.
- Sensitive form, colour, and materials: max panel height 3.5m, perimeter fence to be timber posts (2.2m high) deer/stockproof style although Grid Connection Substations will require palisade fencing (2.4m) likely green which may require barbed wire, CCTV poles to be timber (2.5m) at 50m spacings.
- Sensitive lighting: No visual lighting on perimeter fence (infrared for CCTV system), construction limited outside daylight hours, operation limited to temporary periods of maintenance/repair, Field Station Units internal only, Grid Connection Substation and Johnson's Farm may require 'general lighting' but will be PIR, motion controlled and directional etc to minimise light spill.

7.46 To minimise impacts further, it is recommended that the following areas of mitigation are enhanced/considered further:

- Off sets with respect to trees and hedgerows are stated as a minimum (15m with respect to trees, 10m hedgerows). Larger offsets should be provided where required following individual arboricultural assessments.
- Where aspects of retention/reuse and replacement planting are noted to be 'where possible/practicable' with respect to access, tracks, tree loss and replacement planting, full justification at detail design should be provided where this is not determined to be possible.
- All trees should be retained with individual removal to allow for access where absolutely necessary. General removal in respect to future shading of panels would not be supported. Tree planting encouraged throughout with the aim to restore degraded areas.
- Detailed design of Grid Connection Substation (area 1c) is required to maximise screening and minimise height and intrusive fencing.
- With respect to visual impact of fencing and CCTV poles, it is accepted substations require more robust fencing and welcome use of timber 'deer/stockproof' style fencing elsewhere, but have concern with respect to frequency of CCTV system poles anticipated to be timber but at 50m spacing's
- Green Corridors should be encouraged throughout and be extensive with species rich grassland and scrub particularly within PRoW corridors.
- Opportunities for enhancement within the Lower Derwent Valley (section 10.6.5 section c) which appear to be restored to existing. The Grid Connection area is noted to be predominantly agricultural with river corridors inconspicuous due to flood banks. There is potential to enhance the 'river corridor'. Although acknowledged this would be beyond the flood banks but would be beneficial in respect to the Lower Derwent Valley Important Landscape Area.
- The creation of grassland between the Solar PV (Area 1e)/Ecological Mitigation (Area 1g and 1h) and River Foulness is particularly welcome providing positive enhancement/restoration in respect to landscape character and biodiversity. There is any potential to extend this treatment.

Landscape Character Assessment

7.47 The site lies within a single National Character Area (39: Humberhead Levels, NCA 39). Humberhead Levels is a flat, low-lying, and large-scale agricultural landscape. There is widespread evidence of drainage history, from the 17th century, in the evidence of ditches, dykes and canalised rivers. The Isle of Axholme is an Area of Special Historic Interest for its extensive strip field system. There are also several sites of international importance for their biodiversity. The flat landscape enables extensive, unbroken views where vertical structures including power stations and wind turbines are very prominent (section 10.5.5). Within the East Riding Landscape Character Assessment the site lies within three-character areas; LCT4 River Corridor, LCT5 Open farmland and LCT7 Foulness Open farmland (section 10.5.23).

7.48 The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) which identifies that:

“The factors defining the overall character of the area are influenced by the repetition of human elements, including intensive arable agriculture. Views of detracting features influence scenic quality. The landscape condition and structure are declining due to boundary loss and fragmentation of features through the intensification of agricultural processes. The landscape offers recreational opportunity through the PRoW network and includes the Howden 20 LDR. There are varying levels of tranquillity where the perceptual qualities contribute towards the appreciation of the landscape”. Detractors such as existing wind turbines area identified within the assessment.

7.49 It is accepted that due to its scale, the development will be visible from public vantages including Public Rights of Way and also nearby residential dwellings, however due to the flat nature of the landscape character area, screening will be possible with planned landscaping and mitigation as set out above. The LVIA study identifies key viewpoints and then attributes what value these viewpoints have in order to consider if there will be any harm. Views identified as medium value are predominantly associated with Barmby on the Marsh (VP21/VP22/VP29) along the cable connection route. These are described as ‘attractive view across farmland with elements of value associated with the river corridor’, ‘attractive view across river corridor and a medium number of detractors’ but they state views include Drax Power Station. Also, All saints Church (VP26) ‘attractive, interesting view across countryside containing a small number of detractors’.

7.50 Generally, the views are considered to have a low value due to ‘ordinary view’, ‘featureless farmland’, ‘notable detractors’, ‘few elements of value’ or ‘low level of detractors’. A single view within the main area of solar PV area, Willifoft Road (VP28) is identified as medium value ‘attractive, extensive view across countryside containing a small number of detractors’. Views in the immediate vicinity of Drax power station (VP23/VP24) are valued at very low ‘ordinary view across farmland dominated by industrial elements with very few elements of value’.

7.51 The Council’s Trees and Landscape Officer has been consulted on the application and has concluded that overall the LVIA is acceptable however has concerns in two areas. These are:

- Lack of viewpoints in respect to solar PV area 2a with potential residential/PRoW/road users Brighton (to the west) and B1228 to the east.
- The value given to views within the northern solar PV areas around Willitof and Gribthorpe appear more in line with VP28, medium value as opposed to low value, with strong hedgerows and mature trees dominating the views.

7.52 The Council recommends that the Examining Authority request further information to

rule out any likely negative effects of the development in respect of these points.

Landscape Character and Visual Impact

- 7.53 The Impact on Landscape Character, taking into account the proposed mitigation, have been assessed. At the national level the impact is considered to be negligible across all phases of the proposal. At the regional scale the impact is considered to generally negligible adverse but no change at/after operation Year 15 for Levels Farmland (LCT 23) and River Floodplain (LCT 24).
- 7.54 At the local scale in respect to the areas within the East Riding, the impacts have been assessed as generally negligible adverse but no change at/after operation Year 15 in respect to Derwent Valley, Barmby on the Marsh to Pocklington Canal Reach (LCA 4A) where impacts are temporary during construction and decommissioning only. However, significant impacts have been identified with respect to Howden to Bubwith Farmland (LCA 5A) Operation Year 1 and 15 (moderate adverse) with *'the introduction of new infrastructure will locally represent a comprehensive change to the overall perceptual character of the LCA'*.
- 7.55 The impact on West of Holme on Spalding Moor Farmland (LCA 5B) in Operation Year 1 is assessed as moderate adverse but decreasing to minor adverse at Year 15 as the replacement planting and planting proposed as part of the mitigation strategy will have established and provide a more robust landscape screening. The impacts on South of Holme on Spalding Moor Farmland (LCA 7A) and Eastrington Farmland (LCA 7B) have been assessed as minor adverse and therefore not significant.
- 7.56 Significant impacts with respect to the construction phase have been identified from most of the typical viewpoints; the exception being those at a distance from the works areas. Significant impacts with respect to the decommission phase have only been identified with the Grid Connection Corridor where negligible/no change occurs during the operational phase and therefore screen planting has not been required. For other viewpoints the decommission phase is not significant due to the establishment of screening vegetation proposed to mitigate impacts during operation. Significant impacts during operation occur from multiple viewpoints during Year 1 principally in respect to residents, but also for PRow users (including the Howden 20) in some instances and non for road users. All impacts are anticipated to be reduced to minor by Year 15 due to the implementation of mitigation measures with respect to existing vegetation and/or new planting.
- 7.57 The Council recommends that that the following points are reviewed where potential impacts may have been underestimated and/or further opportunities for mitigation/enhancements may be available:
- Significant visual impacts have been recorded principally in respect residents. However, PRow users may have been underestimated with respect to regular local walks due to frequency and repetition with respect to the Howden 20 route.
 - 'Transient' nature of views (see section 10.7.10 and 10.7.11) from footpaths has the potential to undervalue impacts on recreational users in respect to footpaths used for regular local walks and the Howden 20 where the route coincides with several of the proposed solar PV areas. Increases the importance of mitigation to provide an appropriate/enhanced corridor associated with PRow's. Mostly within the solar PV areas to the north east where hedgerows are more prominent such that additional hedgerow planting would not be out of place or scrub planting to allow views to be retained.

- Multiple residential properties and multiple footpaths are being considered. This may provide a limited idea of scale when considering typical viewpoints. For example how many sections of footpath are significantly impacted and how many are mitigated successfully, potentially all by year 15. Noted typical viewpoints from some footpaths that pass through solar PVA area at some point have impact assessment from a distance, for example VP15 where footpaths pass through area 1f.
- The assessment years used (Year 1 and Year 15), is it anticipated that most of the effects of the planting will be evident prior to this or was Year 15 used as the earliest reasonable timeframe for the mitigation to succeed?
- Consider the potential to create permissive footpaths outside the Solar PVA area in order to provide 'regular local walks' with unaffected views.

Landscape and Ecological Management Plan (LEMP)

7.58 The applicant has produced a Framework Landscape and Ecological Management Plan (EN010143/APP/7.14) which illustrates a positive commitment to ensuring the success of the establishment and long-term management of the landscape and habitat enhancement proposals. It covers the short and long-term measures and practices that will be implemented by the Applicant to establish, monitor, and manage landscape and ecology mitigation and enhancement (biodiversity net gain) measures.

7.59 The Council supports the requirement for the implementation of the proposed landscape/ecological mitigation measures to be secured by the requirement of a detailed LEMP to be produced in accordance with the Framework LEMP and welcome the inclusion of landscape and biodiversity issues together to provide a cohesive strategy.

7.60 The strategy is comprehensive and includes suitable and extensive mitigation and enhancement. In addition the Council request that the following points be considered:

- Opportunities to provide green corridors should be maximised. Inclusion of wildflower grassland and scrub habitats throughout 'footpath corridors' would be supported. However, it is acknowledged that long distance views of the wider countryside from footpaths need to be retained, such as lower hedgerows allowing glimpsed/local views of panels acceptable if retaining specific wider views of the surrounding landscape.
- Appropriate species mixes should be clarified at detail stage. Particularly the 'flower rich grassland', the use of which should be justified over the species rich grassland which appears to include more appropriate native forb species.
- Acknowledged that mandatory BNG does not apply to this application (NSIPS anticipated November 2025) and welcome that the applicant proposes to provide a minimum of 10% BNG as best practice.

7.61 Importance of aftercare and appropriate management to ensure new/replacement planting achieves the growth to provide the extent of mitigation predicted. This should be secured along with restrictions on the removal of vegetation through the lifetime of the scheme.

Conclusion

7.62 Overall the submitted LVIA is considered to provide an accurate assessment of the

visual and landscape impacts of the development and the proposed design generally provides good levels of mitigation in terms of the use of both existing and proposed landscape features. It is considered that significant impacts are identified at the local level and therefore it is recommended that additional landscaping and mitigation are required to off-set the impacts such as the extension of provision of green corridors and the variety of habitats be incorporated.

- 7.63 The Council is of the view that, subject to the recommendations set out above in terms of additional LVIA information, mitigation measures and LEMP, the development could be capable of having a neutral local impact in terms of landscape and visual amenity, however further information is required as set out and should be considered by the Examining Authority as part of the hearing sessions.

Highways and Transportation

- 7.64 Policy EC4 of the ERLP SD relates to enhancing sustainable transport and for development to address likely transport impacts and to bring forward other necessary transport infrastructure to accommodate expected movement to and from the development.
- 7.65 Policy ENV1 of the ERLP SD sub-section B9 seeks to achieve a high-quality design, which promotes equality and safe access, movement, and use.
- 7.66 Policy EC5 of the ERLP SD requires proposals for the development of the energy sector, including solar PV will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. The effects of the development on traffic (sub-section 3i) should be assessed.
- 7.67 The Council's Highway Authority has engaged collaboratively with the East Yorkshire Solar Farm Project Team and Highway Consultants throughout the consultation phase.
- 7.68 The main impact from the East Yorkshire Solar Farm development will occur during the construction and decommissioning phases, with less impact during the operational phase. The Construction Environmental Management Plan (CEMP) will be implemented to manage the environmental impacts of construction activities, which is secured by a requirement of the DCO.
- 7.69 The Solar PV Site is near the strategic road network with the M62, the A614 and the A63 easily accessible from the development areas. The B1228 is adjacent to Solar PV Areas 2c and 2d. A network of smaller roads is around the Solar PV Site. Wood Lane runs alongside Solar PV Areas 3a, 2c and 2b connecting Station Road in the west to Tottering Lane in the east for a length of 5.6 km. Tottering Lane provides access to Solar PV Areas 1a, 1b, 1c, 1d and 1e. heading east from the junction with Willitof Road and Wood Lane to the north with Bell Lane, travelling for 3 km. Spaldington Road runs in between Solar PV Areas 2e and 2f, travelling from the B1228 in the west to the A614 in the east for approximately 4 km. The road is a single carriageway without road markings, that provides access to an unmarked road heading north to Ings Lane, Wood Lane and Willitof Lane.
- 7.70 The scheme is proposed to be constructed in 5 main compounds as follows:
- a. Construction Compound Area A will be in the western area of Solar PV Area 1a with access to be provided off a northern section of Willitof Lane;
 - b. Construction Compound Area B will be located within Solar PV 2d and access will

be provided on the B1228 opposite Spaldington Airfield Wind Farm;

c. Construction Compound Area C will be in the south-western corner of Solar PV Area 3c to the north-east of Newsholme. Access will be provided from Rowlandhall Lane, along existing farm access tracks;

d. Construction Compound Area D will be located to the west of Loftsome Bridge Hotel and the River Derwent, with access provided off the A63 Hull Road to the south of the compound; and

e. Construction Compound Area E will be located on the western side of the River Derwent crossing, with access off Pear Tree Avenue.

7.71 Construction accesses will also be provided off Street Lane for Solar PV Area 2a, and off Wood Lane for Solar PV Area 2b. There would be access off Ings Lane to Solar PV Area 1f. Access would also be provided off Willitof Lane, and a farmer's track which runs off it, to Solar PV Areas 2e and 2f. Access to Solar PV Area 3b would be provided off Rowlandhall Lane. Further south, access to the Grid Connection Corridor would be off Pear Tree Avenue and Carr Lane, with access into Drax Substation off the A645.

7.72 All HGVs will travel along the public highway to one of Construction Compounds A, B, D or E and from here, materials will be transferred to small tractor-trailers similar to the agricultural vehicles currently using the road network, for onward transport to point of need.

7.73 There would be no HGV movements to and from Construction Compound C, only tractor-trailers (to and from Construction Compound B) using the access created off Rowlandhall Lane. To reduce site traffic on local roads, it is proposed to utilise internal routes through the Solar PV Areas where practicable as the primary route for deliveries and staff movements.

7.74 Each HGV would generate two tractor trailer movements. At peak construction there is anticipated to be up to 25 HGV visits to the site a day, which means 50 HGV movements from tractors/trailers are anticipated to be travelling to and from the site daily.

7.75 The construction phase of the Grid Connection Cables is anticipated to take 12 months and the construction of the Solar PV Site will take approximately 24 months and the solar farm will operate for a period of approx.40 years, before being decommissioned. Decommissioning is expected to take between 12 and 24 months.

7.76 The developers transport consultant and the Highway Authority (Highway Development Management (HDM) and the Area Engineer from Street scene Services) have held several meetings to discuss the various access points required during the construction phase and the mitigation measures required so that Design Objective 9 can be satisfied.

Design Objective 9 states:-

The Scheme will provide safe access and mitigate impacts on the local highway network to avoid significant effects, where practicable.

7.77 Mitigation measures include the construction of new passing places, up-grading of existing formal and informal passing places, junction widening, construction of access points, agreeing visibility splays at those access points and any Temporary Traffic Regulation Orders (TTRO) to reduce the speed limit on a temporary basis. The

discussions are on-going, but both parties are confident that agreements will be reached to mitigate any highway issues during the construction phase.

- 7.78 Any new infrastructure in the form passing places and junction widening will remain as permanent highway features once the construction phases have been completed.
- 7.79 The Highway Authority has dealt with several similar schemes in the East Riding where multi-access points and extensive highway mitigation is required. Any works within the limits of the existing public highway will be completed under the provisions of Section 278 of The Highways Act, 1980, which is a legally binding Agreement between the developer and the Local Authority whereby the developer will fund all the works deemed necessary to mitigate the impacts on the local highway network.
- 7.80 The Highway Authority will require an updated Construction Traffic Management Plan (CTMP) and Transport Assessment (TA). The developer will need to provide on-site parking for contractors, loading and un-loading facilities within designated areas and turning facilities so that all vehicles can enter and leave the various sites in a forward gear. Wheel wash facilities are required, and a road sweeping schedule must be agreed. These additional requests could be incorporated into requirement 13 or form a separate requirement. The Highway Authority ask the Examining Authority to consider these requests.
- 7.81 Any abnormal load routes must be agreed with the Councils Abnormal Loads Team and the removal of street furniture must be agreed with the Councils Street scene Team.

Conclusion

- 7.82 Overall, the submitted information is considered to provide an accurate assessment of the impact on the local highway network both during construction and operation. The Council therefore considers that providing the details set out in Design Objective 9 can be met, including the necessary mitigation measures and the imposition of suitable requirements, the Council consider the impact on local highway network would be neutral.

Biodiversity and Ecology

- 7.83 As the development falls within the threshold for EIA development, an Environmental Statement (ES) has been submitted with the application as required by the 2017 EIA regulations. The ES examines the potential impacts on the environment in including designated sites. In addition, Regulation 63 of the Conservation of Habitats and Species Regulations 2017 requires that a Competent Authority, before deciding whether to give an consent for a plan or project which is a) likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.
- 7.84 Policy ENV4 of the ERLP SD at Part A advises that proposals that are likely to have a significant effect on an International Site will be considered in the context of the statutory protection which is afforded to the site. Part B of the Policy relates specifically to National sites stating that proposals that are likely to have an adverse effect on a National Site (alone or in combination) will not normally be permitted, except where the benefits of development in that location clearly outweigh both the impact on the site and any broader impacts on the wider network of National Sites.

- 7.85 Policy ENV4 is broadly reflective of Paragraph 174 of the NPPF which requires developments to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status). Furthermore, Paragraph 182 of the NPPF advises that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. It is therefore necessary to first establish to what extent the proposal would impact upon the international and nationally designated sites in the vicinity.
- 7.86 Policy EC5 of the ERLP SD requires proposals for the development of the energy sector, including solar PV will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. The effects of the development with respect to biodiversity, geodiversity and nature should be considered.
- 7.87 Policy ENV1 of the ERLP SD sub-section A1 seeks to contribute to safeguarding and respecting the diverse character and appearance of the area through design, layout, construction and use. Sub-section B12, seeks to ensure infrastructure, including green infrastructure is well integrated into the development and B13, to incorporate, nature conservation and biodiversity enhancements.
- 7.88 The sub-area policies A4 and A6 of the ERLP SD require development to support integrated approaches to habitat and species management, safeguarding and enhancing designated sites and green infrastructure corridors.
- 7.89 Nature is one of the characteristics contained within the National Design Guide. Paragraph 91 advises that well designed places integrate existing natural features into a multifunctional network that supports quality of place. It also advises that these should be in locations that are easy to access and can encourage physical activity and promote health, well-being, and social inclusion.
- 7.90 East Riding of Yorkshire Council Nature Conservation Team Leader has worked with the applicant during the consultation phase of the applicant and discussions remain ongoing. The Nature Conservation Officer has provided detailed comments which are set out below and appended to this report.

Protected Sites (Excluding Local Wildlife Sites)

- 7.91 Given the nature of the development proposed and the proximity to the Humber Estuary, Lower Derwent Valley and River Derwent, in accordance with Regulation 63 of the HABs Regulations 2017, a Habitat Regulation Assessment (HRA) is required and has been submitted. The Habitats Regulations Assessment has been submitted which considers the construction, operation, and decommissioning phase impacts of the proposal on designated sites alone and in-combination with other project and plans. The HRA has tested the impact on the designated sites of a number of potential threats. These are increased recreational pressure, loss of functionally linked land, air pollution and waste water disposal.
- 7.92 The Council agree with the identified sites within 20km. The River Derwent SAC, Lower Derwent Valley SPA, SAC, Ramsar and Humber Estuary SPA, SAC Ramsar are screened in for assessment of likely significant effects. Skipwith Common Special Area of Conservation (SAC), Thorne and Hatfield Moors Special Protection Area (SPA) and Thorne Moor SAC have been scoped out, due to separation distances and

lack of pathways. The Council agrees with this approach.

- 7.93 Water flows during construction and decommissioning are to be managed in line with adherence to best practice principles identified in CIRIA report C532 (Control of water pollution from construction sites) It is agreed that SuDS measures can be considered at the LSEs stage and are not deemed to be HRA-relevant mitigation. Similarly, scheme-wide biosecurity measures follow best practice and do not need to be taken forward to Appropriate Assessment (AA)
- 7.94 Detailing in section 6.2.23-26 in relation to damage to/temporary loss of qualifying habitat of the River Derwent SAC is welcomed; however, it is suggested that non-qualifying habitat only would be impacted by the removal of verge habitat to create a temporary bell-mouth and agree with the conclusions in section 8.5 and the proposals for traffic management and reinstatement.
- 7.95 Conversely, the cable routing option away from River Derwent SAC qualifying habitats is considered design stage mitigation, impacts however could be screened out with certainty at the AA stage.
- 7.96 The HRA highlights that arable fields within the Site are likely to be functionally linked to the Lower Derwent Valley SPA/Ramsar for golden plover *Pluvialis apricaria*, pink-footed goose *Anser brachyrhynchus* and greylag goose *Anser anser*. Mitigation in the form of maintained agricultural land and creation of permanent wet/damp grassland will be provided as part of the Ecology Mitigation Areas 1g and 1h. The Ecology Mitigation Area (107.9 ha in total) comprises:
1. Golden Plover Mitigation Zone – 28.75 ha near to River Foulness to be managed as wet grassland habitat; and
 2. Goose Mitigation Zone – 79.09 ha to remain in the current arable rotation with amendments to improve habitat quality such as increased retention of stubble.
- 7.97 This includes a minimum of 30 ha of land that will be specifically maintained on an annual basis to deliver adequate habitat to offset the loss of arable farmland used by golden plover and pink-footed goose. The rationale behind the choice of size of the wet grassland mitigation land is considered acceptable as it the chosen location in light of the hydrological requirements. Damp/wet permanent grassland will be managed to support high densities of invertebrates for golden plover and will include blind linear foot drains. Arable farmland will be sensitively managed for pink-footed geese through retention of winter stubbles through to at least February, following by sowing of cereal crop.
- 7.98 Monitoring requirements are still being finalised and should be secured alongside capacity for review and remedial measures to address any unmitigated impacts during the operation phase. Mitigation habitat for golden plover and pink-footed goose will be in place prior to the start of construction works commencing. Habitat management measures are set out in the Framework Landscape and Ecology Management Plan (LEMP). Fencing of the mitigation area for sheep grazing 6.1.66 must not conflict with the delivery of open sight lines for wintering birds. The LEMP is designed to be a flexible document to be updated to a detailed LEMP. Species mixes and timings for cuts are broadly acceptable.
- 7.99 Monitoring should consider an assessment of any displacement of commuting birds against the baseline due to the installation of the solar farms and impacts from glint and glare to contribute to the identified data deficiencies in the literature on this matter. Vegetation monitoring should include target heights for grassland and

proportion of bare earth should be detailed.

- 7.100 Noise and visual impacts to SPA/Ramsar birds are considered temporary and reversible. The delivery of mitigation lands outlined above ahead of construction works commencing will provide local resource for any temporarily disturbed birds. Modelled noise impacts in the mitigation area are predominantly below the 55dB threshold (worst case scenario) and are considered acceptable in consideration of the scale of the proposal and existing use of the site as agricultural land.
- 7.101 The proposed use of Horizontal Directional Drilling under the River Derwent SAC is broadly welcomed. This will ensure that direct impacts to the River Derwent and associated riparian habitats are avoided. The use of acoustic barriers and directional lighting for night time activities is outlined and secured within the Framework Construction Environmental Management Plan. (CEMP). Section 8.2.11 of EN010143/APP/7.12 details that a site-specific hydraulic fracture risk assessment is necessary to estimate the degree of risk and identify additional mitigation. It is considered that this assessment should be undertaken to support the conclusions of the HRA in terms of no adverse effect on water quality.
- 7.102 Section 6.2.6-6.2.7 rules out noise (and vibration) disturbance risks to qualifying fish species. This is based on the HDD being 5m below the river bed. The narrative details a literature review on vibration impacts undertaken by AECOM but this is not referenced within the HRA. Further narrative on the ruling out of noise and vibration effects on qualifying fish species is requested, alternatively works should be programmed to ensure that the HDD will avoid the key fish migration seasons.
- 7.103 Mitigation measures for otter are outlined in 8.1.34-35 and secured within the Framework CEMP. Similarly water pollution prevention methods and reasonable avoidance methods are outlined in sections 8.2 and within the Framework CEMP (see also protected species comments) and are considered proportionate and adequate to avoid an adverse effect on integrity. Similarly, pollution prevention measures will be secured during decommissioning. Operational phase improvements in water quality are likely through land-use changes and a reduction in sedimentation and nutrient inputs. For cuts to watercourses, water flow is to be maintained by damming and over pumping. Surveys identified that the majority of watercourses were generally ephemeral ditches, works are to be carried out in the drier months in order to reduce the risk of pollution.
- 7.104 The Council agree with the screening assessments of dust and air quality. Dust impacts on the River Derwent SAC are to be managed in accordance with measures in 8.3 and Table 12 of the Framework CEMP and are considered appropriate.
- 7.105 Impacts on Sites of Scientific Interest have been assessed but not fully reviewed at this time. It is noted that with implementation of mitigation measures no significant adverse effects will be experienced.

Protected Species

- 7.106 Otter was recorded as being present on the River Ouse, the River Derwent and a ditch. Water vole was found to be likely absent, with American mink confirmed as being present on the River Foulness, River Derwent and River Ouse. Design phase mitigation includes the use of horizontal directional drilling for works to watercourses supporting otter providing a minimum of 30m buffer. Other watercourses will be afforded a buffer of 10 metres with the exception of crossings where open cut techniques will be used. Pre-commencement checks for otter and water vole will be undertaken as required prior to the commencement of any construction phase activity.

Section 8.6.31 of EN010143/APP/6.1 details that excavations will be covered at night or a means of escape will be provided it is noted that these construction phase reasonable avoidance measures are not presently captured in the Framework CEMP and should be taken forward within the detailed CEMP. Permeability for otter through river corridors will be secured at all times.

- 7.107 The Scheme and all construction working areas has been designed to allow for all setts identified within the Site to be avoided (>30m from the sett) and retained. Pre-commencement checks will be undertaken by a suitably qualified ecologist, with all badger setts previously identified (as shown on Figure 8-8-1) reappraised to establish each sett's status prior to the start of any works. Provision and maintenance of habitat connectivity will be secured post-construction.
- 7.108 Impacts on Great crested newts are to be managed through the Great Crested Newt District Level Licensing scheme. Appendix 8-10 has been made available to the LPA for inspection. A co-signed Impact Assessment and Conservation Payment Certificate is accompanied by a location plan that accurately reflects the final site boundaries at the detailed design stage. We are satisfied that the favourable conservation status of great crested newts is maintained.
- 7.109 Impacts on bats are address through avoidance. Potential impacts on a single tree with moderate roosting potential is to be avoided through careful siting at the detailed design stage. A method statement is provided for soft felling of trees with low bat potential and is considered proportionate. All three buildings on site were assessed as having negligible suitability for roosting bats. Transect and automatic detector surveys have been undertaken and reveal that the Survey Area provides a foraging and commuting resource for common pipistrelle, Myotis species, soprano pipistrelle, noctule, brown long-eared bats and Leisler's bat. Very low activity levels were recorded for all individual species and the level of overall bat activity was low. High quality habitats are retained. Post development improvements in habitat and habitat connectivity will be secured through the scheme. Mitigation measures outlined in section 5 of EN010143/APP/6.2 are acceptable.
- 7.110 Protected species surveys for the decommissioning phase are outlined in Table 3 of EN010143/APP/7.9 and are welcomed.

Other Species

- 7.111 Submitted reports detail that the population of breeding curlew *Numenius arquata* within the Survey Area is likely to be of county importance and the population of skylark recorded within the Site are likely to be of district importance. Other breeding birds include barn owl, quail, hobby and lapwing; there will be no direct loss of habitat occupied by breeding quail, hobby and barn owl during the construction phase. Species rich grassland to be created as part of the scheme will include mixes suitable for skylark habitat, golden plover and other ground nesting birds. The Framework LEMP outlines the creation of open, low-cut grassland areas. This will also help contribute positively to the overall condition of created grasslands. Loss of ground nesting habitat is further mitigated through the provision of areas of panel free grassland.
- 7.112 A total of 72 bird species were recorded during wintering bird surveys, the species diversity being of county importance. Populations within the Site were not found to represent a significant proportion (i.e., 1% or more) of the county or national populations and were assessed to be of local value. As above skylark was evaluated as being of district importance.

7.113 Justification for survey effort in relation to invertebrates, *hedgehog Erinaceus europaeus*, brown hare *Lepus europaeus*, polecat (*Mustela putorius*) and harvest mouse *Micromys minutus* are acceptable in consideration of the ecological baseline. Hedgehog and brown hare are assumed to be present within the Site. Section 8.6.13 of EN010143/APP/6.1 outlines precautionary working method statements for the avoidance of impacts to birds, small mammals, reptiles, and amphibians. Section 8.6.16 details permeability for wildlife during construction and operation with be secured through fencing design.

Aquatic Ecology

7.114 Desktop studies and representative surveys have been undertaken. The presence of greater water-parsnip, revealed in the date search, is of local note. Water quality based on aquatic macroinvertebrates was 'poor to moderate' for surveyed sites attributed to physical modification, nutrient input from agriculture, water treatment, flood protection structures, surface water abstraction, contaminated bed sediments, and other priority hazardous chemical substances. Invasive non-native species (INNS) found during surveys included Nuttall's waterweed in DE53. The non-native but naturalised New Zealand mud snail *Potamopyrgus antipodarum* and Amphipod *Crangonyx pseudogracilis/floridanus* were recorded. Several INNS were identified in the desk study, including the highly invasive 'demon shrimp' *Dikerogammarus haemobaphes* and Himalayan balsam *Impatiens glandulifera*. Biodiversity net gain aspirations will improve water bodies and riparian/marginal habitats. Water quality improvement through a reduction in nutrient enrichment from agricultural land use is of particular note. Standard biosecurity protocols to avoid the spread of INNS are outlined in Chapter 8: Ecology, ES Volume 1 [EN010143/APP/6.1] and there is a commitment to preparing a Biosecurity Management Plan to be followed during construction and decommissioning.

7.115 The commitment to ensure that the placement of solar PV panels and any temporary or permanent infrastructure is a minimum of 8m away from the bank top of any water bodies (watercourses, or ditches) on-site is welcomed Chapter 9: Flood Risk, Drainage and Water Environment, ES Volume 1 [EN010143/APP/6.1]). The use of best practice construction and decommissioning methods should be implemented during construction to avoid sediment runoff into surface waters and avoid impacts to water quality. The BNG assessment provides specific recommendations for the enhancement of these watercourses, where mitigation is required for direct impacts to them.

Biodiversity Net Gain

7.116 The commitment to achieving biodiversity net gains outside of any statutory requirement is welcomed. The Council are satisfied that the mitigation hierarchy has been followed insofar as practically possible. The loss of trees has been justified and avoidance of impacts secured where possible.

7.117 In considering the assumptions, the inclusion of temporary impacts in the metric, where habitats that can be restored to their original condition within two years of the impact occurring is acceptable. The approach, lost and created for other habitats is acceptable. The lowland mixed deciduous woodland is to be recreated to poor condition due to its original condition (moderate) taking >30 years to achieve. The precautionary approach to hedgerow loss, enhancement and replacement is noted. The approach to assessing the impact on watercourses is also considered acceptable.

7.118 Condition Assessment Rationale in Appendix D is acceptable and considered

achievable. It is noted that Moderate condition prescriptions will be subject to soil testing for fertility and to match grassland seed mix type (acid/neutral/calcareous); this should be extended to other grassland creation Grassland – Other neutral grassland and Traditional Orchard also (Appendix G pages 43-45).

