EAST YORKSHIRE SOLAR FARM

East Yorkshire Solar Farm

EN010143

Applicant's Responses to Local Impact Reports

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1. Introduction

1.1 Purpose of this document

1.1.1 The purpose of this report is to provide East Yorkshire Solar Farm Limited's (the Applicant) response to the Local Impact Reports (LIRs) received at Deadline 2 of the Examination, in relation to the East Yorkshire Solar Farm (EYSF) (the Scheme).

1.1.2 Two LIRs were submitted to the Planning Inspectorate at Deadline 2 from the following Host Authorities (HAs):

a. East Riding of Yorkshire Council (ERYC); and

b. North Yorkshire Council (NYC).

1.1.3 Table 2-1 and Table 2-2 below set out comments made by the above Host Authorities in their LIRs and the Applicant's responses to them.

1.1.4 Where applicable, paragraph or page numbers are provided to assist cross referencing to the relevant LIR.

1.1.5 For ease of reference, a table of acronyms used in this document is provided in Table 1-1 of this document.

Table 1-1. Abbreviations

Abbreviation	Definition
AA	Appropriate Assessment
AIA	Arboricultural Impact Assessment
ALC	Agricultural Land Classification
AMS	Arboricultural Method Statement
BMV	Best and Most Versatile Land
BNG	Biodiversity Net Gain
CCTV	Closed Circuit Television
CEMP	Construction Environmental Management Plan
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
dB	Decibel
DEMP	Decommissioning Environmental Management Plan
EIA	Ecological Impact Assessment
EGL2	Eastern Green Link 2
ERYC	East Riding of Yorkshire Council
ES	Environmental Statement
EYSF	East Yorkshire Solar Farm
FTE	Full-time Equivalent
GP	General Practitioner
HA	Host Authorities
HDD	Horizontal Directional Drilling
HRA	Habitats Regulation Assessment
IEMA	Institute of Environmental Management and Assessment

Abbreviation	Definition
LEMP	Landscape and Ecological management Plan
LA	Local Authorities
LIR	Local Impact Report
LOAEL	Lowest Observed Adverse Effect Level
LVIA	Land and Visual Impact Assessment
LSE	Likely Significant Effects
NPPF	National Planning Policy Framework
NSIP	Nationally Significant Infrastructure Project
NYC	North Yorkshire Council
OEMP	Operational Environmental Management Plan
OWSI	Overarching Written Scheme of Investigation
PEI	Preliminary Environmental Information
PIR	Passive Infrared Sensor
PPG	Planning Practice Guidance
PROW	Public Right of Way
PV	Photovoltaic
RPA	Root Protection Area
SAC	Special Area of Conservation
SMP	Soil Management Plan
SOAEL	Significant Observed Adverse Effect
SuDS	Sustainable Drainage Systems
TA	Transport Assessment

2. Applicant's Responses to the Host Authorities' Local Impact Reports

Table 2-1 Applicant's Responses to ERYC's Local Impact Report

LA	Para. Ref.	LIR Comment	Applicant's Response
ERYC	**Planning History**		
	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.	The Applicant notes this comment. The Shortlist of Cumulative Schemes presented at Appendix 17-1, ES Volume 2 **[REP2-008]** provides an up to date list of the developments considered within the cumulative effects assessment of the Scheme which is set out in chapters 6–16, ES Volume 1 **[APP-058, REP2-006, APP-060, APP-061, REP1-014, REP1-016, APP-064, APP-065, APP-066, APP-067, AS-016]** and is summarised in Chapter 17: Cumulative Effects and Interactions, ES Volume 1 **[APP-069]**.
	Flexibility		
ERYC	7.2-7.4	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.	The Applicant notes this comment. Requirement 5 of the draft DCO **[REP1-006]** requires final design details to be submitted and approved in writing and these details must be in accordance with the Outline Design Principles Statement **[REP1-051]**.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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. 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.	
	Planning Policy		
ERYC	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	The Applicant notes this comment. The status of local planning policy and compliance with both draft and adopted local planning policy is presented within the Planning Statement **[APP-233]**.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	
	Impact on Best and Most Versatile Land		
ERYC	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	The Nature Conservation Officer's conclusion that there will be no significant adverse effects of the Scheme to soils or agricultural land is shared by the Applicant.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	
ERYC	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.	The Applicant notes this comment. Table 15-11 (page 15-38) of Chapter 15: Soils and Agricultural Land, ES Volume 1 **[APP-067]** provides a breakdown of the ALC gradings within the Solar PV Site. This identifies that approximately 92.9 % of land within the Solar PV Site is of non-BMV quality (Subgrade 3b and Grade 4). BMV land (Grades 1, 2 and Subgrade 3a) comprises approximately 6.3 % of land within the Solar PV Site and is mainly located in Solar PV Areas 1a, 2g and 3c, as shown in Figure 15-3, ES Volume 3 **[APP-223].** The remaining 0.8 % of land within the Solar PV Site is non-agricultural in nature (for example tracks and hardstanding). The conclusion that the Scheme would not result in significant loss of BMV and is compliant with National and Local Policy and the recent ministerial statement is shared by the Applicant.
ERYC	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 additional measures undertaken by the ERYC recognise the professional competence with which the Agricultural Land Classification (ALC) assessment was

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	undertaken and offer further reassurance of the findings and conclusion. The Applicant has committed to targeted surveys of agricultural land within the Grid Connection and Interconnecting Cable Corridors (including compound locations) which will be subject to disturbance by the Scheme. These surveys are to be undertaken post-consent / pre-construction (when detailed design is available and areas of disturbance are known), as stated within Table 11 of the CEMP **[REP1-053]** which is secured through Requirement 11 of Schedule 2 of the draft DCO **[REP1-006]**. The pre-construction soil surveys will accurately define ALC grading in the working widths of the Grid Connection and Interconnecting Cable Corridors and provide detailed soils information to inform the detailed Soil Management Plan (SMP) (which is secured through Requirement 15 of Schedule 2 of the draft DCO **[REP1-006]**). The survey methodology (density of sampling) for these targeted pre-construction surveys has been agreed with Natural England as described Appendix 15-4: Communications with Natural England, ES Volume 2 **[APP-118].** Furthermore, post-restoration surveys will be undertaken to determine whether target soil profile specifications have been met. Comparison of the pre- and post-construction

LA	Para. Ref.	LIR Comment	Applicant's Response
			surveys will verify that the land has been restored to the required standard. All work to the National Grid Drax Substation to accommodate the Scheme connection would be undertaken by National Grid and are beyond the scope of the Scheme's DCO Application. It is noted however, that the land within Drax Substation is hardstanding and therefore these works would not impact agricultural land. The Applicant considers it premature to identify a grazier, as this will be influenced by market conditions. The independent grazing study **[APP-071]** concluded that the Solar PV Site was suitable for grazing.
ERYC	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.	The Applicant has engaged with Natural England through the Discretionary Advice Service regarding soil survey methodology and acknowledges the role of Natural England as a statutory consultee. The Applicant can confirm that it has agreed all matters related to soil with Natural England. Please see the Statement of Common Ground **[REP1-075].**
	Design, Landscape and Visual Impact		
ERYC	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	The Applicant has carefully designed the Scheme to ensure landscape and visual impacts are minimised as far as practicable by proposing a comprehensive landscape and ecological design and increased connectivity and local access through the landscape as discussed in the Design

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		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	and Access Statement **[APP-234]** and in the Framework Landscape and Ecological Management Plan (LEMP) **[REP1-063].** A detailed LEMP will be prepared post consent which will need to be in substantial accordance with the Framework LEMP and approved by the East Riding of Yorkshire Council and North Yorkshire Council. This is secured by Requirement 6 in Schedule 2 of the draft DCO **[REP1-006]**
ERYC	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 PRoWs. Underground connection cables and re-use of existing	

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	

LA	Para. Ref.	LIR Comment	Applicant's Response
ERYC	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	The Applicant notes the comments with regard to the details (including offsets from existing vegetation and retention of existing vegetation and replacement planting) to be brought forward as part of a detailed LEMP under Requirement 6 of the draft DCO **[REP1-006]** and as part of detailed design under Requirement 5 of the draft DCO **[REP1-006]**. As stated in section 1.4 of the Arboricultural Impact Assessment (AIA) **[APP-102]**, the offsets from trees have been applied where practicable as a design principle, the Site has been subject to a walkover and ancient and veteran trees have been identified and recorded in detail. A small number of trees at risk of impact from the final design for the Scheme have not been fully surveyed but have been assessed via desk study (and reviewed by the original veteran/ancient tree walkover) and these features are clearly marked on the Tree Protection Plan (Annex E). These trees will be surveyed in detail to inform the development of the Arboricultural Method Statement as part of the CEMP secured as Requirement 11 of the Draft DCO **[REP1-006]**. Shading impacts from trees are considered in section 4.6 of the AIA **[APP-102]** and the design has been developed so that solar panels are generally set well back from areas of shade associated with trees. Shading from trees and panel positions will be further considered as part of the detailed design process.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	In response to the frequency of CCTV system poles the proposed spacing of 50m relates to the capabilities of the CCTV camera assumed to be provided, it would be highly likely that the distance would be much further and is dependent upon the final CCTV design. The Applicant is proposing to use wooden poles rather than metal as they do not require a concrete foundation unlike metal. Green corridors are shown on the Landscape Masterplan within the Framework Landscape and Ecological Management Plan (LEMP) **[REP1-063]**. Proposed flower rich grassland, proposed species rich grassland and proposed woodland edge mix planting are proposed along the PRoW corridors that will be impacted by the Scheme. In response to the point regarding the Grid Connection Corridor and opportunities for enhancement with the Lower Derwent Valley, the Applicant has considered this however notes that none of its landscape and visual assessment work undertaken would require any mitigation in this area and thus provide opportunities for enhancement also. The Applicant is proposing to lay the Grid Connection Cable and then return the land to its original condition with replacement planting provided if existing vegetation is required to be replaced. The Applicant notes the comment regarding the creation of grassland east of the Solar PV Area 1e and can confirm

LA	Para. Ref.	LIR Comment	Applicant's Response
			the extent of the area proposed is substantial at 18.26 hectares.
ERYC	7.51-7.52	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 Breighton (to the west) and B1228 to the east. • The value given to views within the northern solar PV areas around Willitoft and Gribthorpe appear more in line with VP28, medium value as opposed to low value, with strong hedgerows and mature trees dominating the views. 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.	The Zone of Theoretical Visibility as illustrated on Figure 10-5 Zone of Theoretical Visibility with Surface Features – Solar PV Panels **[APP-160]** shows that there is very limited theoretical visibility to the west of the solar PV area 2a as a result of existing tree planting. Figure 10-7 Potential Viewpoint Locations **[APP-162]** illustrates the potential viewpoint G that lies to the south of Breighton. This was discounted from the assessment of visual impacts as a result of no views due to existing vegetation (Appendix 10-4 Potential Representative Viewpoints) **[APP-101].** The sensitivity of receptors is a combination of value of view and susceptibility. The value of view has been assigned using professional judgement and varies as a result of landscape structure and presence of detractors. The value of view for viewpoints 8, 10a, 10b and 12a, in proximity to Willitoft and Gribthorpe, contain views of built elements including farm structures which are considered detractors in the view. Viewpoint 28 was an additional view that was included as requested during the consultation stage and was assessed as medium value as it has a slightly stronger landscape structure and less detractors, although noting that further north there are views of the turbines. The visual assessment within Table 10-12 Viewpoint Assessment has identified sensitivity to be high for residents and PRoW users and medium for road users

LA	Para. Ref.	LIR Comment	Applicant's Response
			for viewpoints in proximity to Gribthorpe and Willitoft and VP28. The Applicant believes the value of view conclusions to be robust. Any change in the value of view would not change the sensitivity of the receptor - residents are already assessed to have a high sensitivity (the highest rating as set out in Appendix 10-2 – LVIA Methodology, ES Volume 2 **[APP-099]**) and this would therefore not change the assessment of magnitude of impact as identified in Chapter 10 for these viewpoint locations.
ERYC	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 PRoWs. Mostly within the solar PV areas to the north east where	The use of PRoW by visual receptors is taken into account in the assessment of susceptibility. This includes the status of routes. Strategic routes have been assigned as high susceptibility, whereas local routes have been assigned as medium susceptibility in Appendix 10-2 – LVIA Methodology, ES Volume 2 **[APP-099].** Duration is considered within magnitude of impacts and taken into consideration in the assessment of impacts for visual amenity within Chapter 10: Landscape and Visual Amenity, ES Volume 1 **[REP1-014]**. The Detailed LEMP, which will be substantially in accordance with the Framework LEMP **[REP1-063]**, will need to be approved post consent with the relevant local authorities and this is secured by Requirement 6 of the Draft DCO **[REP1-006].** Where additional hedgerow

