East Riding or Yorkshire Council

Response to applicants comments on ERYC Local Impact Report and further comments following the ISH2.

ERYC Comment in LIR	Applicant Response	ERYC Comment
Impact on BMVL		
Para 7.38	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].	Agreed
Para 7.38	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]).	Agreed
Para 7.38	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].	NE standard requirements are 1988 Guidelines and TIN049, so agreed.

Para 7.38	Furthermore, post-restoration surveys will be undertaken to determine whether target soil profile specifications have been met. Comparison of the pre- and post-construction surveys will verify that the land has been restored to the required standard.	Agreed if suitable schedule of condition is made.
Para 7.38	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.	The weight that can be given to the grazing argument is reduced if no grazier is identified and if this is considered an important feature to maintain agricultural productivity, it should be made a requirement. The ALC report acknowledges that the majority of the land is arable in nature and in consequence there may not be many sheep farmers or graziers interested in taking the land.
ISH2 Item 2b	**EXA environmental matter raised**	**ERYC Response**
	Use of agricultural lands and scale of change	The impact is considered to be only significant locally, due to the size and scale of the solar farm. There will be some impact on the local farming scene, with possible job losses, but small scale There is expected to be an employment loss of three jobs as a result of the Scheme. The 'switch' from mainly arable farming to possible sheep grazing will be significant, particularly as the farms concerned are currently arable and it will rely upon an outside grazier to manage.
	Loss of BMVL and amount of agricultural land being used	The ALC report confirms that the majority of the land is not BMV. The actual stated permanent loss is quite small, where roads, substations and other infrastructure require soil stripping and disruption.

		Where the panels are to be erected and areas planted to environmental measures are proposed, these are considered as 'temporary' losses of land only; however 40 years is a relatively long time. Whether this land will ever return to productive arable farming in the future remains an open question, as no substantial solar farms have yet been decommissioned. The evidence available does not confirm or deny the possibility of full restoration of land to its former capability.
	Loss of traditional agricultural land, produce grown for human consumption, animal feed or biomass	Most of the crops currently grown are arable, some for human consumption, some for animal feed and the remainder as biofuel crops (eg maize). The loss of food crops would only be cumulatively significant, but Food Security has been raised by WMS May 2024. Animal feeds and biofuel crops may well be normal in a farming rotation and again their loss will only be cumulatively significant unless the biofuel is to 'feed' a small, local anaerobic digester, which if the case could be affected, though this seems unlikely.
	Other comments – soil management	The Soil Management Plan appears comprehensive and should be a conditioned and to include during decommissioning and site restoration. The other documents OEMP and CEMP, contain similar statements with regard to soil handling, ALC and drainage issues and we broadly accord with the details, subject to any further amendments during the process.

ERYC Comment in LIR	**Applicants Response**	**ERYC Comment**
Design, Landscape and Visual Impact		
Para 7.46	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	Acknowledged most of comments refer to 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]. Accepted that wider opportunities to provide landscape enhancements within the Lower Derwent Valley would have required additional agreements with respective landowners and would not be required in respect to mitigating identified impacts but could have provided additional benefit.

	positions will be further considered as part of the detailed design process. 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 the extent of the area proposed is substantial at 18.26 hectares.	

Para 7.57	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 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.	No further comment, Accepted that wider opportunities for permissive paths beyond the solar PV areas would have required additional agreements with respective landowners and would not be required in respect to mitigating identified impacts but could have provided additional benefit.

	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 East Yorkshire Solar Farm Document Reference: EN010143/APP/8.29 Applicants Response to Local Impact Reports Prepared for: East Yorkshire Solar Farm Limited July 2024 18 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	
Para 7.62	The Applicant notes this comment.	As noted previously 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. The extent to which the significant impacts identified at the local level are mitigated will depend on the detailed design and successful implementation of the proposed mitigation and enhancement measures. The Framework Landscape and Ecological Management Plan (EN010143/APP/7.14) provides the basis for this and it is acknowledged that the Detailed LEMP will be substantially in accordance with this document and will need to be approved post consent with the relevant local authorities, secured by Requirement 6 of the Draft DCO [REP1-006]. Our request that additional landscaping and mitigation are considered to off-set the significant impacts identified at the local level has been noted by the applicant which we would hope to see evidence of at the detailed design stage. Noted on the accompanied site visit, the detail of the proposed ecological enhancement areas will be particularly important where the location of these areas is within the vicinity

		of residential properties/village settings providing a dual purpose of ecological benefit and visual amenity. Whilst the co-benefits of green infrastructure is appreciated, careful design of these elements will be required to ensure that the proposed habitat types achieve both these objectives. It is accepted that wider opportunities to provide landscape enhancements within the Lower Derwent Valley and permissive paths beyond the solar PV areas would have required additional agreements with respective landowners and would not be required in respect to mitigating identified impacts. However, these provisions could have provided additional benefit for the scheme beyond that required for mitigation.