- 7.119 It is noted that trading rules are not met due to a loss of lowland mixed deciduous woodland, ponds (non-priority habitat), rural trees and other woodland; broadleaved habitat. As trading rules are voluntary for NSIPs at the current time there are no objections. The commitment, however, at the detailed design stage to meet these targets is welcomed. Currently 10% gain is not achieved for hedgerows, nor are trading rules due to loss of species-rich native hedgerow and native hedgerow associated with bank or ditch. Detailed design will seek to reduce impacts on hedgerows and the report states that improvements will be delivered for existing 'good' quality hedgerows in accordance with the detailing within Appendix 8-4: Hedgerow Report. Table 8-12 of EN010143/APP/6.1 details that no ponds are to be impacted, however, loss is captured in the metric.
- 7.120 The calculation is currently based on maximum impacts and will be updated as part of the detailed design stage. Given the scale of outline habitat enhancements there are no concerns about the delivery of post development biodiversity enhancements, greater uplift in hedgerow units would be welcome where possible. Monitoring proposals are considered proportionate.
- 7.121 The wildflower mix identified in section 5.1.17 of EN010143/APP/7.14 includes crimson clover *Trifolium incarnatum* which is not strictly considered locally appropriate. It is agreed that it is pollinator friendly and aesthetically pleasing along the Public Right of Way, and is appropriate within the wider agricultural setting, i.e. a forage mix.
- 7.122 Species listed in tables 6-7 and 6-8 are for species rich grassland areas are considered suitable. The basic principle for the creation of semi-improved grassland with moderate species richness under PV panels and surrounding areas, species rich grassland in areas of outside the Solar PV Areas, within ecological enhancement areas, PRoW buffers, and Local Wildlife Sites is considered achievable. Percentage of tall and tussocky species within mixes is of consideration for the final functioning of these grasslands (particularly for over-wintering birds) and mixes should be selected accordingly. Section 6.1.41 and 6.1.57 of EN010143/APP/7.14 mentions that "incorporating a substrate to reduce nutrient levels or removing topsoil to expose the sub-soil" would be undertaken to reduce nutrients. There is concern that this contradicts the requirements for protection of agricultural soils. It may be useful to evidence the extent of proposed soil stripping and the location of soil stockpiles for the operational period. The reduction in nutrients is welcomed in respect of biodiversity outputs but is contrary to section 4.7.2 of EN010143/APP/7.10.
- 7.123 It is noted that modified grasslands are expected to meet moderate condition (BNG metric), this requires achievement of 6-8 species per metre. The indicative mix in table 6.6 of EN010143/APP/7.14 includes only five species, final mixes should be mindful of the stated BNG objectives. Provision of built features for biodiversity is welcomed.

Conclusion

- 7.124 Overall the submitted HRA and Ecology Surveys are considered to provide an accurate assessment of the Biodiversity and Ecology impacts of the development and rules out any likely significant affects, subject to the mitigation and recommendations set out above being taken into account and considered further at the Hearing

Sessions. An updated BNG Report has been submitted to the Examining Authority. The updated BNG Report now reports that the Scheme will deliver 80.42% BNG for area-based units, 10.3 % BNG for hedgerow units and 10.09% BNG for watercourse units. Therefore, the Scheme delivers significant biodiversity net gain on the site, with at least 10% BNG across the whole site. Discussions between the applicant and the Council's Ecologist are ongoing in this respect.

Public Rights of Way and Countryside Access

7.125 Policy A4 (D1) of the ERLP SD seeks to enhance connectivity within the sub area and the rest of the East Riding and other important centres such as Hull, Doncaster, Leeds, by supporting transport infrastructure improvements particularly, (i) improvements to walking, cycling, public transport, the TransPennine Trail the PROIW network and National Cycle Network.

7.126 Policy EC4 of the ERLP SD seeks to increase overall accessibility and encourage sustainable travel options, including cycling and walking.

7.127 There are several PROW within the Order Limits and surrounding land of both the East Riding or Yorkshire and North Yorkshire Council's administrative boundaries. These PROW are identified on the plan in Appendix 2 (plans).

7.128 PROWs are a valuable community resource in terms of physical and mental health and wellbeing. It is well known that being in nature for even a small amount so time, is beneficial to our health and PROWs offer the perfect facility for this, be that for short strolls from a settlement or longer rambles, but key is the landscape, nature, views, and peace a route can offer.

7.129 The Countryside Access Team advise that the PROW cross sections provided show the applicant has acknowledged recommendations provided within the *Public Rights of Way and Planning Guidance (2020v1)*. This will help to mitigate impacts from the development and in some cases will improve existing routes.

7.130 All impacted PROWs are listed however information relating to the management of impacts on them is broad and not well defined. Routes differ in nature, use, condition and status and the impacts from proposed closures, diversions, planted screening, 'improvements', or 'management' will impact each one differently. More detail on the definitions used in the assessment and closer liaison with East Ridings Public Rights of Way Team is required to minimise impacts from the proposals. The Countryside Access Teams response is provided in full in Appendix 1 – Consultation Responses. The Examining Authority is requested to consider these points in further detail.

Definitive Maps

7.131 The Definitive Map Team would like to advise the applicant and the Examining Authority that we have received two official Schedule 14 Applications for claims to upgrade three of the affected PROW's;

- SPALF16 – Claim to upgrade from footpath to Restricted Byway
- BUBWF10 & BUBWS11 – Claim to upgrade part of BUBWF10 and the whole of BUBWS11 to Restricted byway

7.132 Should these claims be successful, consideration would need to be considered of the users, i.e. pedestrians, horse riders, cyclists, and carriage drivers. The Definitive Map Team can provide further information is required.

Draft Statutory Instrument

7.133 Schedule 2, para 17 (3) – Should there be any changes to the Public Rights of Way Management Plan contact with the Countryside Access and Definitive Map Teams must be made in addition to the planning authority.

Conclusion

7.134 Further information is required to carry out a full assessment of the potential impacts on the PROW network and its users, particularly during the construction phase given the number of footpaths effected and the length of the construction period, as this could have a detrimental impact on a significant area of the PROW network. Whilst mitigation measures have been incorporated into the scheme to minimise negative impacts the Countryside Access Team consider this need to be explored in more detail to identify the best solution for individual locations along the PROW network.

7.135 Without further clarification and assessment of the points raised by the Countryside Access Team, The Council cannot formulate a view on the overall impact of the development on the PROW network.

Flood Risk and Drainage

7.136 Paragraph 162 of the National Planning Policy Framework requires decision makers to steer new development to areas at the lowest probability of flooding by applying a Sequential Test. Planning Practice Guidance (PPG) indicates that the aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception test if required. Only where there are no reasonably available sites in Flood Zones 1 and 2 should the suitability of sites in Flood Zone 3 be considered (taking into account the flood risk vulnerability of land uses and applying the Exception Test if required).

7.137 Policy ENV6 of the ERLP SD is concerned with managing environmental hazards and covers a range of issues including flood risk. It sets out that flood risk, including surface water flooding will be proactively managed.

7.138 The Council's Flood Risk Sequential and Exception Test SPD is a useful guide for developers, applicants, and Planning Officers.

7.139 Policy EC5 of the ERLP SD requires proposals for the development of the energy sector, including solar PV will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. The effects of the development and potential increased risk of flooding in sub-section 3 (vi) should also be considered. The supporting text in para. 7.69 states that some energy development such as those involving significant underground works, have the potential to increase the risk of flooding on the site and elsewhere.

7.140 Sub-area policies A4 and A6 also require proposals to proactively manage the risk of flooding posed from River Derwent and River Foulness (amongst others) as well as the risk of surface water flooding and have regard to the Strategic Flood Risk Assessment (SFRA) and flood risk management plans and strategies.

7.141 There are several watercourses that transect the site boundary. This includes the principal watercourses of the River Ouse and River Derwent which area designated as

Main Rivers and therefore fall under the jurisdiction of the Environment Agency (EA). There are also several ordinary watercourses that cross the Site boundary including the River Foulness which is located on the western boundary.

7.142A Flood Risk Assessment (FRA) has been submitted and confirms that consultation has taken place with the Environment Agency (EA), East Riding of Yorkshire Council, North Yorkshire Council, and the relevant Internal Drainage Boards.

Flood Risk

7.143 The FRA states that the majority of the Solar PV Site and Interconnecting Cable Corridor (including any associated site accesses) are located within Flood Zone 1. The north-east corner (area 1g, 1h and 1e) of the Solar PV Site is partially located within an area of Flood Zone 2 and 3 associated with the River Foulness. Within the central area of the Solar PV Site and Interconnecting Cable Corridor to the west there is a small corridor of Flood Zone 3 (area 2a) and a wider Flood Zone 2 (area 2a, 2c, 2b, 3a, 3b) associated with the Fleet Dyke and its local drainage tributaries, draining east to west towards the River Derwent. The majority of the Grid Connection Corridor (within the ERYC) is within Flood Zones 1 and 2. There is an area (part of 3a) of the Grid Connection Corridor (within the ERYC) in Flood Zone 3 which is associated with the tidal River Ouse and its floodplain. The Grid Connection Corridor within NYC area is predominantly within Flood Zone 3.

7.144 The FRA states that the risk of surface water flooding to the majority of the Solar PV Site and Interconnecting Cable Corridor is 'very low'. There are a few areas where the risk is higher, but these generally cover a small spatial area. A Framework Surface Water Drainage Strategy incorporating SuDS has been prepared for the Scheme to manage these flow paths to ensure that the Scheme remains safe throughout its lifetime. The FRA states that the risk if groundwater, sewers, and artificial sources is low.

7.145 Hydraulic modelling has been undertaken to determine the impacts of climate change on the fluvial and tidal flood extents the outputs of which have been used to inform the FRA. The hydraulic model does not include representation of the flood defences present along the River Derwent and therefore this FRA assesses the worst-case undefended scenario. Mitigation measures put forward for the lifetime of the development are therefore based on this worst-case scenario.

7.146 The scheme is classed as 'Essential Infrastructure' and should avoid Flood Zone 3a and 3b where feasible and consider the availability of suitable sites at lower risk of flooding. Where this is unavoidable, the development is required to pass the Exception Test and should be designed and constructed to remain operational and safe in times of flooding.

7.147 The FRA includes a Sequential and Exception Test for the scheme. In terms of the Solar PV Site, none of the alternative areas at lower risk from all sources of flooding were considered reasonably available. The FRA says that a sequential approach has been applied to the layout and design of the solar infrastructure within the Solar PV Site whereby the two Grid Connection Substations (area 1c), and the majority of the solar PV panels are in areas with the lowest risk of flooding from any source. There are several areas where solar PV panels are located within Flood Zone 2 and 3. Where solar PV panels are located within Flood Zone 3, mitigation will be in place to ensure the development remains safe throughout its lifetime. The FRA considers the Sequential Test has been met for the Solar PV Site.

- 7.148 The assessment includes a consideration of operational requirements; land use constraints and land availability and assembly for a total of 15 areas of land (land areas A to O) at the lowest risk of flooding. Of the 15 land areas within the identified unconstrained land assessed, parts of six land areas were considered available and suitable for the Solar PV Site. One land area was also partly available for ecological mitigation. This available land at low risk of flooding is included as part of the Schemes Solar PV Site and Ecology Mitigation Area. It concludes that given the Applicant's land requirements to deliver the Scheme and the availability and suitability of land areas at lowest risk of flooding it has therefore been necessary to use land at a higher risk of flooding.
- 7.149 The applicant has confirmed that land areas I, J and N were identified as being partially available and the available parts of these land areas are included in the scheme and form part of the solar PV areas 1b, 1e, 2b, 2e, 2f and 2g. On this basis the Council would conclude the sequential test has been met with respect to the solar PV area.
- 7.150 The Interconnecting Cable Corridors will accommodate the cabling required to transfer electricity between the inverters/transformers/switchgears at the Field Stations and the Grid Connection Substations in Solar PV Area 1c and between some Solar PV Areas. The selection of these corridors is based on the technical requirement for the cable routing to be a direct route between the Solar PV Areas and the Grid Connection Substations to avoid losses in transmission. Interconnecting Cable Corridors for Solar PV Areas 2a, 2c and 2d are within Flood Zone 2. Alternative corridors avoiding Flood Zones 2 and 3 would not provide a direct route between the Solar PV Areas themselves and between the Solar PV Areas and the Grid Connection Substations. For Solar PV Area 2a an alternative route avoiding Flood Zone 2 would require several road and PRow crossings and would not have the potential benefit of co-locating Interconnecting Cables and Grid Connection Cables in the same trench along the Grid Connection Corridor which the proposed Interconnecting Cable Corridor links into. For the Interconnecting Cable Corridor between Solar PV Area 2c and Solar PV Area 2d an alternative route avoiding Flood Zone 2 would require crossing a PRow and either Spaldington Golf Course or the anaerobic digestion plant and wind turbine development to the east. These alternatives were not therefore considered by the applicant further. There are therefore no reasonably available alternatives.
- 7.151 Some areas of the land required to facilitate construction and operational access known as the Site Accesses element of the Scheme are within Flood Zone 2. It is not however possible to locate these in areas at a lower risk of flooding due to the need for their location in relation to the public highway.
- 7.152 The Grid Connection Corridor is predominantly located within Flood Zone 3 (for fluvial and tidal sources). Taking into consideration operational and engineering requirements including the need to connect to the National Grid Drax Substation; planning and environmental constraints which included the flood risk context; and other land use and land ownership constraints, a corridor outside Flood Zones 2 and 3 would not be possible and therefore no reasonable alternatives are available in Flood Zone 1. Areas of the Grid Connection Corridor within Flood Zone 3 were also unable to be avoided by using Flood Zone 2 land. The FRA concludes the Sequential Test has been met.
- 7.153 The FRA advises that the cable associated with the Grid Connection Corridor will be buried, inherently flood protected and protected by existing flood defences, it will remain operational during times of flood and based on these factors, the risk should be considered low.

7.154 The FRA concludes that it has been demonstrated that the Sequential Test, where relevant, has been met. The Council consider the Sequential Test has been met with respect to the Interconnecting Cable Corridors, Site Accesses, and Grid Connection Corridor and solar PV areas. As there is not an alternative Grid Connection Corridor at lower risk of flooding and solar PV infrastructure is also proposed in Flood Zone 3, the Exception Test has been applied.

7.155 In applying the Exception Test, the need for the scheme is set out in the Statement of Need. Through the generation of low carbon electricity, the Scheme will contribute to the urgent need to decarbonise electricity generation in the UK as required by national energy policy and will contribute to the UK's obligations for net zero under the Climate Change Act 2008 (2050 Target Amendment) Order 2019. It will also meet the need identified in current and emerging planning policy on renewable energy. Therefore, the Scheme will have both a national, and global significance, through its decarbonisation of the UK's electricity generation. The Scheme will include habitat creation and enhancement and provide biodiversity net gain. Therefore, taking the above into account, it is considered that the Scheme will provide wider sustainability benefits to the community that outweigh its impacts on flood risk in accordance with NPS EN-1, NPS EN-1 and the NPPF.

7.156 Secondly, mitigation measures have been, and will be, developed into the design of the solar PV infrastructure and cabling and construction methods for the cabling. This will ensure that the Scheme will be at a low risk of flooding from all sources; will be safe for its lifetime; and that there will be no increase in flooding elsewhere.

7.157 The FRA states that scheme will provide wider sustainability benefits which outweigh flood risk and appropriate mitigation has been considered to ensure that the Scheme remains operational and is safe during times of flooding. It has therefore been demonstrated that the Exception Test has also been met.

7.158 The Environment Agency have been involved during the consultation phase and should provide comments with respect to the adequacy of the submitted FRA and whether any requirements are necessary to tie the proposals to the details within the FRA including the mitigation measures.

Drainage

7.159 The Council's Land Drainage Team (LDT) and Lead Local Flood Authority (LLFA) have reviewed the submitted documentation and the following comments to make:

7.160 It is noted in Volume 2, Appendix 9.4: Framework Surface Water Drainage Strategy, that preliminary hydraulic calculations have been undertaken using QBAR. The LDT and LLFA recommend the green field runoff rates should be limited to 1.4 l/s/ha.

7.161 The LDT and LLFA recommend that prior to commencement of the development full surface water and foul drainage details including maintenance details be submitted to the relevant planning authority for consideration and for the development to be carried out in accordance with the approved details. The draft DCO includes a requirement (no. 9) relating to surface and foul water drainage and the proposed wording is appropriate.

Conclusion

7.162 It is the Council's view that the Sequential and Exceptions Test have been passed and wider sustainability benefits have been identified as set out in paragraphs 7.155 to 7.158; and subject to surface water and foul water details to be provided with respect to requirement 9; the scheme would have a neutral impact in flood risk and drainage

terms.

Impact on Living Conditions

- 7.163 Policy ENV1 of the ERLP SD and Paragraph 135 (f) of the NPPF seeks to ensure that development achieves good standard of amenity for all. In addition to this, policy ENV6 seeks to ensure that environmental hazards, including forms of pollution are managed. Paragraph 180 (e) of the NPPF also seeks to prevent new and existing development from contributing to and being put at unacceptable risk from air or noise pollution.
- 7.164 Policy EC5 of the ERLP SD requires proposals for the development of the energy sector, including solar PV will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. The effects of the development (3i) on local amenity, including noise, air, water quality, traffic, vibration, dust and visual impact should be considered.
- 7.165 The Order limits are located in close proximity to the hamlets and villages of Gribthorpe, Spaldington, Brind, Willitoft, Wressle, Newsholme, Brackenholme, Barmby on the Marsh and Long Drax. The nearest town is Howden.
- 7.166 At its closest point the boundary of the Solar PV Site is located 1.6 kilometres north-west of new residential developments in the north of Howden and approximately 1.3 km west of the villages of Brighton and Wressle. The closest residential properties in the hamlets of Gribthorpe and Brind and the village of Spaldington are approximately 20 metres from the Solar PV Site, whilst the closest properties in the hamlet of Willitoft are approximately 120 m away. The village of Newsholme is located adjacent to the south of the Solar PV Site. A plan has been produced the residential properties within 250 m of the Order Limits.
- 7.167 The solar PV site would span a large area of the open countryside and has the potential to cause negative impacts for local residents, businesses and communities in terms disruption during the construction and decommissioning phase. During the operational phase of the solar farm, whilst this would be over a 40-year period, it would have a limited impact on local amenity. Existing trees and hedgerows along field and property boundaries should be retained where possible and enhanced where necessary.
- 7.168 The grid connection corridor, interconnecting cable corridor, the site accesses, the maintenance hub aspects of the scheme would also negative impacts for residents, businesses and communities during the construction and decommissioning phases. There would be limited adverse impacts on local amenity during the operational phase of these elements of the scheme.
- 7.169 As noted earlier in the LIR, the outline design principles statement (ODP Statement) provides the guiding principles for the detailed design of the scheme and is secured by a requirement of the draft DCO.
- 7.170 The detailed design for the scheme will be assessed by the relevant planning authority (East Riding of Yorkshire Council and North Yorkshire Council), and those details must be in accordance with the design principles set out in the ODP Statement.

Glint and Glare

- 7.171 The proposal has the potential to result in glint and glare. The ES concludes that the impacts of glint and glare from the scheme are acceptable and not significant, and the scheme accords with NPS ENS-1, NPS EN-1 and NPS EN-3.

Noise and Vibration

- 7.172 The potential noise and vibration impact of the development is likely to be during the construction phase and relate to construction traffic movements (in an area of low background noise levels), operational noise arising from plant and equipment, Horizontal Directional Drilling (HDD) and noise generated during decommissioning. The operation of the solar farm is not expected to be noisy.
- 7.173 The scheme comprises of three phases, these are the construction, operation (including maintenance and repair) and decommissioning. The construction phase of the Grid Connection Cables is anticipated to require 12 months and the construction of the Solar PV Site will take approximately 24 months and the solar farm will operate for a period of 40 years, before being decommissioned. Decommissioning is expected to take between 12 and 24 months.

Construction

- 7.174 A Framework Construction Environmental Management has been submitted and a Detailed Construction Environmental Management Plan (CEMP) will be produced for the Scheme by the appointed contractor(s) following the grant of the DCO. The Detailed CEMP is to be prepared in accordance with the Framework CEMP. The Framework CEMP confirms that the proposed core working hours are Monday-Friday 07.00 to 19.00 and Saturday 07.00-13.00 (daylight hours permitting) and that there will be no Sunday or Bank Holiday working unless crucial to construction such as continuous Horizontal Directional Drilling (HDD) or in an emergency. Cable laying will not be undertaken outside core working hours.
- 7.175 It is also stated that whilst core working hours are 07.00-19.00 Monday to Friday and 07.00-13.00 on Saturday, noise generating activities near residential properties, such as power tools or piling will be limited to between the hours of 08.00 and 18.00 Monday to Friday and 08.00-13.00 on Saturday. The Council's Environmental Control Officer (ECO) supports reduced hours of core working for noise generating activities near residential properties.
- 7.176 It is stated that any working outside the core working hours identified would require the prior notification of the relevant Local Planning Authority and a Section 61 application. To control noise temporary/mobile acoustic barriers are proposed to be used where night-time HDD works are required within 200 m of a sensitive receptor/residential dwelling. According to Volume 1, Chapter 11: Noise & Vibration of the Environmental Statement this should ensure that any night-time working will achieve the construction noise criteria of 55 dB LAeqT at all sensitive receptors in the East Riding of Yorkshire, except for Loftsome Bridge Coaching House and Tithe Farm, Wressle. Thus, at the time of any Section 61 application for HDD works outside core working hours within 200m of these properties further noise mitigation measures will be required.
- 7.177 The ECO recommend that in view of the low background noise levels across the development site consideration is given to lowering the night-time construction noise criteria to 45 rather than 55 dB LAeq, T.
- 7.178 Regarding the control of light the Framework CEMP states that construction works will generally be limited to daylight hours only, but that focussed task specific lighting will be provided where this is not practicable, for example during night-time continuous HDD, in an emergency and within construction compounds. The lighting will be designed with reference to the Institute of Lighting Professionals Guidance Note GN01/21.

Operation

- 7.179A Framework Operational Environmental Management Plan (OEMP) has been submitted and a Detailed Operational Environmental Management Plan (CEMP) will be produced for the Scheme by the appointed contractor(s) following the grant of the DCO. The Detailed CEMP is to be prepared in accordance with the Framework CEMP.
- 7.180The Framework Operational Environmental Management Plan (OEMP) confirms that operational activities will be minimal and restricted to vegetation management, equipment maintenance and servicing, replacement and renewal of any components that fail and monitoring and inspection. Such activities will be programmed between 08.00 to 18.00 Monday-Friday where practicable although occasional weekend working may be required.
- 7.181On this basis the ECO recommend that this is undertaken between the hours of 08.00 and 14.00 on a Saturday and not on a Sunday or Bank Holiday. The ECO would also recommend that night-time working does not take place except in an emergency or for panel cleaning and with the prior notification of the LPA.
- 7.182The Framework OEMP does not mention the control of noise associated with the transformers/inverters, switchgear, and trackers. Volume 1, Chapter 11: Noise & Vibration of the Environmental Statement however states that noise from the trackers has been scoped out and that noise from the transformers/inverters and switchgear will comply with the operational noise assessment criteria.
- 7.183The ECO has raised concerns that whilst the noise assessment criteria is likely to be met the distinctive noise from the operation of the development will be clearly audible and more than 10 dB above the night-time background noise level at several residential properties within the East Riding of Yorkshire, namely Gribthorpe Properties, The Long Barn, The Fold Yard, Four Beeches Farm, Gribthorpe, Crossroad Cottages, Willitoft, Lake View House Willitoft and Cottage Farm Spaldington, unless the transformers/inverters and switchgear are housed within the field station units.
- 7.184The ECO recommend that in view of the low background noise levels across the development site consideration is given to lowering the SOAEL night-time operational noise assessment criteria 30 dB and to housing the transformers, switchgear, and inverters within the field station units.
- 7.185Regarding the control of light during the operation of the solar farm the solar PV areas will not require artificial light other than for panel cleaning at night once every 2 years. The Filed Station Units/Substations will not have any external lighting. Two grid connection substations will have inward facing PIR external lighting, that would be used in the event of emergency works/equipment failure requiring night-time working. The lighting will be designed with reference to the Institute of Lighting Professionals Guidance Note GN01/21.

Decommissioning

- 7.186A Detailed Decommissioning Environmental Management Plan (DEMP) is proposed to be submitted. Again, the core working hours will be Monday to Friday 07.00 to 19.00 and Saturday 07.00 to 13.00.

Air Quality

7.187 During construction, there is potential for the scheme to generate dust and therefore impact local sensitive receptors. The adoption of good site practice will be implemented through measures to control dust as outlined within the IAQM guidance. As decommissioning operations are predicted to be like the construction phase, the same good practice measures are predicted to apply. These mitigation measures are set out in the Framework CEMP submitted with the draft DCO. Implementation of these measures will be secured by the detailed CEMP as a requirement of the DCO. A Framework DEMP is also submitted with the DCO application the detailed DEMP to be prepared prior to the start of decommissioning, secured by a requirement of the DCO.

7.188 In this respect, and subject to appropriate mitigation measures the proposal will have a neutral local impact.

Land Contamination

7.189 The Council have no concerns to raise regarding land contamination.

7.190 In terms of land contamination, subject to appropriate mitigation the proposal will have a neutral local impact.

Conclusion

7.191 The Council is of the view that, subject to approval of the detailed design and layout, and the above noted mitigation measures being implemented, together with the recommendations from the Environment Control Officer with respect to noise, hours of operation and lighting, the development could be capable of having a neutral impact on living conditions.

Trees and Landscaping

7.192 Policy ENV1 of the ERLP SD seeks to ensure developments incorporate hard and soft landscaping alongside boundary treatment of appropriate scale and size.

7.193 Policy ENV2 of the ERLP SD seeks to promote a high-quality landscape. It requires development to be sensitively integrated into the existing landscape, demonstrate an understanding of the intrinsic qualities of the landscape setting and seek where possible to protect and enhance landscape characteristics and features. Sub-section A3 requires development to ensure important hedgerows and trees are retained unless their removal can be justified in the wider public interest. Where lost, replacements will usually be required.

7.194 Policy ENV5 of the ERLP SD seeks to strengthen green infrastructure, by incorporating existing and/or new green infrastructure features within the design and capitalise on opportunities to enhance and/or create links between green infrastructure features such as those set out in Table 10. Links should be created both on-site and where possible with nearby green infrastructure and enhance the functionality and connectivity of the corridor.

7.195 The submitted reports detail that 52 individual trees, 17 groups of trees and 44 hedgerows are to be removed or part removed to facilitate the Scheme: this includes four individual trees and one part group classed as Category A; 17 individual trees and two-part groups classed as Category B ; 28 individual trees, five groups, eight-part groups, 19 hedgerows and 25-part hedgerows classed as low quality (Category C). No veteran, ancient or trees subject to a Tree Preservation Order (TPO) are to be removed. 101 features are subject to incursion into their Root Protection Area (RPA) or canopy spread.

- 7.196 The Category A sycamore (T411) and category A horse chestnut (T412) are listed for removal within Annex A, at Annex C notes detail that “Trees [T411 and T412] removed as worst-case scenario [alternate cable route]. Root investigation within trench footprint required to determine impacts. Whilst the loss of these tree would not have significant landscape impacts, they have good form and avoidance of impacts from cable trenches is encouraged. It is accepted that loss of T870 sycamore is unavoidable, and the chosen route avoids wider impacts. The loss of this fine tree is regrettable. The loss of T442 common oak is at a pinch point, its loss ensures the retention of several other category A trees, including several veteran trees. Design stage mitigation is noted.
- 7.197 The Tree Protection Report makes it clear that design stage avoidance has been used insofar as possible. The inclusion of a standard offset from tree features of 15m and 10m for hedgerows is welcomed. Existing access tracks are used, and panel placement avoids the root protection areas (RPA) of trees and has considered shading arcs to minimise future conflict. Detailed design will further consider shade from trees in relation to the arrangement of Solar PV Panels and optimal functionality. The increase in RPA for veteran and ancient trees (EN010143/APP/6.2 section 1.4.9) follows best practice. Micro-siting of cable trenches is outlined to avoid the RPA. Illustrative positions for tree protection fencing are acceptable.
- 7.198 Reports detail that one tree considered ancient, T45 crack willow *Salix fragilis* may require pruning to facilitate access. This should be done under arboriculturist supervision. It is also agreed that this is unlikely to result in a detrimental impact on this species. Construction impacts on the RPA of this tree are also detailed. Ground protection measures in Annex B followed by soil amelioration using compressed air and organic matter are considered proportionate mitigation (EN010143/APP/6.2 section 4.5.4). Similarly impacts on T71 veteran’s RPA and adequately managed and mitigated (EN010143/APP/6.2 section 4.5.5). Potential unavoidable impacts on RPA from the cable corridor routing is outlined. The report considers worst case scenarios and where impacts within the RPA cannot be avoided, the cable is to be installed via hand/compressed air excavation working methods are outlined in EN010143/APP/6.2 section 4.5.7 and are considered appropriate. All construction phase impacts to trees will be covered by Arboricultural Method Statement. A commitment is found within the Framework CEMP [EN01043/APP/7.7]. EN010143/APP/6.2 section 4.10.5 details that the default position will be that all services be routed outside of the RPA of retained trees. Where services must be routed within the RPA of a retained tree this process will be subject to a detailed method statement with approval from the LPA. The principles of the National Joint Utilities Group (NJUG) Volume 4 guidance will be adhered to.
- 7.199 It is noted that a small number of trees at risk of impact from the scheme have been assessed via desk study only and have not been fully surveyed, however, notable trees but have been reviewed through the veteran and ancient tree walkover survey. The Tree Protection report outlines a commitment to detailed trees survey to inform the development of the Arboricultural Method Statement as part of the CEMP.
- 7.200 Retained trees will be managed in accordance with the Framework LEMP, this includes the retention and protection of 206 veteran or ancient trees which is welcomed. The Tree Report details that tree loss will be mitigated with a robust and high-quality scheme of new tree planting as detailed in the Framework Landscape and Ecological Management Plan. Replacement planting includes new native hedgerows with trees on boundaries where there are no existing boundary features; orchard tree planting and linear woodland planting, scrub with trees and hedgerow repair and enhancement with locally appropriate species.

7.201 Outline planting, establishment and management prescriptions for trees and hedgerows are acceptable. Species choice is suitable for the local area. The inclusion of local heritage fruit tree varieties is encouraged. Stated principals for the positioning of new trees is supported EN010143/APP/6.21 section 4.9.

Conclusion

7.202 The Council are of the view that the subject to mitigation measures being implemented and an assessment of the detailed design, the development could be capable of having a neutral impact on trees and landscaping.

Heritage Assets

7.203 Policy ENV3 of the ERLP SD seeks to ensure that the significance, views, setting, character, appearance, and context of heritage assets are conserved. The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. For the purposes of heritage policy, significance is the value of a heritage asset to this and future generations because of its heritage interest. This includes not only its physical presence, but also its setting, which is defined as the surroundings in which a heritage asset is experienced.

7.204 Policy EC5 of the ERLP SD requires proposals for the development of the energy sector, including solar PV will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal. The effects of the development (3iii) on the historic environment, including individual and groups of heritage assets above and below ground should be considered.

7.205 Sub-Area Policy A4 require proposals to have regard to the character and quality of landmarks, such as Howden Minster, Wressle Castle. They also seek to ensure proposals protect those elements which contribute to the setting and character of the sub-areas heritage assets, particularly Howden.

7.206 There are no World Heritage Sites, Registered Battlefields, Registered Parks and Gardens, Protected Wrecks within the Order limits or study area. There are no designated heritage assets comprising scheduled monuments, listed buildings, or conservation areas within the Order limits. There are 52 records in the Historic Environment Records which are located wholly or partially within the Order limits. Within the 3 km study area of the Order limits there are 126 assets comprising of 7 scheduled monuments, 118 listed buildings and one conservation area (Howden).

Archaeology

7.207 The proposal has the potential to impact on archaeological remains dating from the prehistoric period onwards. An on-site phase of the geophysical survey was undertaken, and the survey identified several probable areas of archaeological activity whilst appearing to show areas of no activity. The results of the survey were discussed at a meeting between the archaeological stakeholders and an agreement for a programme of further evaluation by trial trenching was reached. The further stage of evaluation was designed to test the results of the geophysical survey, where potential archaeological anomalies were identified and those areas that appeared to be 'blank'.

7.208 The trial trenching was subsequently undertaken and consisted of the excavation of 498 trenches across the site; a report on the work is currently waiting to be added to the Historic Environment Record (HER).

7.209 The results of the evaluation phase have confirmed the existence of archaeological remains dating from the Iron Age to post-medieval periods, with six areas containing a concentration of features of Iron Age and Romano-British date.

7.210 An overarching written scheme of investigation for a programme of archaeological mitigation work was prepared and submitted to Humber Historic Environmental Record in April 2024. HER have made recommendations and an updated version of the document being prepared. HER have confirmed that once this document has been approved, we would be in a position for the mitigation works to commence. The wording of requirement 10 relating to archaeology will need to be amended to reflect there is an agreed WSI.

Listed Buildings and Conservation Area impacts

Howden

7.211 Elements of the proposals do come towards the cluster of highly significant heritage assets within the town of Howden, which includes the Howden Conservation Area and Howden Minster. The separation between Howden and the site, both in terms of distance and the intervening built and natural landscape, means that there will not be a visual and physical impact caused by the development itself. There were concerns about the potential additional large vehicle movements in Howden during the commissioning and decommissioning of the solar array resulting, however, routes have been designed to avoid and allay these concerns.