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	planting is required then this can be included within the Detailed LEMP. The Framework LEMP **[REP1-063]** sets out where existing hedgerows will be improved and managed and the specific details will be included in the Detailed LEMP. Mitigation for where the Solar PV Areas lie alongside PRoW is as set out in the Framework LEMP **[REP1-063]**. This includes buffers of either 15m where Solar PV Areas lie to one side of the PRoW and 20m where Solar PV Areas lie both sides, of intermittent planting of woodland edge planting and flower rich and species rich grassland. The mitigation has aimed to not screen views of the solar PV panels, but allows a softening of the view into the Solar PV Areas and allows for longer views. It is professional practice to use assessment years 1 and 15 for operational assessment of impacts. Year 15 is a reasonable length of time that allows for establishment of mitigation tree, shrub and hedgerow planting. Beneficial effects of grassland, shrub and hedgerow planting will be evident prior to Year 15. In a meeting with ERYC Countryside Access Team in February 2023 it was confirmed that the routeing of the two proposed Permissive Paths (as shown on Figure 2-2, ES Volume 3 **[APP-137]** and Figure 2-3, ES Volume 3 **[APP-138]**) aligned with the Council's views regarding Permissive Path provision for the Scheme and would reinforce the existing network by linking to Bridleway

LA	Para. Ref.	LIR Comment	Applicant's Response
			SPALB08 and footpath SPALF14 creating circular routeing. As approximately 1,740 m of the *c.* 1,990 m of Permissive Paths created would allow travel on horses this would also reinforce the Council's aspirations for the provision of recreational routes for equestrian users. Permissive Paths can only be delivered on land over which the Applicant has control during the operational life of the Scheme. As discussed in paragraph 2.7.42 (page 62) of Chapter 2: The Scheme, ES Volume 1 **[APP-054]** the creation of Permissive Paths is consequently restricted to the Solar PV Site as this land will remain in control of the Applicant, whereas land within the Grid and Interconnecting Cable Corridors will be returned to the landowners following construction. It is noted that the land within the Ecology Mitigation Area also remains in the control of the Applicant, however, to provide the maximum ecological benefits in this area (and the habitats and species within it) it should be disturbed as little as possible and so Permissive Paths are not proposed within this area. The creation of permissive footpaths outside the Solar PV Site has therefore not been proposed.
ERYC	7.58-7.61	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	Green corridors are shown on the Landscape Masterplan within the Framework LEMP **[REP1-063]**. The perimeter fencing of the Solar PV Areas will be installed a minimum distance of 20 m either side of the centre of a PRoW where solar infrastructure lies to both sides (creating a 40 m wide corridor between the fence lines), or perimeter fencing will be 15 m from the centreline of a PRoW if solar

LA	Para. Ref.	LIR Comment	Applicant's Response
		manage landscape and ecology mitigation and enhancement (biodiversity net gain) measures. 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. 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.	infrastructure is to one side only. There will be a further 5 m from the perimeter fence to the Solar PV panels. This offsetting provides significant areas and therefore green corridors along PRoW which are within the Solar PV Site. Within the PRoW corridors there will be intermittent planting of woodland edge planting and flower rich and species rich grassland. Aftercare and appropriate management of the landscape and ecological mitigation measures is set out in the Framework LEMP **[REP1-063]** and this will be secured through a detailed LEMP as required by Requirement 6 of the draft DCO **[REP1-006].**

LA	Para. Ref.	LIR Comment	Applicant's Response
		• 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.	
ERYC	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.	The Applicant notes this comment.
ERYC	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	The Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		considered by the Examining Authority as part of the hearing sessions.	
	Highways and Transportation		
ERYC	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	The Applicant is continuing to engage with ERYC as the local highway authority and is currently working through the final details of an agreed passing place strategy, which is expected to be submitted into the Examination at Deadline 4 once formalised. As part of these discussions to date there has been no formal request from ERYC to apply a temporary speed limit reduction in conjunction with the proposed passing place strategy, however the Applicant will continue to engage proactively with ERYC, as the local highway authority, through detailed design and the formalisation of the detailed Construction Traffic Management Plan under Requirement 13 of the draft DCO **[REP1-006].**
ERYC	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.	The Applicant notes this point raised by ERYC highway authority. The Applicant will work with ERYC to agree the mechanism for the delivery of highway works, and accepts the need to fund the works as stated. The DCO itself, through Article 14(1)(c) enables the undertaker and the streets authority to enter into agreements in relation to street works. It is not uncommon for this agreement to take the form of a Section.278 agreement, and the Applicant does not object to this approach if it is requested by the Highway Authority. The Section 278 process would

LA	Para. Ref.	LIR Comment	Applicant's Response
			commence at the time that detailed designs are prepared to implement the highways access works, which would be prior to construction. At the Issue Specific Hearing 2 held on 10 July 2024 ERYC officers confirmed that the Section 278 agreement can be agreed post consent prior to construction if this is required.
ERYC	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.	This matter was discussed at the ISH2 on 11 July 2024. The Applicant set out that the Framework Construction Traffic Management Plan (CTMP) **[REP1-026]** is a framework document which would be developed into a detailed CTMP post-consent prior to construction commencing. This is secured through DCO Requirement 13, including that the detailed CTMP must be in substantial accordance with the Framework CTMP **[REP1-026]**. The Applicant considers that the items listed are reasonable in terms of inclusion within the detailed CTMP. ERYC, as the highway authority, confirmed that it requests that the items are included in the detailed CTMP, and do not require inclusion in the Framework CTMP **[REP1-026]**. As this will be addressed post-DCO consent as part of the detailed CTMP there is therefore no requirement to update the Framework CTMP at this stage. The Applicant remains committed to working collaboratively with ERYC in its capacity as local highway authority throughout this process.

LA	Para. Ref.	LIR Comment	Applicant's Response
			The detailed CTMP is a control document, which is secured through Requirement 13 of Schedule 2 of the draft DCO **[REP1-006]** and includes measures to minimise the impact of construction traffic. The Transport Assessment (TA) **[REP1-025]** is not a control document, and informs the assessment of the Scheme. As the Applicant understands it, there are no outstanding matters with ERYC in relation to the assessment of the Scheme, given paragraph 7.82 of the ERYC LIR. The Applicant therefore considers that there is no requirement to update the TA **[REP1-025]**.
ERYC	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.	The Applicant notes this comment. The details of abnormal load routing and street furniture removal will come forward as part of the detailed CTMP which is secured through Requirement 13 of Schedule 2 of the draft DCO **[REP1-006]**.
ERYC	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.	The Applicant welcomes the comments provided by ERYC as local highway authority and will continue to work collaboratively with ERYC.
	Biodiversity and Ecology		

LA	Para. Ref.	LIR Comment	Applicant's Response
ERYC	7.91-7.92	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. 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.	The Applicant notes that ERYC agree with the sites identified and screened in for assessment of likely significant effects. The Applicant will draw ERYC's attention to the updated HRA submitted at Deadline 2 **[REP2-013]**.
ERYC	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-	The Applicant notes that ERYC agree that SuDS measures can be considered at the Likely Significant Effects (LSE) stage and are not deemed to be HRA-relevant mitigation and that scheme-wide biosecurity measures follow best

LA	Para. Ref.	LIR Comment	Applicant's Response
		wide biosecurity measures follow best practice and do not need to be taken forward to Appropriate Assessment (AA)	practice and do not need to be taken forward to Appropriate Assessment (AA). The Applicant would like draw ERYC's attention to the updated HRA submitted at Deadline 2 **[REP2-013]**.
ERYC	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 nonqualifying 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.	The Applicant notes that ERYC agree with the conclusions in Section 8.5 of the HRA **[REP2-013]** and the proposals for traffic management and reinstatement which affect non qualifying habitat of the River Derwent SAC.
ERYC	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.	Cable routing decisions around the River Derwent were not made specifically because of the River Derwent's status as an SAC but more generally because it is a significant main river. Moreover, cable routing decisions, once made, are inherent and integral parts of the design of the Scheme and therefore are appropriate to consider in the Likely Significant Effects stage of HRA.
ERYC	7.96-7.97	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, pinkfooted 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	The Applicant notes this comment. The Applicant has now committed to managing the entirety of the golden plover mitigation area as wet grassland annually. This updated commitment is set out in the updated HRA submitted at Deadline 2 **[REP2-013]** and

LA	Para. Ref.	LIR Comment	Applicant's Response
		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 manged 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.	updated Framework LEMP submitted at Deadline 1 **[REP1-064**].
ERYC	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	The Applicant notes that ERYC are broadly in agreement with the measures set out in the Framework LEMP **[REP1-063]** and that it will be updated by the Applicant into a detailed LEMP prior to the commencement of works in accordance with Requirement 6 contained in Schedule 2 of the Draft DCO [**REP1-006].**

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	Section 7 of the Framework LEMP **[REP1-063**], sets out the monitoring requirements and includes the provision for management to be amended accordingly based on the monitoring. Any temporary stock fencing required during grazing of the areas within the Ecology Mitigation Area will be sited sensitively to maintain the openness of these areas.
ERYC	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.	Commitments to operational monitoring are outlined in Section 7 of the Framework LEMP **[REP1-063**]. This will include monitoring of bird populations, to allow further understanding of how birds interact with solar farms. Final details of the monitoring programme will be set out in a detailed LEMP, produced and approved by the host authorities, prior to the commencement of works, in accordance with the Requirement 6 contained in Schedule 2 of the Draft DCO **[REP1-006].**
ERYC	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.	The Applicant notes this comment.

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ERYC	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.	Due to the very short duration of Horizontal Directional Drilling (HDD) (several days) and short length of HDD required, the risk of leakage of drilling fluids is considered low and the availability of such a document at this stage would not change the conclusions of the Appropriate Assessment as they currently stand. The Applicant therefore does not consider it necessary to undertake the site specific fracture risk assessment to inform the HRA but this will be undertaken prior to the HDD works commencing in accordance with section 8.2 of the Framework CEMP **[REP1-053]**.
ERYC	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.	The updated HRA submitted at Deadline 2 **[REP2-012]** also clarifies the short duration of HDD works (several days) which is a further reason that reinforces a conclusion of no likely significant effect, as does the distance of the HDD launch pit from the river corridor. The updated HRA does now also reference avoidance of the key fish migration period where practicable, but this is not considered to be essential to conclude no likely significant effect.

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ERYC	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.	The Applicant notes that ERYC agrees with the mitigation outlined for otter and for water vole, in terms of pollution prevention and Risk Assessment Method Statements.
ERYC	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.	The Applicant notes that ERYC agrees with the assessment of dust and air quality, and considers the measures within the Framework CEMP **[REP1-053]** to be appropriate. A Detailed CEMP will be prepared post consent which will need to substantially accord with the Framework CEMP and approved by the East Riding of Yorkshire Council and North Yorkshire Council. This is secured through Requirement 11 within Schedule 2 of the Draft DCO **[REP1-006]**.
ERYC	7.105	Impacts on Sites of Scientific Interest have been assessed but not fully reviewed at this time. It is noted that with	The Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		implementation of mitigation measures no significant adverse effects will be experienced.	
ERYC	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 butter. 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 8.6.31of 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 Framework CEMP **[REP1-053]** does capture the reasonable avoidance measures for covering excavations and providing escape routes. Please refer to page 43/44 of Framework CEMP **[REP1-053]**: *'Construction excavations have the potential to trap wildlife, such as badger and otter, and result in offences under animal welfare legislation. Implementation of measures to avoid animals being injured or killed within construction working areas, through excluding them from such areas and preventing them from falling into and becoming trapped in excavations. No excavations will remain open overnight and if excavations are required to be left open, ramps will be provided to allow animals a means of escape.'* It is also captured on page 20 of the Framework LEMP **[REP1-064]**: '*Construction excavations have the potential to trap wildlife, such as badger and otter, and result in offences under animal welfare legislation. Implementation of measures to avoid animals being injured or killed within*

LA	Para. Ref.	LIR Comment	Applicant's Response
			construction working areas, through excluding them from such areas and preventing them from falling into and becoming trapped in excavations. If excavations are required to be left open overnight (which will be avoided where practicable), ramps will be provided to allow animals a means of escape.'
ERYC	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. Precommencement 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.	The Applicant notes this comment.
ERYC	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.	The Applicant notes that ERYC is satisfied that the favourable conservation status of great crested newt will be maintained.
ERYC	7.109	Impacts on bats are address through avoidance. Potential impacts on a single tree with moderate roosting potential is	The Applicant notes that ERYC agrees with the mitigation measures proposed in relation to bats.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	
ERYC	7.110	Protected species surveys for the decommissioning phase are outlined in Table 3 of EN010143/APP/7.9 and are welcomed.	The Applicant notes that ERYC welcomes the proposal for pre-decommissioning surveys, as outlined in Table 3 of the Framework Decommissioning Environmental Management Plan **[REP1-057].**
ERYC	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	The Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	
ERYC	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 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 was evaluated as being of district importance.	The Applicant notes this comment.
ERYC	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.	The Applicant notes that ERYC agrees that the justification of the survey effort in relation to invertebrates, hedgehog, brown hare, polecat and harvest mouse is acceptable.

