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# **EAST YORKSHIRE SOLAR FARM**

**East Yorkshire Solar Farm  
EN010143**

**DRAFT Statement of Common Ground between East Yorkshire  
Solar Farm Limited and North Yorkshire Council**

**Document Reference: EN010143/APP/8.6**

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## Planning Act 2008

### **The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009**

## **East Yorkshire Solar Farm**

### **Statement of Common Ground between East Yorkshire Solar Farm Limited and North Yorkshire Council**

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## Table of Contents

Statement of Common Ground.....	1
1. Introduction and Purpose .....	2
1.1 Purpose of this Statement of Common Ground .....	2
1.2 Description of the Scheme.....	3
1.3 Format of Document and Terminology .....	3
2. Record of Engagement .....	5
2.1 Record of Engagement.....	5
3. Areas of Discussion between the Parties .....	12
3.1 Compliance with national and local planning policy .....	12
3.2 Historic environment including archaeology .....	13
3.3 Biodiversity, ecology and the natural environment, and effect on trees, woodland and hedgerows .....	19
3.4 Landscape and visual receptors .....	21
3.5 Noise and vibration .....	28
3.6 Traffic, transport and public rights of way .....	30
3.7 Socio-economics, human health and the living conditions of local residents.....	41
3.8 Water environment, flooding and drainage .....	58
3.9 Agricultural land and soils .....	60
3.10 Other environmental topics .....	61
3.11 Draft DCO (including requirements in the Draft DCO) .....	65
3.12 Cumulative and in-combination impacts .....	67

## Tables

Table 1-1. Abbreviations .....	3
Table 2-1 Schedule of Meetings and Correspondence.....	5
Table 3-1. Compliance with national and local planning policy.....	12
Table 3-2. Historic environment including archaeology .....	13
Table 3-3. Biodiversity, ecology and the natural environment, and effect on trees, woodland and hedgerows .....	19
Table 3-4. Landscape and visual receptors .....	21
Table 3-5. Noise and vibration .....	28
Table 3-6. Traffic, transport and public rights of way .....	30
Table 3-7. Socio-economics, human health and the living conditions of local residents .....	41
Table 3-8. Water environment, flooding and drainage .....	58
Table 3-9. Agricultural land and soils .....	60
Table 3-10. Other environmental topics.....	61
Table 3-11. Draft DCO .....	65
Table 3-12. Cumulative and in-combination impacts .....	67

# Statement of Common Ground

## **Signatures FINAL VERSION TO BE SIGNED**

This Statement of Common Ground has been prepared and agreed by East Yorkshire Solar Farm Limited and North Yorkshire Council.

Helen Standing, NSIP Development Manager on behalf of East Yorkshire Solar Farm Limited

Date:.....

Signed:.....

**Name, Position**, on behalf of North Yorkshire Council

Date:.....

Signed:.....

# 1. Introduction and Purpose

## 1.1 Purpose of this Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support an application (the Application) made to the Secretary of State for Energy Security and Net Zero for a Development Consent Order (DCO) under section 37 of the Planning Act 2008 (PA 2008) for the proposed East Yorkshire Solar Farm (the Scheme). The Application has been submitted by East Yorkshire Solar Farm Limited (the Applicant).
- 1.1.2 This SoCG has been prepared between (1) the Applicant and (2) North Yorkshire Council (NYC) (jointly referred to as the Parties).
- 1.1.3 NYC is a host local authority. The Grid Connection Corridor is located within NYC's boundary. NYC is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and so has been consulted through the preparation of the Application and following its acceptance.
- 1.1.4 The Examining Authority has requested that the SoCG include the following matters as set out in the Rule 6 Letter **[PD-002]**:
- a. An assessment of impacts within the Council's area, including (as relevant) matters relating to:
    - i. air quality;
    - ii. biodiversity, ecology and the natural environment including the effect on habitats, species and nationally designated sites;
    - iii. ground conditions and land contamination;
    - iv. historic environment including archaeology;
    - v. landscape and visual receptors;
    - vi. the living conditions of residents of the area;
    - vii. noise;
    - viii. employment and other socioeconomic factors;
    - ix. traffic, transport and public rights of way;
    - x. glint and glare;
    - xi. water environment, flooding and drainage;
    - xii. human health;
    - xiii. agricultural land and soils;
    - xiv. effect on trees, woodland and hedgerows;
    - xv. waste and minerals, including potential sterilisation of mineral extraction sites and decommissioning;
    - xvi. safety and fire risk.
  - b. The effect on European sites and features relevant to Habitat Regulations Assessment; assessment methodology and conclusions;

- c. An assessment of the Proposed Development’s cumulative and in-combination effects with other nearby major developments;
  - d. An assessment of compliance with national and local planning policy relevant to the Proposed Development including the approach to consideration of alternatives;
  - e. Mitigation measures; including an assessment of their likely effectiveness, ongoing monitoring procedures and how mitigation will be secured within the DCO;
  - f. The Articles and Requirements of the draft DCO; and
  - g. Any other relevant matters.
- 1.1.5 It can be taken that any matters not specifically referred to in sections 2 and 3 of this SoCG are not of material interest or relevance to NYC’s representations and therefore have not been considered in this document.
- 1.1.6 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the Parties, where agreement has not been reached (and that is the parties’ final position) and where discussions are still ongoing. This SoCG will be revised and updated as discussions between the Parties progress during the Examination.

## 1.2 Description of the Scheme

- 1.2.1 The Scheme comprises the construction, operation (including maintenance) and decommissioning of a solar photovoltaic electricity generating facility with a total capacity exceeding 50 megawatts and export connection to the national grid, at National Grid’s Drax Substation. A detailed description of the Scheme is included in Chapter 2: The Scheme, Environmental Statement Volume 1 which was submitted with the DCO Application [APP-054] and a description of the development to be authorised is set out in Schedule 1 of the draft DCO [REP3-004].

## 1.3 Format of Document and Terminology

- 1.3.1 Section 2 of this SoCG summarises the engagement the Parties have had with regards to the Scheme.
- 1.3.2 Section 3 of this SoCG summarises the issues that are ‘agreed’, ‘not agreed’ or are ‘under discussion’. ‘Not agreed’ indicates a final position where the Parties have agreed to disagree, whilst ‘Agreed’ indicates where the issue has been resolved. The Parties have also indicated the likelihood that agreement will be reached on each item.
- 1.3.3 Abbreviations used within the SoCG are provided in Table 1-1 below.