Wressle

7.212 There is a highly significant group of assets centred on Wressle, and these would be located close to elements of the scheme's commissioning and decommissioning stages. This group includes Wressle Castle, a medieval quadrangular castle with links to the hugely influential Percy family. It is an exceptional survival, albeit in a ruined state, and provides vital tangible links to nationally important events, trends, and people. Its visibility and prominence within the wider landscape, given that it was built as a demonstrable statement of power, means that its setting makes an important contribution to its significance. Wressle Castle is approximately 1581 metres to solar PV area 3a and approximately 700 metres to the closest part of the grid connection corridor.

7.213 A visual intervention into its wider landscape during commissioning and decommissioning will therefore result in some harm. However, this impact would be limited to one area of the castle's wider setting, there would be notable physical separation and the impact would be temporary. Chapter 7 of the ES assesses the level of harm as less than substantial, and that this harm is limited to the period when the construction compound is in operation.

Hagthorpe Hall, Stables and Derwent View

7.214 Close to the site construction compound adjacent to the A63, Hagthorpe Hall and its associated stables and Derwent View form a group of three attractive red brick buildings of eighteenth-century construction. These are good examples of contemporary architecture, displaying some architectural flourishes and pretensions. Together and individual they are of architectural interest, as well as providing evidence of changing architectural fashions and of the ambitions of their commissioners. All three are listed at grade II. The use of the site compound will have an impact on the wider setting in which these assets are experienced, albeit this is likely to be limited by the existing sense of enclosure in which these heritage assets are currently experienced,

and by their existing audial relationship with the A63. It will still, however, increase the sense of development around these assets, and will likely have an audial impact due to the inherent character of a site compound. This impact would not, however, diminish several areas that are key to the significance of the listed building, and would still allow their special historic and architectural interest to be appreciated and understood. The level of harm will therefore be less than substantial, but it would be highly limited in its scope.

Other Designated Heritage Assets

7.215 There are several other listed buildings which would be located within relatively close proximity of the solar arrays or associated infrastructure, including Rowland Hall and Home Farm in Spladington. Having assessed the significance of these, the likely impact of the development on their significance is minimal, as the intensity and scope of interference caused by the development during all its phases would be very low to negligible.

Conclusion

7.216 The proposal has the potential to result in harm to the significance of a small number of heritage assets, particularly during the construction phase. However, the level of harm would be less than substantial in all cases, and it would have a very negligible to low impact on their significance. This view has been accurately represented within the relevant chapter of the supporting Environmental Statement. This harm would need to be weighed in the wider planning balance, and be supported by a clear and convincing justification, as per paragraphs 206 and 208 of the NPPF.

7.217 Subject to the agreement of the updated version of the WSI, the proposal would have a neutral impact on archaeology.

Minerals Safeguarding

7.218 Policy EC6 of the ERLP SD seeks to protect mineral resources. Minerals Safeguarding Areas are identified on the Policies Map for sand and gravel, crushed rock, limestone, industrial chalk, clay, and silica sand.

7.219 East Riding of Yorkshire and Kingston upon Hull Joint Minerals Plan (2016-2033) (November 2019)

7.220 The majority of the land within the order limits is located outside mineral safeguarding areas. There are small areas of Solar PV area 1a and 3c and small parts of the Site Accesses and Grid Connection Corridor (within ERYC) within mineral safeguarding areas.

7.221 The impact of the scheme on minerals was scoped out of the EIA in agreement with the East Riding of Yorkshire Council as Mineral Planning Authority and North Yorkshire Council Mineral Planning Authority.

8. CONCLUSION

8.1 Energy development in the countryside is supported subject to assessment of specific local impacts outlined in policy EC5. These reflect national advice contained in NPS EN1 and EN3, paragraphs 160 and 163 of the NPPF and paragraph 7 of the PPG on Renewable and Low Carbon Energy which recognises that there is a need to support renewable energy production but that the wider benefits need to be weighed against residual harm. The recent Ministerial Statement now places greater emphasis on

protection of the most valuable agricultural land. National and Local Planning Policy offers support in principle to energy development and this report sets out the Local Impacts.

- 8.2 The assessment concludes that over 80% of the farmland which will be used for the proposal is not considered to be Best and Most Versatile (BMV) and of the land that is in the higher grades, loss will either be reversible and where it is not reversible is only a very small amount which is not considered to be significant. On this basis, the report is considered to provide evidence to justify compliance with National and Local Policy and the recent ministerial statement and that the development would not result in a significant loss of BMV, the loss that would occur would have a negative impact in terms of food security, but this would not be significant.
- 8.3 The LVIA provides an accurate assessment of the visual and landscape impacts of the development and the design generally provides good levels of mitigation in terms of the use of both existing and proposed landscape features. Significant impacts are identified at the local level and therefore it is recommended that additional landscaping and mitigation are required to off-set the impacts such as the extension of provision of green corridors and the variety of habitats be incorporated. The Council is of the view that, subject to the recommendations set out above in terms of additional LVIA information, mitigation measures and LEMP, the development could be capable of having a neutral local impact in terms of landscape and visual amenity, however further information is required as set out and should be considered by the Examining Authority as part of the hearing sessions.
- 8.4 The submitted information is considered to provide an accurate assessment of the impact on the local highway network both during construction and operation. The Council therefore considers that providing the details set out in Design Objective 9 can be met, including the necessary mitigation measures and the imposition of suitable requirements, the Council consider the impact on local highway network would be neutral.
- 8.5 The submitted HRA and Ecology Surveys are considered to provide an accurate assessment of the Biodiversity and Ecology impacts of the development and rules out any likely significant affects, subject to the mitigation and recommendations set out in the report being considered at the Hearing Sessions. Discussions between the applicant and the Council's Ecologist are ongoing in this respect.
- 8.6 Further clarification and assessment of the points raised by the Countryside Access Team are required before the Council can formulate a view on the overall impact of the development on the PROW network.
- 8.7 It is the Council's view that the sequential test and exception test has been passed and wider sustainability benefits have been identified and subject to surface water and foul water details to be provided with respect to requirement 9; the scheme would have a neutral impact in flood risk and drainage terms.
- 8.8 The Council is of the view that, subject to approval of the detailed design and layout, and the above noted mitigation measures being implemented, together with the recommendations from the Environment Control Officer with respect to noise, hours of operation and lighting, the development could be capable of having a neutral impact on living conditions.
- 8.9 The Council considered that the subject to mitigation measures being implemented and an assessment of the detailed design, the development could be capable of having a neutral impact on trees and landscaping.

- 8.10 The level of harm to heritage assets would be less than substantial in all cases, and it would have a very negligible to low impact on their significance. This harm would need to be weighed in the wider planning balance, and be supported by a clear and convincing justification, as per paragraphs 206 and 208 of the NPPF. Subject to the agreement of the updated version of the WSI, the proposal would have a neutral impact on archaeology.
- 8.11 The impact of the scheme on minerals was scoped out of the EIA in agreement with the East Riding of Yorkshire Council as Mineral Planning Authority and North Yorkshire Council Mineral Planning Authority.
- 8.12 East Riding of Yorkshire Council may wish to make further representations, as appropriate, during the examination.

Appendix 1

Consultee Comments

Katherine Naylor

From: Howard Johnson
Sent: 31 May 2024 12:10
To: Planning
Cc: Joanne Marshall; Russell Gladstone; Mike Kitching
Subject: 24/01321/NSIP - EN 010143 East Yorkshire Solar Farm - Consultation

Good afternoon,

The Land Drainage Team (LDT) and Lead Local Flood Authority (LLFA) have reviewed the submitted documentation and have the following comments to make:-

1. It is noted in Volume 2, Appendix 9.4: Framework Surface Water Drainage Strategy, that preliminary hydraulic calculations have been undertaken using QBAR. Please note that green field runoff rates should be limited to 1.4 l/s/ha.
2. Other than the above, the LDT and LLFA have no objection to the proposals at this stage.

If this was a normal planning application, we would request the following condition:-

Full surface water and foul drainage details are to be submitted and approved by the Planning Authority, in consultation with the Flood Risk Management Section of the Council and Yorkshire Water, prior to any works commencing on the site.

Reason – To ensure a satisfactory drainage system is proposed for the site that will not increase the flood risk to the site or adjacent property.

HJ - LDT/ LLFA

Howard Johnson
Project Engineer
Aleon Ltd. for East Riding Infrastructure and Facilities

24/01321/NSIP East Yorkshire Sola Farm Project – DCO Application
Comments from the East Riding of Yorkshire Council’s Countryside Access Team

Summary.

The PROW cross sections provided (EN010143/APP/7.14 Framework Landscape and Ecological Management Plan. Appendix B – Indicative Landscape Sections) show the applicant has acknowledged recommendations provided within the *Public Rights of Way and Planning Guidance (2020v1)*. This will help to mitigate impacts from the development and in some cases will improve existing routes.

However, the amount of documentation and the consultation timescale are constraints on officer ability to fully respond in an informed manner in relation to wider aspects of the proposals.

All impacted PROWs are listed however information provision relating to the management of impacts on them is broad and not well defined. Routes differ in nature, use, condition and status and the impacts from proposed closures, diversions, planted screening, ‘improvements’, or ‘management’ will impact each one differently. More detail on some of these definitions and closer liaison with PROW officers will be required at the earliest opportunity to minimise impacts from the proposals.

EN010143/APP/7.13 Framework Public Rights of Way Management Plan

3.1.2 Access to all existing PRow will be retained during construction, with no PRow closures proposed and a limited number of temporary PRow diversions necessitated by the Scheme.

To clarify, a temporary diversion of a public right of way requires a Temporary Closure Order to be put in place and alternative route be provided (where available). Therefore, a temporary diversion is a temporary closure. Close liaison with ERYC Public Rights of Way team will be needed to manage these closures.

3.2.1 Table 2 lists the PRow that will be managed, but not diverted, during construction.

3.3.1 Table 4 lists the PRow that require management, but not diversion, during construction.

3.4.1 Table 6 lists the PRow that will be managed, but not diverted, during construction

3.2.2 The following PRow associated with the Solar PV Site will also see managed motorised vehicle use along the route during construction:

3.4.3 The following PRow associated with the Solar PV Site will also see managed motorised vehicle use along the route during construction

What does “PRow will be managed” not closed or diverted mean? Please expand upon and clarify what “managed” means. The line of a PROW cannot be altered without a Temporary Closure Order or Definitive Map Modification Order and must be available 24/7 for users to pass and repass.

When accessing a PROW using private vehicular rights, the applicant should remember that should they change (changing a surface requires Public Rights of way Authority permission) the surface or cause damage to the surface, in such a way that interferes with the use of the PROW by legitimate users, that they will be liable to carry out repairs. It is noted that safety measures such as safety signage and banks persons are being proposed, but where the right of way concerned is a bridleway way, the impact of construction traffic on horses should be a particular concern, and adequate sight lines, passing places and verge widths should be considered. Consultation with the British Horse Society is recommended.

3.2.3 Table 3 lists the PRow that will require diversion during construction.

3.4.2 Table 7 lists the PRow that will require diversion during construction.

As previously clarified, a temporary diversion of a public right of way requires a Temporary Closure Order to be put in place and alternative routes (where available) be made available. Therefore, a temporary diversion is a temporary closure.

Without further explanation it is difficult to see why any closures are required, particularly where the alternative route will lie alongside the legal line. This table does not offer justification for closures or plans to show the alternative routes (diversions). Can these be provided?

3.5.1 Table 8 sets out the Site Accesses that intersect with PRow that will require management or improvement

What is meant by ‘improved’? More detail is required for the public rights of way team to be able to comment in an informed manner. What the applicant may perceive as ‘improving access’ may not be acceptable to the public rights of way authority. For example, the applicant may wish to tarmac or resurface a route, but this would not be considered an improvement in all cases, as changing the surface may impact use and enjoyment of a route for users, by changing the nature of a route or impacting safety (i.e. a surface unsuitable for horses).

3.7.2 The embedded mitigation measures include:

b. Providing temporary PRow diversion routes where necessary (e.g., when the Grid Connection Cable is installed) to avoid any PRow closures. Each diversion will be clearly marked out, along with appropriate signage at either end of the diversion. The diversion routes will be agreed with the relevant local authority prior to the commencement of construction.

Any proposed closures (and accompanying diversions) should be communicated to the public rights of way team, in detail, at the earliest opportunity. The number of closures is likely to attract complaints from users and local authority officers are better equipped to manage access issues and public expectations, when kept fully informed from the early stages of project planning.

3.7.2 The embedded mitigation measures include:

c. Providing sufficient protection and/or physical separation between existing PRow and the proposed construction traffic route where necessary.

The need for physical separation between PRow users and construction traffic should be considered a last resort where construction traffic is in low volume. Creating a fenced in, corridor footpath, negatively impacts user experience and given the number of footpaths effected and the length of the construction period, this could have a detrimental impact on a large area of the PRow network. Signage, passing places and banks people should be used where possible as an alternative to fencing in temporary diversion routes. The public rights of way team should be consulted to identify the best solution for individual locations.

3.7.2 The embedded mitigation measures include:

e. Developing a communications strategy including regular meetings with contractors to review and address any issues associated with walking, cycling, or equestrian activity to/from/within the Order limits, as well as to relay information including any restrictions and requirements which should be followed.

ERYC Public rights of way team should be included in this process and subsequent meetings.

a. Giving advanced notice of where PRow will be subject to management measures.

e. Visibility will be maximised between construction vehicles and other users (i.e., pedestrians, cyclists, equestrian) where motorised vehicle use is planned for the PRow in question.

Please clarify what management methods are proposed.

h. The existing PRow will be reinstated during operation, albeit public access will be retained throughout.

The applicant should note that where routes have been temporarily diverted, the legal line should be reinstated as it was prior to any works. Any changes to the surface need to be approved by the Public rights of way team and the route inspected prior to being reopened.

3.7.6 The proposed Interconnecting Cable Corridor and Grid Connection Corridor will cross some existing PRow and it is therefore proposed to temporarily (and locally) divert these around each works area, for a short period of approximately 2–3 weeks each, when the cables are installed. It should be noted that not all PRow that cross the Interconnecting Cable Corridor and Grid Connection Corridor will need to be diverted.

Short-term closures (and accompanying diversions) should be discussed with the public rights of way team, to establish the most effective method of closure for these short-term periods of work.

4.1.2 It is not expected that any Temporary Traffic Management (TTM), PRoW diversions or closures will be required, and the majority of vehicles accessing the Site will be maintenance vehicles/Light Goods Vehicles (LGV) and will be small in number

As previously stated, without more detail relating to proposed diversions, it is not possible to say that Temporary Closure Orders won't be required.

4.1.3 The Scheme will retain the existing links to adjacent PRoW routes and highways as at present. The operation of the Scheme will include the following mitigation measures: a. Maintaining access to all existing PRoW within the Order limits, with no diversions or closures (any PRoW temporarily diverted during construction will be reinstated during operation)

See comment for 3.1.2

4.1.5 It should be noted that there are two Permissive Paths planned for the Scheme which are routes available to the public during the operational life of the Scheme, as follows:

a. A continuation of Bridleway SPALB08 which currently terminates at Johnsons Farm, where the Operations and Maintenance Hub will be situated. This will be a Permissive Path over which horse riders will be permitted to travel, running northbound for approximately 340 m until connecting with the second permissive route; and

b. An eastbound route from footpath SPALF14 (north of Spaldington) parallel with Londesborough Drain to connect with the first Permissive Path, continuing eastwards to the edge of the Habitat Enhancement Area running for approximately 1.4 km. This Permissive Path will allow horse riding over the majority of the extent of the route. The section travelling westbound from where the two permissive routes meet will permit passage by foot only, being of approximately 250 m in length.

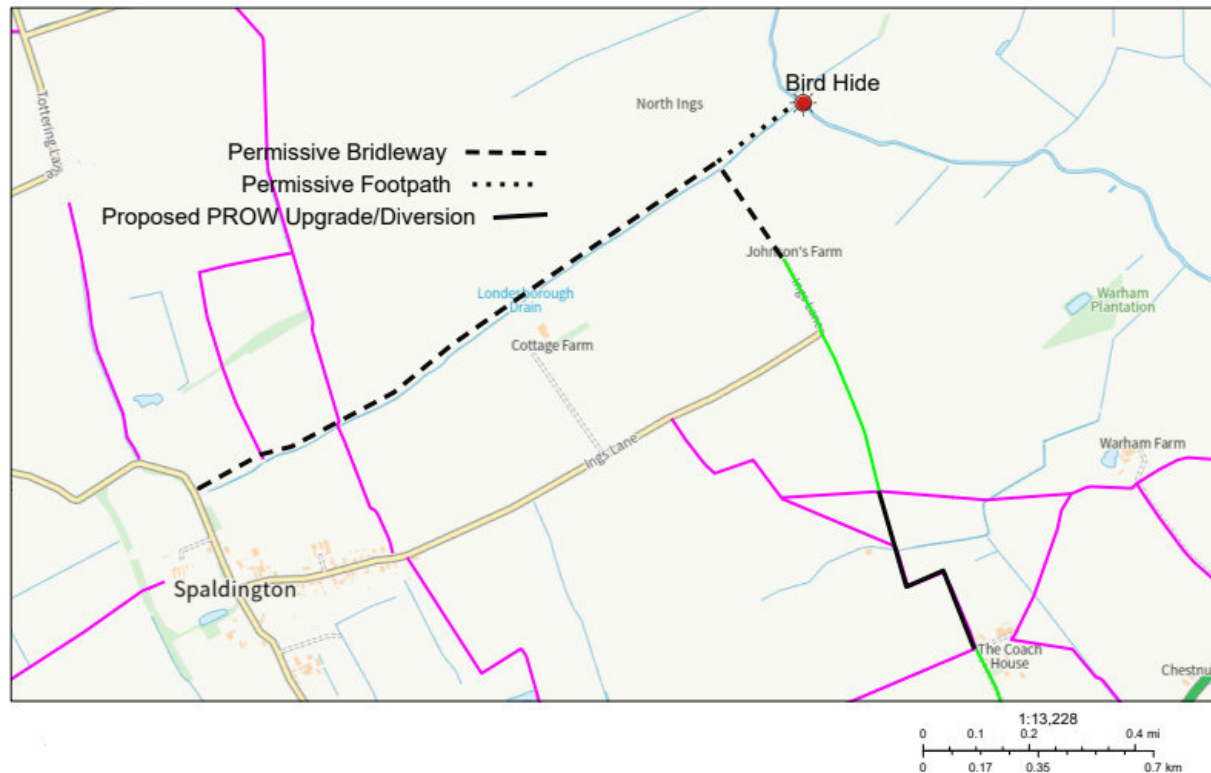
Although the inclusion of permissive routes is positive, officers do not feel the status or extent of these routes has been carefully considered, nor does it correspond with initial discussions that PROW officers had with the applicant.

"This will be a Permissive Path over which horse riders will be permitted to travel"

Will the route be a permissive bridleway or a permissive footpath with equestrian rights of access? Are cyclists being excluded from the permissive route and if so, why?

Extending SPALB08 is a positive step, however not extending the permissive route (bridleway?) to link to another bridleway or highway, means it remains a cul-de-sac route for equestrian users and cyclists, therefore bringing minimal benefit to those user groups and potentially encouraging those users to trespass onto a pedestrian route to connect to the closest highway, causing user conflict.

When initially discussed with the applicant, officers suggested a permissive bridleway extension, following Londesborough Drain all the way to Willitof Rd, rather than ending at SPALF14. This in conjunction with work proposed by ERYC Definitive Map and PROW teams to link SPALDB08 and SPALB05, would create a longer circular route using off road bridleways and quiet roads. See plan below.



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Also discussed was a permissive footpath, leading eastwards from the extended permissive bridleway to a bird hide or similar amenity, overlooking an area of ecological mitigation. Has this proposal been dropped?

Chapter 12: Socio-Economics and Land Use, ES Volume 1 [EN/010143/APP/6.1]

The assessment of PROW priority focuses a lot on their use as routes to work or links to urban areas. PROWs are also a valuable community resource in terms of physical and mental health and wellbeing. It is well known that being in nature for even a small amount so time, is beneficial to our health and PROWs offer the perfect facility for this, be that for short strolls from a settlement or longer rambles, but key is the landscape, nature, views and peace a route can offer.

The applicant should review the Public Rights of Way and Planning Guidance (2020v1) and recent research by The Ramblers ‘Who has a public right of way? An analysis of provision and inequity in England and Wales’ and ‘Routes to Nature: Unlocking Local Access in England and Wales’, Chapman et al. New Economic Foundation. 2023, to learn more about the wider role of PROWs and the benefits they can provide, perhaps reviewing how this proposed development could do more to enhance and improve the network as well as simply work to mitigate the negative impacts of the proposals, particularly during the construction phase.

EN010143 Streets, Rights of Way and Access Plan, Part 1 of 2, EN010143 Streets, Rights of Way and Access Plan, Part 2 of 2, and 7.14 Framework LEMP (1) Framework Landscape and Ecological Management Plan

It is noted that street works are proposed at some locations where PROWs leave metalled highways. At these locations, PROW closures may also be required, even though works may be to the highway rather than the PROW.

The photo montages do not sufficiently illustrate where planted screening is intended and without a plan to show any intended planting along or adjacent to each individual PROW, its overall impact and efficacy cannot be assessed. It should not be assumed that screening is the preferred option for PROW users. In some

cases, viewpoints may be lost and the need to screen the solar panels may be a lower priority than retention of a viewpoint. Therefore, PROW screening should be assessed location by location.

Written Representations for East Yorkshire Solar Farm

Documents Considered

Environmental Statement: Volume 2, Appendix 10-5: Arboricultural Impact Assessment and Tree Protection
Report Reference: EN010143/APP/6.2
Annex A Tree Survey Schedule,
Annex B Outline Tree Protection Measures
Annex A: Appendix 10-5-1 Tree Constraints Plan
Annex C: Appendix 10-5-2 Tree Protection Plan
Framework Landscape and Ecological Management Plan Document Reference: EN010143/APP/7.14 and
Landscape Masterplan (Appendix A).

Trees

The submitted reports detail that 52 individual trees, 17 groups of trees and 44 hedgerows are to be removed or part removed to facilitate the Scheme: this includes four individual trees and one part group classed as Category A; 17 individual trees and two part groups classed as Category B ; 28 individual trees, five groups, eight part groups, 19 hedgerows and 25 part hedgerows classed as low quality (Category C). No veteran, ancient or trees subject to a Tree Preservation Order (TPO) are to be removed. 101 features are subject to incursion into their Root Protection Area (RPA) or canopy spread.

The Category A sycamore (T411) and category A horse chestnut (T412) are listed for removal within Annex A, at Annex C notes detail that “Trees [T411 and T412] removed as worst case scenario [*alternate cable route*]. Root investigation within trench footprint required to determine impacts. Whilst the loss of these tree would not have significant landscape impacts, they have good form and avoidance of impacts from cable trenches is encouraged. It is accepted that loss of T870 sycamore is unavoidable and the chosen route avoids wider impacts. The loss of this fine tree is regrettable. The loss of T442 common oak is at a pinch point, its loss ensures the retention of a number of other category A trees, including several veteran trees. Design stage mitigation is noted.

The Tree Protection Report makes it clear that design stage avoidance has been used insofar as possible. The inclusion of a standard offset from tree features of 15m and 10m for hedgerows is welcomed. Existing access tracks are used and panel placement avoids the root protection areas (RPA) of trees and has considered shading arcs to minimise future conflict. Detailed design will further consider shade from trees in relation to the arrangement of Solar PV Panels and optimal functionality. The increase in RPA for veteran and ancient trees (EN010143/APP/6.2 section 1.4.9) follows best practice. Micro-siting of cable trenches is outlined to avoid the RPA. Illustrative positions for tree protection fencing are acceptable.

Reports details that one tree considered ancient, T45 crack willow *Salix fragilis* may require pruning to facilitate access. We agree that this should be done under arboriculturist supervision. It is also agreed that this is unlikely to result in a detrimental impact on this species. Construction impacts on the RPA of this tree are also detailed. Ground protection measures in Annex B followed by soil amelioration using compressed air and organic matter are considered proportionate mitigation (EN010143/APP/6.2 section 4.5.4). Similarly impacts on T71 veteran’s RPA and adequately managed and mitigated (EN010143/APP/6.2 section 4.5.5). Potential unavoidable impacts on RPA from the cable corridor routing is outlined. The report considers worst case scenarios and where impacts within the RPA cannot be avoided, the cable is to be installed via hand/compressed air excavation working methods are outlined in EN010143/APP/6.2 section 4.5.7 and are considered appropriate. All construction phase impacts to trees will be covered by Arboricultural Method Statement. A commitment is found within the Framework CEMP [EN01043/APP/7.7]. EN010143/APP/6.2 section 4.10.5 details that the default position will be that all services be routed outside of the RPA of retained trees. Where services must be routed within the RPA of a retained tree this process will be subject to a detailed method statement with approval from the LPA. The principles of the National Joint Utilities Group (NJUG) Volume 4 guidance will be adhered to.

It is noted that a small number of trees at risk of impact from the scheme have been assessed via desk study only and have not been fully surveyed, however, notable trees but have been reviewed through the veteran and

ancient tree walkover survey. The Tree Protection report (EN010143/APP/6.21.4.7) outlines a commitment to detailed trees survey to inform the development of the Arboricultural Method Statement as part of the CEMP.

Retained trees will be managed in accordance with the Framework LEMP [EN010143/APP/6.2], this includes the retention and protection of 206 veteran or ancient trees which is welcomed. The Tree Report details that tree loss will be mitigated with a robust and high quality scheme of new tree planting as detailed in the Framework Landscape and Ecological Management Plan [EN010143/APP/7.14]. Replacement planting includes new native hedgerows with trees on boundaries where there are no existing boundary features; orchard tree planting and linear woodland planting, scrub with trees and hedgerow repair and enhancement with locally appropriate species.

Outline planting, establishment and management prescriptions for trees and hedgerows are acceptable. Species choice is suitable for the local area. The inclusion of local heritage fruit tree varieties is encouraged. Stated principals for the positioning of new trees is supported EN010143/APP/6.21 section 4.9.

JW

Written Representations for East Yorkshire Solar Farm 24/01321/NSIP

General Comment

Due to the volume of documents in this submission it has not been possible to provide a full and detailed response. Numerous cross-referenced documents remain unread. Provided below is a broad overview on the submission with reference to the documents listed.

Protected Sites (Excluding Local Wildlife Sites)

The Habitats Regulations Assessment considers construction, operation and decommissioning phase impacts of the proposal on designated sites alone and in-combination with other projects and plans. The East Riding of Yorkshire agree with the scope of impact category and identified buffer distances. We agree with the identified sites within 20km and the scoping out of Skipwith Common Special Area of Conservation (SAC), Thorne and Hatfield Moors Special Protection Area (SPA) and Thorne Moor SAC due to separation distances and lack of pathways. The River Derwent SAC, Lower Derwent Valley SPA, SAC, Ramsar and Humber Estuary SPA, SAC Ramsar are screened in for assessment of likely significant effects. We are in agreement with the scoping of the potential impacts pathways for designated sites in Table 6. Further narrative is provided in section 6 on identified impacts. The in-combination list is considered acceptable.

Water flows during construction and decommissioning are to be managed in line with adherence to best practice principles identified in CIRIA report C532 (Control of water pollution from construction sites) We agree that SuDS measures can be considered at the LSEs stage and are not deemed to be HRA-relevant mitigation. Similarly, scheme-wide biosecurity measures follow best practice and do not need to be taken forward to Appropriate Assessment (AA)

Detailing in section 6.2.23-26 in relation to damage to/temporary loss of qualifying habitat of the River Derwent SAC is welcomed; however, it is suggested that non-qualifying habitat only would be impacted by the removal of verge habitat to create a temporary bell-mouth and agree with the conclusions in section 8.5 and the proposals for traffic management and reinstatement.

Conversely, the cable routing option away from River Derwent SAC qualifying habitats is considered design stage mitigation, impacts however could be screened out with certainty at the AA stage.

The HRA highlights that arable fields within the Site are likely to be functionally linked to the Lower Derwent Valley SPA/Ramsar for golden plover *Pluvialis apricaria*, pink-footed goose *Anser brachyrhynchus* and greylag goose *Anser anser*. Mitigation in the form of maintained agricultural land and creation of permanent wet/damp grassland will be provided as part of the Ecology Mitigation Areas 1g and 1h. The Ecology Mitigation Area (107.9 ha in total) comprises:

1. Golden Plover Mitigation Zone – 28.75 ha near to River Foulness to be managed as wet grassland habitat; and
2. Goose Mitigation Zone – 79.09 ha to remain in the current arable rotation with amendments to improve habitat quality such as increased retention of stubble.

This includes a minimum of 30 ha of land that will be specifically maintained on an annual basis to deliver adequate habitat to offset the loss of arable farmland used by golden plover and pink-footed goose. The rationale behind the choice of size of the wet grassland mitigation land is considered acceptable as it the chosen location in light of the hydrological requirements. Damp/wet permanent grassland will be managed to support high densities of invertebrates for golden plover and will include blind linear foot drains. Arable farmland will be sensitively managed for pink-footed geese through retention of winter stubbles through to at least February, following by sowing of cereal crop.

Monitoring requirements are still being finalised and should be secured alongside capacity for review and remedial measures to address any unmitigated impacts during the operation phase. Mitigation habitat for golden plover and pink-footed goose will be in place prior to the start of construction works commencing. Habitat management measures are set out in the Framework Landscape and Ecology Management Plan (LEMP). **Fencing of the mitigation area for sheep grazing 6.1.66 must not conflict with the delivery**

of open sight lines for wintering birds. The LEMP is designed to be a flexible document to be updated to a detailed LEMP. Species mixes and timings for cuts are broadly acceptable.

Monitoring should consider an assessment of any displacement of commuting birds against the baseline due to the installation of the solar farms and impacts from glint and glare to contribute to the identified data deficiencies in the literature on this matter. Vegetation monitoring should include target heights for grassland and proportion of bare earth should be detailed.

Noise and visual impacts to SPA/Ramsar birds are considered temporary and reversible. The delivery of mitigation lands outlined above ahead of construction works commencing will provide local resource for any temporarily disturbed birds. Modelled noise impacts in the mitigation area are predominantly below the 55dB threshold (worst case scenario) and are considered acceptable in consideration of the scale of the proposal and existing use of the site as agricultural land.

The proposed use of Horizontal Directional Drilling under the River Derwent SAC is broadly welcomed. This will ensure that direct impacts to the River Derwent and associated riparian habitats are avoided. The use of acoustic barriers and directional lighting for night time activities is outlined and secured within the Framework Construction Environmental Management Plan. (CEMP). **Section 8.2.11 of EN010143/APP/7.12 details that a site-specific hydraulic fracture risk assessment is necessary to estimate the degree of risk and identify additional mitigation. It is considered that this assessment should be undertaken to support the conclusions of the HRA in terms of no adverse effect on water quality.**

Section 6.2.6-6.2.7 rules out noise (and vibration) disturbance risks to qualifying fish species. This is based on the HDD being 5m below the river bed. The narrative details a literature review on vibration impacts undertaken by AECOM but this is not referenced within the HRA. **Further narrative on the ruling out of noise and vibration effects on qualifying fish species is requested, alternatively works should be programmed to ensure that the HDD will avoid the key fish migration seasons.**

Mitigation measures for otter are outlined in 8.1.34-35 and secured within the Framework CEMP. Similarly water pollution prevention methods and reasonable avoidance methods are outlined in sections 8.2 and within the Framework CEMP (see also protected species comments) and are considered proportionate and adequate to avoid an adverse effect on integrity. Similarly, pollution prevention measures will be secured during decommissioning. Operational phase improvements in water quality are likely through land-use changes and a reduction in sedimentation and nutrient inputs. For cuts to watercourses, water flow is to be maintained by damming and over pumping. Surveys identified that the majority of watercourses were generally ephemeral ditches, works are to be carried out in the drier months in order to reduce the risk of pollution.

We agree with the screening assessments of dust and air quality. Dust impacts on the River Derwent SAC are to be managed in accordance with measures in 8.3 and Table 12 of the Framework CEMP and are considered appropriate.

Impacts on Sites of Scientific Interest have been assessed but not fully reviewed at this time. It is noted that with implementation of mitigation measures no significant adverse effects will be experienced.

Protected Species

Otter was recorded as being present on the River Ouse, the River Derwent and a ditch. Water vole was found to be likely absent, with American mink confirmed as being present on the River Foulness, River Derwent and River Ouse. Design phase mitigation includes the use of horizontal directional drilling for works to watercourses supporting otter providing a minimum of 30m buffer. Other watercourses will be afforded a buffer of 10 metres with the exception of crossings where open cut techniques will be used. Pre-commencement checks for otter and water vole will be undertaken as required prior to the commencement of any construction phase activity. Section 8.6.31 of EN010143/APP/6.1 details that excavations will be covered at night or a means of escape will be provided it is noted that these construction phase **reasonable avoidance measures are not presently captured in the Framework CEMP and should be taken forward within the detailed CEMP.** Permeability for otter through river corridors will be secured at all times.