LA	Para. Ref.	LIR Comment	Applicant's Response
ERYC	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.	The Applicant notes this comment.
ERYC	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:	The Applicant notes this comment. Good practice construction and decommissioning methods have been proposed to control runoff that is potentially laden with sediment, and these are described in Chapter 9: Flood

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	Risk, Drainage and Water Environment, ES Volume 1 **[APP-061]** and within the Framework CEMP **[REP1-053]**.
ERYC	7.116-7.117	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. 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.	The Applicant notes this comment.
ERYC	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	In agreement with Natural England (ES Appendix 15-4 **[APP-119]**), Soil Heath Analysis was undertaken at the pre-application stage. The methodology used, including

LA	Para. Ref.	LIR Comment	Applicant's Response
		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).	sampling locations, and the results of the analysis are presented in ES Appendix 15-5: Soil Health Analysis Data **[APP-120]** and summarised at paragraph 6.1.10 of the Framework LEMP **[REP1-063]**. This analysis provided information such as (but not limited to) soil pH, soil nutrient status (including levels of available Phosphorus, Potassium and Magnesium), Calcium carbonate content and Soil Organic Matter; and also determines whether the soil is acidic neutral or calcareous in nature. Paragraph 6.1.11 of the Framework LEMP **[REP1-063]** confirms that the results of these tests have been used to identify suitable species mixes for the proposed habitats.
ERYC	7.119-7.120	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	An updated BNG Report **[REP1-061]** was submitted at Deadline 1 which demonstrates that +10% BNG in hedgerow habitats can be achieved onsite. Requirement 7 Schedule 2 of the draft DCO [requires a biodiversity net gain strategy to be approved post consent and this must be substantially in accordance with the Framework LEMP **[APP-246]** which at section 2 explains the Applicant's commitment to at least 10% BNG. The Applicant notes that the metric has included for a loss of pond in Solar PV Area 1a however the Applicant can confirm this is an error and no ponds will be impacted as a result of the Scheme.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	
ERYC	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	The retention and/or reinstatement of the pre-development agricultural soil profile is essential in ensuring agricultural land can achieve its original (pre-development) Agricultural Land Classification grade (agricultural quality) following the decommissioning of the Scheme. The Applicant therefore notes the comments and confirms that the soil profile of the agricultural land within the Solar PV Site (including the ecological enhancement areas) and Ecology Mitigation Area will not be amended either through the removal of topsoils to create a seedbed in the subsoil layer, or the incorporation of a substrate to reduce nutrient levels. Where practicable, such soil profile adjustments to reduce nutrient levels (and therefore promote the species diversity of the overlying grassland) may be undertaken in areas of non-agricultural land such as the Local Wildlife Sites located on roadside verges.

LA	Para. Ref.	LIR Comment	Applicant's Response
		outputs but is contrary to section 4.7.2 of EN010143/APP/7.10.	This distinction between the nutrient reduction measures applicable to agricultural and non-agricultural land is clarified within the updated Framework LEMP submitted at Deadline 3. Nutrient reduction on areas of agricultural land to be converted to grassland will be achieved through measures such as the cessation of inputs of chemical fertilisers for the lifetime of the Scheme, removal of vegetation prior to cultivation for seeding and the removal of arisings after cutting where practicable and are further detailed in the Framework LEMP **[REP1-063]**. It is noted that stripping and storage of topsoils within the Solar PV Site will be required to allow for the construction of the Grid Connection Substations (Solar PV Area 1c) and the Field Stations and Access Tracks (i.e. areas of hardstanding located throughout the Solar PV Site). These soils will be handled and stored in accordance with the detailed SMP to be prepared prior to construction (secured through Requirement 15 of the Draft DCO **[REP1-006]**) including, but not limited to, measures such as the separate handling and storage of the topsoil and subsoil resource to prevent mixing. Such measures will ensure the pre-development soil profile is reinstated at decommissioning and the and pre-development ALC grading can be achieved. The extent of soil stripping and precise location of soil storage areas will not be available until detailed design; however it is expected that (in most locations, and especially along the cable corridors) the

LA	Para. Ref.	LIR Comment	Applicant's Response
			excavated soil will be stored on the margin of the working area. As set out in the updated Framework SMP **[REP1-058]** submitted at Deadline 1 of the Examination, the detailed SMP to be prepared prior to construction (secured through Requirement 15 of Schedule 2 of the draft DCO **[REP1-006]**) will include detailed information on soil handling and storage including stockpile locations and the type and volume of stored material. It is expected that all soils will be retained on site and reinstated in their area of origin; and that the soil profile will not be disturbed due to the installation of solar PV frames, as frames are driven directly into the ground without the need for foundations.
ERYC	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.	The Applicant notes this comment and will finalise seed mixes at detailed design stage as part of the detailed LEMP (secured through Requirement 6 within Schedule 2 of the Draft DCO **[REP1-006]**) and will adhere to commitments set out in the BNG assessment provided post consent (secured through Requirement 7 within Schedule 2 of the Draft DCO **[REP1-006]**.
ERYC	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	The Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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		
ERYC	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.	The Applicant notes this comment.
ERYC	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.	The Framework Public Rights of Way (PRoW) Management Plan **[APP-245]** is a framework document which sets the principles for managing PRoWs during construction and decommissioning. The Framework PRoW Management Plan identifies which PRoWs would be affected by which element of the Scheme and whether that PRoW would need to be managed, diverted, and/or see managed vehicle use. In each case, the length of the PRoW affected is specified, and it is confirmed that diversions would run alongside the alignment of the existing path. The suite of management measures is set out in 3.7.4, and these will be applied as

LA	Para. Ref.	LIR Comment	Applicant's Response
			appropriate with details brought forward under a detailed PRoW Management Plan which is required to be submitted and approved by the local authorities prior to construction as specified by Requirement 17 within Schedule 2 of the Draft DCO **[REP1-006]**. This is an appropriate approach at this stage of the Scheme when a construction contractor is yet to be appointed and detailed design is to be completed post consent. The Applicant agrees that the routes are different, hence the reason for providing a framework for agreeing the approach for each route post consent. Article 11 (4) of the draft DCO **[REP1-006]** establishes that the Undertaker must consult the street authority prior to making any changes to PRoW. It is expected that ERYC as the street authority and in approving the detailed PRoW Management Plan will involve the relevant teams within the authority, including the Public Rights of Way Team and the Countryside Access Team. The Applicant is committed to meaningful engagement to ensure that impacts on PRoW users are minimised. As set out at the ISH2 on 11 July 2024, the Applicant is actively seeking to have further meetings with the ERYC Countryside Access Team to discuss the approach taken with regard to the Framework PRoW Management Plan.

LA	Para. Ref.	LIR Comment	Applicant's Response
ERYC	7.131-7.132	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 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.	The Applicant notes this first comment and will await any further notification from the Definitive Map team with regards to any change in status. In any case, each of these PRoWs are included within the Framework PRoW Management Plan **[APP-245]** The Framework PRoW Management Plan **[APP-245]** provides sufficient flexibility to manage the effects on PRoW users, regardless of changes to the designation of these PRoW.
ERYC	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.	The Applicant notes this comment. A detailed PRoW Management Plan will be prepared post consent which is required to be submitted and approved by the local authorities prior to construction and be in substantial accordance with the Framework PRoW Management Plan **[APP-245]** as specified by Requirement 17 within Schedule 2 of the Draft DCO **[REP1-063]**. Article 11 (4) of the DCO establishes that the Undertaker must consult the street authority prior to making any changes to PRoW. It is expected that ERYC in its role as the street authority and in approving the detailed PRoW Management Plan under Requirement 17 of the draft DCO **[REP1-063]**will involve the relevant teams within the

LA	Para. Ref.	LIR Comment	Applicant's Response
			authority, including the Public Rights of Way Team and the Countryside Access Team. The Applicant is committed to meaningful engagement to ensure that impacts on PRoW users are minimised.
ERYC	7.134-7.135	4 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. 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.	The Framework Public Rights of Way Management Plan **[APP-245]** is a framework document which sets the principles for managing PRoWs during construction and decommissioning. The Framework PRoW Management Plan **[APP-245]** identifies which PRoWs would be affected by which element of the Scheme and whether that PRoW would need to be managed, diverted, and/or see managed vehicle use. In each case, the length of the PRoW affected is specified, and it is confirmed that diversions would run alongside the alignment of the existing path. The suite of management measures is set out in 3.7.4, and these will be applied as appropriate with details brought forward under a detailed PRoW Management Plan which is required to be submitted and approved by the local authorities prior to construction and must be substantially in accordance with the Framework PRoW Management Plan **[APP-245]** as specified by Requirement 17 within Schedule 2 of the Draft DCO **[REP1-006].** This is an appropriate approach at this stage of the Scheme when a construction contractor is yet to be appointed and detailed design is to be completed post consent.

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			Diversions will be temporary, short distance, and will follow the line of the existing PRoWs. The construction phase will be programmed to minimise the amount of time that individual PRoWs will be affected, and to minimise the number of PRoWs affected at any given time. The package of mitigation and management measures set out provide confidence at this stage of the project that the impact can be mitigated both at individual locations and across the Scheme as a whole. The Scheme will provide two new permissive paths, which will enhance the network, in consultation with ERYC. At a meeting on 28 February 2023, ERYC's Public Rights of Way Officer welcomed the provision of these routes, and stated that these were the routes that the ERYC would have suggested.
	Flood Risk and Drainage		
ERYC	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.	The Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
ERYC	7.155-7.157	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. 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. 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	The Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		has therefore been demonstrated that the Exception Test has also been met.	
ERYC	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.	The Applicant notes this comment. The Environment Agency submitted a Relevant Representation **[RR-107]** which the Applicant responded to at Deadline 1 **[REP1-066].** This Relevant Representation confirmed that the Environment Agency consider the assessment set out in the ES in relation to flood risk, groundwater, land and water to be satisfactory. It also confirms that the mitigation included within the FRA to be acceptable and appropriate. Further comments from the Environment Agency were received at Deadline 1 **[REP1-091]**, however, it was considered by the Applicant that these had already been responded to. The Applicant is continuing to engage with the Environment Agency.
ERYC	7.159-7.160	The Council's Land Drainage Team (LDT) and Lead Local Flood Authority (LLFA) have reviewed the submitted documentation and the following comments to make: 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. The LDT and LLFA recommend that prior to commencement of the development full surface water and foul drainage	The Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	
	Impact on Living Conditions		
ERYC	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.	The Applicant notes this comment.
ERYC	7.176	*(In relation to the CEMP)* 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	Receptors that are identified as experiencing significant residual effects due to HDD noise at night are located in proximity to the proposed A63 and River Derwent HDD sites. Table 7 of the Framework Construction Environmental Management Plan **[REP1-053]** commits that HDD activities would "…*only be undertaken outside of core working hours if there is a clear and obvious benefit, such as for safety reasons or to avoid daytime disruption to many people or if required by the asset owner".* As such, the requirement for continuous HDD activities is unlikely however will be confirmed when the routing of the Grid Connection Cable has been fixed and a detailed

LA	Para. Ref.	LIR Comment	Applicant's Response
		working hours within 200m of these properties further noise mitigation measures will be required.	methodology compiled by the contractor after consent has been granted. This confirmation will be provided in the detailed CEMP secured by Requirement 11 of Schedule 2 of the draft DCO **[REP1-006]**. As such, given the unlikely scenario of night-time HDD activities the assessment of HDD noise covers a reasonable worst-case and the potential for significant effects has been identified with appropriate mitigation proposed.
ERYC	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	A level of 55 dB LAeq,T is adopted as the Significant Observed Adverse Effect Level for night-time construction works noise at a sensitive receptor. This aligns with the trigger level for provision of insulation set out in Table E.2 of BS 5228-1:2009+A1:2014 and the defined SOAEL in the Association of Noise Consultants Construction Noise Guide. However, it is acknowledged that a significant noise effect in EIA terms may occur if the LOAEL is exceeded for an extended period of time. Reference is made to example method 2 of Annex E of BS 5228-1, which identifies that a potentially significant effect would occur if the night-time threshold of 45 dB LAeq,T (equivalent to the defined LOAEL) was exceeded for a period of one month or more. The only construction activity that has the potential to take place at night is Horizontal Directional Drilling (HDD). There is a commitment in Table 7 of the Framework Construction Environmental Management Plan **[REP1-053]** as follows:

LA	Para. Ref.	LIR Comment	Applicant's Response
			"*HDD activities will only be undertaken outside of core working hours if there is a clear and obvious benefit, such as for safety reasons or to avoid daytime disruption to many people or if required by the asset owner".* As such, the requirement for continuous HDD activities is unlikely however will be confirmed when the routing of the Grid Connection Cable has been fixed and a detailed methodology compiled by the contractor after consent has been granted. Given this, it is an unlikely scenario that night-time HDD activities will be undertaken the assessment of HDD noise covers a reasonable worst-case and the potential for significant effects has been identified and appropriate mitigation proposed. A SOAEL of 55dB LAeq,8h is therefore considered appropriate.
ERYC	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.	Section 2.6 of the Framework CEMP **[REP1-053]** sets out details on Control of Light. A Detailed CEMP will be prepared post consent prior to construction which will need to be in substantial accordance with the Framework CEMP and approved by the relevant local authorities This is secured through Requirement 11 within Schedule 2 of the Draft DCO **[REP1-006]**.
ERYC	7.179-7.181	A 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	The Applicant references occasional weekend work at paragraph 2.3.2 of the Framework OEMP **[REP1-055]**. This paragraph has been amended to reflect that works at the weekend will be undertaken between the hours of

LA	Para. Ref.	LIR Comment	Applicant's Response
		grant of the DCO. The Detailed CEMP is to be prepared in accordance with the Framework CEMP. The 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. On 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.	08.00 and 14.00 on a Saturday and not on a Sunday or Bank Holiday. The updated Framework OEMP has been submitted at Deadline 3 of the Examination.
ERYC	7.182	The 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.	To respond to this comment, the Framework OEMP **[REP1-055]** has been amended at Table 5 to refer to the fact that plant would be inspected regularly and any faults that result in increased levels of noise emissions are logged and repaired as soon as practicable. The updated Framework OEMP has been submitted into the examination at deadline 3.