**Table 1-1. Abbreviations**

<b>Abbreviation/Term</b>	<b>Definition</b>
AIA	Arboricultural Impact Assessment
BPM	Best Practicable Means
BMV	Best and Most Versatile
CEMP	Construction Environmental Management Plan

CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
DEMP	Decommissioning Environmental Management Plan
EMCR	Ecological Mitigation and Commitments Register
ERYC	East Riding of Yorkshire Council
ES	Environmental Statement
GP	General Practitioner
HDD	Horizontal Directional Drilling
ICCI	In Combination Climate Impact
IEMA	Institute of Environmental Management and Assessment
LEMP	Landscape and Ecological Management Plan
LVIA	Landscape and Visual Impact Assessment
NYC	North Yorkshire Council
PA	Planning Act 2008
PEI Report	Preliminary Environmental Information Report
PV	Photovoltaic
PPA	Planning Performance Agreement
PRoW	Public Right of Way
SAC	Special Area of Conservation
SoCC	Statement of Community Consultation
SoCG	Statement of Common Ground
SWMP	Surface Water Management Plan
TA	Transport Assessment
OWSI	Overarching Written Scheme of Investigation

## 2. Record of Engagement

### 2.1 Record of Engagement

2.1.1 The tables below set out a summary of the meetings and correspondence between the Parties in relation to the Scheme.

**Table 2-1 Schedule of Meetings and Correspondence**

<b>Date</b>	<b>Form of correspondence and attendees</b>	<b>Summary of topics discussed and outcomes</b>
4 July 2022	Meeting (Teams)	Introduction to the Applicant and overview of proposals and current activities.
10 August 2022	Email	Email response from NYC confirming their approval of the scope of a WSI for the geophysical survey.
23 September 2022	Email	Email from the Applicant with information about launch of consultation and consultation events, with offer of briefing on the project.
18 October 2022	Meeting (Teams)	Programme update including key milestones and design work. Update on current and upcoming consultation activities and initial feedback arising from the non-statutory consultation. Update regarding environmental baseline work and surveys being undertaken. Planning policy update.
23 November 2022	Email	Email from the Applicant to agree scoping out of Minerals Safeguarding Areas from impact assessment, explaining that the Planning Inspectorate agreed to scope out Minerals Safeguarding Areas if agreed by ERYC and NYC (as Minerals Planning Authorities). Details of the Scheme and the rationale for scoping out (as set out in the Scoping Report) described along with policy description.
15 December 2022	Meeting (Teams)	Meeting to discuss Applicant's health assessment methodology and initial baseline findings.
15 December 2022	Meeting (Teams)	Meeting to discuss Applicant's consultation, SoCC, and design progress update.
19 January 2023	Email	Follow up to email from the Applicant dated 23 November 2022 as no response received to date. Purpose - to agree scoping out of Minerals Safeguarding Areas from impact assessment.



<b>Date</b>	<b>Form of correspondence and attendees</b>	<b>Summary of topics discussed and outcomes</b>
31 January 2023	Email	Email update from Applicant notifying NYC of May consultation launch and offer of pre-launch briefing
02 February 2023	Email	Email from the Applicant seeking advice and feedback from NYC regarding the selection of representative viewpoints to be used within the Landscape and Visual Impact Assessment chapter of the PEI Report for proposed solar PV sites on land to the north of Howden and around the village of Spaldington, and Grid Connection Corridor connecting the solar PV sites to Drax Power Station.
13 February 2023	Email	Email from the Applicant requesting a response from NYC on ES scoping note, in relation to traffic and transport chapter.
13 February 2023	Emails	Email from Applicant to NYC to update NYC on geophysical survey and request scoping opinion which wasn't included in NYC consultation response. NYC provided opinion/ comments within email.
14 February 2023	Email	Emailed from Applicant to check alignment of PRoW (PRoW) 35.47/1/1 in Selby near Drax
28 February 2023	Email	Email from NYC raising a safety query relating to a smallholder who has a parcel of land immediately North of Solar PV Area 1a.
07 March 2023	Email	Email from the Applicant clarifying the scope of Climate Chapter. The Applicant confirm that the ICCI assessment is being undertaken in parallel to the already proposed Climate Change Resilience Assessment which considers the direct impacts of climate change on the proposed development itself.
16 March 2023	Meeting	Water Environment meeting - discussed the project, water environment baseline, water receptor importance clarification, PEI Report summary including impacts and mitigation, and scoping opinion. It was agreed that the PEI Report will be issued on the 9th of May, and maps will be included within the PEI Report. The Applicant confirmed that ecological enhancement will be a part of the biodiversity net gain. NYC recommended the use of viewing

<b>Date</b>	<b>Form of correspondence and attendees</b>	<b>Summary of topics discussed and outcomes</b>
		screens rather than bird hides as these often lead to the anti-social behaviour.
17 April 2023	Email	Email from Applicant to notify councillors of the consultation launch date and the offer briefing.
28 April 2023	Meeting (Teams)	Project update meeting prior to Statutory Consultation.
03 May	Letter	Letter from the Applicant notifying NYC of the Section 42 Statutory Consultation period.
09 May 2023	Email	Email from the Applicant notifying NYC of the Section 42 Statutory Consultation period.
09 May 2023	Email	Email from the Applicant to confirm that: <ul style="list-style-type: none"> <li>the PEI Report will be sent on 9 May 2023 and that comments in relation to LVIA have been responded to;</li> <li>there will be no overhead lines constructed as part of the Scheme;</li> <li>areas of tree planting or woodland will be impacted as part of the underground cable route in proximity to Drax, although the potential need for vegetation removal will be refined and considered as part of the ES;</li> <li>no landscape and visual likely significant effects are anticipated as a result of the scheme;</li> <li>they would be happy to meet for further discussion.</li> </ul>
10 May 2023	Email	Email from Applicant confirming dates of the S42 Statutory Consultation. The Applicant also requested details of who to send confidential details on Badgers and Barn Owls that were removed from the PEI Report.
11 May 2023	Teams	Meeting to discuss outline WSI for trial trenching and initial trial trenching layout. An action for the Applicant to issue WSI for approval.
16 May 2023	Email	Email from the Applicant with draft WSI attached for review by NYC.
25 May 2023	NYC Statutory Consultation Response	NYC Statutory Consultation Response, with comments relating to: Cumulative Effects Construction Noise