The Scheme and all construction working areas has been designed to allow for all setts identified within the Site to be avoided (>30m from the sett) and retained. Pre-commencement checks will be undertaken by a suitably qualified ecologist, with all badger setts previously identified (as shown on Figure 8-8-1) reappraised to establish each sett's status prior to the start of any works. Provision and maintenance of habitat connectivity will be secured post-construction.

Impacts on Great crested newts are to be managed through the Great Crested Newt District Level Licensing scheme. Appendix 8-10 has not been made available to the LPA for inspection. A co-signed Impact Assessment and Conservation Payment Certificate should be accompanied by a location plan that accurately reflected the final site boundaries at the detailed design stage.

Impacts on bats are address through avoidance. Potential impacts on a single tree with moderate roosting potential is to be avoided through careful siting at the detailed design stage. A method statement is provided for soft felling of trees with low bat potential and is considered proportionate. All three buildings on site were assessed as having negligible suitability for roosting bats. Transect and automatic detector surveys have been undertaken and reveal that the Survey Area provides a foraging and commuting resource for common pipistrelle, Myotis species, soprano pipistrelle, noctule, brown long-eared bats and Leisler's bat. Very low activity levels were recorded for all individual species and the level of overall bat activity was low. High quality habitats are retained. Prost development improvements in habitat and habitat connectivity will be secured through the scheme. Mitigation measures outlined in section 5 of EN010143/APP/6.2 are acceptable.

Protected species surveys for the decommissioning phase are outlined in Table 3 of EN010143/APP/7.9 and are welcomed.

Other Species

Submitted reports detail that the population of breeding curlew *Numenius arquata* within the Survey Area is likely to be of county importance and the population of skylark recorded within the Site are likely to be of district importance. Other breeding birds include barn owl, quail, hobby and lapwing; there will be no direct loss of habitat occupied by breeding quail, hobby and barn owl during the construction phase. Species rich grassland to be created as part of the scheme will include mixes suitable for skylark habitat, golden plover and other ground nesting birds. The Framework LEMP outlines the creation of open, low-cut grassland areas. This will also help contribute positively to the overall condition of created grasslands. Loss of ground nesting habitat is further mitigated through the provision of areas of panel free grassland.

A total of 72 bird species were recorded during wintering bird surveys, the species diversity being of county importance. Populations within the Site where not found to represent a significant proportion (i.e., 1% or more) of the county or national populations and were assessed to be of local value. As above skylark were evaluated as being of district importance.

Justification for survey effort in relation to invertebrates, hedgehog *Erinaceus europaeus*, brown hare *Lepus europaeus*, polecat (*Mustela putorius*) and harvest mouse *Micromys minutus* are acceptable in consideration of the ecological baseline. Hedgehog and brown hare are assumed to be present within the Site. Section 8.6.13 of EN010143/APP/6.1 outlines precautionary working method statements for the avoidance of impacts to birds, small mammals, reptiles and amphibians. Section 8.6.16 details permeability for wildlife during construction and operation with be secured through fencing design.

Aquatic Ecology

Desktop studies and representative surveys have been undertaken. The presence of greater water-parsnip, revealed in the date search, is of local note. Water quality based on aquatic macroinvertebrates was 'poor to moderate' for surveyed sites attributed to physical modification, nutrient input from agriculture, water treatment, flood protection structures, surface water abstraction, contaminated bed sediments, and other priority hazardous chemical substances. Invasive non-native species (INNS) found during surveys included Nuttall's waterweed in DE53. The non-native but naturalised New Zealand mud snail *Potamopyrgus antipodarum* and Amphipod *Crangonyx pseudogracilis/floridanus* were recorded. Several INNS were identified in the desk study, including the highly invasive 'demon shrimp' *Dikerogammarus haemobaphes* and Himalayan balsam *Impatiens glandulifera*. Biodiversity net gain aspirations will improve water bodies and riparian/marginal habitats. Water quality

improvement through a reduction in nutrient enrichment from agricultural land use is of particular note. Standard biosecurity protocols to avoid the spread of INNS are outlined in Chapter 8: Ecology, ES Volume 1 [EN010143/APP/6.1] and there is a commitment to preparing a Biosecurity Management Plan to be followed during construction and decommissioning.

The commitment to ensure that the placement of solar PV panels and any temporary or permanent infrastructure is a minimum of 8m away from the banktop of any water bodies (watercourses, or ditches) on-site is welcomed Chapter 9: Flood Risk, Drainage and Water Environment, ES Volume 1 [EN010143/APP/6.1]). The use of best practice construction and decommissioning methods should be implemented during construction to avoid sediment runoff into surface waters and avoid impacts to water quality. The BNG assessment provides specific recommendations for the enhancement of these watercourses, where mitigation is required for direct impacts to them.

Biodiversity Net Gain

The commitment to achieving biodiversity net gains outside of any statutory requirement is welcomed. I am satisfied that the mitigation hierarchy has been followed insofar as practically possible. The loss of trees has been justified and avoidance of impacts secured where possible.

In considering the assumptions, the inclusion of temporary impacts in the metric, where habitats that can be restored to their original condition within two years of the impact occurring is acceptable. The approach, lost and created for other habitats is acceptable. The lowland mixed deciduous woodland is to be recreated to poor condition due to its original condition (moderate) taking >30 years to achieve. The precautionary approach to hedgerow loss, enhancement and replacement is noted. The approach to assessing the impact on watercourses is also considered acceptable.

Condition Assessment Rationale in Appendix D is acceptable and considered achievable. It is noted that Moderate condition prescriptions will be subject to soil testing for fertility and to match grassland seed mix type (acid/neutral/calcareous); this should be extended to other grassland creation Grassland – Other neutral grassland and Traditional Orchard also (Appendix G pages 43-45).

It is noted that trading rules are not met due to a loss of lowland mixed deciduous woodland, ponds (non-priority habitat), rural trees and other woodland; broadleaved habitat. As trading rules are voluntary for NSIPs at the current time there are no objections. The commitment, however, at the detailed design stage to meet these targets is welcomed. Currently 10% gain is not achieved for hedgerows, nor are trading rules due to loss of species-rich native hedgerow and native hedgerow associated with bank or ditch. Detailed design will seek to reduce impacts on hedgerows and the report states that improvements will be delivered for existing 'good' quality hedgerows in accordance with the detailing within Appendix 8-4: Hedgerow Report. **Table 8-12 of EN010143/APP/6.1 details that no ponds are to be impacted, however, loss is captured in the metric.**

The calculation is currently based on maximum impacts and will be updated as part of the detailed design stage. Given the scale of outline habitat enhancements there are no concerns about the delivery of post development biodiversity enhancements, greater uplift in hedgerow units would be welcome where possible. Monitoring proposals are considered proportionate.

The wildflower mix identified in section 5.1.17 of EN010143/APP/7.14 includes crimson clover *Trifolium incarnatum* which is not strictly considered locally appropriate. It is agreed that it is pollinator friendly and aesthetically pleasing along the Public Right of Way, and is appropriate within the wider agricultural setting, i.e. a forage mix.

Species listed in tables 6-7 and 6-8 are for species rich grassland areas are considered suitable. The basic principle for the creation of semi-improved grassland with moderate species richness under PV panels and surrounding areas, species rich grassland in areas of outside the Solar PV Areas, within ecological enhancement areas, PROW buffers, and Local Wildlife Sites is considered achievable. Percentage of tall and tussocky species within mixes is of consideration for the final functioning of these grasslands (particularly for over-wintering birds) and mixes should be selected accordingly. **Section 6.1.41 and 6.1.57 of EN010143/APP/7.14 mentions that "incorporating a substrate to reduce nutrient levels or removing topsoil to expose the sub-soil"**

would be undertaken to reduce nutrients. There is concern that this contradicts the requirements for protection of agricultural soils. It may be useful to evidence the extent of proposed soil stripping and the location of soil stockpiles for the operational period. The reduction in nutrients is welcomed in respect of biodiversity outputs but is contrary to section 4.7.2 of EN010143/APP/7.10.

It is noted that modified grasslands are expected to meet moderate condition (BNG metric), this requires achievement of 6-8 species per metre. The indicative mix in table 6.6 of EN010143/APP/7.14 includes only five species, final mixes should be mindful of the stated BNG objectives.

Provision of built features for biodiversity is welcomed.

Soils

Permanent loss of agricultural soils will likely occur through the installation of the grid connection substations, and areas of habitat enhancement. Scheme wide, losses are predominantly temporary reversible. Parts of the ecology mitigation area will be sensitively farmed during operation as arable rotation or grassland. During operation, land under the panels is technically available for sheep grazed (EN010143/APP/6.2) and soil carbon improvements may be experienced through the cessation of farming for the operational period. Measures to protect soil resources are outlined and allows for detailed survey work. Section 15.6 outlines a commitment to protecting soils “by the use of best practice in soil stripping, handling and storage of soil materials during construction, operation and decommissioning, these are also considered within the Framework CEMP [EN010143/APP/7.7] and Framework SMP [EN010143/APP/7.10]. Soils and Agricultural Land are considered in the Framework Decommissioning Management Plan and appear appropriate and in line with best practice. No significant adverse effects to soils or agricultural land are predicted to occur as a result of the scheme.

Documents Considered

Environmental Statement (AECOM, 2023)

- Volume 1, Chapter 8: Ecology Document Reference: EN010143/APP/6.1
- Volume 1, Chapter 15: Soils and Agricultural Land Document Reference: EN010143/APP/6.1
- Volume 6.2, Appendix 8-1: Legislation, Policy and Guidance for Ecology Document Reference: EN010143/APP/6.2
- Volume 2, Appendix 8-2: Aquatic Ecology Report Document Reference: EN010143/APP/6.2
- Volume 2, Appendix 8-3: Extended Phase 1 Habitat Survey Report Document Reference: EN010143/APP/6.2
- Volume 2, Appendix 8-5: Survey Report for Breeding Birds and Confidential Annex Document Reference: EN010143/APP/6.2
- Volume 2, Appendix 8-6: Survey Report for Non-Breeding Birds Document Reference: EN010143/APP/6.2
- Volume 2, Appendix 8-8: Badger Survey Report and Confidential Annex Document Reference: EN010143/APP/6.2
- Volume 2, Appendix 8-9: Riparian Mammals Survey Report Document Reference: EN010143/APP/6.2
- Volume 3, Figure 8-1: International Sites Designated for Nature Conservation within 10km and other Statutory Designated Sites within 5km EN010143/APP/6.3
- Volume 3, Figure 8-2 Non-Statutory Sites Designated for Nature Conservation within 2km
- Appendix 2-1: Grazing Feasibility Document Reference: EN010143/APP/6.2
- Volume 2, Appendix 15-3: Soil and Agricultural Land Classification Survey Report (Land Research Associates) Document Reference: EN010143/APP/6.2
- Volume 2, Appendix 15-4: Communications with Natural England Document Reference: EN010143/APP/6.2

- Framework Construction Environmental Management Plan Document Reference: EN010143/APP/7.7
- Framework Operational Environmental Management Plan Document Reference: EN010143/APP/7.8
- Framework Decommissioning Management Plan Document Reference: EN010143/APP/7.9

- Framework Soil Management Plan Document Reference: EN010143/APP/7.10
- Framework Landscape and Ecological Management Plan Document Reference: EN010143/APP/7.14 and Landscape Masterplan (Appendix A).
- Biodiversity Net Gain Assessment Report Document Reference: EN010143/APP/7.11 and Biodiversity Metric 4.0
- Figure 15-3 Agricultural Land Classification Survey for the Solar PV Site
- Habitats Regulations Assessment Document Reference: EN010143/APP/7.12

JW



EAST RIDING

OF YORKSHIRE COUNCIL

PLANNING & DEVELOPMENT MANAGEMENT
STRATEGIC DEVELOPMENT MANAGEMENT

HIGHWAYS CONSULTATION RESPONSE

To:- DC Case Officer
Development Management

App Ref:-
24/01321/NSIP

From:- Highway Management
Strategic Development
Management (AF)

Tel:- 01482 393753

Response Date:-
5th June 2024

Spaldington Airfield, Wood Lane, Brind, East Riding Of Yorkshire.

Highway Summary

The application is a consultation on Development Consent Order (DCO) for the construction, operation (including maintenance) and decommissioning of ground mounted solar photovoltaic (PV) panel arrays with approximate generating capacity of 400 MW. The Scheme includes underground cabling to connect to the national electricity transmission network at National Grid's Drax Substation; underground cabling between the areas of solar PV panels; areas of landscaping and biodiversity enhancement; and other associated development.

The Solar PV Site is near the strategic road network with the M62, the A614 and the A63 easily accessible from the development areas.

The B1228 is adjacent to Solar PV Areas 2c and 2d. A network of smaller roads is around the Solar PV Site. Wood Lane runs alongside Solar PV Areas 3a, 2c and 2b connecting Station Road in the west to Tottering Lane in the east for a length of 5.6 km. Tottering Lane provides access to Solar PV Areas 1a, 1b, 1c, 1d and 1e. heading east from the junction with Willitof Road and Wood Lane to the north with Bell Lane, travelling for 3 km.

Spaldington Road runs in between Solar PV Areas 2e and 2f, travelling from the B1228 in the west to the A614 in the east for approximately 4 km. The road is a single carriageway without road markings, that provides access to an unmarked road heading north to Ings Lane, Wood Lane and Willitoft Lane.

The developers transport consultant and the Highway Authority (Highway Development Management (HDM) and the Area Engineer from Streetscene Services) have held a number of meetings to discuss the various access points required during the construction phase and the mitigation measures required so that Design Objective 9 can be satisfied.

Design Objective 9 states:-

The Scheme will provide safe access and mitigate impacts on the local highway network to avoid significant effects, where practicable.

Mitigation measures include the construction of new passing places, up-grading of existing formal and informal passing places, junction widening, construction of access points, agreeing visibility splays at those access points and any Temporary Traffic Regulation Orders (TTRO) to reduce the speed limit on a temporary basis. The discussions are on-going, but both parties are confident that agreements will be reached to mitigate any highway issues during the construction phase.

Any new infrastructure in the form passing places and junction widening will remain as permanent highway features once the construction phases have been completed.

The Highway Authority has dealt with several similar schemes in the East Riding where multi-access points and extensive highway mitigation is required. Any works within the limits of the existing public highway will be completed under the provisions of Section 278 of The Highways Act, 1980, which is a legally binding Agreement between the developer and the Local Authority whereby the developer will fund all the works deemed necessary to mitigate the impacts on the local highway network.

The Highway Authority will require an updated Construction Traffic Management Plan (CTMP) and Transport Assessment (TA). The developer will need to provide on-site parking for contractors, loading and un-loading facilities within designated areas and turning facilities so that all vehicles can enter and leave the various sites in a forward gear. Wheel wash facilities are required, and a road sweeping schedule must be agreed.

Any abnormal load routes must be agreed with the Councils Abnormal Loads Team and the removal of street furniture must be agreed with the Councils Streetscene Team.

AF

Team Leader - Highway Development Management
Strategic Development Management

From: Goodyear James [REDACTED]@hullcc.gov.uk>
Sent: 10 June 2024 12:43
To: Joanne Marshall [REDACTED]@eastriding.gov.uk>
Subject: RE: 24/01321/NSIP East Yorkshire Solar Farm

[CAUTION]This email was sent from **outside of your organisation**. Do not click any links, preview or open attachments, or provide any log-in details unless you recognise the sender and know the content is safe.

OFFICIAL

Hi Joanne,

I've had a number of meetings and discussions with the archaeological consultant regarding the scheme dating back to early last year and we have agreed on a programme of archaeological work, some of which has already taken place. I have outlined below what has happened so far and what is yet to take place:

"The proposed construction of the East Yorkshire Solar Farm extends over a large area of the county and has the potential to impact on archaeological remains dating from the prehistoric period onwards. The potential for the development to impact archaeological remains was identified in the initial meetings held between ourselves, the North Yorkshire Principal Archaeologist, and the developer's archaeological representative. It was agreed that an archaeological assessment of the scheme would be undertaken and that to support this, a geophysical survey of the proposal site would be undertaken. The on-site phase of the geophysical survey commenced on 12th September 2022 and was completed intermittently by 2nd June 2023. The survey identified several probable areas of archaeological activity whilst appearing to show areas of no activity. The results of the survey were discussed at a meeting between the archaeological stakeholders and an agreement for a programme of further evaluation by trial trenching was reached. The further stage of evaluation was designed to test the results of the geophysical survey, where potential archaeological anomalies were identified and those areas that appeared to be 'blank'. The trial trenching was subsequently undertaken between 14th August 2023 and 13th October 2023 and consisted of the excavation of 498 trenches across the site; a report on the work is currently waiting to be added to the Historic Environment Record. The results of the evaluation phase has confirmed the existence of archaeological remains dating from the Iron Age to post-medieval periods, with six areas in particular containing a concentration of features of Iron Age and Romano-British date. Following further discussions, an overarching written scheme of investigation for a programme of archaeological mitigation work was prepared and submitted to us in April 2024. I have read through this document and have made some comments and recommendations, which I believe are being taken into consideration prior to an updated version of the document being issued. When this document has been approved, we would be in a position for the mitigation works to commence.

In terms of concerns, I don't have any major ones, I have provided some comments back regarding the overarching mitigation written scheme of investigation, but these are minor and will likely be solved when the document is revised. I have been satisfied with the archaeological programme so far, the discussions have been extremely useful and allowed us to agree on suitable strategies and the communication between all archaeological stakeholders has been really good. I was also invited to view the site during the trial

trenching works, which was a welcome opportunity to talk with the archaeological contractor and view the evaluation as it was taking place.”

I hope the above is sufficient but if you need anything further, just let me know.

Kind Regards
James

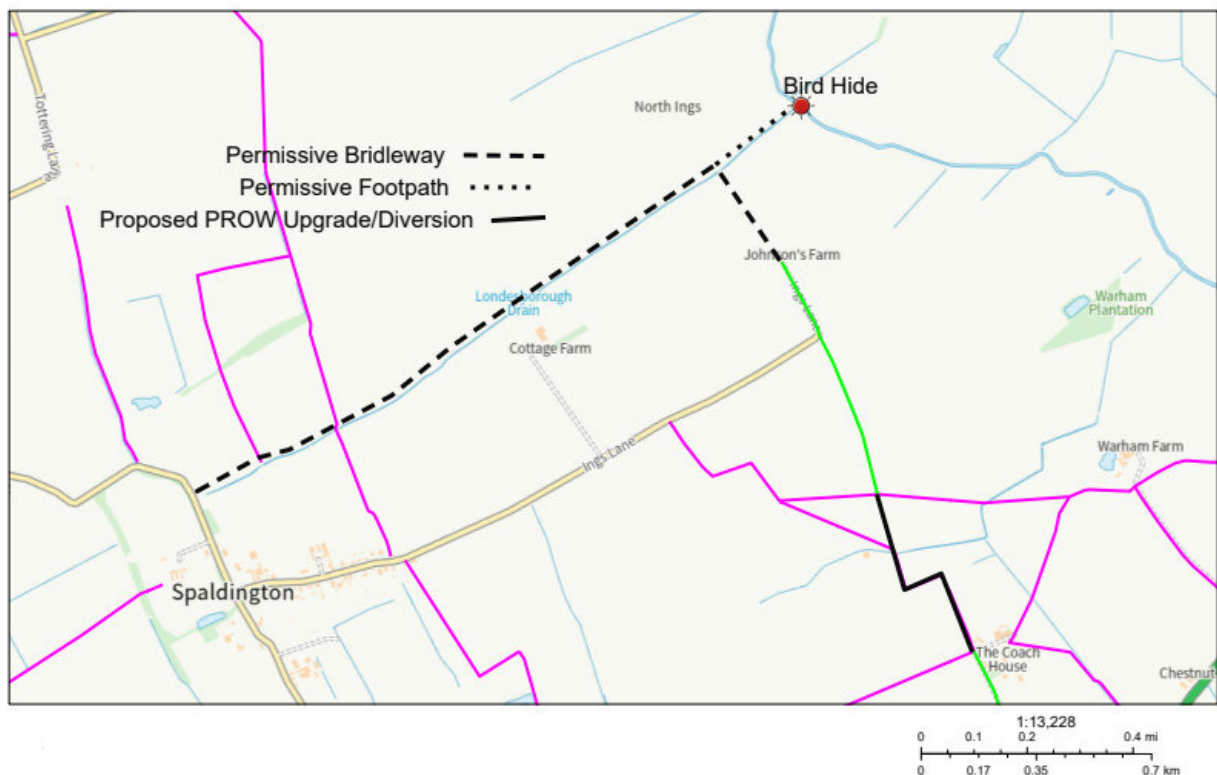
James Goodyear | BA(hons) MCIFA
Development Management Archaeologist

East Riding of Yorkshire Council & Hull City Council
Humber Historic Environment Record
Tel. [REDACTED]

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24/01321/NSIP East Yorkshire Sola Farm Project – DCO Application Comments from the East Riding of Yorkshire Council’s Definitive Map Team (Public Rights of Way)

- I have to reiterate the comments of the Countryside Access Team in relation to what you propose as ‘managed’ and that the PROW’s cannot be altered without a Temporary Closure/Diversion Order or a Definitive Map Modification Order. Expansion on detail will be required.
- Should any decision be made to make any of the ‘Temporary’ closure/diversion of routes permanent it is imperative that contact is made to the Definitive Map Team as soon as possible.
- As part of the authority’s Rights of Way Improvement Plan we encourage enhancement to the PROW network through development. This would be a perfect opportunity to make those permissive paths and upgrade permanent. Please contact the Definitive Map Team if more information is required on this. See plan below for location of these routes.



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Web AppBuilder for ArcGIS

- **Please note:** the authority has received two official Schedule 14 Applications for claims to upgrade three of the affected PROW’s;
 - SPALF16 – Claim to upgrade from footpath to Restricted Byway

- BUBWF10 & BUBWS11 – Claim to upgrade part of BUBWF10 and the whole of BUBWS11 to Restricted byway
- Should these claims be successful, consideration would need to be taken into account of the users, i.e. pedestrians, horse riders, cyclists and carriage drivers. Please contact the Definitive Map Team if further information is required.

The two mentioned applications can be viewed on the authority's website here:

<https://www.eastriding.gov.uk/leisure/countryside-and-walks/public-rights-of-way/register-of-definitive-map-modification-order-applications/>

SPALF16 – Application No. S140161

BUBWF10 & 11 – Application No. S140167

Draft Statutory Instrument

Schedule 2, para 17 (3) – Should there be any changes to the Public Rights of Way Management Plan contact with the Countryside Access and Definitive Map Teams must be made in addition to the planning authority.

MEMORANDUM

To: Joanne Marshall, Planning & Development Control, Beverley **Date:** 29th May 2024

From: Jon Tait, Principal Officer (Environmental Control), Public Protection, Goole **Tel:** x6207

Proposal East Yorkshire Solar Farm
Location Spaldington Airfield and environs
Case Ref 24/01321/NSIP

ENVIRONMENTAL CONTROL SPECIALIST

Thank you for consulting me on the above application.

This response only considers local air quality and land contamination. Other comments from Public Protection will be provided separately.

I have reviewed the information submitted by the applicant and I have the following comments to make.

LOCAL AIR QUALITY

I have reviewed the information submitted by the applicant and I have no concerns regarding air quality that have not been adequately addressed by the applicant.

LAND CONTAMINATION

I have reviewed the information submitted by the applicant and I have no concerns regarding land contamination that have not been adequately addressed by the applicant.

If you require any additional information please contact me

Regards

Jon Tait



Memorandum

To: Planning & Development Management
F.A.O. Mrs Joanne Marshall

From: Environmental Control District
Team

Date: 29 May 2024

Ext.: 6203

FLARE ref: SRU 453501

Proposal	Consultation on Development Consent Order (DCO) for the construction, operation (including maintenance) and decommissioning of ground mounted solar photovoltaic (PV) panel arrays with approximate generating capacity of 400 MW. The Scheme includes underground cabling to connect to the national electricity transmission network at National Grid's Drax Substation, underground cabling between the areas of solar PV panels, areas of landscaping and biodiversity enhancement and other associated development.
Location	Spaldington Airfield Wood Lane Brind East Riding of Yorkshire
Case Reference	24/01321/NSIP

ENVIRONMENTAL CONTROL DISTRICT

I refer to the above application and this team's comments made at the time of the pre-application enquiry for the proposed development known as East Yorkshire Solar Farm.

The information submitted with the application has been reviewed and the following comments relate to the 3 phases of the Scheme, namely construction, operation (including maintenance and repair) and decommissioning. The Specialist team will comment separately on the application with regards to Air Quality and Dust.

Construction

A Framework Construction Environmental Management Plan (Document Reference EN010143/APP/7.7 dated November 2023) has been submitted with the application and a Detailed Construction Environmental Management Plan (CEMP) will be produced for the Scheme by the appointed contractor(s) following the grant of the DCO. The Detailed CEMP is to be prepared in accordance with the Framework CEMP. The Framework CEMP confirms that the proposed core working hours are still Monday-Friday 07.00 to 19.00 and Saturday 07.00-13.00 (daylight hours permitting) and that there will be no Sunday or Bank Holiday working unless crucial to construction such as continuous Horizontal Directional

Drilling (HDD) or in an emergency. Cable laying will not be undertaken outside core working hours.

NOTE: It is also stated that whilst core working hours are 07.00-19.00 Monday to Friday and 07.00-13.00 on Saturday, noise generating activities near residential properties, such as power tools or piling will be limited to between the hours of 08.00 and 18.00 Monday to Friday and 08.00-13.00 on Saturday. This team supports reduced hours of core working for noise generating activities near residential properties.

It is stated that any working outside the core working hours identified would require the prior notification of the relevant LPA and a Section 61 application. To control noise temporary/mobile acoustic barriers are proposed to be used where night-time HDD works are required within 200 m of a sensitive receptor/residential dwelling. According to Volume I, Chapter 11: Noise & Vibration of the Environmental Statement this should ensure that any night-time working will achieve the construction noise criteria of 55 dB LAeqT at all sensitive receptors in the East Riding of Yorkshire, with the exception of, Loftsme Bridge Coaching House and Tithe Farm, Wressle. Thus, at the time of any Section 61 application for HDD works outside core working hours within 200m of these properties further noise mitigation measures will be required.

NOTE: This team would recommend that in view of the low background noise levels across the development site consideration is given to lowering the night-time construction noise criteria to 45 rather than 55 dB LAeq, T.

With regard to the control of light the Framework CEMP states that construction works will generally be limited to daylight hours only, but that focussed task specific lighting will be provided where this is not practicable, for example during night-time continuous HDD, in an emergency and within construction compounds. The lighting will be designed with reference to the Institute of Lighting Professionals Guidance Note GN01/21.

Operation

A Framework Operational Environmental Management Plan (Document Reference EN010143/APP/7.8 dated November 2023) has been submitted with the application and a Detailed Operational Environmental Management Plan (CEMP) will be produced for the Scheme by the appointed contractor(s) following the grant of the DCO. The Detailed CEMP is to be prepared in accordance with the Framework CEMP.

The Framework Operational Environmental Management Plan confirms that operational activities will be minimal and restricted to vegetation management, equipment maintenance and servicing, replacement and renewal of any components that fail and monitoring and inspection. Such activities will be programmed between 08.00 to 18.00 Monday-Friday where practicable although occasional weekend working may be required, in which case this team would recommend that this is undertaken between the hours of 08.00 and 14.00 on a Saturday and not on a Sunday or Bank Holiday. This team would also recommend that night-time working does not take place except in an emergency or for panel cleaning and with the prior notification of the LPA.

The Framework OEMP does not mention the control of noise associated with the transformers/inverters, switchgear and trackers. Volume I, Chapter 11: Noise & Vibration of the Environmental Statement however states that noise from the trackers has been

scoped out and that noise from the transformers/inverters and switchgear will comply with the operational noise assessment criteria. I would advise that this team has concerns that whilst the noise assessment criteria is likely to be met the distinctive noise from the operation of the development will be clearly audible and more than 10 dB above the night-time background noise level at several residential properties within the East Riding of Yorkshire, namely Gibthorpe Properties, The Long Barn, The Fold Yard, Four Beeches Farm, Gribthorpe, Crossroad Cottages, Willitof, Lake View House Willitof and Cottage Farm Spaldington, unless the transformers/inverters and switchgear are housed within the field station units.

NOTE: This team would recommend that in view of the low background noise levels across the development site consideration is given to lowering the SOAEL night-time operational noise assessment criteria 30 dB and to housing the transformers, switchgear, and inverters within the field station units.

With regard to the control of light during the operation of the solar farm the solar PV areas will not require artificial light other than for panel cleaning at night once every 2 years. The Filed Station Units/Substations will also have no external lighting. It is only the two grid connection substations that will have inward facing PIR external lighting, that would be used in the event of emergency works/equipment failure requiring night-time working. The lighting will be designed with reference to the Institute of Lighting Professionals Guidance Note GN01/21.

Decommissioning

A Detailed Decommissioning Environmental Management Plan (DEMP) is proposed to be submitted. Again, the core working hours will be Monday to Friday 07.00 to 19.00 and Saturday 07.00 to 13.00.

Conservation Team Comments

Site: Spaldington Airfield, Wood Lane, Brind

Application Reference: 24/01321/NSIP

The applicant has submitted a Development Consent Order to allow for the construction, operation and decommissioning of ground mounted solar photovoltaic panel arrays. The proposed site is large, made up of interconnecting parcels of land between Drax to the south-west to Gribthorpe in the north-east. This area is primarily made up of open landscape, and it covers an area where there is not an intensive grouping of designated heritage assets. It is, however, likely to be an area of high archaeological potential, and we defer to the other specialist consultees to comment on this aspect.

i. Howden

Elements of the proposals do come towards the cluster of highly significant heritage assets within the town of Howden, which includes the Howden Conservation Area and Howden Minster. The separation between Howden and the site, both in terms of distance and the intervening built and natural landscape, means that there will not be a visual and physical impact caused by the development itself. Potential concerns were caused by the possibility of the commissioning and decommissioning of the solar array resulting in additional large traffic in Howden. However, we note positively that routes have been designed to avoid and allay these concerns.

ii. Wressle

There is similarly a highly significant group of assets centred on Wressle, and these would be located close to elements of the scheme's commissioning and decommissioning stages. This group includes Wressle Castle, a medieval quadrangular castle with links to the hugely influential Percy family. It is an exceptional survival, albeit in a ruined state, and provides vital tangible links to nationally important events, trends, and people. Its visibility and prominence within the wider landscape, given that it was built as a demonstrable statement of power, means that its setting makes an important contribution to its significance.

A visual intervention into its wider landscape during commissioning and decommissioning will therefore result in some harm. However, this impact would be limited to one area of the castle's wider setting, there would be notable physical separation and the impact would be temporary. I would therefore agree with the conclusion provided in the chapter 7 of the supporting Environmental Statement- namely that the level of harm is less than substantial, and that this harm is limited to the period when the construction compound is in operation.

iii. Hagthorpe Hall, Stables and Derwent View

Close to the site construction compound adjacent to the A63, Hagthorpe Hall, its associated stables and Derwent View form a group of three attractive red brick buildings of eighteenth-century construction. These are good examples of contemporary architecture, displaying some architectural flourishes and pretensions. Together and individual they are therefore of architectural interest, as well as providing evidence of changing architectural fashions and of the ambitions of their commissioners. All three are listed at grade II. The use of the site compound will have an impact on the wider setting in which these assets are experienced, albeit this is likely to be limited by the existing sense of enclosure in which these heritage assets are currently experienced, and by their existing visual relationship with the A63. It will still, however, increase the sense of development around these

assets, and will likely have an audial impact due to the inherent character of a site compound. This impact would not, however, diminish several areas that are key to the significance of the listed building, and would still allow their special historic and architectural interest to be appreciated and understood. The level of harm will therefore be less than substantial, but it would be highly limited in its scope.

iv. Other Designated Heritage Assets

There are a number of other listed buildings which would be located within relatively close proximity of the solar arrays or associated infrastructure, including Rowland Hall and Home Farm in Spladington. Having assessed the significance of these, the likely impact of the development on their significance is minimal, as the intensity and scope of interference caused by the development during all its phases would be very low to negligible.

Conclusions

The proposed Development Consent Order has the potential to result in harm to the significance of a small number of heritage assets, particularly during its construction phase. However, the level of this harm would be less than substantial in all cases, and it would have a very negligible to low impact on their significance. We are comfortable that this has been accurately represented within the relevant chapter of the supporting Environmental Statement. This harm would need to be weighed in the wider planning balance, and be supported by a clear and convincing justification, as per paragraphs 206 and 208 of the NPPF.

RB 31.05.2024

Lucy Buckley

From: Jennifer Woollin
Sent: 05 June 2024 11:37
To: Joanne Marshall
Cc: Planning
Subject: FW: East Yorkshire Solar Farm - 24/01321/NSIP
Attachments: 6.2 Appndx 8-10 GCN DLL Impact Assessment and Payment Cert CONFIDENTIAL Rev01_(Redacted).pdf

Morning,

For upload to 24/01321/NSIP - East Yorkshire Solar Farm as confidential please and revised comment in light of receipt of the report.