LA	Para. Ref.	LIR Comment	Applicant's Response
ERYC	7.183	The 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.	A worst-case LAr,Tr rating noise level of 38dB is identified at a residential property (Table 11-17 of Chapter 11, ES Volume 1 **[REP1-016]**). This is the specific level of solar farm infrastructure noise of 35dB with a 3dB penalty added to account for noise that is distinctive against the residual acoustic environment'. The predictions assume that all plant are operating at full load throughout the night, which is a worst-case assumption. In reality, inverters will be on standby and cooling fans tend to be inactive during nighttime hours except during the summer months typically between 5am and 7am. Consequently, operational noise levels are likely to be substantially lower at night than predictions indicate. Noise at a level of 35dB is described as equivalent to the level of noise in a quiet library or a quiet rural area and is between the defined Lowest Observed Adverse Effect Level (LOAEL) of 30 dB LAr,Tr and the Significant Observed Adverse Effect Level (SOAEL) of 40 dB LAr,Tr (Table 11-10 of Chapter 11, ES Volume 1**[REP1-016]**). The National Planning Practice Guidance relating to noise acknowledges that noise between LOAEL and SOAEL may be perceptible and cause small changes in behaviour. All reasonable steps should be taken to mitigate this level of noise while accounting for principles of sustainable development (Noise Policy Statement for England). These measures are described in Table 5 of the Operational Environmental Management Plan **[REP1-055]**.

LA	Para. Ref.	LIR Comment	Applicant's Response
ERYC	7.184	The 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.	A minimum external level of 40 dB LAr,Tr is adopted as the Significant Observed Adverse Effect Level (SOAEL) for night-time operational noise at a sensitive receptor. This takes into account the context of absolute levels of night-time noise in low noise environments following guidance in section 11 of BS 4142:2014+A1:2019, which states: "*Where background sound levels and rating levels are low, absolute levels might be as, or more, relevant than the margin by which the rating level exceeds the background. This is especially true at night".* The minimum SOAEL for operational noise was defined assuming that a partially open window would attenuate noise by 10 dB so the internal level would be 30 dB LAr,Tr. This level of noise is commonly described as a whisper and aligns with guideline levels of 30 dB LAeq,8h for good sleeping conditions in residential properties (paragraph 11.4.72 of Chapter 11: Noise and Vibration, ES Volume 1 **[REP1-016]**). As such, the approach assumes that an exceedance of the SOAEL may require windows being closed most of the time to achieve good sleeping conditions in a bedroom. This aligns with the definition of the SOAEL in Planning Practice Guidance (PPG) Noise as: "*The noise causes a material change in behaviour, attitude or other physiological response, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep*

LA	Para. Ref.	LIR Comment	Applicant's Response
			disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area". Based on the evidence provided, the operational noise assessment criteria for night time follows policy guidance and is appropriate and proportionate for describing noise effects in a rural area.
ERYC	7.185	Regarding 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.	The Applicant notes this comment. Section 2.6 of the Framework CEMP **[REP1-053]** sets out details on Control of Light. A Detailed CEMP will be prepared post consent which will need to be in substantial accordance with the Framework CEMP and approved by the East Riding of Yorkshire Council and North Yorkshire Council. This is secured through Requirement 11 within Schedule 2 of the Draft DCO **[REP1-006]**.
ERYC	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	The Applicant notes this comment. A detailed CEMP and DEMP will be prepared post consent which will need to be in substantial accordance with the Framework CEMP **[REP1-053]** and Framework DEMP **[REP1-057]** and approved by the East Riding of Yorkshire Council and North Yorkshire Council. These are secured through Requirements 11 and 18 within Schedule 2 of the Draft DCO **[REP1-006]**.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	
	Trees and Landscaping		
ERYC	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.	The Applicant notes this comment.
ERYC	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	The Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	
ERYC	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	The Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	
	Heritage Assets		
ERYC	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.	The updated version of the Overarching Written Scheme of Investigation (OWSI) has been submitted to and approved by Humber Historic Environmental Record. The approved OWSI was submitted at Deadline 1 **[REP1-086]**.
ERYC	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 Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		the site compound will have an impact on the wider setting in which these assets are experienced, albeit this is likely to 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.	
	Appendix 1- Comments from the East Riding of Yorkshire Council's Countryside Access Team		
ERYC	N/A	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.	Development consent under the Planning Act 2008 grants certain powers to carry out NSIPs which includes the power to stop up or divert any street or public right of way if it is considered necessary to enable development to be carried out. Article 11 of the draft DCO **[REP1-006]** provides the Applicant with these powers for temporarily diverting public rights of way which are identified in Schedule 6 of the draft DCO. Article 11(4) of the draft DCO establishes that the Undertaker must consult the street authority prior to making any changes to the PRoW in Schedule 6. It is expected that ERYC as the street authority, and in its capacity as the planning authority approving the detailed

LA	Para. Ref.	LIR Comment	Applicant's Response
			PRoW Management Plan required by Requirement 17 of the draft DCO **[REP1-006]**, will involve the Countryside Access Team. Article 11(4)(b) of the draft DCO **[REP1-006]** does stipulate that "the undertaker must not temporarily close, prohibit the use of, authorise the use of, restrict the use of, alter or divert any other street or public right of way" which is not specified in Schedule 6 "without the consent of the street authority, and the street authority may attach reasonable conditions to any such consent".
ERYC	N/A	*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 PRoWs will be managed not closed or diverted mean? Please expand upon and clarify what managed	The management measures for PRoW are set out within section 3.7.4 of the Framework PRoW Management Plan **[APP-245]**. The Applicant notes the comment relating to repairs, and this will be managed / agreed through condition surveys committed to in the Framework CTMP. The Applicant notes the potential impact on horses and this would be a consideration when preparing the detailed PRoW Management Plan under Requirement 17 of the draft DCO **[REP1-006]**.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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.	
ERYC	N/A	*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	The Applicant will only divert PRoW where necessary to ensure safety of users. This will be agreed with ERYC as part of bringing forward a detailed PRoW Management Plan post consent under Requirement 17 of the draft DCO **[REP1-006]**. The Applicant has assessed a worst case scenario of requiring temporary closure/diversions in a number of instances, and has identified a range of management

LA	Para. Ref.	LIR Comment	Applicant's Response
		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?	measures to deal with this as set out in the Framework PRoW Management Plan **[APP-245]**. Development consent under the Planning Act 2008 grants certain powers to carry out NSIPs which includes the power to stop up or divert any highway or public right of way if it is considered necessary to enable development to be carried out. Article 11 of the draft DCO **[REP1-006]** provides the Applicant with these powers for temporarily diverting public rights of way (which are identified in Schedule 6 of the draft DCO) in consultation with ERYC
ERYC	N/A	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 able to comment in an informed manner. What the applicant may perceive as 8improving access9 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).	Management and improvement measures would be discussed and agreed with ERYC prior to design and implementation. This would include surfacing measures. The Applicant has no requirement to alter the surface of existing PRoWs in order to deliver the Scheme and does not seek to make any changes which would be contrary to ERYC's wishes. The Framework PRoW Management Plan **[APP-245]** is a framework document which sets the principles for managing PRoWs during construction. This will be developed into a detailed PRoW Management Plan post-consent, prior to construction. This is secured through Requirement 17 of the draft DCO **[REP1-006]**, including that the detailed PRoW Management Plan would be substantially in line with the Framework PRoW

LA	Para. Ref.	LIR Comment	Applicant's Response
			Management Plan **[APP-245]**. The Applicant can confirm that details would therefore be discussed agreed prior to implementation through the detailed PRoW Management Plan and also consultation under Article 11 of the draft DCO **[REP1-006]**.
ERYC		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.	The Applicant notes this comment. This consultation with ERYC, in its role as the street authority, is provided for under Article 11 of the draft DCO **[REP1-006]** and also as part of bringing forward and agreeing a detailed PRoW Management Plan post consent under Requirement 17 of the draft DCO **[REP1-006]**. A Community Liaison Group will be also set up and administered by the Applicant (referred to in the Framework CEMP and within the draft DCO (as per Requirement 4 of **[REP1-006]**), with a Community Liaison Officer (or alternative role) to lead discussions with local communities during construction. The Applicant considers that this will facilitate liaison between representatives of people living in the vicinity of the Order Limits and other relevant organisations in relation to the construction of the Scheme and therefore the effects of construction on PRoWs.
ERYC	N/A	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 Applicant notes this comment. These measures are provided for in the Framework PRoW Management Plan **[APP-245]**.

LA	Para. Ref.	LIR Comment	Applicant's Response
		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, corridored 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.	Consultation with ERYC is included for under Article 11 of the draft DCO **[REP1-006]**. Details of how individual PRoW will be managed during construction will be agreed with ERYC as part of bringing forward a detailed PRoW Management Plan post consent under Requirement 17 of the draft DCO **[REP1-006]**.
ERYC	N/A	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.	The Applicant notes this comment. This consultation with ERYC, in its role as the street authority, is provided for under Article 11 of the draft DCO **[REP1-006]** and also as part of bringing forward a detailed PRoW Management Plan post consent under Requirement 17 of the draft DCO **[REP1-006]**. A Community Liaison Group will be also set up and administered by the Applicant (referred to in the Framework CEMP and within the draft DCO (as per Requirement 4 of **[REP1-006]**), with a Community Liaison Officer (or alternative role) to lead discussions with local communities during construction. The Applicant considers that this will facilitate liaison between representatives of people living in the vicinity of the Order Limits and other relevant organisations in relation to the construction of the

LA	Para. Ref.	LIR Comment	Applicant's Response
			Scheme and therefore the effects of construction on PRoWs.
ERYC	N/A	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.	Within the Framework PRoW Management Plan **[APP-245]**, details of the embedded mitigation measures are provided in section 3.7.2, management measures are provided in section 3.7.4 and diversion management measures are provided within section 3.7.5.
ERYC	N/A	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.	The Applicant notes this comment. This consultation with ERYC, in its role as the street authority, is provided for under Article 11 of the draft DCO **[REP1-006]** and also as part of bringing forward a detailed PRoW Management Plan post consent under Requirement 17 of the draft DCO **[REP1-006]**.
ERYC	N/A	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 233 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 Applicant notes this comment. Consultation is provided for under Article 11 of the draft DCO **[REP1-006]**. This will also be agreed with ERYC as part of bringing forward a detailed PRoW Management Plan post consent under Requirement 17 of the draft DCO **[REP1-006]**. To clarify, the temporary local diversions will be for a short period of approximately 2 to 3 weeks, not 233 weeks.

LA	Para. Ref.	LIR Comment	Applicant's Response
		the most effective method of closure for these short-term periods of work.	
ERYC	N/A	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 won9t be required.	Development consent under the Planning Act 2008 grants certain powers to carry out NSIPs which includes the power to stop up or divert any street or public right of way if it is considered necessary to enable development to be carried out. Article 11 of the draft DCO **[REP1-006]** provides the Applicant with these powers for temporarily diverting public rights of way which are identified in Schedule 6 of the draft DCO. Article 11(4) of the draft DCO establishes that the Undertaker must consult the street authority prior to making any changes to the PRoW in Schedule 6. It is expected that ERYC as the street authority, and in its capacity as the planning authority approving the detailed PRoW Management Plan required by Requirement 17 of the draft DCO **[REP1-006]**, will involve the Countryside Access Team. Article 11(4)(b) of the draft DCO does stipulate that "the undertaker must not temporarily close, prohibit the use of, authorise the use of, restrict the use of, alter or divert any other street or public right of way" which is not specified in Schedule 6 "without the consent of the street authority, and the street authority may attach reasonable conditions to any such consent".
ERYC	N/A	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	

LA	Para. Ref.	LIR Comment	Applicant's Response
ERYC	N/A	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. …Also discussed was a permissive footpath, leading eastwards from the extended permissive bridleway to a bird hide or similar amenity, overlooking am area of ecological mitigation. Has this proposal been dropped?	The Scheme will provide two new permissive paths, which will enhance the existing PRoW network, in consultation with ERYC at a meeting on 28/02/23, ERYC's Public Rights of Way Officer welcomed the provision of these routes, and stated that these were the routes that the Council would have suggested. Section 12.3 of Chapter 12: Socio-Economics and Land Use, ES Volume 1 **[APP-064]** summarises the range of correspondence and agreements between the Applicant and ERYC PRoW Officers. It is noted that the ERYC PRoW officer requested consideration of a permissive bridleway within the western part of Solar PV Area 2g, orientated north to south, to create a circular route linking existing bridleways. The Applicant was happy to consider this request, however, this was not possible to provide as, following statutory consultation in May/June 2023, the southern extent of Solar PV Area 2g was removed from the Scheme. This was following discussions with National Grid's Eastern Green Link 2 (EGL2) project team and in response to feedback relating to loss of agricultural land and scale of the Scheme. This removes some areas of BMV agricultural land from the Scheme which can remain in arable farming use. This also reduces the extent of the Scheme's interface with the EGL2 project. This is set out in Chapter 3: Alternatives and Design Evolution, ES Volume 1 Table