<b>Date</b>	<b>Form of correspondence and attendees</b>	<b>Summary of topics discussed and outcomes</b>
		Operational Noise Transport Ecology Landscape Heritage/Archaeology Public Health PRoW
31 May 2023	Email	Email from NYC responding to draft WSI for trial trenching to confirm they had no issues with it.
07 July 2023	Meeting (Teams)	Update meeting with NYC planning to provide a summary of feedback received in response to the statutory consultation; discussed the feedback received from NYC officers; and explained the latest progress of environmental surveys and assessments. Discussion of key issues and responses including cumulative projects, transport, ecology, landscape, heritage, PRoW, Public Health, Flood Risk. Update on the ES and surveys which had been undertaken. Update on the PPA.
27 July 2023	Meeting (Teams)	Meeting to discuss Ecology. The Applicant provided an overview of the Scheme, and potential design changes following statutory consultation was provided. Feedback on the PEI Report was discussed. The Applicant provided updates on ecological surveys and approach to Biodiversity Net Gain.
01 August 2023	Meeting (Teams)	Meeting to discuss landscape and visual matters. Discussion of feedback on the PEI Report and the Applicant provided an update on how the LVIA is being progressed including the proposed viewpoints and photomontage locations.
02 August 2023	Meeting (Teams)	Meeting to discuss Human Health Assessment including: Definitions of short-term vs long-term effects Sensitive populations Safety along PRoW's Effect on healthcare services and GP's Traffic Impacts – Access to Open Space and Active Travel, Social Cohesion and Neighbourhoods

<b>Date</b>	<b>Form of correspondence and attendees</b>	<b>Summary of topics discussed and outcomes</b>
02 August 2023	Meeting (Teams)	Meeting between the Applicant and NYC Public Health team to discuss their comments on the PEI Report human health assessment. Email with minutes and action points sent by Applicant on 10 August 2023.
16 August 2023	Meeting (Teams)	Meeting to discuss access proposals within the NYC area, specifically two access points near Drax, and one from A63 near the SAC. Also discussed during the meeting were optioneering and visibility splay requirements.
31 August 2023	Letter	Letter from the Applicant to NYC informing them of the Targeted Consultation period.
1 September 2023	Email	Email from the Applicant to NYC informing them of the Targeted Consultation period.
14 September 2023	Email	Email from the Applicant asking for feedback on draft access designs. The Applicant issued proposed access designs for consultation with NYC.
28 September 2023	Email	Email from NYC responding to proposed responses/changes to human health assessment based on meeting on 2 August 2023.
12 October 2023	Meeting (Teams)	Meeting between the Applicant and NYC highways. The Applicant provided updates on access design; discussion of access around A63; and a request from the Applicant for NYC highways to review and agree the access proposals
13 October 2023	Email	Meeting minutes and request for NYC highways to review access proposals.
09 November 2023	Email	Email from NYC highways agreeing to some access proposals and suggesting further requirements.
13 November 2023	Email	Email from the Applicant confirming that the requests from NYC highways have been agreed and included in the DCO plans to be submitted.
30 November 2023	Meeting (Teams)	Project update meeting following the submission of the DCO application.
24 January 2024	Letter	Letter from the Applicant notifying NYC of the Relevant Representation period.

Date	Form of correspondence and attendees	Summary of topics discussed and outcomes
25 January 2024	Email	Email from the Applicant notifying NYC of the Relevant Representation period.
01 February 2024	Email	Email from the Applicant sending meeting minutes and requesting feedback from NYC Highways.
20 February 2024	Meeting (Teams)	Project update to discuss application documents and next steps.
03 May 2024	Email	NYC Principal Archaeologist provided comment on the draft Overarching Written Scheme of Investigation for Archaeological Mitigation.
14 May 2024	Meeting (Teams)	Project update to discuss preparation of Local Impact Report and any issues arising.
6 June 2024	Email	Email from NYC to the Applicant requesting a copy of the SoCG and a copy of the Applicants response to relevant representations.
6 June 2024	Email	Email from the Applicant to NYC with the SoCG attached, requesting that NYC review the SoCG and provide comments.
7 June 2024	Email	Email from the Applicant to NYC with a copy of the Applicants response to relevant representations attached.
12 June 2024	Email	Email from the Applicant to NYC following up on a request for NYC to review and provide comments on the SoCG.
18 June 2024	Email	Email from NYC to the Applicant providing some comments on the SoCG, requesting that further comments on the SoCG be provided at Deadline 2.
18 June 2024	Email	Email from the Applicant to NYC explaining that comments on the SoCG would not be incorporated into the version of the SoCG submitted at Deadline 1, but would be considered for later Deadlines.
19 June 2024	Email	Email from NYC Principal Archaeologist confirming agreement with and acceptance of the final Overarching Written Scheme of Investigation for Archaeological Mitigation <b>[REP3-031]</b> .
20 June 2024	Email	Email from the Applicant to NYC requesting that NYC send their submitted Local Impact Report.

<b>Date</b>	<b>Form of correspondence and attendees</b>	<b>Summary of topics discussed and outcomes</b>
26 June 2024	Email	Email from NYC to the Applicant providing their Local Impact Report.
09 July 2024	Meeting	Meetings with NYC landscape and health officers to discuss outstanding matters
24 July 2024	Email	Email from the Applicant to NYC to follow up on the request for a meeting and to provide updated versions of the CEMP, OEMP and DEMP and Applicant's response to the LIR.
01 August 2024	Email	Email from the Applicant to NYC to follow up on the request for a meeting.
02 August 2024	Email	Email from NYC responding to a request from the Applicant for a meeting
12 August 2024	Email	Meeting between Applicant and NYC Human Health to discuss outstanding human health matters.
13 August 2024	Email	Email from the Applicant requesting a meeting with NYC to discuss the status of the SoCG.
14 August 2024	Email	Email from NYC with a summary of the status of matters in the SoCG.