Great Crested Newt Updated Comment

Impacts on Great crested newts are to be managed through the Great Crested Newt District Level Licensing scheme. Appendix 8-10 has been made available to the LPA for inspection. A co-signed Impact Assessment and Conservation Payment Certificate is accompanied by a location plan that accurately reflects the final site boundaries at the detailed design stage. We are satisfied that the favourable conservation status of great crested newts is maintained.

Best regards,

Jennifer Woollin CIEEM

Team Leader: Trees and Nature Conservation

Consultee Comments for Planning Application 24/01321/NSIP

Application Summary

Application Number: 24/01321/NSIP

Address: Spaldington Airfield Wood Lane Brind East Riding Of Yorkshire

Proposal: Consultation on Development Consent Order (DCO) for the construction, operation (including maintenance) and decommissioning of ground mounted solar photovoltaic (PV) panel arrays with approximate generating capacity of 400 MW. The Scheme includes underground cabling to connect to the national electricity transmission network at National Grid's Drax Substation; underground cabling between the areas of solar PV panels; areas of landscaping and biodiversity enhancement; and other associated development.

Case Officer: Mrs Joanne Marshall

Consultee Details

Address: East Riding of Yorkshire Council, County Hall, Cross Street Beverley, East Riding Of Yorkshire HU17 9BA

Email: Not Available

On Behalf Of: Landscape Comment

Comments

General

The following submitted reports have been reviewed with respect to landscape issues:

- EN010143/APP/6.1: Environmental Statement Volume 1, Chapter 2: The Scheme. (Rev00, Nov 2023)
- EN010143/APP/6.1: Environmental Statement Volume 1, Chapter 10: Landscape and Visual Amenity. (Rev00, Nov 2023)
- EN010143/APP/7.14: Framework Landscape and Ecological Management Plan. (Rev00, Nov 2023)
- EN010143/APP/6.5: Environmental Mitigation and Commitments Register

The reports have been prepared by suitably qualified professionals with the approach and methodology in line with current best practice guidelines including.

Description of the proposals

The ES Volume 1 describes the order limits (1.276.5ha) to include the following areas of work (section 2.2):

- Solar PV Areas (966.4ha): solar PV panels and associated solar PV infrastructure, including two Grid Connection Substations. The Solar PV Areas also incorporate areas of habitat creation/enhancement and landscaping.
- Ecological Mitigation Area (107.9ha): area of land in the north-east of the Site to be managed to provide good quality habitat for overwintering and migratory bird species, mitigating the loss of habitat elsewhere. Includes Golden Plover Mitigation Zone – 28.75 ha near to River Foulness to be managed as wet grassland habitat; and Goose Mitigation Zone – 79.09 ha to remain in the current arable rotation with amendments to improve habitat quality such as increased retention of stubble.
- Interconnecting Cable Corridor: the area outside of the Solar PV Site and Grid Connection Corridor within which the 33 kilovolt (kV) cables (Interconnecting Cables) linking the Solar PV Areas to the 33kV/132 kV Grid Connection Substations will be installed.
- Grid Connection Corridor: the area outside of the Solar PV Site within which the 132 kV Grid Connection Cables (and between Solar PV Areas 3b and 1c some 33 kV Interconnecting Cables) will be installed.
- Site Accesses: land required to facilitate access to the Site, such as new access routes or measures to provide better visibility splays.
- Operations and Maintenance Hub (Johnson's Farm): office, welfare and storage within rebuilt existing derelict farm buildings.

The existing conditions within each work area are summarised below (from section 2.3):

- Solar PV Areas (966.4ha): The landscape features within the Solar PV Site consist predominately of agricultural fields mainly under arable production, with some areas of pasture, interspersed with individual trees, hedgerows, tree belts (linear) small woodland blocks and farm access tracks. The landscape features immediately surrounding the Solar PV Site comprise several small rural villages and hamlets and the market town of Howden.
- Ecological Mitigation Area (107.9ha): The landscape features within the Ecology Mitigation Area consist predominately of agricultural fields mainly under arable production, with some small areas of grassland, interspersed with individual trees, hedgerows and tree belts (linear).
- Interconnecting Cable Corridor: The land within the Interconnecting Cable Corridor comprises a mix of agricultural land (as described for the Solar PV Site) and highway, including roads and roadside verges.
- Grid Connection Corridor: The landscape features within the Grid Connection Corridor consist predominately of agricultural fields mainly under arable production, with some areas of pasture, interspersed with individual trees, hedgerows, tree belts (linear) small woodland blocks and farm access tracks.
- Site Accesses: These are areas of land, predominantly along or adjacent to the highway, which are required to facilitate access to the Solar PV Site and the Interconnecting and Grid Connection Corridors, such as new access routes, measures to provide better visibility splays. Where Site Accesses are identified outside of the public highway, these generally follow the line of existing farm accesses, such as the new access into Solar PV Area 3c from Rowlandhall Lane, or existing private roads such as those within Drax Power Station.

Section 2.4.5 details aspects of the Scheme that require design flexibility for the EIA being carried out which include, but are not limited to:

- a. The arrangement of the solar PV panels and panel type/specification, including solar PV panels heights. Maximum parameters are therefore assessed.
- b. Exact cable routing – the Interconnecting Cable Corridor and Grid Connection Corridor present the area in which the cabling will be laid, albeit the cabling will not require all the assigned areas. There is also flexibility for the three proposed cable routing options in relation to avoiding impacting on the River Derwent SAC/SSSI.
- c. The arrangement of supporting infrastructure such as inverters, transformers and switchgear.

Construction phase assumptions made within the LVIA:

- Construction activity is assumed to be undertaken during a 24-month period.
- Construction activity is, in a worst-case scenario, assumed to be undertaken across the Scheme at the same time and during winter, such that existing deciduous vegetation is not in leaf, thereby representing a worst-case assessment scenario (noting that construction would be phased);
- Perimeter fencing would consist of up to 2.2 m high stock proof fencing comprising wooden posts and hi-tensile wire mesh. The perimeter fence around the Scheme would be implemented early in the construction phase where possible to secure the Solar PV Areas and prevent construction activity in proximity to retained vegetation;
- An Operations and Maintenance Hub will be established at Johnson's Farm in Solar PV Area 1e. The existing derelict building will be demolished and new offices and welfare will be constructed in a similar style on the same footprint.
- Five temporary construction compounds will be located within the Site. In the Solar PV Site these will be created and 'built-out' as the solar installation progresses and will be located in Solar PV Areas 1a, 2d and 3c. Two temporary construction compounds will be established within the Grid Connection Corridor; one located on the western side of the River Derwent crossing and the other south of the River Ouse crossing (Figure 2-4, ES Volume 3). The temporary compounds would consist of temporary surfacing, car parking, staff welfare units, refuelling/recharging areas, waste management facilities, storage, wheel wash facilities where required, and enough space to allow the turning of vehicles. Mobile cranes would be used to construct the compounds.

- The precise routing of the cables within the Grid Connection Corridor and Interconnecting Cable Corridor have not been defined, but it is anticipated that the Grid Connection Cables and Interconnecting Cables will require a working corridor width of approximately 30 m, which includes the cable trench, soil and spoil laydown and working area. A haul road (with passing places) is included in the Grid Connection Corridor. Where required at intersections with watercourses and key vegetation, trenchless cable installation techniques will be undertaken, requiring rigs and associated equipment to install the cable beneath these features; all other crossings will be open trenched.

Landscape and Visual Impacts Assessment (LVIA)

Approach and Methodology

The assessments have been carried with reference to the following guidance documents:

- GLVIA, Third Edition
- Visual Representation of Development Proposals, Technical Guidance Note 06/19
- Assessing landscape value outside national designations, Technical Guidance Note 02/21
- Infrastructure, Technical Guidance Note 04/2020

We welcome the production of photographs and photomontages in line with Technical Guidance Note (TGN) 06/19 Visual Representation of Development Proposals (Landscape Institute, 2019).

Landscape Character Baseline

The study area lies within a single National Character Area (39: Humberhead Levels, NCA 39). Humberhead Levels is a flat, low-lying and large-scale agricultural landscape. There is widespread evidence of drainage history, in particular from the 17th century, in the evidence of ditches, dykes and canalised rivers. The Isle of Axholme is an Area of Special Historic Interest for its extensive strip field system. There are also several sites of international importance for their biodiversity. The flat landscape enables extensive, unbroken views where vertical structures including power stations and wind turbines are very prominent (section 10.5.5).

Within the East Riding the site lies within three character areas; LCT4 River Corridor, LCT5 Open farmland and LCT7 Foulness Open farmland (section 10.5.23).

Description of the area itself in sections 10.5.57-10.5.65. Agree in general with summary *‘The factors defining the overall character are influenced by the repetition of human elements, including intensive arable agriculture. Views of detracting features influence scenic quality. The landscape condition and structure is declining due to boundary loss and fragmentation of features through the intensification of agricultural processes. The landscape offers recreational opportunity through the PRoW network and includes the Howden 20 LDR. There are varying levels of tranquillity where the perceptual qualities contribute towards the appreciation of the landscape; with following queries:*

- Accept wind turbines are a detracting feature. However, they are not particularly visible from within areas with less hedgerow depletion (north/northeast around Gribthorpe and to a degree Spaldington).
- Declining landscape condition/structure is evident, but boundary loss and fragmentation is not equal across the area (ref north/northeast Gribthorpe).

Visual Impacts Baseline

The representative viewpoints have been identified through ZTV analysis, field survey and consultation with description of the visual baseline in sections 10.5.66-10.5.84. Views identified as medium value are predominantly associated with Barmby on the Marsh (VP21/VP22/VP29) along the cable connection route.

These are described as *‘attractive view across farmland with elements of value associated with the river corridor’, ‘attractive view across river corridor and a medium number of detractors’* but they state views include Drax Power Station. Also, All saints Church (VP26) *‘attractive, interesting view across countryside containing a small number of detractors’*.

Generally, the views are considered to have a low value due to *‘ordinary view’, ‘featureless farmland’, ‘notable detractors’, ‘few elements of value’* or *‘low level of detractors’*. A single view within the main area of solar PV area, Willifoft Road (VP28) is identified as medium value *‘attractive, extensive view across countryside containing a small number of detractors’*. Views in the immediate vicinity of Drax power station (VP23/VP24) are valued at very low *‘ordinary view across farmland dominated by industrial elements with very few elements of value’*.

We generally agree with the assessment of baseline value but have concerns with respect to the following:

- Lack of viewpoints in respect to solar PV area 2a with potential residential/PRoW/road users Brighton (to the west) and B1228 to the east.
- The value given to views within the northern solar PV areas around Willitof and Gribthorpe appear more in line with VP28, medium value as opposed to low value, with strong hedgerows and mature trees dominating the views.

Embedded Mitigation

The embedded mitigation (section 10.6) is considered very positive in respect to retaining established vegetation/features that contribute to landscape character and visual amenity with enhancements proposed which are applicable to the relevant character areas. The overall objective of the landscape design is to integrate the Scheme into its landscape setting and avoid or minimise adverse landscape and visual effects as far as practicable (section 10.6.6) via:

- retaining and following existing features, including vegetation
- replace lost vegetation with areas of new planting
- filter and screen views of more prominent components
- provide new permissive routes connecting to the PRoW increasing connectivity

The Scheme has been designed, as far as practicable, to avoid adverse effects on the landscape and views through site selection, selection of locations of structures, landscape characteristic enhancement and refinement (section 10.6.1). The following design mitigation which has been embedded in the Scheme to minimise effects on landscape character and visual amenity is very welcome:

- Siting in the landscape: Solar PV areas within large scale amalgamated fields with off-sets increased where required due to views and or retention of landscape features. Grid connection Substations within small enclosed field providing visual containment. Suitable offsets from PRoWs. Underground connection cables and re-use of existing buildings for office/welfare/storage facilities minimise visual intrusion.
- Conserving existing vegetation patterns: offsets from landscape features(10-30m), utilising existing openings and access tracks where possible, reinstatement where practicable, key views retained where practicable.
- Creating new green infrastructure: provision of semi-improved and species-rich grasslands, new woodland, wet grassland associated with the River Foulness and general hedgerow improvement including repair and tree planting.
- Sensitive form, colour and materials: max panel height 3.5m, perimeter fence to be timber posts (2.2m high) deer/stockproof style although Grid Connection Substations will require palisade fencing (2.4m) likely green which may require barbed wire, CCTV poles to be timber (2.5m) at 50m spacings.
- Sensitive lighting: No visual lighting on perimeter fence (infrared for CCTV system), construction limited outside daylight hours, operation limited to temporary periods of maintenance/repair, Field Station Units internal only, Grid Connection Substation and Johnson's Farm may require 'general lighting' but will be PIR, motion controlled and directional etc to minimise light spill.

We would request that the following points are reviewed where potential impacts may have been underestimated and/or further opportunities for mitigation/enhancements may be available:

- Offsets with respect to trees and hedgerows are stated as a minimum (15m with respect to trees, 10m hedgerows). Larger offsets should be provided where required following individual arboricultural assessments.
- Where aspects of retention/reuse and replacement planting are noted to be 'where possible/practicable' with respect to access, tracks, tree loss and replacement planting, full justification at detail design should be provided where this is not determined to be possible.
- All trees should be retained with individual removal to allow for access where absolutely necessary. General removal in respect to future shading of panels would not be supported. Tree planting encouraged throughout with the aim to restore degraded areas.

- Detailed design of Grid Connection Substation (area 1c) is required to maximise screening and minimise height and intrusive fencing.
- With respect to visual impact of fencing and CCTV poles, it is accepted substations require more robust fencing and welcome use of timber ‘deer/stockproof’ style fencing elsewhere, but have concern with respect to frequency of CCTV system poles anticipated to be timber but at 50m spacings
- Green Corridors should be encouraged throughout and be extensive with species rich grassland and scrub particularly within PRow corridors.
- Opportunities for enhancement within the Lower Derwent Valley (section 10.6.5 section c) which appear to be restored to existing. The Grid Connection area is noted to be predominantly agricultural with river corridors inconspicuous due to flood banks. Is there potential to enhance the ‘river corridor’? Although acknowledged this would be beyond the flood banks but would be beneficial in respect to the Lower Derwent Valley Important Landscape Area.
- The creation of grassland between the Solar PV (Area 1e)/Ecological Mitigation (Area 1g and 1h) and River Foulness is particularly welcome providing positive enhancement/restoration in respect to landscape character and biodiversity. Is there any potential to extend this treatment?

Residual Impacts: Landscape Character

Residual impacts have been assessed including the embedded mitigation discussed above with summary as follows:

- National: impacts at the national scale have been assessed as negligible adverse over all project phases.
- Regional: at the regional scale generally negligible adverse but no change at/after operation Year 15 for Levels Farmland (LCT 23) and River Floodplain (LCT 24).
- Local: At the local scale in respect to the areas within the East Riding the impacts have been assessed as generally negligible adverse but no change at/after operation Year 15 in respect to Derwent Valley, Barmby on the Marsh to Pocklington Canal Reach (LCA 4A) where impacts are temporary during construction and decommissioning only.
However, significant impacts have been identified with respect to Howden to Bubwith Farmland (LCA 5A) Operation Year 1 and 15 (moderate adverse) with *‘the introduction of new infrastructure will locally represent a comprehensive change to the overall perceptual character of the LCA’*.
West of Holme on Spalding Moor Farmland (LCA 5B) Operation Year 1 (moderate adverse) but decreasing to minor adverse at Year 15 as the replacement planting and planting proposed as part of the mitigation strategy will have established and provide a more robust landscape structure and additional containment the infrastructure.
South of Holme on Spalding Moor Farmland (LCA 7A) and Eastrington Farmland (LCA 7B) the impacts have been assessed as minor adverse and therefore not significant throughout as the perceptual influence is considered to be lower than the other character areas.

It is noted that significant impacts are identified at the local level. We would request that additional efforts to off-set the significant impacts are considered such as the extension of provision of ‘green corridors’ and the variety of habitats incorporated.

Residual Impacts: Visual Amenity

With respect to visual amenity impacts have generally been assessed including the embedded mitigation discussed above as follows, depending on the extent of existing intervening vegetation and/or separation and the ability of proposed planting to provide screening/filtering of views over the lifetime of the development.

- Significant impacts with respect to the construction phase have been identified from the majority of the typical viewpoints; the exception being those at a distance from the works areas.
- Significant impacts with respect to the decommission phase have only been identified with the Grid Connection Corridor where negligible/no change occurs during the operational phase and therefore screen planting has not been required. For other viewpoints the decommission phase is not significant due to the establishment of screening vegetation proposed to mitigate impacts during operation.

- Significant impacts during operation occur from multiple viewpoints during Year 1 principally in respect to residents, but also for PRoW users (including the Howden 20) in some instances and non for road users. All impacts are anticipated to be reduced to minor by Year 15 due to the implementation of mitigation measures with respect to existing vegetation and/or new planting.

We would request that the following points are reviewed where potential impacts may have been underestimated and/or further opportunities for mitigation/enhancements may be available:

- Significant visual impacts have been recorded principally in respect residents. However, PRoW users may have been underestimated with respect to regular local walks due to frequency and also repetition with respect to the Howden 20 route.
- ‘Transient’ nature of views (see section 10.7.10 and 10.7.11) from footpaths has the potential to undervalue impacts on recreational users in respect to footpaths used for regular local walks and the Howden 20 where the route coincides with a number of the proposed solar PV areas. Increases the importance of mitigation to provide an appropriate/enhanced corridor associated with PRoWs. Mostly within the solar PV areas to the north east where hedgerows are more prominent such that additional hedgerow planting would not be out of place or scrub planting to allow views to be retained.
- Multiple residential properties and multiple footpaths are being considered. This may provide a limited idea of scale when considering typical viewpoints. For example how many sections of footpath are significantly impacted and how many are mitigated successfully, potentially all by year 15. Noted typical viewpoints from some footpaths that pass through solar PVA area at some point have impact assessment from a distance, for example VP15 where footpaths pass through area 1f?
- The assessment years used (Year 1 and Year 15), is it anticipated that most of the effects of the planting will be evident prior to this or was Year 15 used as the earliest reasonable timeframe for the mitigation to succeed?
- Consider the potential to create permissive footpaths outside the Solar PVA area in order to provide ‘regular local walks’ with unaffected views.

It is noted that no cumulative effects that increase the current level of residual impacts have been identified in respect to the character areas or visual receptors (section 10.10).

Landscape and Ecological Management Plan (LEMP)

The Framework Landscape and Ecological Management Plan (EN010143/APP/7.14) illustrates a positive commitment to ensuring the success of the establishment and long term management of the landscape and habitat enhancement proposals. It covers the short and long-term measures and practices that will be implemented by the Applicant to establish, monitor, and manage landscape and ecology mitigation and enhancement (biodiversity net gain) measures.

We support the requirement for the implementation of the proposed landscape/ecological mitigation measures to be secured by the requirement of a detailed LEMP to be produced in accordance with the Framework LEMP and welcome the inclusion of landscape and biodiversity issues together to provide a cohesive strategy.

The strategy is comprehensive and includes suitable and extensive mitigation and enhancement. In addition we would request that the following points be considered:

- Opportunities to provide green corridors should be maximised. Inclusion of wildflower grassland and scrub habitats throughout ‘footpath corridors’ would be supported. However, it is acknowledged that long distance views of the wider countryside from footpaths need to be retained, such as lower hedgerows allowing glimpsed/local views of panels acceptable if retaining specific wider views of the surrounding landscape.
- Appropriate species mixes should be clarified at detail stage. Particularly the ‘flower rich grassland’, the use of which should be justified over the species rich grassland which appears to include more appropriate native forb species.

- Acknowledged that mandatory BNG does not apply to this application (NSIPS anticipated November 2025) and welcome that the applicant proposes to provide a minimum of 10% BNG as best practice.

Importance of aftercare and appropriate management to ensure new/replacement planting achieves the growth to provide the extent of mitigation predicted. This should be secured along with restrictions on the removal of vegetation through the lifetime of the scheme.

Environmental Mitigation and Commitments Register

The Environmental Mitigation and Commitments Register (EN010143/APP/6.5) lists the environmental mitigation measures to be adopted during the construction, operation and maintenance, and decommissioning phases of the Scheme, and identifies where that mitigation is secured in Schedule 2 Requirements of the Draft Development Consent Order. The entries in respect to Landscape and Visual Amenity (LV-01 to LV09) appear to cover all expected items.

CW

Review of East Yorkshire Solar Project

**East Riding of Yorkshire
Council**

June 2024



Contents

1. Instructions
2. Site and Proposal
3. Soils and Agricultural Land Classification
4. Planning Policy
5. Agricultural Land Holdings, Farmland and Other Rural Businesses
6. Construction Phase
7. Summary and Conclusions

Appendices

Review of E Yorkshire Solar Project Chapter 15

1 Instructions to Landscape

Landscape – Review PRELIMINARY ENVIRONMENTAL INFORMATION REPORT VOLUME 2 CHAPTER 15: SOILS AND AGRICULTURAL LAND, together with the various maps and appendices set out below, including:-

6.2 Environmental Statement - Volume 2, Appendix 15-2: Predictive Agricultural Land Classification Map - Cranfield University

6.1 Environmental Statement - Volume 1, Chapter 15: Soils and Agricultural Land

6.2 Environmental Statement - Volume 2, Appendix 15-3: Soil and Agricultural Land Classification Survey Report - Land Research Associates

6.2 Environmental Statement Volume 6.2 - Appendix 15-1: Legislation, Policy and Guidance for Soils and Agricultural Land

6.3 Figure 15-2 - Predictive Agricultural Land Classification

PEIR EYSF Appendix 15-01 Legislation Policy and Guidance (Soils and Agricultural Land)

PEIR EYSF Appendix 15-02 Predictive Agricultural Land Classification Map

PEIR EYSF Appendix 15-03 Soil and Agricultural Land Classification Survey Report

PEIR EYSF Figure 15-01 Provisional and Post-1988 Agricultural Land Classification

PEIR EYSF Figure 15-02 Predictive Agricultural Land Classification

PEIR EYSF Figure 15-03 Reconnaissance Agricultural Land Classification Survey for the Solar PV Site

PEIR EYSF Figure 15-04 Soil Associations

2 The Site and Proposal

The Proposed Development comprises the installation of solar photovoltaic (PV) generating modules, battery storage facilities, and grid connection infrastructure with a capacity in the region of 400MW.

The Site is located within the administrative boundary of E Riding District Council, in the county of Yorkshire. The site comprises an area of agricultural land located between the M62 and A163 north of Howden, East Riding of Yorkshire. The land is nominally divided into three blocks, each comprising a number of land parcels, referred to as Blocks 1, 2 and 3.

The Study Area covers approximately 1,275 hectares (ha) for the Solar PV elements of the Scheme (the Solar PV Site), and approximately 170 ha for the Grid Connection Corridor (145 ha) and the Interconnecting Cable Corridor (25 ha)

The Site boundary and three land main parcels are presented in **Appendix 1**.

Chapter 15 presents the preliminary environmental information and a preliminary assessment of the likely significant environmental effects arising from the construction, operation (including maintenance) and decommissioning of the Proposed Development upon agricultural land and soils.

3 Soils and Agricultural Land Classification

a) Soils

According to available published data and local knowledge, the soils are mainly Foggathorpe 2 (712i) and Sessay (831b) Soil Associations. Foggathorpe 2 soils are slowly permeable seasonally waterlogged stoneless clayey and fine loamy over clayey soils, whereas Sessay are fine and coarse loamy soils, over clay affected by groundwater. Foggathorpe 2 soils cover around 85% of the site.

A large area of the proposed site is covered by a detailed soil map at 1:25,000 scale prepared by the Soil Survey of England and Wales (Sheet SE73 Selby) which offers a more detailed assessment of soil types across the majority of the site and this information has been fed into the Cranfield model to improve the accuracy of the assessments.

b) ALC Report

It is normally the case that an ALC survey is undertaken in line with the MAFF 1988 guidelines and TIN049. These documents set out the precise methodology by which the ALC survey should be undertaken, with auger bore sampling at 1 hectare intervals and a suitable number of soil pits dug to determine the precise nature of the soil(s).

The ALC report acknowledges this:-

2.1 A semi-detailed soils and Agricultural Land Classification survey was conducted between November 2022 and January 2023 at selected intersections of a 100 m grid, giving an average density of approximately one observation per 4 to 5 hectares. This exercise was conducted to provide provisional estimates of land grade, allowing evaluation of impacts of the proposed development on agricultural land and inform mitigation design

2.2 Following the initial survey, more detailed investigation was conducted. This involved in-filling all areas of the survey at a minimum density of 1 observation per 2 ha. Where variation was detected (in either survey) the detail was increased to 1 observation per hectare. An area added to the north-east of the proposed scheme (east of Gribthorpe) after the initial survey had been completed was fully investigated at 1 observation per hectare detail.

The survey of the 3 blocks of land took 270 individual auger samples, with around 60 samples being considered land that is BMV quality or is borderline Grade 3a/b. This represents a total of about 25% of the site as BMV, or around 300 hectares (not including the cable route corridor). A summary map (**Appendix 2**) shows the extent of the ALC findings, with the main areas of BMV land within area 2g and 3c.

Given that the ALC report was a provisional survey, small areas of BMV or individual auger sites may not have been shown on the schematic map. Indeed the non technical summary confirmed:-

6.11.1 The land within the Site Boundary mainly comprises non-BMV agricultural land (76.1%) with 22.4% ha of BMV agricultural land. For the Solar PV Site alone, these figures are 78.8% non-BMV and 20.0% BMV. The remaining land is non-agricultural. The non-BMV land is all classed as Subgrade 3b (moderate quality) apart from a small area of Grade 4 (poor quality) land in Solar PV Area 1e.

The more detailed ALC report identifies the following:-

2.5 The land is dominantly highly uniform, comprising clay soils formed in lacustrine deposits. The topsoils are mainly clays or heavy clay loams, directly over dense poorly-structured clay with evidence of seasonal waterlogging (greyish colours with ochreous mottles). The lower layers are sometimes reddish, but more commonly blueish grey. The climatic data for different localities has an effect on the interpretation of soil drainage conditions for these soils: over 130 Field Capacity Days (FCDs) they are judged poorly-draining (Soil Wetness Class IV); where areas are interpolated to have 130 FCDs or below they fall into Soil Wetness Class III (imperfectly-draining).

These soils are of moderate quality and in line with the details available from published soil maps and booklets. EYSF PEIR Figure 15-4 Soil Associations (**Appendix 3**) shows a map of the main soil types, but not the detailed assessment from the 1:25,000 scale report. **Appendix 4** sets out a description of the two main soil associations from LANDIS.

The additional survey work shows the detail in these areas and found a range of BMV soils, mainly Grade 3a with some 2 and a small quantity of Grade 1. The table below sets out the findings in summary.

Table 3.1: Land grade areas (ha)

<i>Grade/subgrade</i>	<i>Block 1</i>	<i>Block 2</i>	<i>Block 3</i>	<i>Total</i>	<i>% of land</i>
Grade 1	0.5	4.0	9.2	13.7	1
Grade 2	-	2.2	-	2.2	<1
Subgrade 3a	28.4	23.8	19.0	71.2	6
Subgrade 3b	507.3	325.1	153.5	985.9	89
Grade 4	9.9	-	-	9.9	1
Other land	16.4	2.0	1.2	19.6	2
Total	562.5	357.1	182.9	1102.5	100

The majority of the site is shown as Grade 3 or Grade 4 on the provisional ALC maps of the area, with a significant area of Grade 2 in Block 2g. **Appendix 5** shows the approximate location of the 3 main areas in relation to land grades. It is also noted that the cable corridor passes through higher Grades of land including provisionally Grades 1 and 2.

The provisional ALC report does goes on to state:

No detailed Agricultural Land Classification surveys of the land (to the current Guidelines) have previously been published. Provisional mapping from the 1970s shows the land in the north and east as Grade 4 and in the south and west as Grade 3

Additionally, A predictive ALC report has been prepared by Cranfield University which gives some further indication of likely grades of land based on an assessment of soil maps, geology and other factors and provides a schematic map (**Appendix 6**) to show the Grades. It states:-

The ALC for each of the 6 criteria (climate, depth, gradient, wetness, drought and stoniness) was calculated for each 50m using the interpolated climate data, and the soil series composition information of the national soil associations. The ALC class was calculated for each criterion that depends on the soil series (depth, wetness, droughtiness and stoniness) and the percentage series within the soil associations summed to give the coverage of each class

The Cranfield document indicates that the majority of the site is Grade 3b with some Grade 3a and a much smaller area of Grade 2 land (again mainly based around Area 2g), but with the cable route being mostly higher grades of land.

Appendix 7 also shows the likelihood of best and most versatile land (BMV) in the general area. Most of the site falls within the moderate categories, where 20-60% of the land is likely to be BMV.

The ALC identifies where BMV land is, and the scheme should seek to protect and minimise damage to higher grade land wherever possible in line with national planning policy. There is undoubtedly a quantity of BMV land in this vicinity and the additional ALC data has identified where it is and what the Grade and quality is. Laboratory analysis of representative samples have been used to determine textures. If the areas of BMV identified in these preliminary studies are considered at risk then they should be considered for removal if possible.

The amount of BMV land to be lost permanently is considered small, some of it may be restored to agriculture at the end of the project. Other land is considered as used temporarily under the panels, or in environmental schemes, though the scheme has a projected life of in excess of 40 years.

c) Cumulative Effect

There is consideration of the Cumulative effect of such a large scheme and the soils report states:-

15.2.3 It is noted that to provide additional context to the discussion of agricultural land within the PEI Report, the impacts (scale of loss of Best and Most Versatile (BMV) agricultural land) will also be considered in the wider (Regional) context of the administrative boundaries of East Riding of Yorkshire Council and the former Selby District Council

15.2.4 Additionally, within the Environmental Statement (ES) a further Study Area will be considered for the assessment of cumulative impacts to loss of BMV agricultural land, should there be the potential for likely significant cumulative effects. This will consider the cumulative schemes identified as relevant to the Scheme in terms of overall loss of BMV agricultural land to development. As described in Chapter 18: Summary of Environmental Effects, PEI Report Volume 2, a full list of these cumulative schemes as agreed with the relevant local planning authorities will be presented within the ES.

The report considers the overall impact, suggesting that as a proportion of the area the impact is small:-

15.10.10 As shown in Table 15-16 and Table 15-17, there is almost 215,000 ha of BMV land in the administrative areas of East Riding of Yorkshire Council and the former Selby District Council. The BMV land affected by the cumulative solar developments comprises 0.5% of all the BMV land in the East Riding of Yorkshire, and 0.4% of the BMV in the two former administrative areas together

The measure of impact magnitude should not be based on ‘permanent, irreversible loss of one or more soil functions or soil volumes (including permanent sealing or land quality downgrading)’ over the specified areas of land as this does not account for loss of agricultural/food production opportunity over the lifetime of the development. NPPF and WMS are relevant here.

d) Cable Route

At the time of writing no physical ALC survey of the Cable Route has been published, so the extent, methodology and results cannot be quantified. However, it is expected that this information will be made available as part of the ES process. Given the amount of BMV predicted I consider it to be essential.

A soil management plan should be considered for the cable route in order to minimise the impact on soil structure, land drainage and ultimately soil quality. Guidance is available in published documents.

e) Soil Health

A soil health report has been included with the additional information and sets out a base line of data.

2.1.1 Soil Health testing was undertaken in response to consultation with Natural England through the Scheme’s Discretionary Advice Service (DAS) agreement (411969 DAS East Yorkshire Solar Farm). In which Natural England advised ‘soil sampling to include SOM, pH, and macronutrients can inform appropriate soil re-use as set out in Defra’s Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. This may be particularly important to firstly identify areas of the Site most appropriate for habitat enhancement. Secondly, this testing will also be important for areas identified for habitat enhancement to inform the most suitable habitats, including the most appropriate seed mix etc’.

This information will be useful in determining the impact of the scheme over the longer term.

4 Planning Policy

The PEIR documentation does not reference the most recent WMS (May 15th 2024) which indicates

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.

For all applicants the highest quality agricultural land is least appropriate for solar development and as the land grade increases, there is a greater onus on developers to show that the use of higher quality land is necessary. Applicants for Nationally Significant Infrastructure Projects should avoid the use of Best and Most Versatile agricultural land where possible.

This may need to be addressed with other policy issues

A ‘significant’ loss of BMV is defined as one which occurs across 1 hectare or more of best and most versatile agricultural land. The view is that this should include both permanent and temporary loss.

Lower quality agricultural land, should be preferred, avoiding BMV land “where possible”, but then notes that given the high presence of BMV land in the region and the urgent need for new energy

generation infrastructure, particularly from renewable sources, the Proposed Development would not be deliverable without the temporary use of some BMV land.

Scheme viability and BMV safeguarding need to be considered in tandem, detailed information which sets out the points/proportions of BMV avoidance then result in a scheme not being viable. Whilst the December 2023 NPPF and May 2024 WMS statements acknowledge that some agricultural land may need to be used it requires justification for the use of any BMV and therefore some further commentary on the matter of scheme viability at specific BMV/panelled area thresholds will be required.