LA	Para. Ref.	LIR Comment	Applicant's Response
			3-3 **[APP-055]** and Consultation Report Table 4-3 **[APP-024].** A permissive footpath is included as requested to the east of Johnsons Farm leading to the edge of the wetland habitat area in Solar PV Area 1e. The Applicant had proposed to provide a bird hide in this location as a wider benefit of the proposals, however, this was removed from the Scheme following consultation feedback.
ERYC	N/A	*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 8Who has a public right of way? An analysis of provision and inequity in England and Wales9 and 8Routes to Nature: Unlocking Local Access in England and Wales9, 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	The Applicant acknowledges that PRoW are a valuable community resource due to the access to nature, views and peace which they can offer, and not just due to the access they provide to employment and services. Landscape and visual impacts on users of PRoW are assessed within Chapter 10: Landscape and Visual Amenity, ES Volume 1 **[REP1-014]**. Chapter 14: Human Health, ES Volume 1 **[APP-066]** reflects that PRoW have physical and mental health benefits by taking into account effects on PRoW in terms of both access to open space and active travel (drawing on Chapter 12: Socio-economics and Land Use, ES Volume 1 **[APP-064]**) and in terms of landscape and visual amenity (drawing on Chapter 10: Landscape and Visual Amenity, ES Volume 1 **[REP1-014]**). Chapter 12: Socio-economics and Land Use, ES Volume 1 **[APP-064]** concludes that during the construction phase there will be negligible effects on PRoW and that during

LA	Para. Ref.	LIR Comment	Applicant's Response
		network as well as simply work to mitigate the negative impacts of the proposals, particularly during the construction phase.	the operational phase there will be minor beneficial effects on PRoW. The Framework Public Rights of Way Management Plan **[APP-245]** describes how PRoW will be managed during construction and decommissioning. Requirement 17 of Schedule 2 of the Draft DCO **[REP1-006]** requires a detailed PRoW Management Plan, which should be substantially in accordance with the Framework PRoW Management Plan **[APP-245]** to be submitted to and approved by the relevant Local Planning Authorities post consent prior to construction.
ERYC	N/A	*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	Mitigation for where the Solar PV Areas lie alongside PRoW is as set out in the Framework LEMP **[REP1-063]**. This includes buffers of either 15m where Solar PV Areas lie to one side of the PRoW and 20m where Solar PV Areas lie both sides and proposed woodland edge planting at intermittent locations along a number of PRoW as illustrated on the Landscape Masterplan within the Framework LEMP **[REP1-063]**. The proposed buffer separation for PRoW is of a considerable width and would continue to allow views along field edges and towards tall vegetation, such as trees and woodland, that would appear in the background of the view. There would be some enclosing of views in direct proximity to the Solar PV Panels and fencing.

LA	Para. Ref.	LIR Comment	Applicant's Response
		priority than retention of a viewpoint. Therefore, PROW screening should be assessed location by location.	

Table 2-2 Applicant's Response to North Yorkshire Council's Local Impact Report

LA	Para. Ref.	LIR Comment	Applicant's Response
	Planning Policy		
NYC	4.12-4.14	On 17 September 2019, Selby District Council agreed to prepare a new Local Plan. Consultation on issues and options took place early in 2020 and further consultation took place on preferred options and additional sites in 2021. The Pre-submission Publication Local Plan (under Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2012, as amended), including supporting documents, associated evidence base and background papers, was subject to formal consultation that ended on 28th October 2022. A further round of consultation on a revised Regulation 19 Publication Local Plan was undertaken in March 2024 and the responses are now being considered. Following any necessary minor modifications being made it is intended that the plan will be submitted to the Secretary of State for Examination. 4.13 Paragraph 48 of the NPPF states that weight may be given to relevant policies in emerging plans according to: a) the stage of preparation; b) the extent to which there are unresolved objections to the policies; and c) the degree of consistency of the policies to the Framework. Given the stage of the emerging Local Plan, the policies contained within it are attributed limited weight and as such are not listed in this report. 4.14	The Applicant notes this comment. Compliance with both draft and adopted planning policy is presented within the Planning Statement **[APP-233]**.

LA	Para. Ref.	LIR Comment	Applicant's Response
		The North Yorkshire Local Plan is at an early stage of preparation and no weight can be applied in respect of this document.	
NYC	6.8-6.9	The Application identifies the relevant local planning policies within the Development Plan against which the application is to be assessed. The Authorities are in agreement that the principle of the proposed development is supported by the relevant local planning policies within the Development Plan.	The Applicant notes this comment. Compliance with both draft and adopted local planning policy is presented within the Planning Statement **[APP-233]**.
	Noise and Vibration		
NYC	7.2	Construction Noise/Vibration. Existing background sound levels are well defined (Appendix 11-3: Baseline Noise Survey ref: EN010143/APP/6.2 [N16]) and support the alignment of BS5228-1:2009+A1:2014 Category A noise threshold values with the lowest observed adverse effect level (LOAEL) (Table 11-6). Construction noise is assessed and predicted to adhere to LOAEL at R37 & R38 (Table 11-13), which was derived through noise modelling of input data set out within Appendix 11-4: Construction and Operational Noise Assessment ref: EN010143/APP/6.2. A Construction Environmental Management Plan (CEMP) is secured through DCO requirement 11 and, amongst other Best Practicable Means (BPM) measures, there is prior commitment to restrict core working hours to between 07:00 and 19:00 Monday to Friday, 07:00 and 13:00 Saturday and not at all on Sundays and Bank Holiday. There is a caveat	In response to the request for emergency works to be defined clearly in the CEMP the Framework CEMP has been updated at paragraph 2.3.2 *“"emergency" means a situation where, if the relevant action is not taken, there will be adverse health, safety, security or environmental consequences that in the reasonable opinion of the undertaker would outweigh the adverse effects to the public (whether individuals, classes or generally as the case may be) of taking that action”* The updated Framework CEMP has been submitted at deadline 3.

LA	Para. Ref.	LIR Comment	Applicant's Response
		for emergency works which should be clearly defined in the CEMP. Overall, taking into account the aforementioned, there are no objections relating to construction noise/vibration impacts.	
NYC	7.3-7.4	Operational Noise/Vibration. Significant operational noise/vibration impacts at receptors R37 and R38 are not envisaged due to distances from noise generating fixed plant installations. The Framework Construction Environmental Plan EN010143/APP/7.7 is acceptable but as identified with the Framework a more detailed specific Construction Environmental Management Plan will be required once greater detail is known and such to include the management of both noise and dust.	The Applicant notes this comment. The detailed CEMP is secured by Requirement 11 of Schedule 2 of the draft DCO **[REP1-006].**
	Landscape		
NYC	8.2-8.3	The Applicant has provided further comments and explanation to our points previously raised but this does not alleviate or resolve the concerns. The provision for tree and vegetation protection within the Applicant's submission is uncertain, convoluted across multiple documents and lacks clarity.	As discussed at the meeting held between the Applicant and NYC on 9 July 2024, the detailed LEMP via Requirement 6 Schedule 2 of the draft DCO will secure the details for protection of existing vegetation and trees and replacement planting within the Grid Connection Corridor. The Framework CEMP also details tree protection measures and will bring forward detailed Arboricultural surveys and tree protection plans as part of the detailed CEMP secured via Requirement 11 Schedule 2 of the draft DCO **[REP1-006]**.
NYC	8.4-8.5	Our main concerns are that there is no specific requirement for the Applicant to proactively develop the detailed design within the Grid Connection Corridor in order to protect and	

LA	Para. Ref.	LIR Comment	Applicant's Response
		retain existing vegetation; and insufficient clarity for reinstatement or to contribute to Green Infrastructure. There is no clear overall description of the 'works' linked to the areas shown on the Works Plan adding to this lack of clarity.	The Framework LEMP **[APP-246]** has been updated to set out the specific measures to be undertaken to minimise impacts upon existing vegetation and hedgerows within the Grid Connection Corridor with a reduction in working width to approximately 5 metres, where practicable when the route passes through existing vegetation and hedgerows. The updated Framework LEMP also includes provisions for replacement planting, where required.
NYC	8.6	Where tree loss may be unavoidable within the Grid Connection Corridor, the provision for reinstatement, tree replacement and compensatory mitigation is insufficiently explained or allowed for in the Framework Landscape Masterplan, or how this might be linked to the wider requirements and provision of green infrastructure within the Grid Connection Corridor.	The Framework LEMP **[REP1- 063]** sets out areas of reinstatement hedgerow where it is known that these areas need to be removed to facilitate construction of the Grid Connection Corridor. The Framework LEMP has been updated and submitted at Deadline 3, to set out the specific measures to be undertaken to minimise impacts upon existing vegetation and hedgerows within the Grid Connection Corridor with a reduction in working width to approximately 5 metres, where possible when the route passes through vegetation and hedgerows. The updated Framework LEMP also includes provisions for replacement planting, where required.
NYC	8.7	Certain assumptions have been made within the LVIA, but it is not clear that a worse-case scenario has been taken into account for landscape, visual and cumulative effects, and there is potential for important woodland and hedgerow vegetation to be cleared within the Grid Connection Corridor and around Drax Power Station as a consequence of the	The Applicant has updated the Framework LEMP **[REP1-063]** as part of the Deadline 3 package of information to clarify that areas of existing vegetation within the Grid Connection Corridor, specifically in proximity to Drax Power Station, will be retained and protected. The update to the Framework LEMP **[REP1- 063]** Landscape

LA	Para. Ref.	LIR Comment	Applicant's Response
		detailed design stage and wide parameters allowed within the Order Limits.	Masterplan at Appendix A illustrates existing trees, hedgerow and woodland to be retained within the Grid Connection Corridor that corresponds with the Tree Protection Plan within Appendix 10-5: Arboricultural Impact Assessment and Tree Protection Report, Annex E **[APP-104]**. The assessment within Chapter 10: Landscape and Visual Amenity, ES Volume 1 **[REP1-014]** has been undertaken on the assumption that areas of woodland along the Grid Connection Corridor such as those close to Drax Power Station will be retained and that the majority of hedgerows and trees, where practicable, would be retained. Within Chapter 10: Landscape and Visual Amenity, ES Volume 1 10.3.10 **[REP1-014]**, paragraph 10.5.83 should state that the potential viewpoint to the south of Drax, along New Lane would not experience views of the Grid Connection Corridor as a result of the retention of the mature vegetation located along Wren Hall Lane and Carr Lane. The revised Framework LEMP sets out the measures to be undertaken to minimise impacts upon existing vegetation and hedgerows within the Grid Connection Corridor including, where practicable, the reduction in working width to approximately 5 metres when the route passes through existing vegetation and hedgerows.

LA	Para. Ref.	LIR Comment	Applicant's Response
NYC	8.8	For example, the LVIA includes statements that no vegetation will be lost as a result of the scheme (e.g. paragraph 10.5.83 of the LVIA). However, trees and hedgerows are shown for removal on the Tree Protection Plans within the Arboricultural Impact Assessment.	Within Chapter 10: Landscape and Visual Amenity, ES Volume 1 10.3.10 **[REP1-014]**, paragraph 10.5.83 should state that the potential viewpoint to the south of Drax, along New Lane would not experience views of the Grid Connection as a result of the retention of the mature vegetation located along Wren Hall Lane and Carr Lane. The Applicant has updated the Framework LEMP **[REP1-063]** as part of the Deadline 3 package of information to clarify that areas of existing vegetation within the Grid Connection Corridor, specifically in proximity to Drax Power Station, will be retained and protected. The update to the Framework LEMP **[REP1- 063]** Landscape Masterplan at Appendix A illustrates existing trees, hedgerow and woodland to be retained within the Grid Connection Corridor that corresponds with the Tree Protection Plan within Appendix 10-5: Arboricultural Impact Assessment and Tree Protection Report, Annex E **[APP-104]**.
NYC	8.9	We would wish to see greater certainty for protection and retention of existing vegetation, the agreement of final routing options within the Grid Connection Corridor to actively protect vegetation, and a landscape framework capable of minimising potential vegetation loss and actively providing and supporting green infrastructure within the Grid Connection Corridor.	The final routeing option for the Grid Connection Cable and protection and retention of existing vegetation will be determined at the detailed design stage and brought forward as part of a detailed LEMP in accordance with Requirement 6 of Schedule 2 of the draft DCO **[REP1-006]**.
NYC	8.10	Given the sensitivity and value of the existing landscape framework around Drax Power Station we would	An Arboricultural Method Statement (AMS) is secured as a commitment in the Framework CEMP **[REP1-053]** and is

