

The Planning Inspectorate

Our ref: 20047611
Your ref: EN010143

Date: 14 August 2024

Dear Sir/Madam

**Application by East Yorkshire Solar Farm Limited for an Order Granting
Development Consent for the East Yorkshire Solar Farm**

**Environment Agency response to the Examining Authority's Second Written
Questions.**

We have reviewed the Examining Authority's questions (ExQ2, issued 1 August 2024) and wish to offer the following responses set out in the accompanying table.

We trust this answers your questions sufficiently.

Yours faithfully

Matthew Wilcock

Planning Specialist, Yorkshire Sustainable Places

Email: [REDACTED]@environment-agency.gov.uk
Team e-mail: sp-yorkshire@environment-agency.gov.uk

ExQ1	Question to:	Question:	Environment Agency response:
Q4.0.1	The Applicant and the EA	<p>Article 6 Application and modification of statutory provisions.</p> <p>a) The Applicant ExQ1 Q5.0.3(a) sought further information on the effects of the disapplications sought. The Applicant’s response [REP1-081] states “that they address matters whose merits and acceptability can, and will, already have been sufficiently considered and resolved if the Order is made...” However, in order to recommend that the Order is made the ExQ needs sufficient information to be able to consider whether the disapplications are acceptable, having regard to any relevant Requirements and Protective Provisions (PPs). Please provide a substantive response to Q5.0.3(a).</p> <p>b) The Applicant and the Environment Agency (EA) The SoCG with the EA [REP3-021] advises that the disapplication of the Environmental Permitting Regulations with regard to flood risk is under discussion. The ExA understands that resolution of the matter depends on agreeing appropriate PPs. Is that correct? Please provide an update on the discussions and whether agreement is likely to be reached before the end of the examination.</p> <p>c) The Applicant Please provide an update on progress with the other relevant bodies in relation to legislative requirements proposed to be disapplied and included in the dDCO.</p>	<p>Q4.0.1 (b): We are currently considering whether or not it would be appropriate to agree to the disapplication of EPR and if we are in principle prepared to agree the form of protective provisions we would require to give agreement under s150 PA 2008. As such we are engaged in discussions with the applicant. We hope to be in a position of agreement before the end of the examination.</p>