5 Agricultural Land Holdings, Farmland and Other Rural Businesses

The nature of the agricultural holdings across the Site boundary varies and there will inevitably be land taken out of agricultural production. There may be businesses / tenants / occupiers currently undertaking agricultural operations across the Site boundary who may cease to do so for the duration of the operational phase of the development.

The loss of these agricultural operations should be assessed in the light of the changes to the NPPF and clarification in the WMS with regard to food security, as well as the impact on any individual business and the matter scoped in.

It is noted that the PEIR states:-

The assessment is being undertaken following the latest guidance on the assessment of impacts to soils and agricultural land (Ref. 15-21), which does not consider food production.

However given the May 2024 WMS this should be considered.

Existing Employment section 12.9.39 notes:-

The Site predominantly consists of agricultural land, the Applicant has estimated (based on previous experience and benchmarking against other comparable solar schemes) that there are three existing jobs on the Site related to agricultural activities. It is noted that increasingly the physical farming of land is undertaken by whole-farm contractors and arable farming is seasonal in nature.

12.9.40 There is expected to be an employment loss of three jobs as a result of the Scheme.

As part of any environmental statement there should be an impact statement with reference to the farm holdings affected by the proposal. This should address viability, infrastructure and long term consequences on the individual holding.

Sheep Grazing

The summary document states:-

Grazing by sheep is the Applicant's preferred option for the management of all suitable grassland within the operational Solar PV Site (including land beneath and between the solar PV panels, and areas of grassland habitat creation). This option is therefore being explored and there are no known reasons that would prevent such use. However, should grazing not be possible in some or all areas of the Solar PV Site, the Applicant has committed to the management of grassland by hay cropping using a minibaler or similar where required. The land would therefore remain in productive

agricultural use. Sheep grazing of solar farms (including sites utilising tracker panel technology) is commonly undertaken both in the UK and abroad. As grazing maintains the grass at a low level without the need for/cost of machinery, it is possible for solar farms to use less agriculturally productive breeds (such as heritage breeds) and to graze at a lower density than might be required if the sole aim of grazing was a high level of agricultural productivity/revenue.

However, the ALC report acknowledges that the majority of the land is arable in nature and in consequence there may not be many sheep farmers or graziers interested in taking the land. A grazing plan and methodology should be set out to demonstrate how the land will be used.

A sheep grazing feasibility plan is included which acknowledges

The land is suitable for grass and forage crops, and if managed correctly, by providing good fencing and water supplies and good sheep husbandry, then there is no reason why the land under the panels cannot successfully be grazed by sheep, as is common practice on other operational solar farms both within the UK and internationally.

The current land owners may not have sheep husbandry skills but these can be developed or other sheep keepers in the area may well be keen to rent the land to keep and expand their own sheep enterprises.

Sheep grazing will need to be managed according to grass availability and soil type – varying stocking density by season and soil conditions which will be learnt over the first years of the system. The choice of stock type – breeding ewes with lambs, dry ewes or store sheep will be dictated by the sheep manager but most sheep – apart from lambing ewes, could be grazed under the panels. It is likely that shepherding at lambing time would be hindered by the panels making it difficult to locate any ewes that are having lambing difficulties. Lambing would therefore happen elsewhere (as is the case for many flocks when ewes are housed over the lambing period) and the sheep brought back to the area once lambs are over six weeks of age. Flocks of dry sheep would be the easiest to manage since there would be no need to be sorting and selecting lambs for slaughter and health issues would be minimal. The primary purpose of sheep being on the land is to graze and manage the grass, not to produce lamb/wool, so a wide range of less agriculturally productive breeds can be considered at much lower stocking densities than might otherwise be considered for a profitable, commercial flock.

Ecological Effect

There is some conflict between maintaining the land in agricultural production and improving biodiversity. Whilst not totally incompatible, site based issues, such as soil type(s) and local agricultural practices may create future problems. The biodiversity areas particularly target the highest grades on agricultural land and any future restriction that might prevent its return to cultivation should be a consideration in the planning process and in the conditioning of any consent.

6 Construction Phase

Soil Damage During Construction

Soil structure can be significantly damaged during the construction phase of the process. There is a lot of trafficking of vehicles on the land to erect the panels and if this work is undertaken when soils

are wet, there can be significant damage. Some of this damage can be remedied post construction but not all and it is possible that long term drainage issues occur on the site due to the construction.

During the construction phase many of the areas will affect soil and water issues. **Appendix 8** sets out a basic Soil Management Plan that should be established as part of the Construction Phase, to minimise the impact on soil resources. The following headings should be included in the Soil Management Plan. A further aspect of the soil management plan should include both the operation and decommissioning of the site, to prevent damage or downgrading of soil quality. The framework soil management plan covers most of these points and is fairly detailed, but may need additional input.

Soil Management Plan Headings

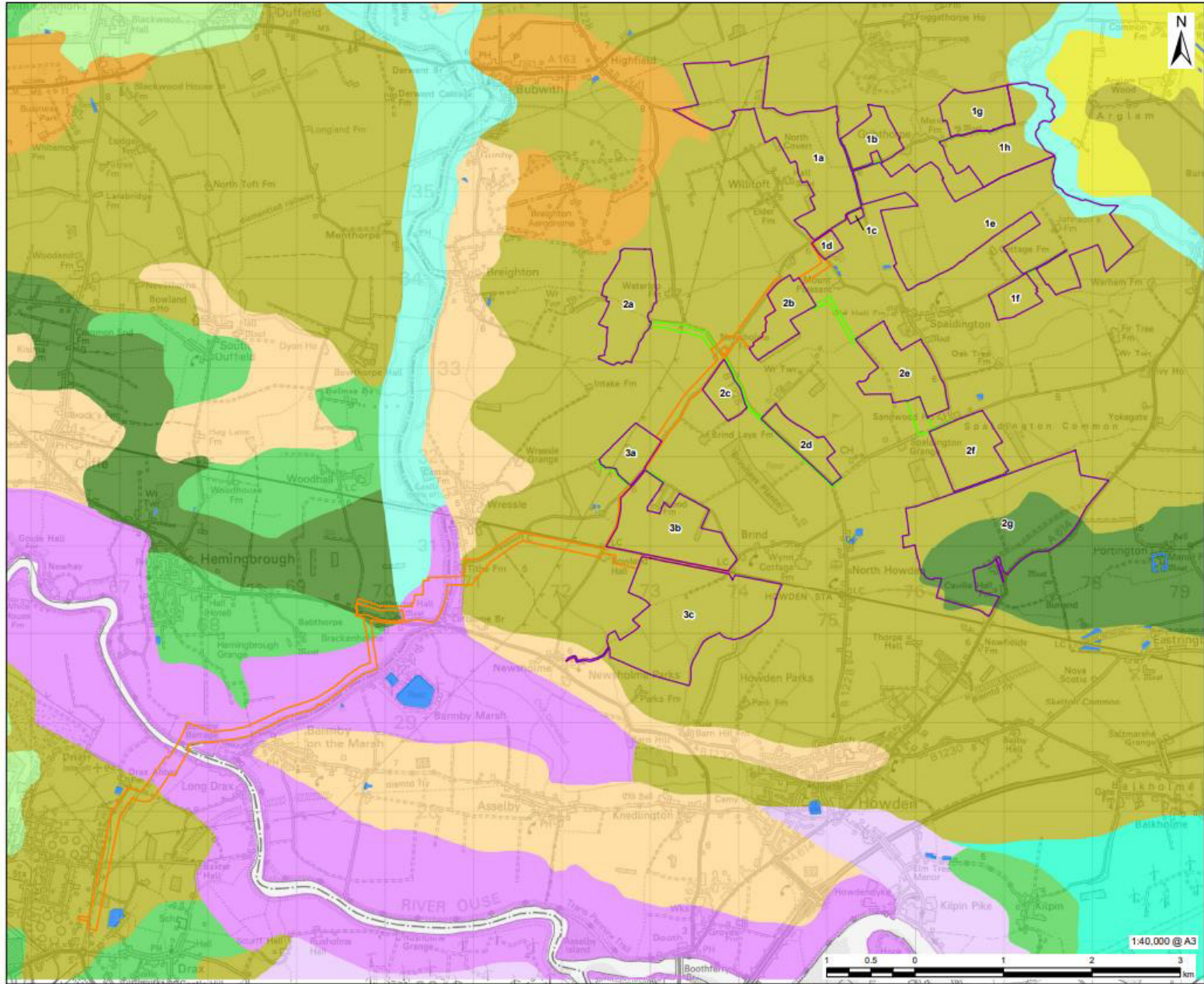
- Site preparation;
- Import of construction materials, plant and equipment to Site;
- Establishment of Site construction compounds and welfare facilities;
- Cable installation;
- Temporary construction compounds;
- Trenching in sections
- Upgrading existing tracks and construction of new access roads within the Site;
- The upgrade or construction of crossing points (bridges /culverts) at drainage ditches within the Site;
- Appropriate storage and capping of soil;
- Appropriate construction drainage;
- Sectionalised approach of duct installation;
- Excavation and installation of jointing pits;
- Cable pulling;
- Testing and commissioning; and
- Site reinstatement (i.e. returning any land used during construction, for temporary purposes, back to its previous condition).
- Use of borrow pits
- Soil management during operation
- Decommissioning

7 Summary and Conclusions

- The ALC has been undertaken by a specialist firm using conventional auger techniques, however on their own admission the density of soil sampling was less than the standard recommended approach as per the 1988 Guidelines and TIN049. Whilst they acknowledge that the ALC survey was only semi detailed and therefore provided Provisional Grades, against this they have provided additional information from Cranfield University on likely grades of land and a detailed targeted assessment.
- The overall findings suggest that around 10-20% of the site is best and most versatile (BMV) and given that around 80% of the site is all one soil type or very similar, these results seem plausible.
- The more detailed survey in the areas where BMV was found to be concentrated, particularly parcels 2g and 3c and the northern part of parcel 1a (see **Appendix 2**) has clarified the situation. Additional survey work should be considered along the Cable Route to ensure that soil resources are not damaged and where permanent structures such as compounds or sub-stations are proposed to accurately determine the ALC grade and ensure its future full restoration.
- Recent planning policy changes (eg WMS May 2024) may affect how BMV land should be considered and a suitable commentary on this and NPPF should be considered in due course.
- Where farm and rural land-based businesses are impacted by the scheme, there should be a full consideration of the impact, together with an assessment of Food Security issues, especially as part of any Cumulative Effect.
- If sheep grazing is a serious consideration there should be an indication of the extent, scale and likelihood of its operation, such as a named grazier/farmer or system that is proposed. The grazing plan acknowledges some of the challenges.
- A framework Soil Management Plan has been prepared and should be detailed to ensure that land is not damaged during construction, operation or future reinstatement/decommissioning.

Revision: 0 Drawn: LP Credited: JW Approved: BP Date: 2023-03-02

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AECOM

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LEGEND
 Solar PV Site (xx = Solar PV Area)
 Grid Connection Corridor
 Interconnecting Cable Corridor

National Soil Map
 Description
 532a: Loamy and clayey soils of coastal flats with naturally high groundwater - Deep stoneless permeable calcareous fine and coarse silty soils - Some calcareous clayey soils
 532b: Loamy and clayey soils of coastal flats with naturally high groundwater - Deep stoneless permeable calcareous fine and coarse silty soils
 551d: Freely draining slightly acid sandy soils - Deep well drained sandy and coarse loamy soils
 552a: Freely draining slightly acid sandy soils - Deep stoneless fine sandy soils affected by groundwater
 641c: Naturally wet very acid sandy and loamy soil - Deep stoneless, naturally very acid, fine sandy soils, with a bleached subsurface horizon, affected by groundwater. Where cultivated groundwater is controlled by ditches.
 712i: Slowly permeable seasonally wet slightly acid but base-rich loamy and clayey soils
 813a: Loamy and clayey floodplain soils with naturally high groundwater
 813f: Loamy and clayey soils of coastal flats with naturally high groundwater
 821a: Naturally wet very acid sandy and loamy soils - Deep stoneless permeable fine sandy soils some with bleached subsurface horizon
 821b: Naturally wet very acid sandy and loamy soils - Deep permeable sandy and coarse loamy soils
 831b: Loamy soils with naturally high groundwater
 Lake: Lake or water body

NOTES
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ISSUE PURPOSE
 PEI Report

PROJECT NUMBER
 60683115

FIGURE TITLE
 Soil Associations

FIGURE NUMBER
 Figure 15-4



0712i FOGGATHORPE 2**Detailed Description**

This association is dominated by slowly permeable clayey and fine loamy over clayey stoneless soils on glaciolacustrine clay. It is extensive in Northern England, from Northallerton through the Vale of York to the Doncaster district, and is also widespread in the western half of the Vale of Pickering. Elsewhere, it is found in north Nottinghamshire and near Welshpool, in Wales. The most important soil covering three quarters of the land is the slowly permeable Foggathorpe series. This very strongly mottled soil is often clayey throughout, but locally has a thin fine loamy topsoil. Soils of the Fenton series, with a thicker, fine loamy topsoil are important in places, as is the Portington series, a strongly mottled coarse loamy over clayey soil, found where sandy drift overlies the clay.

The association covers 780 km² but the soil pattern is very simple, large areas being covered solely by the Foggathorpe series, pelo-stagnogley soils. The subsidiary Fenton series, cambic stagnogley soils, is most commonly found in shallow depressions where loamy drift has accumulated. The Portington series, cambic stagnogley soils, and, occasionally, the Quorndon series, occur where glaciofluvial or windblown sand forms slightly elevated areas. On the large expanses of the Foggathorpe association in the Vale of York the Portington soils provide the only suitable building land, so usually farms and villages are sited on them. In places Fladbury soils are associated with river floodplains, and the peaty Adventurers' series is common locally on Pickering Carrs. Near Staddlethorpe, the Stockwith series borders the Humber warplands.

Soil Water Regime

Seasonal wetness is the main feature of the soils. Underdrainage is essential in Foggathorpe and Fenton soils before the land can be brought into arable use. Foggathorpe, Fenton and Portington soils are slowly permeable and can be seasonally waterlogged (Wetness Class III and IV) even with drainage. Relatively, Portington soils have more permeable upper horizons but excess winter rainwater is not readily absorbed. Soil moisture reserves available to plants in summer are not large. As a result, the Foggathorpe and Portington series are slightly droughty for cereals in an average year. For grass, Foggathorpe soils are moderately, and Portington soils very droughty.

Cropping and Land Use

In the past, the clayey soils and surface wetness have restricted cropping to grass, with cereals on the naturally better drained land. Following extensive drainage in recent years however, cereal growing, particularly of winter wheat, has increased at the expense of permanent grassland. Oilseed rape, a very tolerant crop, has also become popular. Potatoes and sugar beet are grown but are difficult to harvest in wet seasons. Sugar beet is grown mainly because sugar is processed nearby at York. This shows that there is more opportunity for landwork in autumn than in spring, but on the Foggathorpe and Fenton series the work period is restricted, particularly in the moister climate around York; in wet years the number of good days for landwork is very restricted. The small areas of the Portington series can be cultivated safely for a slightly longer period. There is less opportunity to work the soils satisfactorily in spring in most years and spring working is impossible in a wet season. Thus autumn-sown crops are generally chosen, leaving the few suitable spring days free for sowing sugar beet and potatoes, when timeliness is critical. Subsoiling in early autumn, when the soil is still relatively dry, helps to reduce wetness by breaking up subsurface compaction. Direct drilling of autumn sown crops avoids some cultivation problems, but good management is needed to achieve yields similar to conventionally sown crops. Direct drilling can be useful on large farms, however, because of the

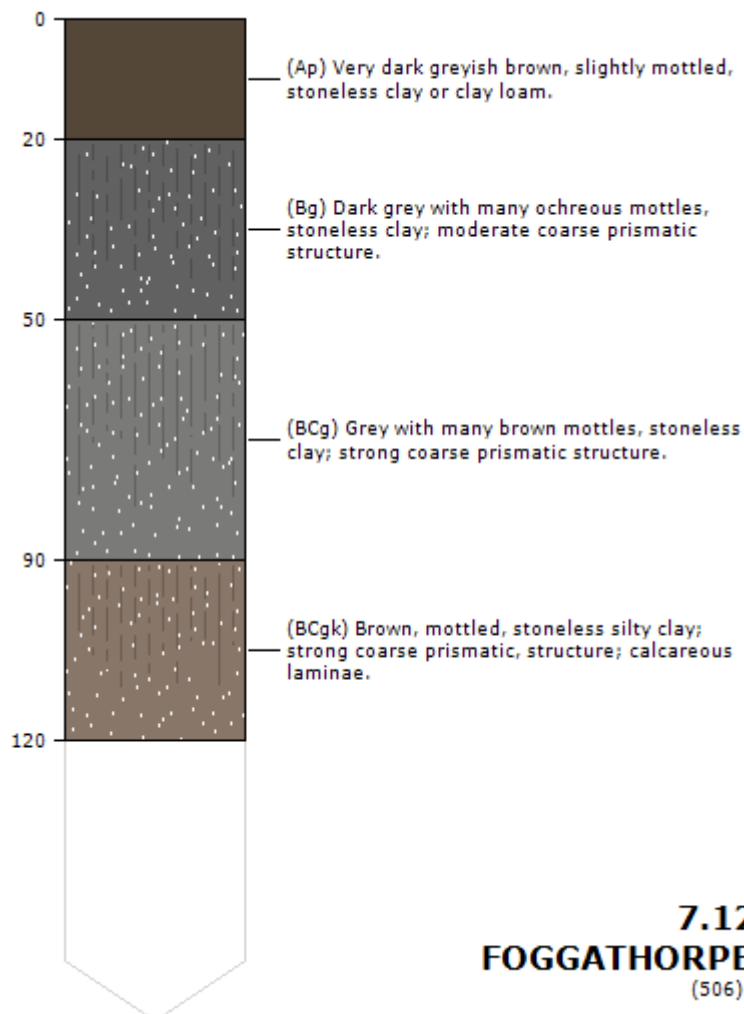
limited number of machinery work days. Grass grows well in spring although the land is easily poached; summer growth in the Vale of York is restricted by drought. Slurry spreading is difficult because of the wetness in winter and spring, when there is severe risk of wheel rutting and pollution of streams by surface run-off. Phosphorus levels can be low, but deficiencies are easily corrected. Acidity is likely where liming has been neglected.

7.12 FOGGATHORPE (Fp) (506)

Definition

Major soil group:	07 surface-water gley soils	Seasonally waterlogged slowly permeable soils, formed above 3 m O.D. and prominently mottled above 40 cm depth. They have no relatively permeable material starting within and extending below 1 m of the surface.
Soil Group:	1 stagnogley soils	With a distinct topsoil. They are found mainly in lowland Britain.
Soil Subgroup:	2 pelo-stagnogley soils	(clayey)
Soil Series:		clayey stoneless drift

Brief Profile Description



0831b SESSAY

Detailed Description

The Sessay association consists of fine and coarse loamy often stoneless permeable soils affected by groundwater and slowly permeable, seasonally waterlogged clayey fine loamy over clayey soils. It occurs in the Vales of Mowbray, York and Pickering, North Yorkshire, and also in Humberside, on glaciolacustrine drift of variable texture. In the Vale of Pickering, ice blocked both the western and eastern ends, producing a lake in which clays, sands and gravels were deposited. In the Vale of York, wide expanses of drift were laid down in a similar glacial lake, and here there are complex local variations in texture. The deposits were further re-distributed by meltwater as the lake subsided, so there is now no clear relationship between soil pattern and relief. The land is flat to very gently sloping with frequent slight hollows, and ranges in height from 3 to 35 m O.D. The Sessay series, stoneless fine loamy typical cambic gley soils, forms approximately half of the association. The Fenton, fine loamy over clayey cambic stagnogley soils, the Quorndon, coarse loamy typical cambic gley soils, and the Foggathorpe series, clayey pelo-stagnogley soils, vary in proportion depending on the nature of the drift.

The Sessay association occupies approximately 171 km² and includes areas previously mapped with the Ryther series (now divided between the Quorndon and Sessay series), the former Stockbridge, now Blackwood, series and the Foggathorpe and Fenton complexes. Where sandy glacioluvial deposits are present, as at Dalton, Raskelf, Cridling Stubbs and Temple Hirst, seasonally wet Everingham and Blackwood soils are included, with Kexby and Ollerton soils on slightly raised areas with little seasonal waterlogging at depth. Around Church Fenton and Acaster Malbis, soils of the Portington series, with lacustrine clay within 80 cm under coarse loamy upper horizons, are common.

Soil Water Regime

Soil water regimes in this association are various and contrasting. Sessay series, with its permeable subsoil, has no restrictions to water movement but has relatively high groundwater level in winter (Wetness Classes II or III), depending on the extent of artificial drainage and the nature of the surrounding soils. The Quorndon series is usually well drained where tile drainage has been installed, although there may be some waterlogging in winter (Wetness Class I and II). The Fenton and Foggathorpe series, with their slowly permeable clayey subsoil, are waterlogged for most of the winter (Wetness Classes III and IV respectively). Mole draining has proved effective in these relatively uniform stoneless clayey soils. They all suffer from structural breakdown if the organic matter is low or if they are cultivated under adverse conditions, and surface ponding may then follow. On relatively level ground with insufficient outfall, drains can become blocked with silt and fine sand. There are ample reserves of water for crop production, and drought effects are mainly confined to grass, for which the Sessay and Foggathorpe series can be moderately droughty in a normal year.

Cropping and Land Use

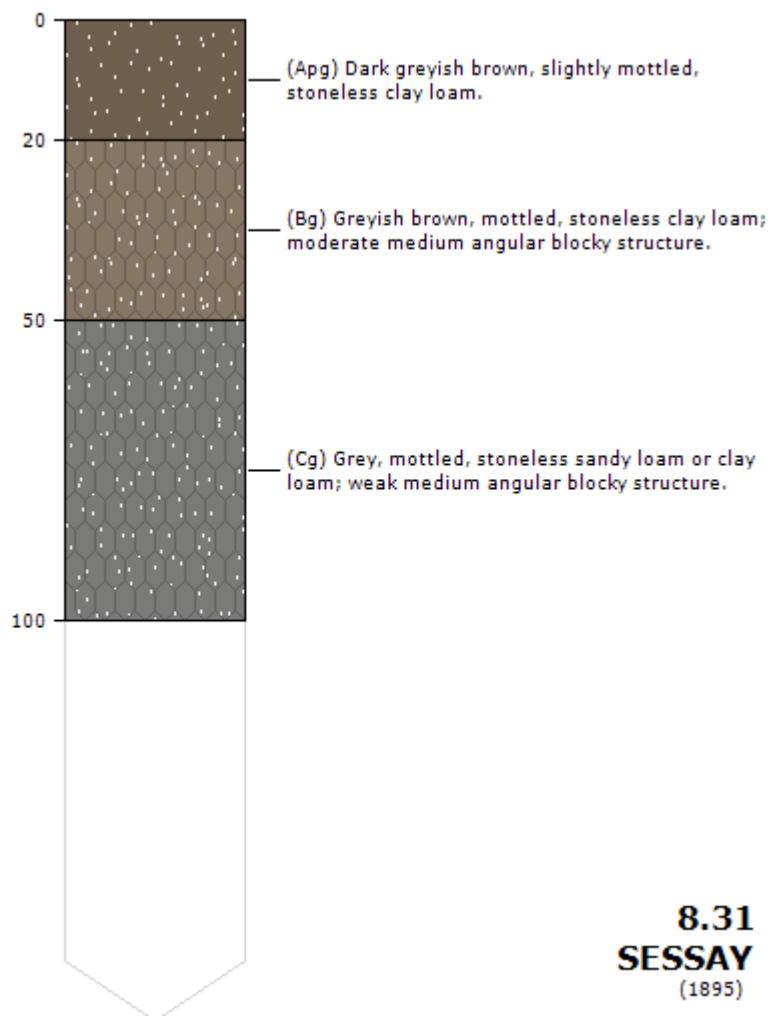
When adequately drained there is good arable land, suitable for a wide range of cropping including horticulture. The Sessay and Quorndon series are naturally deficient in potassium and are also responsive to phosphorus fertilizer. In summer the crops benefit from the water which rests above the impermeable glaciolacustrine clay. The variation from sandy to clayey soils within short distances makes the planning of drainage, cropping and cultivation difficult. Sugar beet is grown on all the soils because of the nearby refinery at York. Harvesting can be difficult in some years on the heavy soils. The Fenton and Foggathorpe are good grassland soils but, because of current economic returns,

cereals and root crops are grown in preference. There are only minor limitations resulting from surface wetness, and the risk of poaching is moderate or slight.

Definition

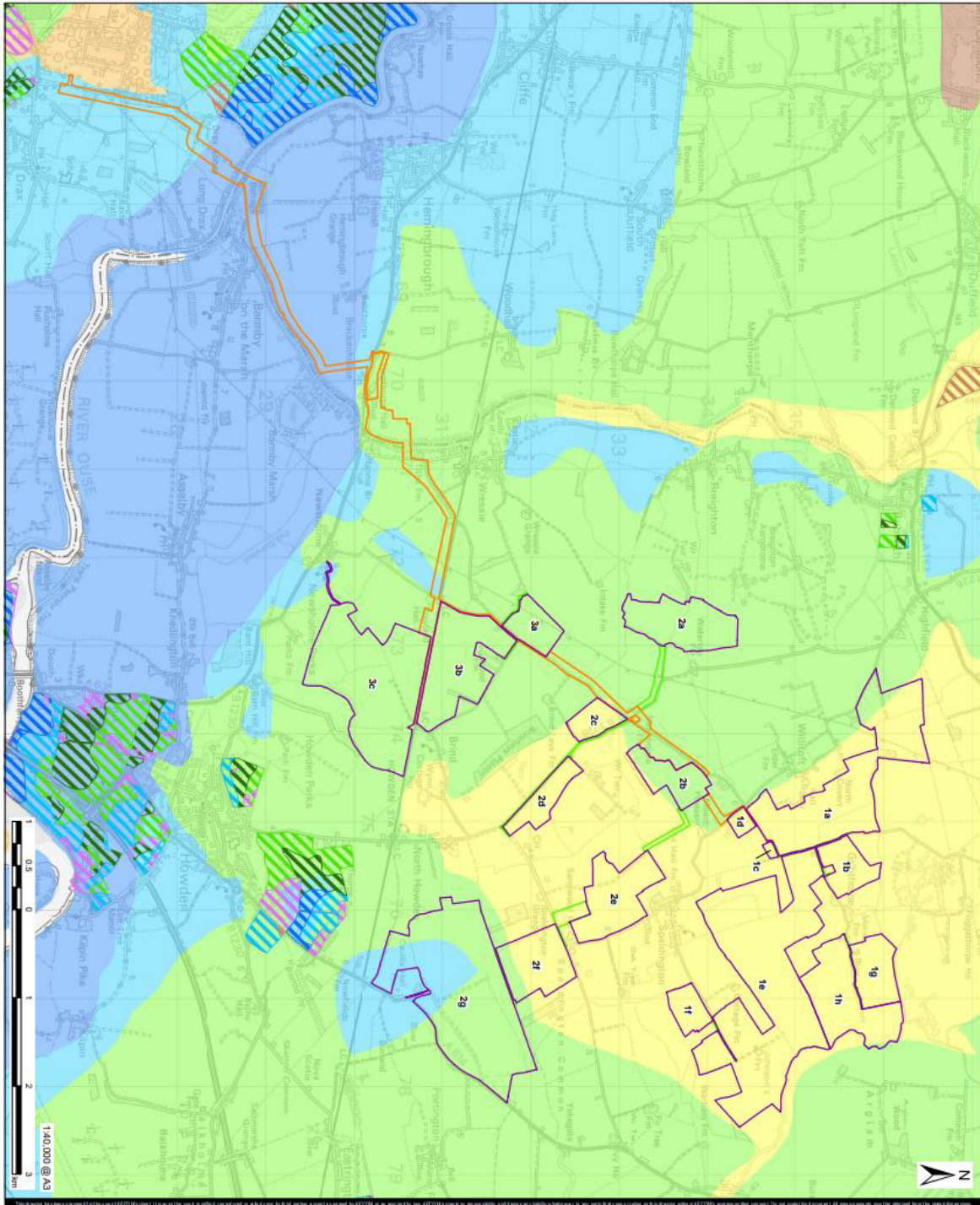
Major soil group:	08 ground-water gley soils	Seasonally waterlogged soils affected by a shallow fluctuating groundwater-table. They are developed mainly within or over permeable material and have prominently mottled or greyish coloured horizons within 40 cm depth. Most occupy low-lying or depressional sites.
Soil Group:	3 cambic gley soils	Non-alluvial, loamy or clayey with a distinct topsoil and no clay-enriched subsoil.
Soil Subgroup:	1 typical cambic gley soils	(loamy with non-calcareous subsoil)
Soil Series:		medium loamy stoneless drift

Brief Profile Description



Filename: I:\5008 - Information Systems\606631 E_Born Power\02_Maps\PER\ISAA\PER_Fig15-1_Provisional_and_Post_1988_ALC_A3_20230329_R03.rvt

Revision: 0 Drawn: LP Checked: JW Approved: HS Date: 2023-03-29



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PROJECT
East Yorkshire Solar Farm

CLIENT
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Alderson Link
Basingstoke, RG21 7YP
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LEGEND

- Solar PV Site (see Solar PV Area)
- Grid Connection Corridor
- Interconnecting Cable Corridor
- Agricultural Land Classification (ALC)**
 - Grade 1
 - Grade 2
 - Grade 3
 - Grade 4
 - Grade 5
 - Non Agricultural
- ALC (Post 1988 Classification)**
 - Grade 1 (Excellent Quality Agricultural Land)
 - Grade 2 (Very Good Quality Agricultural Land)
 - Grade 3a (Good Quality Agricultural Land)
 - Grade 3b (Moderate Quality Agricultural Land)
 - Grade 4 (Poor Quality Agricultural Land)
 - Other

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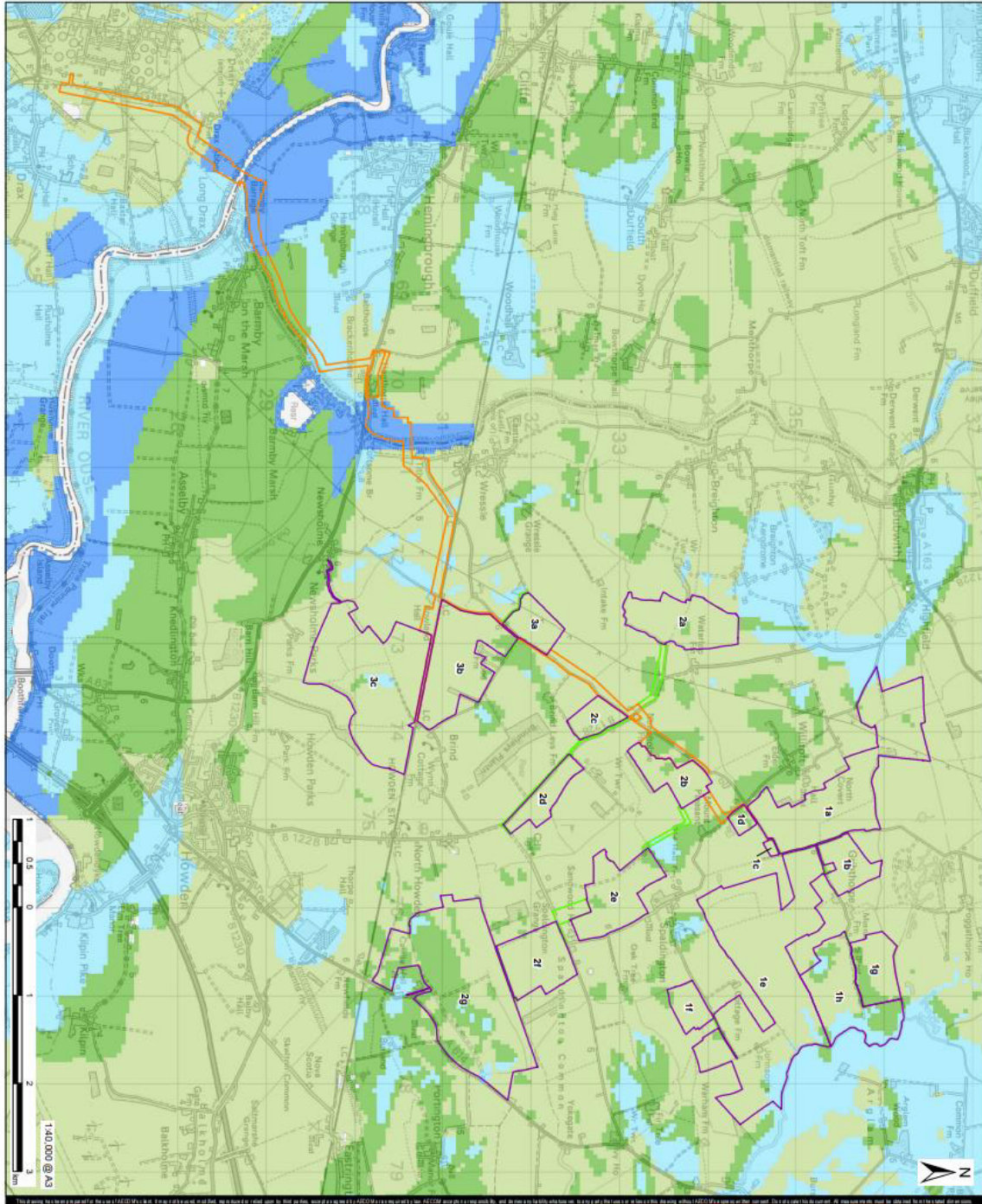
PROJECT NUMBER
60663115