LA	Para. Ref.	LIR Comment	Applicant's Response
		recommend that tree protection is actively considered at the detailed design stage and that this should be a specific requirement of the DCO.	secured by requirement 11 of Schedule 2 of the draft DCO **[REP1-006].** The AMS final Tree Protection Plan will set out where tree protection measures are to be implemented.
NYC	8.11	There should be an Arboriculturist specifically appointed in the CEMP responsible for tree protection during construction.	An Arboricultural Method Statement (AMS) is secured as a commitment in Table 5 of Framework CEMP **[REP1-053]** and this is secured via a detailed CEMP (which must be in substantial accordance with the Framework CEMP) by Requirement 11 of Schedule 2 of the draft DCO **[REP1-006]**. The AMS will set out a schedule of site supervision and monitoring to be carried out by an appointed arboriculturist.
NYC	8.12	All vegetation and trees to be retained within the Grid Connection Corridor should be clearly shown on Framework Landscape Masterplan Drawings in the LEMP.	The Applicant has updated the Framework LEMP **[REP1-063]** Landscape Masterplan at Appendix A on Sheet 11 of 11 to make it clear that areas of existing vegetation within the Scheme including the Grid Connection Corridor, specifically in proximity to Drax Power Station, will be retained and protected.
NYC	8.13-8.17	For a development of this scale we would also expect to see clear provision of green infrastructure actively applied within the whole of the application area. Specific areas for this should be identified on a plan within the Grid Connection Corridor and secured through the DCO. This would give confidence that further landscape and arboricultural impacts could be sufficiently mitigated at detailed design stage.	The Framework LEMP **[REP1- 063]** has been updated to make clear which mitigation is applicable to the Grid Connection Corridor including a statement regarding the existing trees and hedgerow that will be removed to facilitate construction and the mechanism for replacement. This also clarifies the retention of vegetation in proximity to Drax Power Station. This has been submitted to examination at deadline 3. Given the Scheme is proposing to lay a cable underground and return the land to its

LA	Para. Ref.	LIR Comment	Applicant's Response
		Notwithstanding the criteria used by the Applicant within the EIA to determine 'significant effects' other adverse effects should not be ignored particularly where it is reasonable and possible to reduce these though 'good design'. Overarching National Planning Policy Statement for Energy (EN1) chapter 4.6 sets out criteria for 'good design' and acknowledges the benefits of 'good design' in mitigating the adverse impacts of a project. Selby DC policy SP12 states "In all circumstances opportunities to protect, enhance and better join up existing Green Infrastructure, as well as creating new Green Infrastructure will be strongly encouraged, in addition to the incorporation of other measures to mitigate or minimise the consequences of development". 14 8.16 Selby falls within the Leeds City Region Green Blue Infrastructure Strategy area. GI is also defined in the NPPF. Proposals should incorporate green infrastructure capable of delivering a range of environmental and quality of life benefits. We would recommend that the Principles of Green Infrastructure are aligned with Natural England's Green Infrastructure Principles of 'What', Where' and 'How'. Link to Natural England's Green Infrastructure Principles and the England Green Infrastructure Mapping: https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/G IPrinciples.asp	original condition opportunities to create green infrastructure along the Grid Connection Corridor are limited and have therefore not been proposed. Significant areas of green infrastructure are however proposed by the Scheme within the Solar PV Site as illustrated on the Landscape Masterplan at Appendix A of the Framework LEMP **[REP1-063]**.
NYC	8.20	A Framework Landscape Masterplan is included at Appendix A of the LEMP, but this inaccurately shows	In response to the point regarding the Grid Connection Corridor the Applicant has considered this, however notes

LA	Para. Ref.	LIR Comment	Applicant's Response
		existing trees within the Grid Connection Corridor and makes no specific provision to mitigate potential loss or as a contribution to Green Infrastructure in the area associated with the Grid Connection Corridor and the area around the Drax Substation	that none of its landscape and visual assessment work undertaken would require any mitigation in this area and thus provide opportunities for enhancement also. The Applicant is proposing to lay the Grid Connection Cable and then return the land to its original condition with replacement planting provided if existing vegetation is required to be replaced.
NYC	8.21	There are some stated standoff distances for woodland tree and hedgerow protection in the LEMP (para 4.2.4), but it is unclear that these are embedded in the Scheme design within the Grid Connection Corridor since this is contradictory to the general layout, findings Arboricultural Impact Assessment, and that Detailed design approval is subject of a separate requirement. There is no reference to a reduced 5m working width, as suggested in the RR.	As discussed at the meeting held between the Applicant and NYC on 9 July 2024, the detailed LEMP via requirement 6 Schedule 2 of the draft DCO **[REP1-006]** will secure the details for protection of existing vegetation and trees and replacement planting within the Grid Connection Corridor. The Framework CEMP also details tree protection measures and will bring forward detailed arboricultural surveys and tree protection plans as part of the detailed CEMP secured via Requirement 11 Schedule 2 of the draft DCO **[REP1-006]**. The Framework LEMP has been updated to make clear which mitigation is applicable to the Grid Connection Corridor. This has been submitted to examination at deadline 3.
NYC	8.22	Paragraph 2.4.1 of the CEMP specifically excludes mitigation by design, deferring this to the Design Principles Statement.	The detailed LEMP via Requirement 6 Schedule 2 of the draft DCO **[REP1-006]** will secure the details for protection of existing vegetation and trees and replacement planting within the Grid Connection Corridor.

LA	Para. Ref.	LIR Comment	Applicant's Response
NYC	8.23	Within Chapter 2 of the CEMP, there is no specific provision for an Arboriculturalist and responsibilities for tree protection.	An Arboricultural Method Statement is secured as a commitment in the Framework CEMP **[REP1-053]** and is secured by Requirement 11 of the Draft DCO **[REP1-006]**. The AMS will set out a schedule of site supervision and monitoring to be carried out by an appointed arboriculturist.
NYC	8.24	Table 5 of the CEMP refers to specific mitigation offsets applied to layout of the scheme, but these seem intended for the area of the solar panels and not apparent for the Grid Connection Corridor. There are similar offsets reiterated in the LVIA but these are not secured as a detailed design requirement in the DCO.	As discussed at the meeting held between the Applicant and NYC on 9 July 2024, the detailed LEMP via Requirement 6 Schedule 2 of the draft DCO **[REP1-006]** will secure the details for protection of existing vegetation and trees and replacement planting within the Grid Connection Corridor. The Framework CEMP also details tree protection measures and will bring forward detailed arboricultural surveys and tree protection plans as part of the detailed CEMP secured via Requirement 11 Schedule 2 of the draft DCO **[REP1-006]**. The Framework LEMP has been updated to make clear which mitigation is applicable to the Grid Connection Corridor. This has been submitted to examination at deadline 3.
NYC	8.25	Table 6 within the CEMP sets out mitigation for Arboriculture but defers the final assessment of arboricultural impacts as part of the detailed CEMP (post DCO stage).	A reasonable worst case has been considered in the Arboricultural Impact Assessment **[APP-102]** and the final level of impact cannot reasonably be determined until the detailed design of Grid Connection Cable route has been developed (which may result in a reduction in tree loss or impacts). The Framework CEMP **[REP1-053]** includes a commitment that all ancient or veteran trees will be retained and that the final assessment of impacts will be

LA	Para. Ref.	LIR Comment	Applicant's Response
			assessed and reported as part of an Arboricultural Method Statement.
NYC	8.26	Details for trial trenching and further investigation works referred to in Table 14 (Ground Conditions) make no provision for vegetation or tree potential impacts or protection.	Table 3, 5 and 6 of the Framework CEMP **[REP1-053]** provide appropriate protection measures for existing vegetation and trees during such works identified in Table 14 of the Framework CEMP **[REP1-053]**.
NYC	8.27	Requirement 5 (Detailed design approval) makes no provision for protection of existing vegetation and trees: - Requirement 5(1) makes no provision for details of vegetation and tree protection or details of a soft landscaping scheme. - Requirement 5 (2) states that "The details submitted must accord with the outline design principles statement." The Outline Design Principles Statement (ODPS)	As discussed at the meeting held between the Applicant and NYC on 9 July 2024, the detailed LEMP via Requirement 6 Schedule 2 of the draft DCO **[REP1-006]** will secure the details for protection of existing vegetation and trees and replacement planting within the Grid Connection Corridor. The Framework CEMP **[REP1-053]** also details tree protection measures and will bring forward detailed arboricultural surveys and tree protection plans as part of the detailed CEMP secured via Requirement 11 Schedule 2 of the draft DCO **[REP1-006].** The Framework LEMP has been updated to make clear which mitigation is applicable to the Grid Connection Corridor. This has been submitted to examination at deadline 3.
NYC	8.28	The scope of works within the Order Limits for the Grid Connection Corridor are defined on the Works Plan (Application Document Ref. APP-008). The Grid Connection Corridor within North Yorkshire is shown on Sheets 21 and 22. Works within the Grid Connection Corridor are:	

LA	Para. Ref.	LIR Comment	Applicant's Response
		- Works No. 3 – to lay electrical cables and compounds for the electrical cables - Works No. 7 – works to facilitate access (There is no clear overall description of these 'Works' linked to the areas shown on the Works Plan).	
NYC	8.29	Works No. 7 relating to works facilitating access are specifically not included in Table 1 of the ODP Statement and makes no provision for vegetation and tree protection	
NYC	8.30	Works No. 3 relating to laying of cables and compounds for the electrical cables but makes no provision for vegetation and tree protection.	
NYC	8.31	Vegetation and tree protection are generally linked in the EMCR to Requirements 5, 6 & 11 in the DCO: 17 - Requirement 5 (Detailed Design for Approval) does not directly refer to vegetation and tree protection. - Requirement 6 (LEMP), requirement 11 (CEMP) deal only with protection and mitigation of vegetation and trees retrospectively, rather than being used as a guiding design principle. - Requirement 13 (Construction traffic management plan) in the DCO does not make specific provision for vegetation and tree protection. Where the construction traffic management plan is referred in the EMCR for Heritage, it	

LA	Para. Ref.	LIR Comment	Applicant's Response
		incorrectly refers to Requirement 15 (Soil Management Plan).	
	Ecology		
NYC	9.2	The authority defers to Natural England with regards to the conclusions of the shadow Habitat Regulations Assessment (sHRA) and the proposed mitigation measures set out within the sHRA and the Framework Landscape and Ecological Management Plan (LEMP)	The Applicant notes this comment.
NYC	9.5	The application presents a BNG assessment (ref 7.11 documents APP-242 and APP-243) which demonstrates that the project, based on the current plans, is likely to result in a net gain of 80.42% for area-based habitat units, a net gain of 3.89% for hedgerow units, and a net gain of 10.09% for watercourse units. The assessment sets out that this is likely to be an underestimate and additional net gain is likely to be realised through the detailed design phase.	The Applicant notes this comment. An updated Biodiversity Net Gain Assessment Report **[REP1-061]** was submitted at Deadline 1. The report predicts that the Scheme is predicted to result in a net gain of 80.42% for area-based habitat units, a net gain of 10.30% for hedgerow units, and a net gain of 10.09% for watercourse units. The Framework LEMP **[REP1-063]** sets out that the Applicant commits to achieving a minimum 10% BNG for all units. Requirement 7 Schedule 2 of the draft DCO **[REP1-006]** also requires the Applicant to provide a BNG assessment post consent prior to construction.
	Heritage		
NYC	10.3-10.4	The Environmental Statement includes a Chapter on the Historic Environment (Chapter 7). This chapter is supported by an archaeological desk-based assessment (Appendix 7.2) and the results of archaeological geophysical survey (Appendix 7.3). There is a report on archaeological trial	The Applicant notes this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		trenching (Appendix 7.4) but this falls outside of the North Yorkshire Council area. Together, these documents represent an adequate assessment of the proposal on heritage assets of archaeological interest. Whilst it would have been desirable to carry out trial trenching within North Yorkshire, the proposal is limited to the cable connection, meaning that very significant impact is not expected. It is also fair to say that the geophysical survey has not revealed and anomalies that appear complex or of high significance. Whilst the cable connection may have a localised impact in places it's linear nature will mean that it is unlikely to destroy an archaeological site in its entirety and should not prejudice our ability to understand such sites in the future.	
NYC	10.5	In addition, large areas adjacent to the river are likely to have considerable accumulations of largely sterile alluvial silts and other expected archaeological features are limited to drainage and agriculture associated with the medieval and later use of the landscape. Although of interest these types of remains are not of such significance as to warrant a higher level of assessment.	The Applicant notes this comment.
NYC	10.6	The Framework Construction Environment Management Plan submitted with the DCO includes proposed mitigation in relation to heritage assets of archaeological interest. I am pleased to see that an Archaeological Clerk of Works will be appointed to oversee the implementation of this mitigation. I am currently working with the design team to agree an	The Overarching Written Scheme of Investigation has been agreed with NYC and is submitted as **[REP1-086]**.

LA	Para. Ref.	LIR Comment	Applicant's Response
		archaeological written scheme of investigation which should form an appropriate level of mitigation proportionate to the expected significance of the deposits to be agreed as one of the scheme requirements.	
	Highways and Transportation		
NYC	11.1-11.4	Work within North Yorkshire is confined to the grid connection corridor crossing fields near to Long Drax and the site of the existing Drax power station. The operation enters North Yorkshire to the east of Hemmingborough crossing the River Derwent near Hagthorpe Hall and then crosses the A63 Hull Road. At this point the developer wishes to create a new access on the southern verge of the A63 and construct a compound store near to this location creating a new access on a unadopted minor road to the north of A63. The grid connection corridor then heads south crossing the River Ouse near Drax Abbey Farm. After this point new accesses are to be created on Pear Tree Ave Carr Lane and New Road again to allow the corridor to access Drax Power Station which connects the project to the National Grid. A compound is to be form near Drax abbey Farm. The authority, as before wishes to continue to work with developer if the project is approved by planning inspector. The L.H.A believes the developer will agree to this approach, mindful that Traffic orders and street work notices	The Applicant notes and agrees with this comment.