### 3. Areas of Discussion between the Parties

#### 3.1 Compliance with national and local planning policy

Table 3-1. Compliance with national and local planning policy

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.1.1	Local Impact Report [REP2-023]	Policies within the emerging Local Plan	The LIR states that given the stage of the emerging Local Plan, the policies contained within it are attributed limited weight. . .	<p>The Applicant notes that NYC attribute limited weight to the policies in the emerging Local Plan. The policies contained within the emerging Selby District Council Local Plan Publication Version 2022 are considered important and relevant and are assessed in the Planning Statement [APP-233].</p> <p>The Applicant provides an assessment of the Scheme’s compliance against the policies set out in adopted and emerging Local Plan Policies in Appendix B of the Planning Statement [APP-233] and considers the Scheme is in accordance with relevant policies.</p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.1.2	Local Impact Report [REP2-023]	Principle of Development	NYC agree that the principle of the proposed development is supported by the relevant local planning policies within the Development Plan.	The Applicant notes that NYC agree that the principle of development which is supported by the relevant planning policies set out in the Planning Statement [APP-233].	Agreed

## 3.2 Historic environment including archaeology

Table 3-2. Historic environment including archaeology

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.2.1	Relevant Representation	Identified heritage assets	NYC consider the relevant Listed Buildings and Scheduled Ancient Monuments that have been identified and the search area to be satisfactory.	The Applicant notes that NYC accept the search area and baseline of Listed Buildings and Scheduled Ancient Monuments set out in Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006]. Appendix 7-2: Cultural Heritage Desk-Based Assessment [APP-080] sets out the baseline and the search area is 1km from the Order limits for non-designated heritage assets, and 1km from the Grid Connection Corridor and Interconnecting Cable Corridor for designated heritage assets.	Agreed.



Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.2.2	Relevant Representation	Planning balance in relation to heritage harm	<p>NYC state that the Grid Connection Corridor would result in disturbance to the setting and therefore the significance of some of the identified heritage assets during the construction phase. The proposal to introduce solar panels on mass coupled with their closeness to acknowledged heritage assets is considered to amount to harm to the setting and therefore significance of heritage assets. NYC state that as harm has been acknowledged the justification for these works and then in turn harm needs to be outweighed by the public benefit of the proposal.</p>	<p>The Applicant notes that NYC accept that harm has been acknowledged, in the assessment of significance on designated and non-designated heritage assets, as set out in Chapter 7: Cultural Heritage, Volume 1 ES <b>[REP2-006]</b> (see 3.2.3 below) which concludes that due to the temporary nature of the impact the effects, which range from negligible to minor adverse, are assessed to be not significant.</p> <p>An assessment of potential harm arising from the temporary construction activities is summarised in a Heritage Statement, which is presented in Appendix C of the Planning Statement <b>[APP-233]</b>. Section 6.10 of the Planning Statement <b>[APP-233]</b> discusses the heritage impacts and compliance with policy tests. This concludes that the significant public benefits of the Scheme presented in Section 5 and Section 6.2 of the Planning Statement clearly and</p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				<p>demonstrably outweigh the temporary less than substantial harm to designated heritage assets by construction activities in their setting and the very small scale permanent harm to the non-designated asset of schedulable quality that would result from the Scheme. The Scheme, therefore, meets the heritage policy tests set out by NPS EN-1, and local planning policy.</p> <p>The assessment of operational effects on designated heritage assets in section 7.7 of the ES <b>[REP2-006]</b> (the closest listed building is located 1 km from the Solar PV Site) concludes that the land within the Order limits does not make an important contribution to their setting, and therefore to their heritage value. Furthermore, the site walkover and setting assessment detailed in section 4.3 of the Cultural Heritage Desk-based Assessment <b>[APP-080]</b> confirms that the distances</p>	

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				involved from the Solar PV Site, and the screening from intervening hedgerows, would preclude the operational Scheme introducing a magnitude of change that would detract from the listed buildings' settings. The assessment concludes there would be no impact and no effect, and therefore no potential for harm.	
3.2.3	Relevant Representation and Local Impact Report [REP2-023]	Assessment of heritage assets or archaeological interest	NYC state that Chapter 7: Cultural Heritage, ES Volume 1 [REP2-006], which is supported by Appendix 7-2: Cultural Heritage Desk-Based Assessment [APP-080], Appendix 7-3: Geophysical Survey Report [APP-081]; and Appendix 7-4: Archaeological Trial Trenching Evaluation Report [REP1-018] represent an adequate assessment of the proposal on heritage assets of archaeological interest.	The Applicant notes that NYC accept the assessment of the Scheme on heritage assets of archaeological interest, set out in Chapter 7: Cultural Heritage, Volume 1 ES [REP2-006], Appendix 7-2: Cultural Heritage Desk-Based Assessment [APP-080], Appendix 7-3: Geophysical Survey Report [APP-081]; and Appendix 7-4: Archaeological Trial Trenching Evaluation Report [REP1-018].	
3.2.4	Relevant Representation and Local Impact Report [REP2-023]	Trial Trenching	NYC state that 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. NYC	These conclude that no significant effects would arise on archaeological sites in relation to the Grid Connection Corridor.	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			agree that whilst the cable connection may have a localised impact in places its 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.		
3.2.5	Relevant Representation and Local Impact Report [REP2-023]	Measures in the Framework Construction Environmental Management Plan (CEMP)	NYC are pleased to see that an Archaeological Clerk of Works will be appointed to oversee the implementation of the mitigation set out in the Framework CEMP [REP3-010].	The Applicant notes that NYC accept the measures set out in the Framework CEMP [REP3-010] in relation to heritage assets of archaeological mitigation, which state that an Archaeological Clerk of Works will be appointed to oversee the implementation of mitigation.	Agreed.
3.2.6	Email on 9 June 2024	Scheme of Archaeological Evaluation and Mitigation	NYC are in agreement with the mitigation set out in the Overarching Written Scheme of Investigation for Archaeological Mitigation [REP3-031] that was submitted at Deadline 1 and updated at deadline 3.	The Overarching Written Scheme of Investigation for Archaeological Mitigation [REP3-031], has been agreed with the NYC Principal Archaeologist and was submitted at Deadline 1 and updated at deadline 3 of the Examination.	Agreed.
3.2.7	Section 42 Response to Statutory Consultation	Results of Geophysical Survey	NYC state that there may be less flexibility for design options for the Grid Connection Corridor should the geophysical survey identify deposits of significance. If significant anomalies	Agreement has been reached with NYC Principal Archaeologist that a staged programme of	