FIGURE TITLE
Provisional and Post 1988 Agricultural Land Classification

FIGURE NUMBER
Figure 15-1

Filename: I:\004 - Information Systems\0060115_Born Power\02_Maps\FBR\AA_PCR_Fig 52_Predictive_ALC_A3_20230117_R0.mxd

Revision: 0 Drawn: LP Checked: JW Approved: HS Date: 2023-04-03



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Astonon Link
Barnsley, S62 1 7PP
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LEGEND

- Solar PV Site (ex = Solar PV Area)
- Grid Connection Corridor
- Interconnecting Cable Corridor
- Predictive Agricultural Land Classification V2 (Cranfield University)
- Grade 1
- Grade 2
- Grade 3a
- Grade 3b
- Grade 4

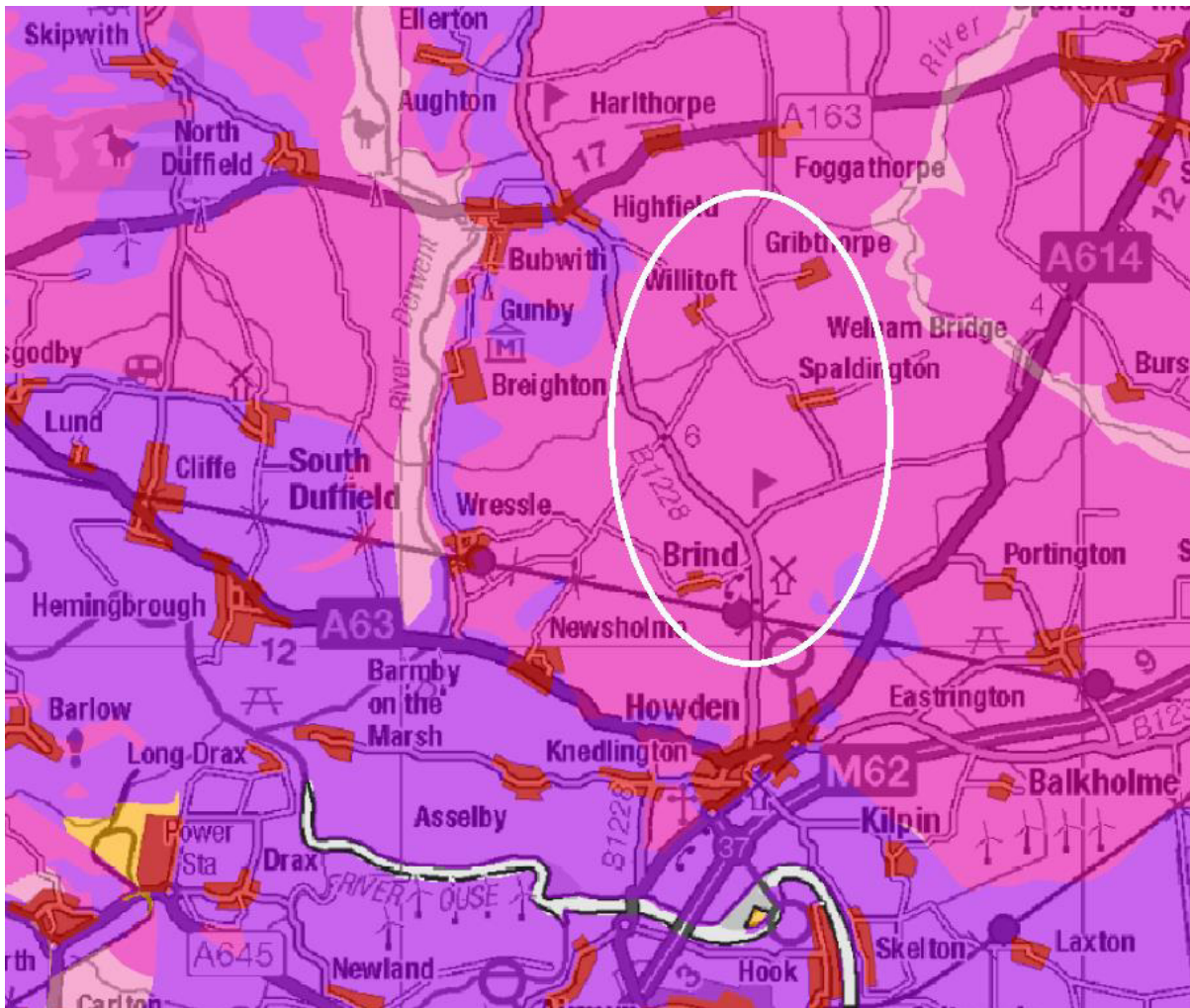
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ISSUE PURPOSE
PEI Report

PROJECT NUMBER
00683715

FIGURE TITLE
Predictive Agricultural Land Classification

FIGURE NUMBER
Figure 15-2



Predictive BMV Land Assessment © Defra

- High likelihood of BMV land (>60% area bmv)
- Moderate likelihood of BMV land (20 - 60% area bmv)
- Low likelihood of BMV land (<= 20% area bmv)
- Non-agricultural use
- Urban / Industrial

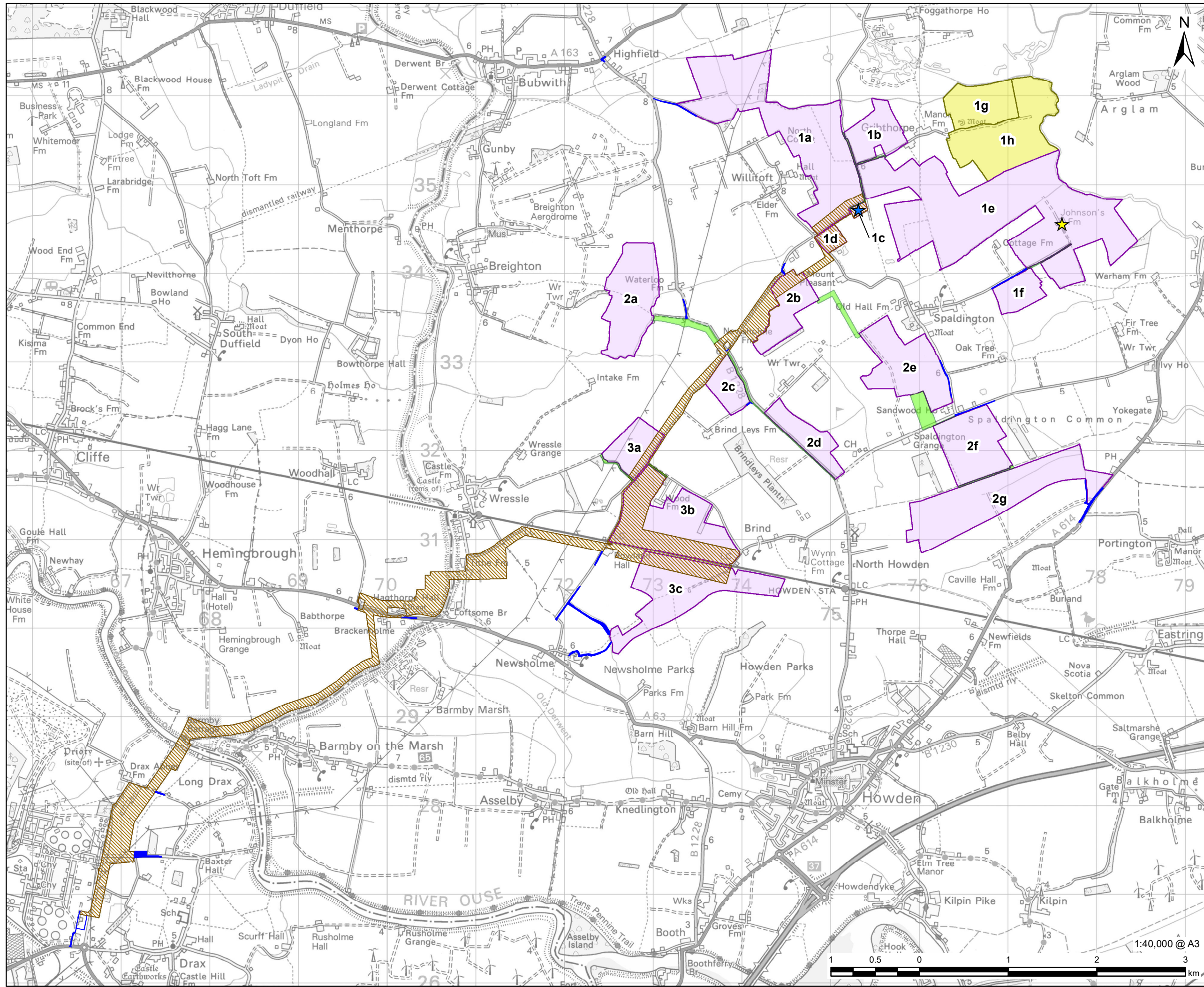
Soil Management Plan (Outline)

1. The soil stripping, handling, storage and replacement operations should be undertaken in a manner that is consistent with suitable specification and methodology set out in a Soil Management Plan.
2. All topsoil and subsoil material shall be stripped from areas affected by top soil storage bunds, subsoil storage bunds, general fill bunds, hard-standings and other constructions including temporary access roads and vehicle trafficking routes, and shall be stored separately in bunds from any imported material and shall be used for the restoration of the temporary soil storage site unless otherwise agreed in writing by the Local Planning Authority.
3. Soils should be stripped, stored and replaced in line with the MAFF Good Practice Guide for Handling Soils Sheets 1, 2, 3 and 4 - <http://webarchive.nationalarchives.gov.uk/20090306103114/http://www.defra.gov.uk/farm/environment/land-use/soilguid/index.htm> .
4. Topsoil and subsoil storage bunds should be placed in approved locations and constructed to ensure secure storage without damage, loss or contamination.
5. Topsoil and subsoil should be stored in bunds not exceeding 3m in height above adjacent existing ground level and shall be constructed and shaped by excavator only (dump trucks should not traffic across the bunds at any time).
6. Imported general fill material should be stored in bunds not exceeding 4m in height above adjacent existing ground level.
7. Bunds should be seeded to grass at the earliest opportunity and shall not be allowed to over-winter without grass cover.
8. No topsoil or subsoil should be sold or otherwise removed from the site.
9. Within 3 months of their construction, the Developer should provide a detailed plan of soil storage bunds showing details of position, volume and soil type. The Developer shall be responsible for maintaining an up-to-date record of all soil storage and general fill bunds throughout the life of the site.
10. The stripping, movement and re-spreading of topsoil and subsoil material should only be undertaken when the topsoil and subsoil material is in a dry and friable condition and the ground is sufficiently dry to allow the passage of heavy machinery and vehicles over it without damage to the soils.
11. All injurious weeds, as defined by the Weeds Act 1959, growing within the working site should be eradicated or adequately controlled by approved method.
12. All vegetation growing on soil storage bunds and peripheral areas within the site should be kept in tidy condition by cutting at least once during the growing season.
13. The boundary of the development should be made stock proof for the duration of the temporary development.
14. All temporary plant, machinery, buildings, fixed equipment, roads and areas of hard standing including site compounds should be removed.
15. The natural subsoil base material should be comprehensively ripped to a minimum depth of 500mm to break up surface compaction before any soil material is spread. The developer should give the Planning Authority notice of an intention to carry out this operation. All large stones and boulders, wire rope and other foreign material arising should be removed. Special attention should be given to areas of excessive compaction such as haul roads where deeper ripping may be necessary.

16. The Developer should be responsible for providing all necessary training of operatives and site supervision by suitably qualified personnel to ensure that the soil replacement operation is carried out in the approved manner.
17. Prior to the commencement of spreading soil, all stones, boulders or foreign objects likely to impede normal agricultural cultivations should be removed from that area.
18. The soil material set aside for use in any agricultural restoration should be spread uniformly in the correct sequence (subsoil followed by topsoil) over the ripped base material, and should be rooted and scarified to full depth without causing mixing between different soil layers. The reinstated agricultural soil profile should be total 450mm thickness overlying prepared and free draining natural stony base material, and should consist of 250mm topsoil and 200mm subsoil derived from the soil stripping operation. This soil profile should meet the technical requirements of the identified Agricultural Land Classification Grade on restoration.
19. All base material ripping, soil spreading and cultivation operations should be carried out in such a manner as to minimise compaction and achieve unimpeded drainage down through the soil profile.
20. Any part of the site restored for agricultural purposes which is affected by localised settlement that adversely affects the agricultural after use should be re-graded including the re-construction of the soil profile to approved specification.
21. Following restoration of the soil materials, the land will be cultivated, seeded and managed appropriately for a minimum of a year and until agreed with the Local Planning Authority that the land meets satisfactory requirements.

Appendix 2

Plans



PROJECT
East Yorkshire Solar Farm

CLIENT
East Yorkshire Solar Farm Limited

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- LEGEND**
- Solar PV Site (xx = Solar PV Area)
 - Ecology Mitigation Area (xx = Ecology Mitigation Area)
 - Grid Connection Corridor
 - Interconnecting Cable Corridor
 - Site Access
 - 33kV/132kV Grid Connection Substations
 - Location of Operations and Maintenance Hub (Johnson's Farm)

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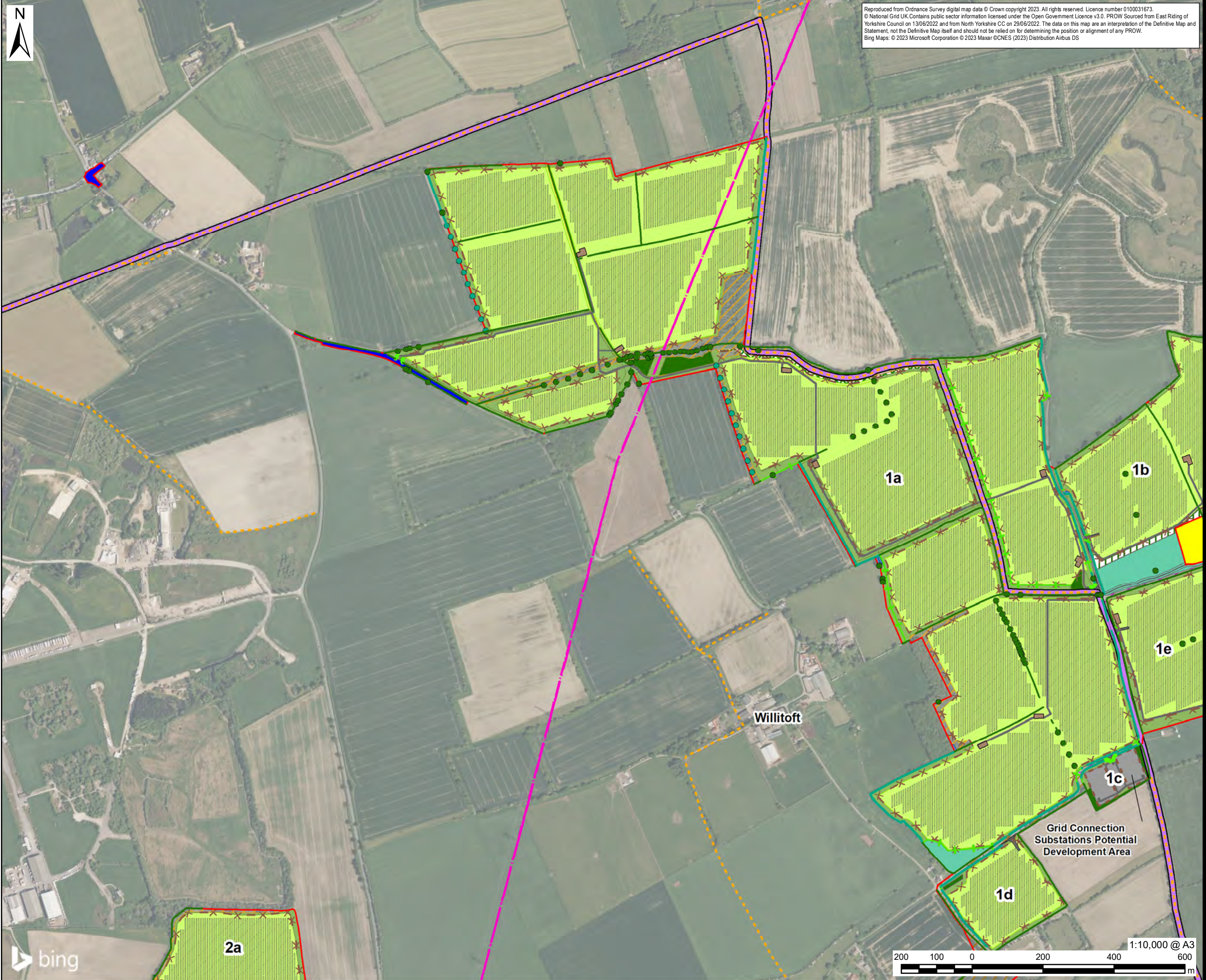
ISSUE PURPOSE
Environmental Statement

PROJECT NUMBER
60683115

FIGURE TITLE
Elements of the Site

FIGURE NUMBER
Figure 1-3

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PROJECT
 East Yorkshire Solar Farm

CLIENT
 East Yorkshire Solar Farm Limited

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 Midpoint,
 Alencon Link
 Basingstoke, RG21 7PP
 www.aecom.com

- LEGEND**
- Order limits
 - Land not included in the Order limits
 - Solar PV Site (xx = Solar PV Area)
 - Ecology Mitigation Area (xx = Ecology Mitigation Area)
 - Grid Connection Corridor - Habitat to be Reinstated
 - Interconnecting Cable Corridor - Habitat to be Reinstated
 - Retained Habitat
 - Existing Individual Tree
 - Existing Hedgerow
 - Existing Pond
 - Operations and Maintenance Hub (Johnson's Farm)
 - Solar PV Table
 - Field Station
 - Site Access
 - Solar PV Site Perimeter Fencing
 - Grid Connection Substation Fencing
 - Overhead Electricity Line
 - Gas Pipeline
 - Hull to Selby Railway Line
 - Public Right of Way
 - Proposed Permissive Path
 - Proposed Permissive Path (Allowing Travel on Horses)
 - Howden 20 Circular Route
 - Proposed Hedgerow
 - Proposed Hedgerow with Trees
 - Enhanced Line of Trees
 - Enhanced Hedgerow
 - Proposed Ecological Enhancement Area
 - Proposed Flower Rich Grassland
 - Proposed Hardstanding
 - Proposed Internal Access Track
 - Proposed Native Scrub with Trees Planting
 - Proposed Native Woodland - Mixed
 - Proposed Semi-Improved Grassland
 - Proposed Species-Rich Grassland
 - Proposed Species Rich Wet Grassland
 - Proposed Traditional Orchard
 - Proposed Woodland Edge Mixed

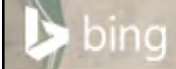
ISSUE PURPOSE
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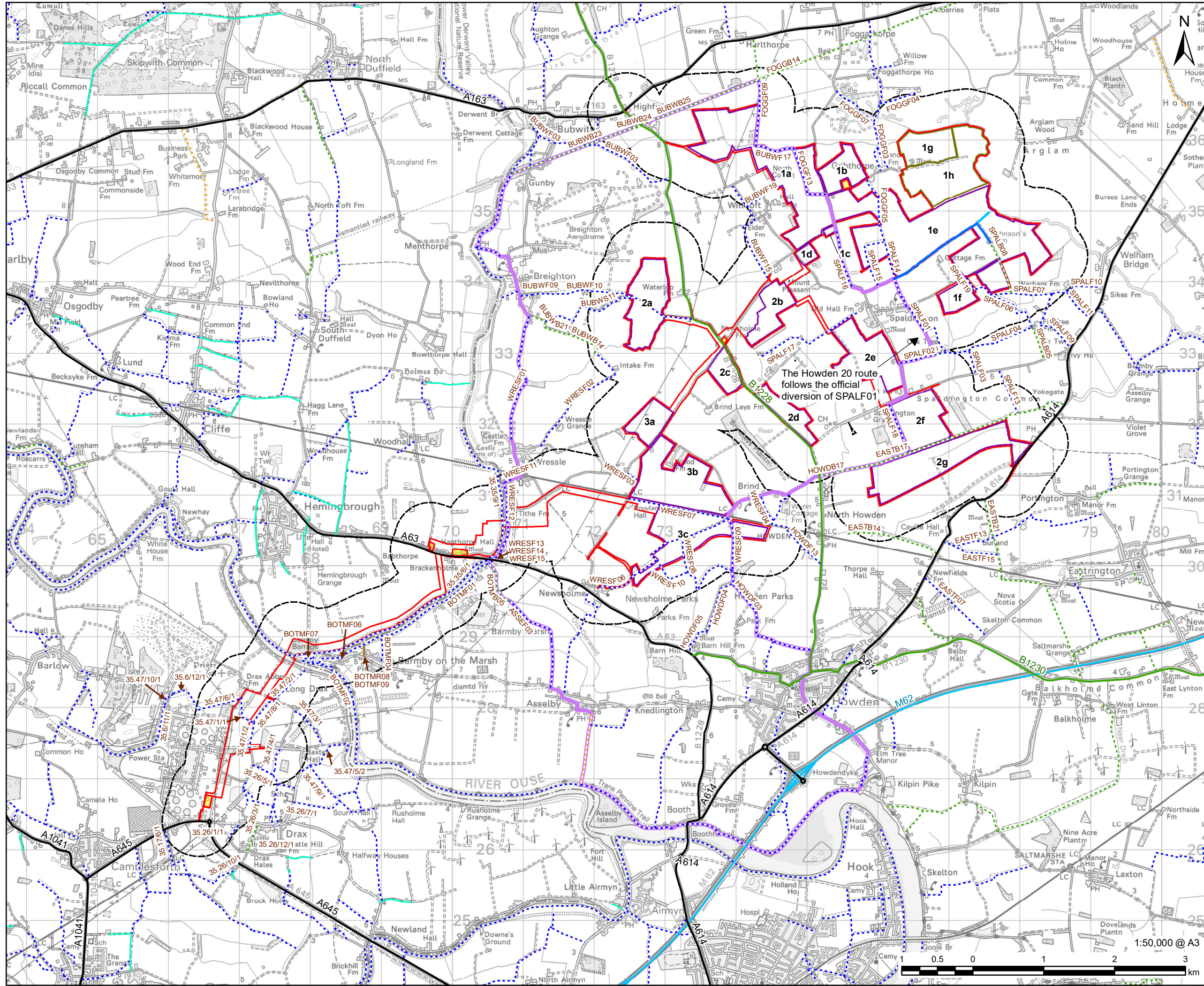
PROJECT NUMBER
 60683115

FIGURE TITLE
 Indicative Site Layout
 Sheet 1 of 7

FIGURE NUMBER
 Figure 2-3

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- LEGEND**
- Order limits
 - Land not included in the Order limits
 - Solar PV Site (xx = Solar PV Area)
 - Ecology Mitigation Area (xx = Ecology Mitigation Area)
 - 500m Buffer of the Order limits
 - A Road
 - B Road
 - Motorway
 - Howden 20 Circular Route
 - Public Rights of Way**
 - Bridleway
 - Byway Open to All Traffic (BOAT)
 - Footpath
 - Restricted Byways
 - Unsurfaced Unclassified Road
 - Proposed Permissive Bridleway and Footpath**
 - Proposed Permissive Bridleway
 - Proposed Permissive Footpath

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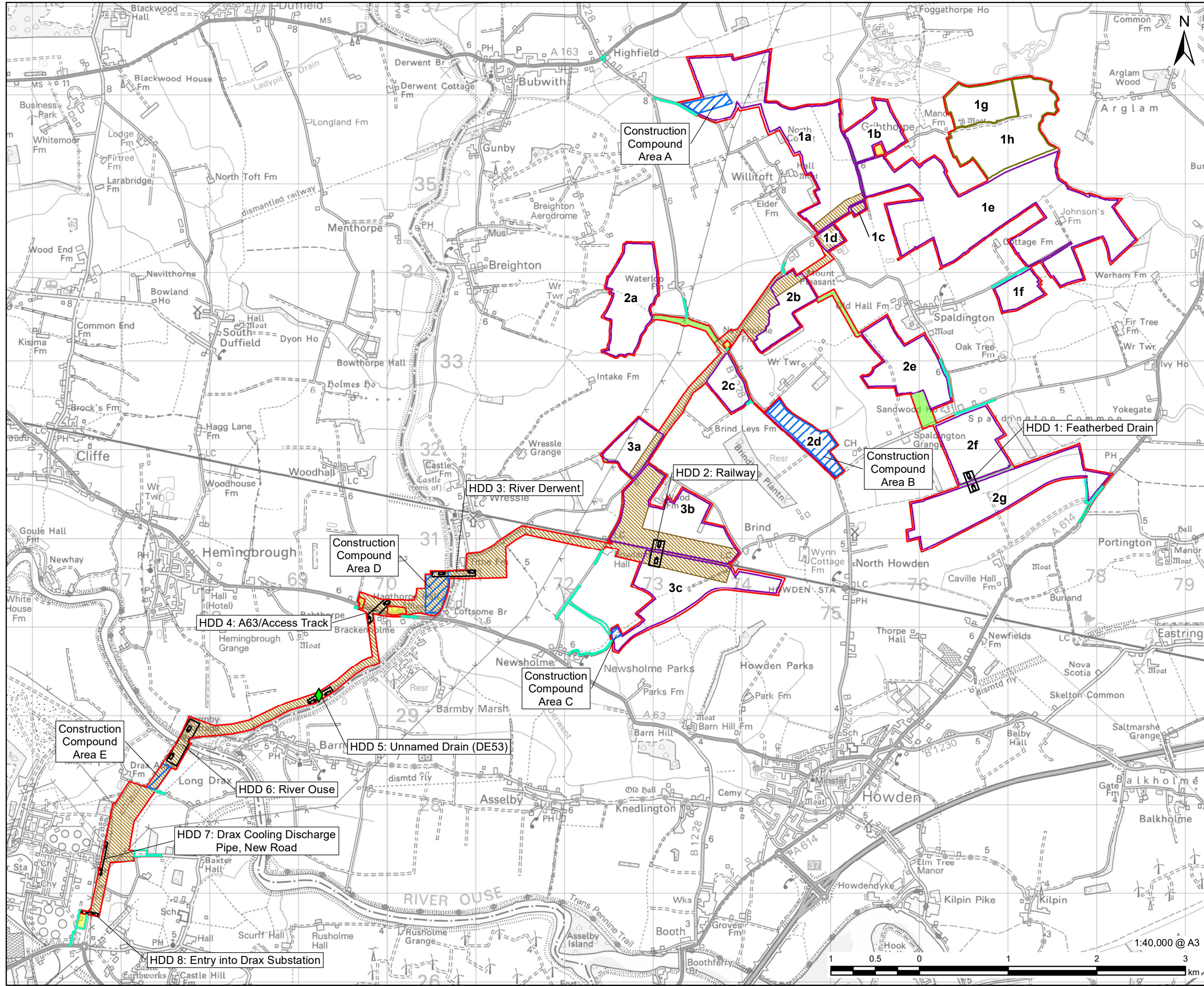
ISSUE PURPOSE
Environmental Statement

PROJECT NUMBER
60683115

FIGURE TITLE
Public Rights of Way

FIGURE NUMBER
Figure 2-2

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- LEGEND**
- Order limits
 - Land not included in the Order limits
 - Grid Connection Corridor
 - Interconnecting Cable Corridor
 - Solar PV Site (xx = Solar PV Area)
 - Ecology Mitigation Area (xx = Ecology Mitigation Area)
 - ◆ Temporary Span Bridge Crossing
 - Construction Compound Area
 - Indicative HDD Area
 - Site Access

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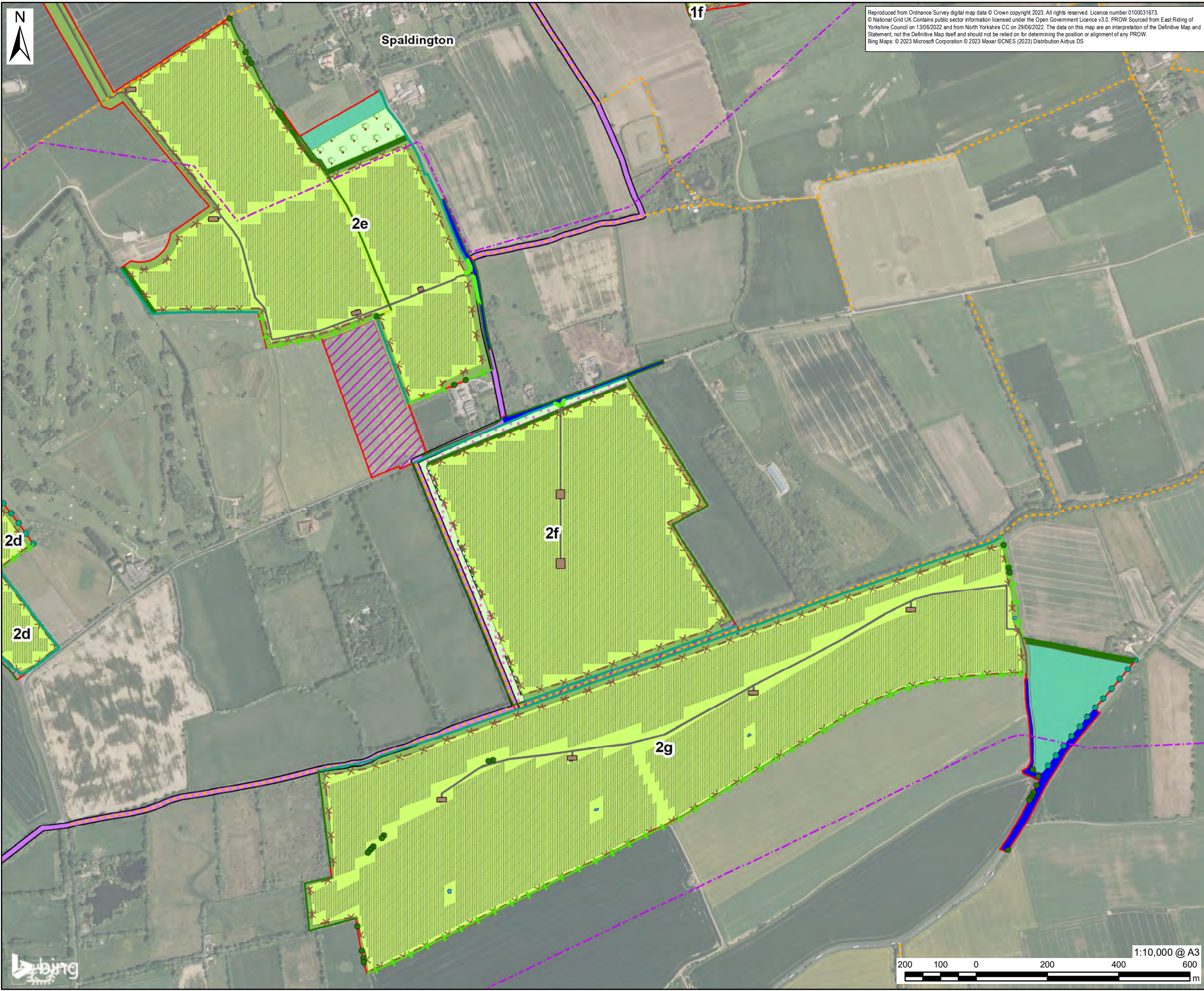
ISSUE PURPOSE
Environmental Statement

PROJECT NUMBER
60683115

FIGURE TITLE
Location of Temporary Construction Compounds and Indicative HDD Areas