LA	Para. Ref.	LIR Comment	Applicant's Response
		will be required to undertake the work on the network although some of this work will fall to sections within any DCO prepared for the scheme	
NYC	11.8	Traffic volumes included in the appendix 13 -2 shows traffic flows generated by the project will be minor and therefore the highway authority believes if construction traffic is managed correctly and these flows are correct the small increase in traffic on the network is acceptable.	The Applicant notes this comment.
NYC	11.9	The project within North Yorkshire will include for the construction of new accesses points which join to the adopted highway. All shall be designed to the North Yorkshire Councils standards or as shown in the Design Manul for Roads & Bridges The Authority does not wish to see loose material on or near the highway or debris of any kind and each access shall have a harden pull off are set back into the developers land. Over running of the verge must be avoided where possible and repaired as directed by the L.H.A when necessary.	The Applicant notes this comment. The Construction Traffic Management Plan, (Appendix 13-5, ES Volume 2) **[REP1-026]**, states in paragraph 5.2.3 that pre and post construction road condition surveys will be undertaken at identified locations in coordination with the relevant Local Highway Authority. This is secured by Requirement 13 of Schedule 2 of the Draft DCO **[REP1-006]**. At paragraph 5.3.12 it states: "*The Site access layouts have been designed to accommodate HGVs and tractor-trailers as shown by the vehicle swept path analysis, as provided in Annex A: Proposed Access Layouts, Visibility Splays and Swept Paths* which is Annex A of the CTMP **[REP1-026]** "*A hardstanding surface will be provided at the proposed accesses to ensure the weight of the HGVs can be accommodated. In addition, wheel washing facilities will be provided within each Compound to prevent mud from being trafficked onto the highway*."

LA	Para. Ref.	LIR Comment	Applicant's Response
			All accesses will be used for construction, operation and decommissioning except Rowland Hall Lane access into 3c which will be construction and decommissioning only and then access through Newsholme into 3c will be operational only.
NYC	11.10	Once the project is complete the L.H.A expects all points of access to be returned to grass verge or landscape as necessary if not required beyond the construction phase. A.I.L are expected to access either Drax power station or Compound E along the A645 and New Road and the L.H.A will expect to be consulted at each stage to effectively manage the road network.	The Applicant notes and agrees with this comment.
NYC	11.11	The developer has provided a framework construction management plan which as the project progresses will need amending to manage the project. North Yorkshire Council as L.H.A expects to be involved in this process allowing the authority to comment on all aspects of the project when considering its impact on the highway.	The Applicant notes and agrees with this comment. The Framework-CTMP **[REP1-026]** is a framework document which would be developed into a detailed CTMP post-consent prior to construction as secured by Requirement 13 of Schedule 2 of the draft DCO **[REP1-006]**. The detailed CTMP would need to be substantially in line with the Framework CTMP.
	Public Rights of Way		
NYC	12.2	It is stated "These PRoW will remain open (anticipated to be managed through traffic management measures) although routes may be slightly altered temporarily, for example moving from one side of a road to the other as works are completed." We would remind the Applicant that PRoWs	Development consent under the Planning Act 2008 grants certain powers to carry out NSIPs which includes the power to stop up or divert any street or public right of way if

LA	Para. Ref.	LIR Comment	Applicant's Response
		cannot be 'slightly altered temporarily' without a legal Order, and authorisation of the relevant local Authority	it is considered necessary to enable development to be carried out.
NYC	12.3	The Applicant will be aware that it is an offence to disturb or obstruct a public right of way; if any works undertaken adjacent to, or on a PRoW, will disturb the surface or create an obstruction, either permanent or temporary, 24 permission needs to be obtained from North Yorkshire Council prior to these works been undertaken. If as a result of the works public access cannot be maintained an application for a temporary closure order would need to be made. Likewise if there is any potential health and safety risks to the public using a route while works are being undertaken an application to temporary close the footpath would need to be made.	Article 11 of the draft DCO **[REP1-006]** provides the Applicant with these powers for temporarily diverting public rights of way which are identified in Schedule 6 of the draft DCO. Article 11(4) of the draft DCO establishes that the Undertaker must consult the street authority prior to making any changes to the PRoW in Schedule 6. It is expected that ERYC as the street authority, and in approving the detailed PRoW Management Plan, will involve the relevant teams within the authority, including the Public Rights of Way Team and the Countryside Access Team. Article 11(4)(b) of the draft DCO does stipulate that "*the undertaker must not temporarily close, prohibit the use of, authorise the use of, restrict the use of, alter or divert any other street or public right of way*" which is not specified in Schedule 6 "*without the consent of the street authority, and the street authority may attach reasonable conditions to any such consent".*
NYC	12.4	It is advisable for the Applicant to take photographs of the routes before works commence and again after the works are completed, such that they hold evidence that any route is in at least as good a condition after the works, as it was before.	The Framework Construction Traffic Management Plan, (Appendix 13-5, ES Volume 2) **[REP1-026]**, states in paragraph 5.2.3 that pre and post construction road condition surveys will be undertaken at identified locations in coordination with the relevant Local Highway Authority.

LA	Para. Ref.	LIR Comment	Applicant's Response
			This includes PRoW. This is secured by Requirement 13 of Schedule 2 of the Draft DCO **[REP1-006]**.
NYC	12.5	It is noted that with North Yorkshire Council's area there are 3 Prows and 2 C Roads within the Grid Connection Pipeline 'corridor': and with reference to the map extract below: • To N of the River Ouse along the river bank: Public Footpath 35.35/6/1 crosses the corridor and lies either within or alongside the Grid Connection Corridor, all along the W side of the River Derwent to the A63. It is stated within Section 2.6.77 that "… Furthermore, PRoW running parallel to the River Derwent are not within the Site Boundary and will be avoided"….., from which we understand that public access along this footpath will not be affected during any stage of the works and that there will be a wide enough zone between any works and the public footpath to ensure public safety. • To N of the A63 : FP 35.35/9/1 lies with red 'Site Boundary'/ Grid Connection Corridor. Again we understand that public access along this footpath will not be affected during any stage of the works and that there will be a wide enough zone between any works and the public footpath to ensure public safety. 25 • C Road - C318/1/95 is not shown on the Plan Figure 2.2 within the Grid Connection Corridor (N of the A63 near Hagthorne Hall).	The Framework Public Rights of Way Management Plan **[APP-245]** describes how Public Rights of Way (PRoW) will be managed within the Scheme. Requirement 17 of Schedule 2 of the Draft DCO **[REP1-006]** requires a detailed PROW Management Plan, which should be substantially in accordance with the Framework PROW Management Plan **[APP-245]** to be submitted to and approved by the relevant Local Planning Authorities. The Applicant is aware of the claimed PRoW. This is included within the Framework PRoW Management Plan at 3.3.4. "A 'claimed' PRoW (SEL/2020/01/DMMO), which is the subject of a formal application to be added to the Definitive Map as a public bridleway, also crosses the Grid Connection Corridor. This claimed PRoW runs approximately southwards from Hemingbrough to join PRoW 35.35./6/1 which runs along the northern bank of the River Derwent. Should this claimed PRoW be formally adopted it will be considered in the detailed PRoW Management Plan and managed accordingly. It will remain open throughout the construction period except during the period of cable installation at this location. Footpaths 35.47/6/1 and 35.47/1/1 are included in Table 1 of the Framework PRoW Management Plan, which identifies PRoW within or immediately adjacent to the

LA	Para. Ref.	LIR Comment	Applicant's Response
		• Please note – There is also a 'claimed' PROW as shown yellow on the map extract below, labelled SEL/2020/01/DMMO. The route is subject of a formal application to be added to the Definitive Map as a public bridleway. This route should be considered as being a PRoW, and be protected in the same way as a PRoW, although it is not (yet) currently formally recorded. We are advised that this route is currently in use by pedestrians and horse riders. This route crosses the Grid Connection Pipeline 'corridor', please can we have assurance that the public will not be prevented from using this route, or that a Temporary Traffic Regulation Order will be arranged. With reference to the map extract below: 26 • To the NE of Drax power station there are 2 Public Footpaths 35.47/6/1 and 35.47/1/1 which meet the C338/1/20 within the Grid Connection Corridor. Please can we be assured that there will be no interruption to public access across the Grid Connection Corridor at this location. • C-Road - C338/1/20 is not shown on the Plan Figure 2.2 within the Grid Connection Corridor (immediately E of Drax Power Station). • C-Road - C337/1/10 is not shown on the Plan Figure 2.2 within the Buffer Zone (E of Drax Power Station).	Order limits. These footpaths will not be affected by the delivery of the Scheme. The PRoW Map is included at Figure 2.2 **[APP-137]**. The OS mapping shows C-Road, but the plan itself is not intended to label C-Roads.

LA	Para. Ref.	LIR Comment	Applicant's Response
	12.7	It is noted that C Roads do not appear in the Map Key, and therefore the following C Roads are not shown: • C-Road - C338/1/20 is not shown on the Plan Figure 2.2 within the Grid Connection Corridor (immediately E of Drax Power Station). • C-Road - C337/1/10 is not shown on the Plan Figure 2.2 within the Buffer Zone (E of Drax Power Station). • C Road - C318/1/95 is not shown on the Plan Figure 2.2 within the Grid Connection Corridor (N of the A63 near Hagthorne Hall).	The PRoW Map is included at Figure 2.2, ES Volume 3 **[APP-137]**. The OS mapping shows C-Road, but the plan itself is not intended to label C-Roads.
	Hydrology and Flood Risk		
NYC	13.2	NYCC, in its capacity as Lead Local Flood Authority has no specific concerns regarding the proposals. NYCC is the Lead Local Flood Authority for the whole county of North Yorkshire. However, the project, does, however fall within the administrative boundary of the Shire Group of IDBs (Selby Area IDB) to whose opinion as local risk management authority NYCC would defer.	The Applicant notes this comment.
	Public Health		
NYC	14.1-14.3	We welcome the inclusion of a Human Health Chapter in the Environmental Statement.	The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) require applicants for a DCO to ensure that the Environmental Impact Assessment (EIA) report

LA	Para. Ref.	LIR Comment	Applicant's Response
		14.4.19 states the impacts of the scheme on Human health have been qualitatively assessed using professional judgement, best practice and other assessment within the ES. The report does not indicate who the author is or their qualifications as an expert in this regard.	(Environmental Statement) is prepared by 'competent experts'. In addition, the EIA Regulations require that 'the environmental statement must be accompanied by a statement from the Applicant outlining the relevant expertise or qualifications of such experts. Table 3 of the Statement of Competence (Appendix 1-4, ES Volume 2) **[APP-076]** outlines the capability and the competency of the individuals responsible for undertaking and reporting the EIA, including Socio-Economics and Human Health.
NYC	14.4	It is noted that other evidence sources have been used in this assessment. However, the conclusions are reliant on the applicant's own assessments and does not reference external health literature or research. We recognise that there is an absence of literature around health impacts of solar farms, but this should not be the basis to draw conclusions on the sensitivity of the impacts. This proposal would be an opportunity to collect actual data from the local population which could be used to support future applications.	In Chapter 14: Human Health, ES Volume 1 **[APP-066]**, sensitivity ratings are established drawing on a range of robust data sources including Census 2021, the Annual Population Survey, and the Index of Multiple Deprivation. It should also be noted that Chapter 14 draws in large part on other assessments (for example, noise, transport, LVIA), which are supported by various literature and research not repeated within Chapter 14. Primary research to collect actual data from the local population would not have been proportionate to the potential likely significant health effects of the Scheme. For the health determinants being considered (e.g. noise and vibration, landscape and visual impacts, access to open space) the causal linkages between the impacts discussed in the chapter and health are in general well-established and understood. The approach the Applicant has taken is in accordance with the *IEMA Guide to Determining*

LA	Para. Ref.	LIR Comment	Applicant's Response
			Significance for Health published in November 2022, and best practice.
NYC	14.5	Cumulative and in combinations effects (compounding impacts) on sensitive populations have still not been considered in the Health chapter. Several 'low magnitude' impacts when occurring simultaneously could result in a higher impact magnitude being observed with the population.	Cumulative effects on human health are assessed in section 14.10 of Chapter 14: Human Health, ES Volume 1 **[APP-066]**. Drawing on the findings of other chapters as appropriate, including Chapter 13: Transport and Access **[APP-065]**; Chapter 9: Flood Risk, Drainage and Water Environment **[APP-061]**; Chapter 10: Landscape and Visual Amenity **[REP1-014]**; and Chapter 12: Socio-economics and Land Use **[APP-064]**, the assessment concludes that cumulative schemes would not elevate any of the residual effects identified in this assessment. Effect interactions are presented within Chapter 17: Cumulative Effects and Interactions, ES Volume 1 **[APP-069]** rather than within individual chapters. During the construction phase, it is found that there are no significant effect interactions on road users, residential properties, business premises, community facilities and development land affected by landscape and visual effects coupled with traffic, and noise impacts. There is potential for increased annoyance due to increased impacts, where receptors experience multiple impacts, but the impacts are temporary and reversible following completion of construction and decommissioning.