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			<p>are present then further evaluation is recommended in the form of trial trenching to establish the exact significance and the impact of the proposal upon this. The results of this work would be required as part of any planning submission in order for a reasonable decision to be made.</p>	<p>archaeological works can be undertaken following determination of the DCO, and will be secured through the Overarching Written Scheme of Investigation for Archaeological Mitigation <b>[REP3-031]</b>. This work would include evaluation by trial trenching and mitigation works where required. Particular concern regarding the archaeological potential for that part of the Grid Connection Corridor immediately to the north of Hagthorpe Hall (MNY10603) has been addressed through additional assessment / consideration within the Cultural Heritage Desk-Based Assessment, Appendix 7-2, ES Volume 2 <b>[APP-080]</b>.</p>	

### 3.3 Biodiversity, ecology and the natural environment, and effect on trees, woodland and hedgerows

Table 3-3. Biodiversity, ecology and the natural environment, and effect on trees, woodland and hedgerows

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.3.1	Relevant Representation	Support for ecological assessment	NYC state that the approach to ecological assessment is supported as it follows current best practice guidance. NYC generally agree with the assessment which appears reasonable in terms of the location, type and scale of the proposed works.	The Applicant notes that NYC accept the approach to the ecological assessment set out in Chapter 8: Ecology, ES Volume 1 <b>[APP-060]</b> which follows current best practice guidance, and that they accept the assessment set out within it.	Agreed.
3.3.2	Relevant Representation and Local Impact Report <b>[REP2-023]</b>	Support for BNG assessment	NYC are fully supportive of the intention of this project to provide a minimum of 10% biodiversity net gain in line with current guidance set out in the Environment Act 2021. NYC support use of the most up to date version of the Defra Biodiversity Metric in presenting data on biodiversity losses and gains. NYC state that the proposals for BNG should sit within a wider landscape and biodiversity strategy which has clear objectives and sets out how monitoring and management will be delivered in the long term. NYC acknowledge in their	An updated Biodiversity Net Gain Assessment Report <b>[REP1-061]</b> was submitted at Deadline 1. 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 <b>[REP3-016]</b> sets out that the Applicant commits to achieving a minimum 10% BNG for all units.	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.3.4	Local Impact Report <b>[REP2-023]</b>	Effect on European sites and features relevant to Habitats Regulations Assessment (HRA)	LIR the updated BNG figures and that it is likely to be an underestimate and additional net gain is likely to be realised through the detailed design phase.	The Applicant is in discussion with Natural England with regards to the conclusions of the Applicant's appropriate assessment, set out in the HRA <b>[REP2-012]</b> which concludes that the Scheme has the potential to result in the loss of arable land that is functionally linked to the Lower Derwent Valley SPA/Ramsar and Humber Estuary SPA/Ramsar. Therefore, mitigation in the form of Ecology Mitigation Areas will be delivered to offset the permanent loss of supporting habitat for golden plover and pink-footed goose under the operational footprint of the Scheme. A total of 28.75ha of mitigation habitat will be provided for Golden Plover and 15ha for pink-footed goose in the north west part of the Scheme. The establishment and long-term management of the Ecology	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				Mitigation Areas are defined within and secured by the Framework LEMP <b>[REP3-016]</b> . Overall, the HRA concludes that the Scheme would not result in adverse effects on the integrity of the Lower Derwent Valley SPA/Ramsar and Humber Estuary SPA/Ramsar	

### 3.4 Landscape and visual receptors

Table 3-4. Landscape and visual receptors

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.4.1	Local Impact Report <b>[REP2-023]</b>	Clarity in DCO documents in relation to vegetation protection	NYC state that 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 <b>[REP3-004]</b> will secure the details for protection of existing vegetation and trees and replacement planting within the Grid Connection Corridor. The Framework CEMP <b>[REP3-010]</b> also details tree protection measures and will bring forward detailed Arboricultural surveys	Under discussion
3.4.2	Local Impact Report <b>[REP2-023]</b>	Securing protection and retention of vegetation	NYC's 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 retain existing vegetation; and insufficient clarity for reinstatement or to contribute to Green Infrastructure. There is		Under discussion



Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			no clear overall description of the ‘works’ linked to the areas shown on the Works Plan adding to this lack of clarity	and tree protection plans as part of the detailed CEMP secured via Requirement 11 Schedule 2 of the draft DCO <b>[REP3-004]</b> . 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 <b>[REP3-016]</b> also includes provisions for replacement planting, where required	
3.4.3	Local Impact Report <b>[REP2-023]</b>	Details in the LVIA	NYC state that 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 <b>[REP1-063]</b> 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 <b>[REP1-063]</b>	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.4.4	Local Impact Report [REP2-023]	Details in the LVIA	<p>detailed design stage and wide parameters allowed within the Order Limits.</p> <p>NYC state that 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.</p>	<p>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].</p> <p>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</p>	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				<p>vegetation located along Wren Hall Lane and Carr Lane.</p> <p>The revised Framework LEMP <b>[REP3-016]</b> 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.</p>	
3.4.5	Local Impact Report <b>[REP2-023]</b>	Tree protection around Drax Power Station	Given the sensitivity and value of the existing landscape framework around Drax Power Station NYC would recommend that tree protection is actively considered at the detailed design stage and that this should be a specific requirement of the DCO.	An Arboricultural Method Statement (AMS) is secured as a commitment in Table 5 of the Framework CEMP <b>[REP3-010]</b> and is secured by requirement 11 of Schedule 2 of the draft DCO <b>[REP3-004]</b> . The AMS final Tree Protection Plan will set out where tree protection measures are to be implemented and will set out a schedule of site supervision and monitoring to be carried out by an appointed arboriculturist.	Under discussion
3.4.6	Local Impact Report <b>[REP2-023]</b>	Details in the CEMP	NYC state that there should be an Arboriculturist specifically appointed in the CEMP responsible for tree protection during construction.		Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.4.7	Local Impact Report [REP2-023]	Landscape Masterplan	NYC state that 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 [REP3-016] 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.	Under discussion
3.4.8	Relevant Representation	Loss of vegetation	NYC state that 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, and generally allowed within the DCO.	The assessment within Chapter 10: Landscape and Visual Amenity of the ES [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 or a section of approximately 5m would be removed, in accordance with the reduction of working width through vegetation and hedgerows being committed to by the Applicant. Within Chapter 10: Landscape and Visual Amenity of the ES [REP1-014], paragraph 10.5.83 states that the potential viewpoint to the south of Drax, along New Lane would not	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				<p>experience views of the Grid Connection as a result of the retention of the mature vegetation located along Wren Hall Lane and Carr Lane.</p> <p>The minimum offsets for the layout of the Scheme to protect woodland, hedgerows and individual trees detailed within the Framework LEMP <b>[REP3-016]</b> and Environmental Mitigation and Commitments Register <b>[APP-231]</b> are relevant to the Scheme as a whole, unless otherwise specified.</p>	
3.4.9	Section 42 Response to Statutory Consultation	LVIA methodology	NYC are generally supportive of an LVIA methodology undertaken to Guidelines for Landscape and Visual Impact Assessment 3. This should also include photography based on current Landscape Institute guidance on 'Visual Representation of Development Proposals'.	The Applicant notes that NYC accept the methodology undertaken in Chapter 10: Landscape and Visual Impact, ES Volume 1 <b>[REP1-014]</b> which has been undertaken using current guidance.	Agreed.
3.4.10	Section 42 Response to Statutory Consultation	Representative Viewpoints	NYC state that the quantity and location of representative viewpoints should be agreed with the Planning Authority. The principle of using representative viewpoints to illustrate the experience of different types of visual receptor is acceptable, however the	The location of representative viewpoints was agreed with North Yorkshire County Council and Selby District Council (the relevant local authorities at that time) in an email dated 3 February 2023 and	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			assessment should aim describe and assess the full effects of the development (not limited to a summary of viewpoints) and to explain the scale and geographical extent of effects.	subsequently agreed in the pre-application engagement undertaken through the PEI Report and statutory consultation process. An additional viewpoint on Wren Lane near to Drax was requested by North Yorkshire Council in a meeting on the 1 August 2023 subject to the removal of woodland at this location. As no vegetation is to be removed at this location this viewpoint has not been included in Chapter 10: Landscape and Visual Amenity, ES Volume 1 <b>[REP1-014]</b> . This sets out the scale and geographical extent of the effects for visual receptors.	<div style="background-color: #00b050; height: 380px; width: 100%;"></div> <div style="background-color: #ffc107; height: 30px; width: 100%;"></div>

### 3.5 Noise and vibration

Table 3-5. Noise and vibration

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.5.1	Relevant Representation and Local Impact Report [REP2-023]	CEMP and Requirement 11	<p>NYC acknowledge that existing background sound levels are well defined in Appendix 11-3: Baseline Noise Survey 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). NYC accept that construction noise is assessed and predicted to adhere to LOAEL at R37 &amp; R38 (Table 11- 13), which was derived through noise modelling of input data set out within Appendix 11-4: Construction and Operational Noise Assessment.</p> <p>NYC acknowledge that a CEMP is secured through DCO requirement 11 and, amongst other 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</p>	<p>The Applicant notes that NYC accepts the measures set out in the Framework CEMP [REP3-010] which sets out BPM measures to mitigate against construction impacts. It also sets out that core working hours for the Scheme are between 07:00 and 19:00 Monday to Friday, 07:00 and 13:00 Saturday and not at all on Sundays and Bank Holiday, except for in an emergency. This will be set out in the detailed CEMP and secured by a requirement in Schedule 2 of the draft DCO [REP3-004].</p> <p>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</p> <p>The Framework CEMP was updated and submitted at deadline 3 [REP3-004].</p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.5.2	Relevant Representation and Local Impact Report <b>[REP2-023]</b>	Operational noise receptors	<p>and Bank Holiday. NYC state that there is a caveat for emergency works which should be clearly defined in the CEMP.</p> <p>NYC state that overall, taking into account the aforementioned, there are no objections relating to construction noise/vibration impacts.</p> <p>NYC do not envisage significant operational noise/vibration impacts at receptors R37 and R38 due to distances from noise-generating fixed plant installations</p> <p>NYC state that the Framework CEMP <b>[REP3-010]</b> is acceptable but as identified with the Framework a more detailed specific CEMP will be required once greater detail is known and such to include the management of both noise and dust.</p>	<p>The Applicant notes that NYC accept that no significant residual operational noise effects are identified at receptors R37 and R38 as set out in Chapter 11 Noise and Vibration, ES Volume 1 <b>[REP1-016]</b>.</p> <p>The Applicant notes the comment relating to noise and dust. The detailed CEMP is secured by Requirement 11 of Schedule 2 of the draft DCO <b>[REP3-004]</b>.</p>	Agreed.