FIGURE NUMBER
Figure 2-4

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 East Yorkshire Solar Farm

CLIENT
 East Yorkshire Solar Farm Limited

CONSULTANT
 AECOM Limited
 Midpoint,
 Alencon Link
 Basingstoke, RG21 7PP
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- LEGEND**
- Order limits
 - Land not included in the Order limits
 - Solar PV Site (xx = Solar PV Area)
 - Ecology Mitigation Area (xx = Ecology Mitigation Area)
 - Grid Connection Corridor - Habitat to be Reinstated
 - Interconnecting Cable Corridor - Habitat to be Reinstated
 - Retained Habitat
 - Existing Individual Tree
 - Existing Hedgerow
 - Existing Pond
 - Operations and Maintenance Hub (Johnson's Farm)
 - Solar PV Table
 - Field Station
 - Site Access
 - Solar PV Site Perimeter Fencing
 - Grid Connection Substation Fencing
 - Overhead Electricity Line
 - Gas Pipeline
 - Hull to Selby Railway Line
 - Public Right of Way
 - Proposed Permissive Path
 - Proposed Permissive Path (Allowing Travel on Horses)
 - Howden 20 Circular Route
 - Proposed Hedgerow
 - Proposed Hedgerow with Trees
 - Enhanced Line of Trees
 - Enhanced Hedgerow
 - Proposed Ecological Enhancement Area
 - Proposed Flower Rich Grassland
 - Proposed Hardstanding
 - Proposed Internal Access Track
 - Proposed Native Scrub with Trees Planting
 - Proposed Native Woodland - Mixed
 - Proposed Semi-Improved Grassland
 - Proposed Species-Rich Grassland
 - Proposed Species Rich Wet Grassland
 - Proposed Traditional Orchard
 - Proposed Woodland Edge Mixed

ISSUE PURPOSE
 Environmental Statement

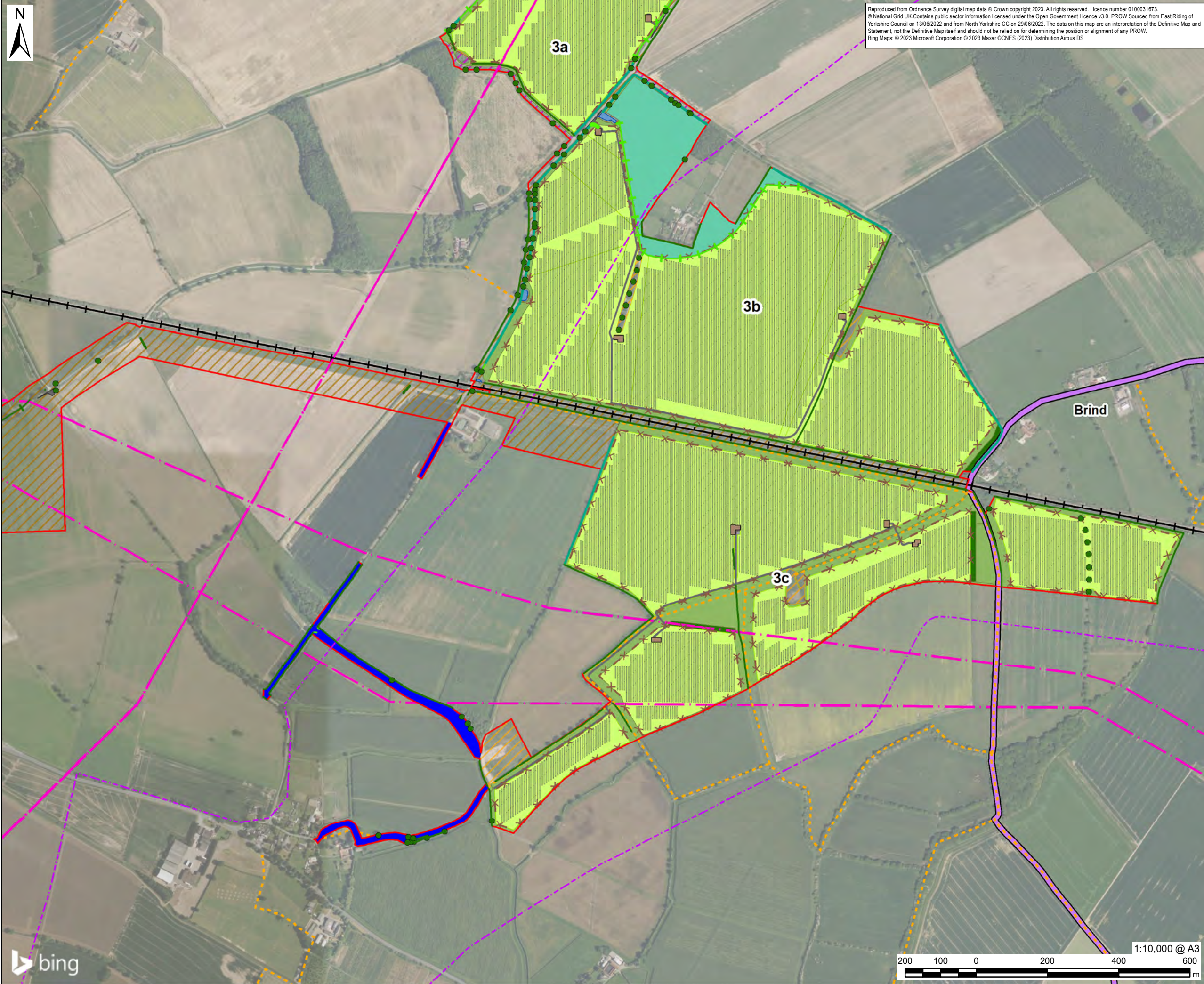
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FIGURE TITLE
 Indicative Site Layout
 Sheet 4 of 7

FIGURE NUMBER
 Figure 2-3

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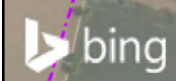
- LEGEND**
- Order limits
 - Land not included in the Order limits
 - Solar PV Site (xx = Solar PV Area)
 - Ecology Mitigation Area (xx = Ecology Mitigation Area)
 - Grid Connection Corridor - Habitat to be Reinstated
 - Interconnecting Cable Corridor - Habitat to be Reinstated
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 - Proposed Semi-Improved Grassland
 - Proposed Species-Rich Grassland
 - Proposed Species Rich Wet Grassland
 - Proposed Traditional Orchard
 - Proposed Woodland Edge Mixed

ISSUE PURPOSE
 Environmental Statement

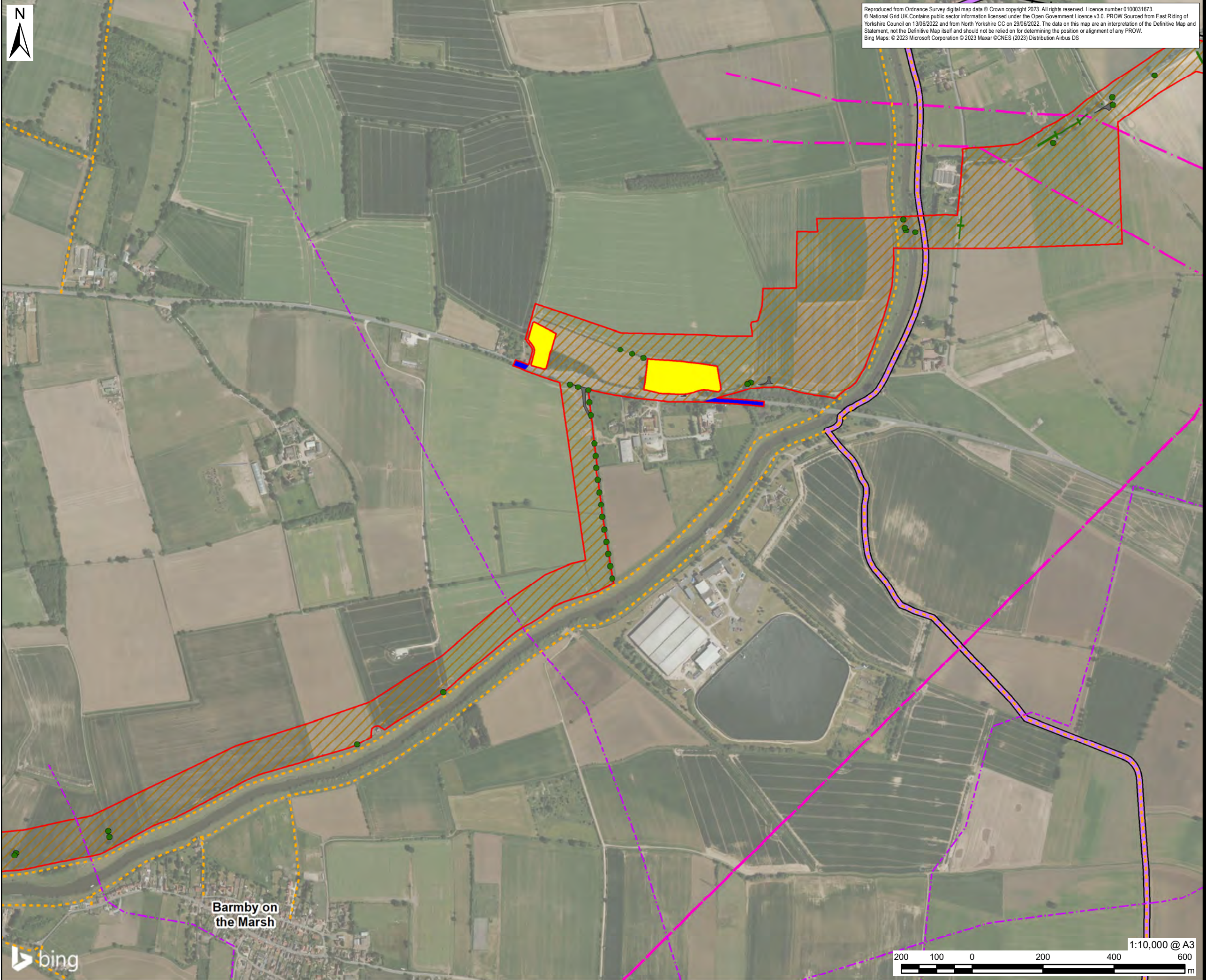
PROJECT NUMBER
 60683115

FIGURE TITLE
 Indicative Site Layout
 Sheet 5 of 7

FIGURE NUMBER
 Figure 2-3



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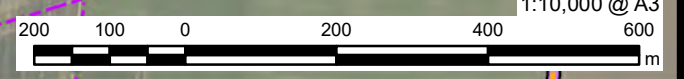
- LEGEND**
- Order limits
 - Land not included in the Order limits
 - Solar PV Site (xx = Solar PV Area)
 - Ecology Mitigation Area (xx = Ecology Mitigation Area)
 - Grid Connection Corridor - Habitat to be Reinstated
 - Interconnecting Cable Corridor - Habitat to be Reinstated
 - Retained Habitat
 - Existing Individual Tree
 - Existing Hedgerow
 - Existing Pond
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 - Grid Connection Substation Fencing
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 - Proposed Semi-Improved Grassland
 - Proposed Species-Rich Grassland
 - Proposed Species Rich Wet Grassland
 - Proposed Traditional Orchard
 - Proposed Woodland Edge Mixed

ISSUE PURPOSE
 Environmental Statement

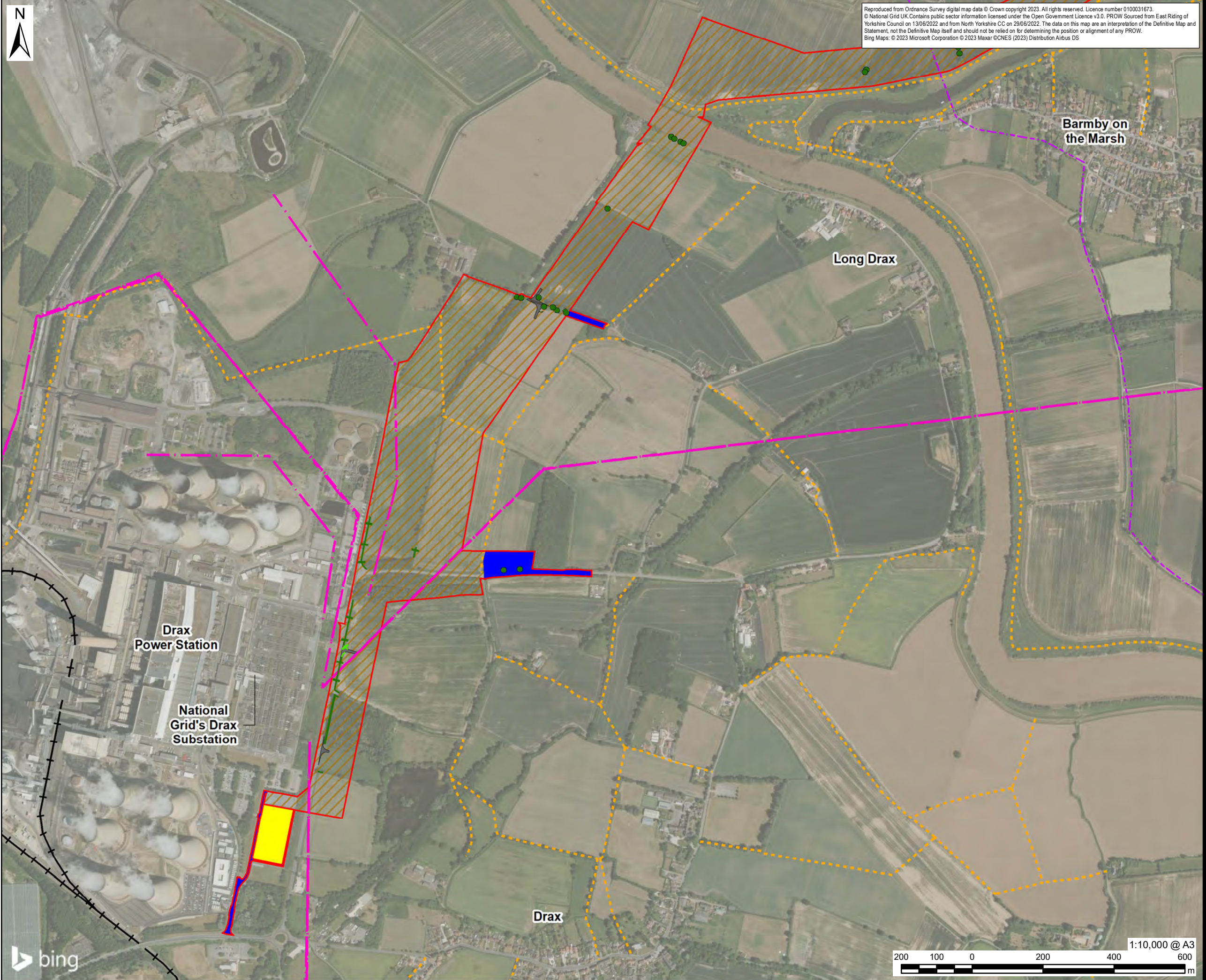
PROJECT NUMBER
 60683115

FIGURE TITLE
 Indicative Site Layout
 Sheet 6 of 7

FIGURE NUMBER
 Figure 2-3



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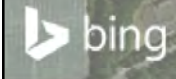
- LEGEND**
- Order limits
 - Land not included in the Order limits
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ISSUE PURPOSE
 Environmental Statement

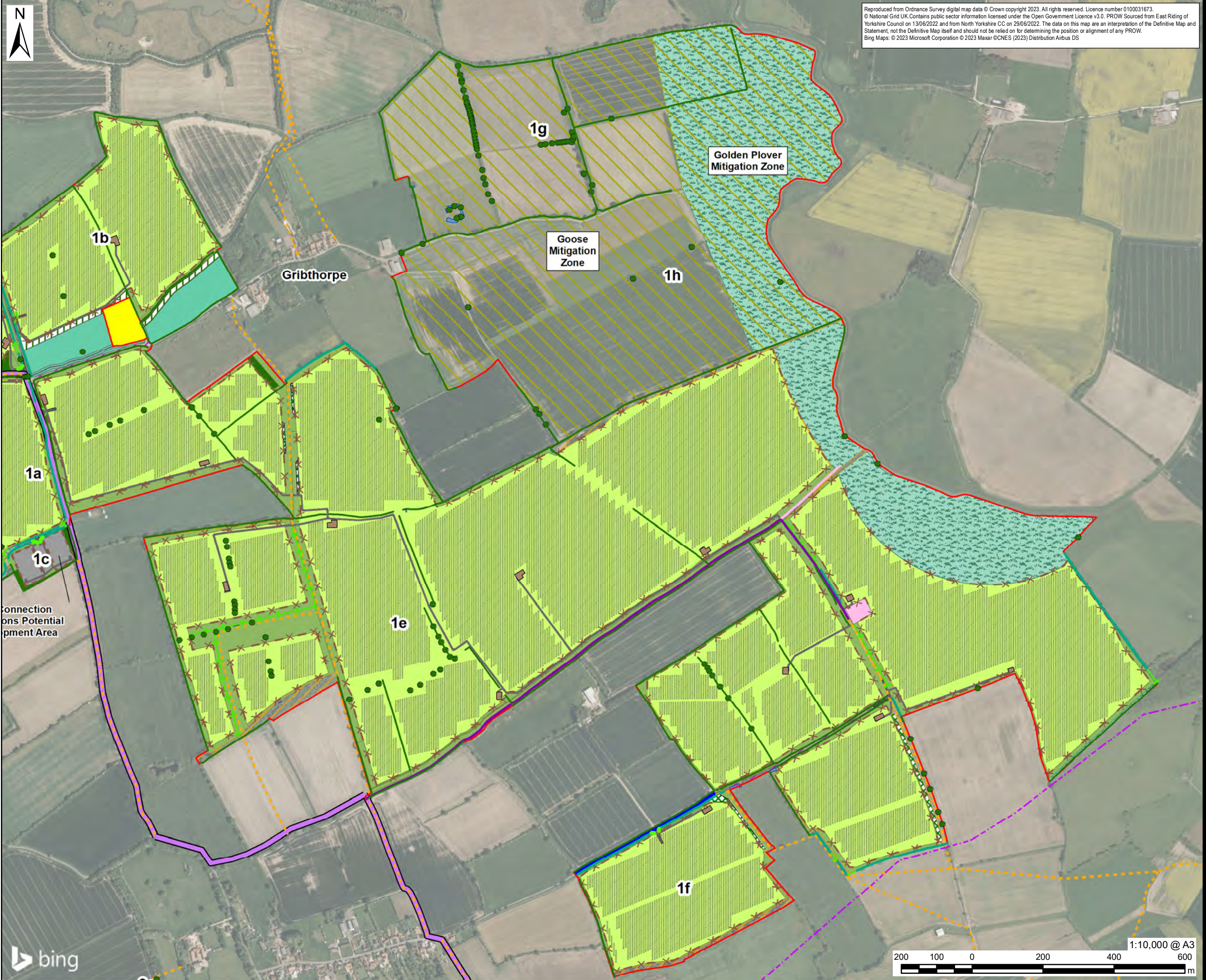
PROJECT NUMBER
 60683115

FIGURE TITLE
 Indicative Site Layout
 Sheet 7 of 7

FIGURE NUMBER
 Figure 2-3



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PROJECT
 East Yorkshire Solar Farm

CLIENT
 East Yorkshire Solar Farm Limited

CONSULTANT
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 www.aecom.com

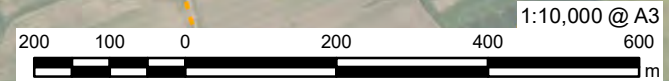
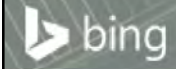
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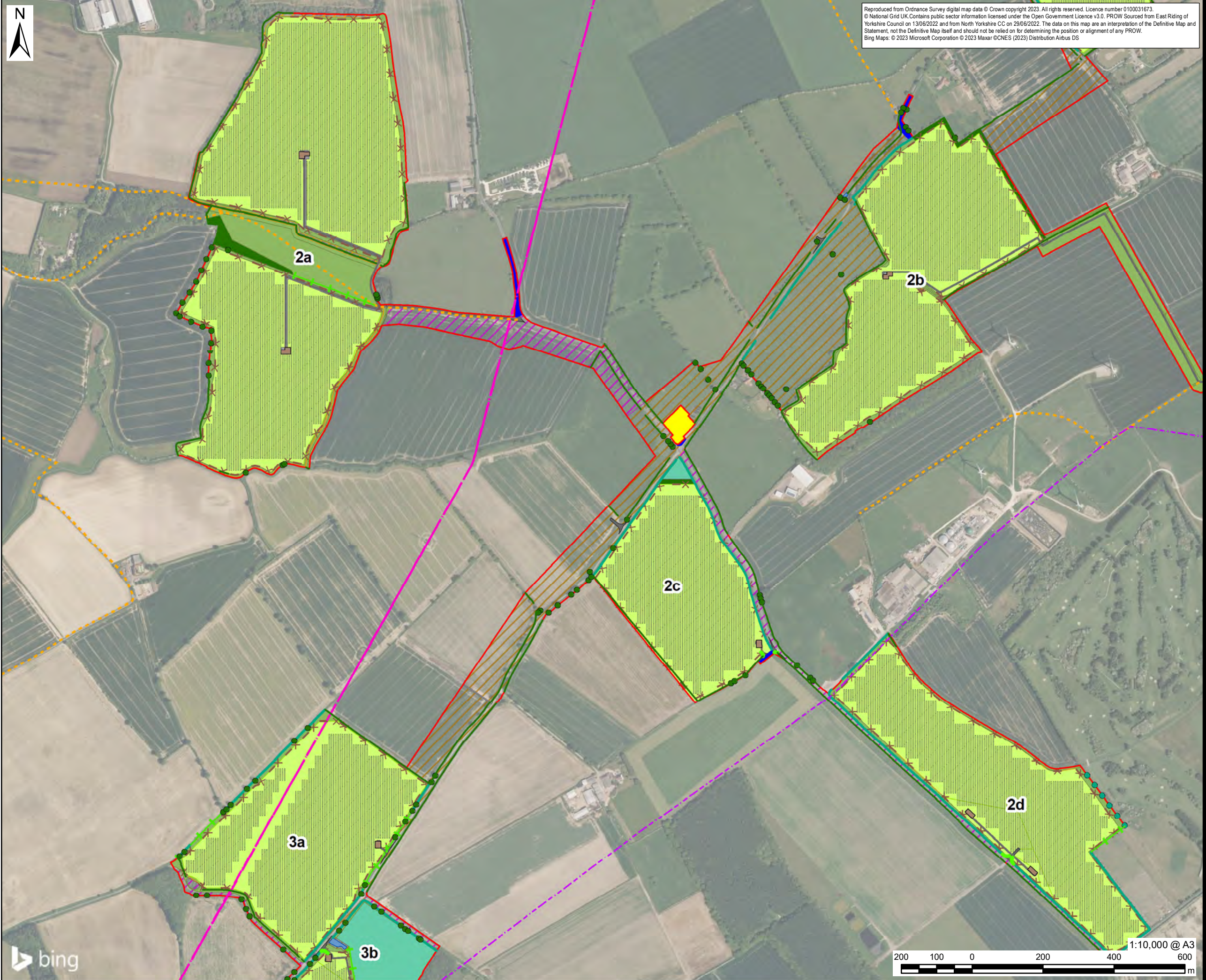
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FIGURE TITLE
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 Sheet 2 of 7

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 Figure 2-3



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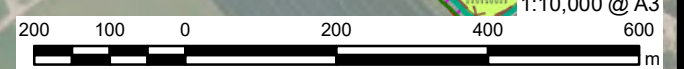
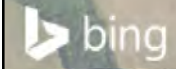
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ISSUE PURPOSE
 Environmental Statement

PROJECT NUMBER
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FIGURE TITLE
 Indicative Site Layout
 Sheet 3 of 7

FIGURE NUMBER
 Figure 2-3



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Appendix 3

Planning Committee Minutes of 20
June 24

EAST RIDING OF YORKSHIRE COUNCIL

PLANNING COMMITTEE

20 JUNE 2024

PRESENT: Councillors S McMaster (Chairman), Casson (for Councillor Nolan), Corless, Coultish, Hammond (for Councillor Rogers), Healy, Johnson (for Councillor Phoenix), G McMaster, Norman, Robson, Steel, Whittle and Whyte.

The Committee met at County Hall, Beverley.

Officers Present: Mr S Hunt - Director of Planning and Development Management, Ms A Wheldale - Planning Team Leader (Strategic), Ms J Marshall - Principal Development Management Officer, Mr A Forsey - Highway Development Management Team Leader, Mr D Crampton - Solicitor and Mr J Whyley - Senior Committee Manager.

Councillor Aitken also attended the meeting.

Members of the public speaking via Zoom - 0

Also in attendance: Public - 5
Press - 0

46/24 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY AND PREJUDICIAL INTERESTS AND DECLARATIONS UNDER SECTION 4 OF THE CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS - The following declarations were made:-

Application	Member/Interest
(i) 22/02849/STPLF - Land and buildings south-east of Clackna Farm, East Street, Kilham (Minute 50/24 refers)	<p>Councillor G McMaster made a declaration under the Planning Code of Practice for dealing with planning applications in Minute 50/24 insofar as he was the Cabinet Portfolio Holder for Housing and the application related to the provision of affordable housing.</p> <p>Councillor Hammond also declared that he was the Cabinet Portfolio Holder for Planning but that he had no predetermined views about the application.</p>
(ii) 23/03506/STVAR - Beverley Parklands Amenity Land, Beverley Parklands, Beverley (Minute 51/24 refers)	<p>Councillor G McMaster made a declaration under the Planning Code of Practice for dealing with planning applications in Minute 51/24 insofar as he was the Cabinet Portfolio Holder for Housing and the application related to the provision of affordable housing.</p> <p>Councillor Hammond also declared that he was the Cabinet Portfolio Holder for Planning but that he had no predetermined views about the application.</p>

- (iii) 24/01321/NSIP - Spaldington Airfield and surrounding land, Wood Lane, Brind (Minute 52/24 refers) Councillor Hammond made a declaration under the Planning Code of Practice for dealing with planning applications in Minute 52/24 insofar as he was the Cabinet Portfolio Holder for Planning but that he had no predetermined views about the application.

47/24 MINUTES - Resolved - That the minutes of the Committee held on 30 May 2024 be confirmed and signed as a correct record.

48/24 PLANNING SUB-COMMITTEES - Resolved - That the minutes of the undermentioned Sub-Committees be received:-

- (i) Eastern Area Planning 13 May 2024
- (ii) Western Area Planning 14 May 2024

49/24 WITHDRAWALS - The Executive Director of Planning and Economic Regeneration advised the Committee that no applications had been withdrawn from the Schedule of Planning Applications.

50/24 LAND AND BUILDINGS SOUTH-EAST OF CLACKNA FARM, EAST STREET, KILHAM - The Executive Director of Planning and Economic Regeneration submitted a report on an application by Marble Homes Ltd for erection of 41 dwellings and associated garages/parking following the demolition of the light industrial and office buildings at land and buildings south-east of Clackna Farm, East Street, Kilham (Application 22/02849/STPLF).

At the meeting, the Executive Director advised the Committee that the following representations and consultation responses had been received on the application following publication of the report:-

- Objections - Objections from the parish council, two emails of objection and a 13 signature petition from residents of East Street had been received raising the following points: why had the affordable housing element been removed, it was not appropriate to alter the scheme for affordable housing at this stage, there was a lack of village infrastructure, highways issues such as speeding and traffic levels, drainage issues, there had been no publicity for the proposed changes and an earlier petition that had been sent was not included in the public comments when the application was submitted to the last meeting, nor had it been acknowledged.
- Planning Officer - Clarification from the Valuation and Estates Team on the level of developer profit on the scheme and confirmation that even with no affordable housing provision, the developer was accepting a profit level of 16.4% which was at the bottom end of what was considered a reasonable benchmark. The issues raised by objectors had been addressed within the report. Confirmation that all correspondence that had been sent to the Local Planning Authority had been considered as part of the previous report when the application was last at the Committee and that the petition referred to had been forwarded to the Local Planning Authority by an objector and had been added to the planning file.

An objector spoke on the application in accordance with the agreed protocols.

Resolved - That the application be deferred for reassessment of the financial viability of the scheme as well as further negotiations with the applicant for provision of affordable

housing and the consideration of the relevant sub-area policy (A3) in terms of identifying additional infrastructure necessary in the sub-area, following which the application be resubmitted to the Committee for determination.

51/24 BEVERLEY PARKLANDS AMENITY LAND, BEVERLEY PARKLANDS, BEVERLEY - The Executive Director of Planning and Economic Regeneration submitted a report on an application by Risby Homes Ltd for variation of condition 23 (approved plans) of planning application 21/01330/STPLF (erection of 35 dwellings with associated works and infrastructure) to reduce the amount of affordable housing proposed at Beverley Parklands Amenity Land, Beverley Parklands, Beverley (Application 23/03506/STVAR).

At the meeting, the Executive Director advised the Committee that the following consultation response had been received on the application following publication of the report:-

- Planning Officer - Clarification from the Valuation and Estates Team on the level of developer profit on the scheme. In order to provide four affordable units, the developer was accepting a profit level of 15.4% which was at the bottom end of what was considered a reasonable benchmark.

The applicant spoke on the application in accordance with the agreed protocols.

Resolved - (a) That the application be deferred for the completion of a Section 106 Agreement to secure:-

- (i) a variation to the original Section 106 Agreement to secure four affordable dwellings on site, and
- (ii) a satisfactory consultation response from Yorkshire Water confirming that the submitted drainage details are acceptable;

(b) that subject to (a) above, the Executive Director of Planning and Economic Regeneration be authorised to approve the application subject to the conditions set out in the Executive Director's report, and

(c) that in the event that the legal agreement is not completed by 31 July 2024 or within any other period that has first been agreed in writing, the Executive Director of Planning and Economic Development be authorised to refuse the application on the basis that the proposal will not comply with development plan policies without the legal obligation being in place.

52/24 SPALDINGTON AIRFIELD AND SURROUNDING LAND, WOOD LANE, BRIND - The Executive Director of Planning and Economic Regeneration submitted a report on an application by East Yorkshire Solar Farm Limited for consultation on Development Consent Order (DCO) for the construction, operation (including maintenance) and decommissioning of ground mounted solar photovoltaic (PV) panel arrays with approximate generating capacity of 400 MW, the scheme includes underground cabling to connect to the national electricity transmission network at National Grid's Drax Substation; underground cabling between the areas of solar PV panels; areas of landscaping and biodiversity enhancement; and other associated development at Spaldington Airfield and surrounding land, Wood Lane, Brind (Application 24/01321/NSIP).

At the meeting, the Executive Director advised the Committee that the following consultation responses had been received on the application following publication of the report:-

- Planning Officer - The applicant had provided further information about flood risk and as a result paragraphs 7.154, 7.162 and 8.7 of the Local Impact Report should be amended to state that the Local Authority was satisfied that the sequential and exception tests had been passed and the wider sustainability benefits had been identified as set out in paragraphs 7.155 to 7.158. An independent consultant had confirmed that the Agricultural Land Classification Assessment had been undertaken by a competent professional using conventional auger techniques and that the results were plausible. It had also been recommended that further survey work should be undertaken along the cable route to ensure soil resources were not damaged and that where permanent structures were proposed, the agricultural land classification grade should be accurately determined. If sheep grazing was likely, then consideration should be given to its extent, scale and likelihood of its operation. An updated biodiversity net gain report had been submitted which reported that the scheme would deliver 80.42% gain for area-based units, 10.3% for hedgerow units and 10.09% for watercourse units and thus would deliver significant biodiversity gain with at least 10% gain across the whole site. Feedback between the applicant and the Authority's ecologist would be submitted to the Examining Authority. There also needed to be an amendment of paragraph 10.1 of the report to remove the last sentence and add 'A Planning Inspector has been appointed to examine the application, prepare a report with recommendations to the Secretary of State, who then decides on whether to grant consent or not. A decision is expected at the end of the year or early next year'.

Councillor Aitken spoke on the application in accordance with the agreed protocols.

Resolved - (a) That the Committee approves the contents and recommendations set out within the Local Impact Report subject to the amendments referred to above;

(b) that the following additional points be submitted to the Planning Inspectorate as representing this Committees' further comments on the proposal:-

- (i) the potential impact on the operation of Brighton Airfield;
- (ii) the proposal should be located on a brownfield site;
- (iii) the scale of the proposal is inappropriate for the open countryside;
- (iv) the proposal is not utilising high quality agricultural land;
- (v) the imperative for adequate landscaping to mitigate the visual impact of the development;
- (vi) the impact on the viability of some farm holdings;
- (vii) the provision of nature corridors within the scheme;
- (viii) the need for regular health checks of the flora and fauna in the area to monitor the scheme's impact;
- (ix) the use of fast-growing native species for landscaping to mitigate the visual impact of the scheme;
- (x) concern about the impact of surface water run off;
- (xi) the development, if approved should be implemented as quickly as possible to mitigate the impact of the working arrangements on the historic site of Wressle Castle, and
- (xii) the loss of a carbon sink and the need to mitigate this with energy conservation measures;

(c) that the Local Impact Report be submitted to the Planning Inspectorate for consideration in the examination of the scheme, and

(d) that the Executive Director of Planning and Economic Development in consultation with the Chairman of the Planning Committee be delegated to make any further alterations to the Local Impact Report before the report is submitted to the Planning Inspectorate for consideration.

53/24 FUTURE PLANNING APPLICATIONS - The Committee considered details of planning applications that were currently under consideration or were likely to be submitted to the next or subsequent meetings of the Committee.

Resolved - That site visits be arranged to the following sites:-

- (i) Carr Farm, Carr Lane, Tickton.
- (ii) Land north of Long Lane, Driffield.