LA	Para. Ref.	LIR Comment	Applicant's Response
			The effect interactions would be slightly lower during decommissioning than construction due to the matured vegetation screening views of the Scheme. During the operational phase, the Applicant concluded that changes in landscape and visual amenity, coupled with socio-economics effects, on the local community, will not result in significant effect interactions. Only the Grid Connection Corridor element of the Scheme is within the North Yorkshire Council area. It should be noted that while there is a 24 month construction period across the whole scheme, the Grid Connection Corridor is expected to take approximately 12 months to complete and construction would not take place along the entire Grid Connection Corridor at once therefore the impact on a particular locality could be much shorter in duration.
NYC	14.6	Most of the predicted impacts within the report are deemed by the applicant to be minor averse/negligible/minor beneficial. The applicant should 29 acknowledge that this is still only predicted impact- what measures will be put in place to measure actual impact? This is absent for the report, the applicant doesn't demonstrate how it would rectify/ mitigate an impact should it occur?	The Applicant wishes to direct NYC to refer to the Framework CEMP **[REP1-053]**, OEMP **[REP1-055]** and DEMP **[REP1-057]**. These documents set out mitigation measures to be included as a minimum in the detailed Environmental Management Plans; monitoring requirements; and the responsible party identified for each mitigation measure or monitoring requirement, for the construction, operational and decommissioning phases respectively. Monitoring and reporting will be undertaken for the duration of the construction phase in order to demonstrate the

LA	Para. Ref.	LIR Comment	Applicant's Response
			effectiveness of measures set out in the detailed CEMP(s) and allow for corrective action to be taken where necessary. The detailed CEMP will be a 'live' document, reviewed in full at least quarterly, and updated when required. The detailed CEMP will be prepared in accordance with the Framework CEMP and would be approved by the planning authorities in advance of starting the construction works. Similarly, monitoring and reporting will be undertaken for the duration of the operational and decommissioning phases and the OEMP and DEMP will be reviewed and updated if necessary to add additional measures. A Community Liaison Group will be also set up and administered (referred to in the Framework CEMP and within the draft DCO (as per Requirement 4 of **[REP1-006]**), with a Community Liaison Officer (or alternative role) to lead discussions with local communities during construction. The Applicant considers that this will facilitate liaison between representatives of people living in the vicinity of the Order Limits and other relevant organisations in relation to the construction of the Scheme. This ongoing dialogue regarding the construction phase, which would extend to areas in NYC, is considered an appropriate approach during construction and subsequently decommissioning, allowing feedback on impacts of the

LA	Para. Ref.	LIR Comment	Applicant's Response
			Scheme and mitigation measures to be considered and acted upon if required.
NYC	14.7	Paragraph 14.5.24 states that "the only highly sensitive population that was identified through base line analysis was the over 65s." and makes the assumption on the broader population that "they are not likely to be sensitive to health-related impacts". However, when in-combination effects are considered, it might be possible to draw alternative conclusions which the applicant has not consider in the Human Health chapter.	The sensitivity of populations and sub-populations would remain the same for the in-combination effects assessment as for Chapter 12: Socio-economics and Land Use, ES Volume 1 **[APP-064]**, Effect interactions are covered within Chapter 17: Cumulative Effects and Interactions, ES Volume 1 **[APP-069]** rather than within individual chapters. Chapter 17 finds for all phases of the Scheme that the impacts in isolation are not altered when considered together.
NYC	14.8	Furthermore, Plate 14-3 of Chapter 14 Human Health, shows that 16.3% of the population considers themselves to have Long-Term Health conditions or Disability. This population group could be deemed to be 'vulnerable' but the applicant has not appropriately considered the impact on this sub-population group.	The Applicant agrees that Plate 14-3 of Chapter 14: Human Health, ES Volume 1 **[APP-066]** shows that 16.3% of the population within the study area considers their day-to-day activities to be limited a little or a lot by a long-term health condition or disability. However, this proportion is slightly lower than the proportions of 18.6% in Yorkshire and the Humber and 17.3 % in England as a whole. It would therefore not be appropriate to identify this group as a vulnerable (higher sensitivity) population within the study area; the medium sensitivity assigned to the general population is considered appropriate.
NYC	14.9	We welcome the recognition of the higher sensitivity of the elderly population group, which are more likely to have a greater reliance on health services, including health and social care and social infrastructure. However, during	The Framework DEMP **[REP1-057]** sets out mitigation measures to be included as a minimum in the detailed DEMP(s). Paragraph 3.12 of that document notes that the mitigation measures set out are based on present baseline

LA	Para. Ref.	LIR Comment	Applicant's Response
		consultation Public Health raised that the Human Health Assessment should consider the changing demographic profile over the life of the developed and that these projections would be used to inform Mitigation of the Decommissioning Phase.	information and all mitigation will need to be reviewed and updated prior to decommissioning against the baseline environment at that time. The baseline information would include the demographic profile of the local population. North Yorkshire Council will need to approve the detailed DEMP in accordance with Requirement 18 of the draft DCO **[REP1-006]**. This provides a mechanism by which North Yorkshire Council can ensure that the demographic profile of the population is appropriately considered and reflected by the detailed DEMP.
NYC	14.10	Though consultation and Engagement with North Yorkshire Public Health the Developer has confirmed in an email received 10th August 2023 that: *We [Aecom] can confirm that the Framework Decommissioning Environmental Management Plan (Framework DEMP) which will be submitted with the DCO Application will contain a commitment to undertake a validation exercise, which would comprise checking/confirming the baseline and impacts prior to 30 decommissioning to ensure the mitigation in the DEMP is adequate and delivers no worse than the significance of effect presented in the ES.*	The Applicant notes this comment. In line with this email, the Framework DEMP **[REP1-057]** sets out mitigation measures to be included as a minimum in the detailed DEMP(s). Paragraph 3.12 of that document acknowledges that the mitigation measures set out are based on present baseline information and all mitigation will need to be reviewed and updated prior to decommissioning against the baseline environment at that time. North Yorkshire Council will need to approve the detailed Decommissioning Environmental Management Plan in accordance with Requirement 18 of the draft DCO **[REP1-006]**.
NYC	14.11	North Yorkshire Public Health would like to ensure that this validation exercise report is presented to the Director of Public Health (DPH) for North Yorkshire for approval before decommissioning commences, any recommendation made	The Applicant notes this comment. North Yorkshire Council will need to approve the detailed Decommissioning Environmental Management Plan in accordance with Requirement 18 of the draft DCO **[REP1-006]**. This will be

LA	Para. Ref.	LIR Comment	Applicant's Response
		by the DPH must be embedded into the mitigation of the Decommissioning Phase.	submitted to the planning authority who can then consult the DPH. This will provide a mechanism by which North Yorkshire Council can ensure that any recommendation made by the DPH is satisfactorily embedded into the mitigation of the Decommissioning Phase.
NYC	14.12-14.16	The Application in the PEIR stated had not correctly identified the number of GPs at the surgeries that are most likely to see increased demand from the development, stating that there are 26GPs. However, this included surgeries with The Ridings Medical Group that are not within a geographical area appropriate to this development. North Yorkshire council engaged with the NHS HUMBER AND NORTH YORKSHIRE ICB regarding GP numbers. The ICB confirmed that there are approximately 28 GPs (headcount) which work for the Ridings Medical Group as a whole. Bubwith Surgery is a branch of The Ridings Medical Group which before they merged into The Ridings Medical Group there were 3 GPs based at the surgery. This figure would provide a more realistic number than that used in the PEI Report Assessment. We acknowledge that Aecom has revised the calculations from those originally presented and this identified an increase in the patient numbers per GP. The applicant calculates that if the 196 FTE were to register at Bubwith (the closest surgery to the sites), this would result in a GP to patient Ratio at that site of 1: 1,825 which	The Applicant agrees that Chapter 14: Human Health, ES Volume 1 **[APP-066]** has used the figure of three GPs at Bubwith Surgery, as provided by North Yorkshire Council, within the assessment of impacts on healthcare infrastructure. The assumption used within Chapter 14 that 196 FTE construction workers (55% of the estimated average 356 gross direct construction jobs) do not live locally and might all register at Bubwith Surgery is considered very much a worst case scenario given that construction workers would most likely remain registered with the GP surgery near their permanent home during the project. Also, not all additional registrations would fall solely on Bubwith Surgery but across a wider area, reflecting the location of workers' accommodation beyond the immediate locality. Furthermore, the Applicant considers that it is reasonable to assume that the majority of the workforce would have a working age profile and be reasonably healthy so likely not to require access to health facilities at the same rate of the local population. The Applicant does not therefore agree that using an assumption of peak 400 construction workers would be realistic.

LA	Para. Ref.	LIR Comment	Applicant's Response
		would impact up the local population and vulnerable and elderly sub-populations (those with a High sensitivity). However, because the 31 applicant cannot guarantee that any of the workforce will be established residents with the NY area it would be sensible to consider a worst-case scenario of an increase of Peak 400FTE being brought into the areas for the construction phase and being registered with one of the 3 GPs at the Local Practice (Bubwith). This would result in a GP to Patient ratio of 1:1889 and consequently increase pressure on the GP services with a resulting impact upon the population and the Sub-populations. Given the sensitive populations, and identification of this increase, we would have expected the revised Human Health chapter to present some form of mitigation into the project, this has not been included.	Overall, and taking into account the very low impact on healthcare services which as per the comments above is considered to remain robust, the Human Health assessment **[APP-066]** anticipates a minor adverse effect on local healthcare infrastructure during the construction phase. The effect is not significant and therefore no mitigation is required to make the Scheme acceptable in planning terms.
NYC	14.17	The applicant has not undertaken any additional work to accurately identify the availability for new patient registrations at those GP Surgeries where demand will increase (Bubwith).	In Chapter 14: Human Health, ES Volume 1 **[APP-066],** the Applicant used the most up-to-date publicly available NHS data on the number of registered patients and information provided by North Yorkshire Council on the number of GPs to estimate the GP to patient ratio at Bubwith Surgery. It was agreed at a meeting between AECOM and North Yorkshire Council on 2 August 2023 that North Yorkshire Council would provide AECOM with information on the number of patients registered at Bubwith Surgery. AECOM did not receive this information prior to the production of

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			Chapter 14 of the Environmental Statement **[APP-066]**. The average patient per GP for the Ridings Medical Practice, rather than the Bubworth Surgery specifically, was therefore used as this was the best publicly available information at the time of writing. Following discussions between the Applicant and North Yorkshire Council on 9 July 2024 regarding this matter, AECOM has requested information on the number of patients registered at Bubwith surgery direct from the surgery (20 July 2024). A response has yet to be received.
	Ground Contamination		
NYC	17.7-17.8	Chapter 16 of the Environmental Statement and the Phase 1 Preliminary Risk Assessment Report provide a good overview of the site's history, its setting, and its potential to be affected by contamination. The proposal to carry out intrusive site investigation and GQRA in the areas of potential contamination is acceptable. If contamination is found, appropriate remediation/mitigation measures will be required to manage the potential risks from land contamination. Following implementation of these measures, no significant effects associated with ground conditions are likely.	Table 14 of the Framework Construction Environmental Management Plan **[REP1-053]** sets out mitigation measures to limit the potential risks to human health associated with land contamination. This states that limited intrusive Site Investigation and Generic Quantitative Risk Assessment (GQRA) are to be undertaken post-consent in the areas of potential contamination identified in the Phase 1 Preliminary Risk Assessment, Appendix 16-3, ES Volume 2 **[APP-123]**. A Detailed CEMP will be prepared post consent which will need to substantially accord with the Framework CEMP and approved by the East Riding of Yorkshire Council and North Yorkshire Council. This is secured through

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			Requirement 11 within Schedule 2 of the Draft DCO **[REP1-006]**.
	Appendix A- Public Rights of Way – Local Guidance		
NYC	N/A	Where practicable all public rights of way should be accessible to wheelchair users with a firm, stable non-slip surface and maximum gradient of 20%. The minimum width for new public footpaths is 2.0 metres and public bridleways 4.0 metres. Where public rights of way are enclosed by hedges, fences or walls this will need to be extended to 3.0 metres and 5.0 metres respective to maintain the minimum usable width without users being exposed to boundary features or overgrowth from adjacent hedges or other vegetation. Widths of new or diverted public rights of way should be stated in the side roads order. The minimum headroom required for public footpaths is 3 metres and public bridleways 4 metres. Public bridleway construction should comply with British Horse Society guidelines	The Applicant notes this guidance. All temporary diversions of Public Rights of Way (PRoW) will be agreed with the Local Planning Authority prior to the commencement of construction as specified within the Framework PRoW Management Plan **[APP-245]**. A detailed PRoW Management Plan will need to be prepared by the Applicant and approved by East Riding of Yorkshire Council and North Yorkshire Council post consent prior to construction in accordance with requirement 17, Schedule 2 of the draft DCO **[REP1-006].** Article 11 (4) of the draft DCO **[REP1-006]** also requires the Undertaker to consult the street authority prior to making any changes to PRoW.