### 3.6 Traffic, transport and public rights of way

Table 3-6. Traffic, transport and public rights of way

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.6.1	Section 42 Response to Statutory Consultation	Support for the Scheme	NYC as Local highway Authority has been consulted and is supportive of the project and pleased for an opportunity to comment on the application.	The Applicant notes NYC's Local Highway Authorities support of the project.	Agreed.
3.6.2	Relevant Representation and Local Impact Report [REP2-023]	Framework CEMP	NYC as the local highway authority expects to be involved in the process of amending the Framework CEMP [REP3-010] allowing the authority to comment on all aspects of the project when considering its impact on the highway.	The Applicant will continue to engage with North Yorkshire Council on highway matters.  A detailed CTMP (which must substantially accord with the Framework CTMP [REP1-026]) will need to be approved post consent prior to construction with the relevant local authorities which includes North Yorkshire Council. The detailed CTMP is secured by requirement 13 in Schedule 2 to the draft Development Consent Order [REP3-004].	Agreed.
3.6.3	Relevant Representation	Construction phase traffic within NYC	NYC agrees that the construction phase of the project will generate the most traffic and that construction of the solar farm within East Riding will create the most impact to the public	The applicant notes that NYC accepts the methodology and assessment conclusions of Chapter 13: Transport and Access, ES Volume 1 [APP-065] which state that no significant residual	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.6.4	and Local Impact Report [REP2-023]	Likely traffic figures within NYC	. NYC acknowledge that 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 TA at Appendix 13-4, ES Volume 2 [REP1-025] provides a breakdown of the daily traffic generated during the peak construction phase, at the identified Automatic Traffic Count locations which are identified at paragraph 4.3.2 of the TA. Details of construction traffic numbers are provided within Appendix 13-2 Traffic Flow Diagrams [APP-110]. The specific traffic survey location sites that indicate construction traffic flows within NYC are ATC 1, ATC 7, ATC 17, ATC 18 and ATC 19. Construction Worker, Construction HGV and Construction Tractor-Trailer movements at these locations over a 24-hour period are shown on pages 9, 10 and 11 of Appendix 13-2 Traffic Flow Diagrams [APP-110]. Movements during the network peak hours of 08:00-09:00 and 17:00-18:00 are shown on	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.6.5	Relevant Representation and Local Impact Report [REP2-023]	Access point mitigation measures	<p>NYC state that the project within North Yorkshire will construct new accesses points which join the adopted highway all shall be design to the Councils standards. NYC does not wish to see loose material on or near the highway or debris of any kind. NYC seek over running of the verge to be avoided where possible and repaired as directed by the local highway authority when necessary. Once removed the local highway authority expects all points of access to be returned to grass verge or landscape as necessary</p>	<p>page 19 and movements during the peak construction hours of 06:00-07:00 and 19:00-20:00 are shown on page 24.</p> <p>The Framework CEMP [REP1-026] and Framework LEMP [REP3-016] include measures to ensure that works to the highway does not result in any material or debris, or over running of the verge.</p> <p>The Framework LEMP [REP3-016] states that the working widths of the Grid Connection Cable any associated temporary accesses, construction compounds and at open cut watercourse crossings will be reinstated as soon as practicable following completion of construction activities, with the land being returned to its previous use and condition.</p> <p>In respect of loose material and debris, the Applicant can confirm that wheel washing facilities will be provided within each Construction Compound as reported in Section 5.3.12 of the Framework CTMP [REP1-026], with the</p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.6.6	Section 42 Response to Statutory Consultation	Details within the CTMP	NYC state that the local highway authority would also request that the following points will need to be considered.	<p>access bellmouth surfacing specification to be agreed as part of detailed design.</p> <p>Pre and post construction road condition surveys will be undertaken at identified locations in coordination with the relevant Local Highway Authority, as referenced in Section 5.2 of the Framework Construction Traffic Management Plan <b>[REP1-026]</b>.</p> <p>The Framework CTMP <b>[REP3-010]</b> will be developed further by the appointed contractor in consultation with the relevant highway authorities including North Yorkshire Council post consent prior to construction to secure the proposed commitments and mitigation measures. This detailed CTMP is secured through requirement 13 of Schedule 2 of the draft DCO <b>[REP3-004]</b> and must substantially accord with the Framework CTMP.</p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			<ul style="list-style-type: none"> <li>• Evidence that other routes have been considered and discounted e.g., across fields (where the road is to be used) etc where it could be installed with directional drilling</li> <li>• Dilapidation survey of the existing highway</li> <li>• Method of implementation, open cut / drilling</li> <li>• Construction vehicles / kit and how is the site to be accessed where drilling it in adjacent fields and what is the impact on the highway</li> <li>• Reinstatement details, e.g., half/whole road width, step details of the reinstatement</li> <li>• Section 50 application</li> <li>• Street Work notification</li> <li>• TM plans, e.g., Road closure, 2way lights etc</li> <li>• Programme</li> </ul>	<p>Alternatives and Design Evolution, ES Volume 1 <b>[APP-055]</b> and all other points are included within the Framework CTMP <b>[REP1-026]</b>, which will inform a detailed CTMP, to be secured by a requirement in Schedule 2 of the draft DCO <b>[REP3-004]</b>. The document produced is a 'framework' report and provides detailed instruction for the construction contractor to allow them to develop their own CTMP. This includes instruction to the contractor to produce additional required information, as listed.</p>	

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			<ul style="list-style-type: none"> <li>Hours of working, off peak/overnight etc</li> <li>Does any work outside the highway have an impact on the highway operation?</li> </ul>		
<b>Public Rights of Way</b>					
3.6.7	Section 42 Response to Statutory Consultation	Maintaining access to PRow	<p>NYC are pleased that all existing PRow will be maintained and that the intention is that all PRow will be kept open, although some brief intermittent traffic management may be necessary. They state that if there is any change to this intention it must be clear that ANY need for a temporary diversion (or closure) of a PRow can only be done by a Temporary Traffic Regulation Order, and there is a lead-in time for such Orders to be processed.</p>	<p>The Applicant notes that NYC accepts the proposals set out in Chapter 13: Transport and Access, ES Volume 1 ([APP-065]) that all existing PRow within the Solar PV Site will have maintained access within the Solar PV Site throughout construction.</p> <p>One PRow (ref 35.47/1/1) associated with the Grid Connection Corridor, which is a footpath to the south-eastern extent of the PRow, will be diverted for approximately 120m. The diversion will run alongside the current footpath and will only last approximately 2-3 weeks, as set out in the Framework PRow Management Plan [APP-245].</p> <p>Works to divert PRow will be undertaken under the power of the DCO</p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.6.8	Local Impact Report [REP2-023]	Claimed PRow	<p>NYC noted that within the 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:</p> <ul style="list-style-type: none"> <li>• To N of the River Ouse along the river bank: Public Footpath 35.35/6/1.</li> <li>• To N of the A63 : FP 35.35/9/1 lies with red ‘Site Boundary’/ Grid Connection Corridor.</li> <li>• 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).</li> <li>• Please note – There is also a ‘claimed’ PRow as shown yellow on the map extract below, labelled SEL/2020/01/DMMO.</li> <li>• To the NE of Drax power station there are 2 Public Footpaths 35.47/6/1 and 35.47/1/1 which</li> </ul>	<p>(see Article 11), in consultation and agreement with the local authority as street authority.</p> <p>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 [REP3-004] 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</p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			<p>meet the C338/1/20 within the Grid Connection Corridor.</p> <ul style="list-style-type: none"> <li>• 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).</li> <li>• C-Road - C337/1/10 is not shown on the Plan Figure 2.2 within the Buffer Zone (E of Drax Power Station).</li> </ul> <p>It is noted that C Roads do not appear in the Map Key, and therefore the following C Roads are not shown:</p> <ul style="list-style-type: none"> <li>• 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).</li> <li>• C-Road - C337/1/10 is not shown on the Plan Figure 2.2 within the Buffer Zone (E of Drax Power Station).</li> </ul>	<p>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.</p> <p>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 Order limits. These footpaths will not be affected by the delivery of the Scheme.</p> <p>The PRow Map is included at Figure 2.2 <b>[APP-137]</b>. The OS mapping shows C-Road, but the plan itself is not intended to label C-Roads.</p>	



Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.6.9	Local Impact Report [REP2-023]	Powers to alter Public Rights of Way	<p>NYC state that PRoWs cannot be 'slightly altered temporarily' without a legal Order, and authorisation of the relevant local Authority, and state 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, 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.</p>	<p>Development consent under the Planning Act 2008 grants certain powers to carry out NSIPs which includes the power to stop up or divert streets or public right of way if it is considered necessary to enable development to be carried out. Article 11 of the draft DCO [REP3-004] provides the Applicant with these powers for temporarily diverting public rights of way which are identified in Schedule 6 of the draft DCO.</p> <p>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.</p>	Agreed

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				Article 11(4)(b) of the draft DCO does stipulate that “ <i>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</i> ” 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.	
3.6.10	Local Impact Report [REP2-023]	Public Rights of Way	NYC advise 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. This includes PRow. This is secured by Requirement 13 of Schedule 2 of the Draft DCO [REP3-004].	Agreed
	Local Impact Report	PRow Local Guidance	NYC propose the following local guidance to be following in relation to PRow: <ul style="list-style-type: none"> <li>Where practicable all public rights of way should be accessible to</li> </ul>	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	Agreed

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			<p>wheelchair users with a firm, stable non-slip surface and maximum gradient of 20%.</p> <ul style="list-style-type: none"> <li>• The minimum width for new public footpaths is 2.0 metres and public bridleways 4.0 metres.</li> <li>• 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.</li> <li>• 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.</li> <li>• Public bridleway construction should comply with British Horse Society guidelines</li> </ul>	<p>specified within the Framework PRow Management Plan <b>[APP-245]</b>. 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 <b>[REP3-004]</b>. Article 11 (4) of the draft DCO <b>[REP4-004]</b> also requires the Undertaker to consult the street authority prior to making any changes to PRow.</p>	

### 3.7 Socio-economics, human health and the living conditions of local residents

Table 3-7. Socio-economics, human health and the living conditions of local residents

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.7.1	Section 42 Response to Statutory Consultation	Methodology	NYC acknowledge that the Methodology (in the human health chapter of the PEI Report) is in line with the IEMA Guide to Determine Significance for Health 2022 and this is welcomed.	The Applicant notes that NYC accepts the methodology set out in Chapter 14: Human Health of the PEI Report, which has informed Chapter 14: Human Health, ES Volume 1 <b>[APP-066]</b> .	Agreed.
3.7.2	Local Impact Report <b>[REP2-023]</b>	Authoring of Human Health chapter	NYC welcome the inclusion of a Human Health Chapter in the Environmental Statement. They acknowledge that paragraph 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. They note that the report does not indicate who the author is or their qualifications as an expert in this regard.	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 (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) <b>[APP-076]</b> outlines the capability and the competency of the individuals responsible for	Agreed

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.7.2	Local Impact Report [REP2-023]	Methodology	<p>NYC note that the conclusions in Chapter 14: Human Health, ES Volume 1 [APP-066], are reliant on the applicant’s own assessments and does not reference external health literature or research and data collection from the local population.</p>	<p>undertaking and reporting the EIA, including Socio-Economics and Human Health.</p> <p>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.</p> <p>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</p>	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.7.3	Local Impact Report [REP2-023]	Methodology	<p>NYC notes that the 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.</p>	<p>and understood. The approach the Applicant has taken is in accordance with the IEMA Guide to Determining <i>Significance for Health</i> published in November 2022, and best practice.</p> <p>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.</p> <p>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</p>	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				<p>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.</p> <p>The effect interactions would be slightly lower during decommissioning than construction due to the matured vegetation screening views of the Scheme.</p> <p>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.</p>	

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.7.4	Local Impact Report <b>[REP2-023]</b>	Methodology	<p>NYC note that most of the predicted impacts within the report are deemed by the applicant to be minor adverse/negligible/minor beneficial. NYC notes the applicant should 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?</p>	<p>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.</p> <p>The Applicant wishes to direct NYC to refer to the Framework CEMP <b>[REP3-010]</b>, OEMP <b>[REP3-012]</b> and DEMP <b>[REP3-014]</b>. 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.</p>	Under discussion



Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				<p>Monitoring and reporting will be undertaken for the duration of the construction phase in order to demonstrate the 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.</p> <p>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.</p> <p>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 <b>[REP3-004]</b>), with a Community</p>	

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.7.5	Local Impact Report <b>[REP2-023]</b>	Methodology	<p>NYC state that paragraph 14.5.24 states that "<i>the only highly sensitive population that was identified through base line analysis was the over 65s.</i>" 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</p>	<p>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 Scheme and mitigation measures to be considered and acted upon if required.</p> <p>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 <b>[APP-064]</b>,</p> <p>Effect interactions are covered within Chapter 17: Cumulative Effects and Interactions, ES Volume 1 <b>[APP-069]</b></p>	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			conclusions which the applicant has not consider in the Human Health chapter.	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.	
3.7.6	Local Impact Report <b>[REP2-023]</b>	Methodology	NYC state that 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 <b>[APP-066]</b> 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.	Under discussion
3.7.7	Local Impact Report <b>[REP2-023]</b>	Methodology	NYC welcome the recognition of the higher sensitivity of the elderly population group, which are more likely	The Framework DEMP <b>[REP3-014]</b> sets out mitigation measures to be included as a minimum in the detailed	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.7.8	Local Impact Report [REP2-023]	Methodology	<p>to have a greater reliance on health services, including health and social care and social infrastructure. However, during 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.</p> <p>Though consultation and Engagement with North Yorkshire Public Health the Developer has confirmed in an email received 10th August 2023 that:</p> <p><i>We [Aecom] can confirm that the Framework Decommissioning</i></p>	<p>DEMP(s). Paragraph 3.12 of that document notes 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. The baseline information would include the demographic profile of the local population.</p> <p>North Yorkshire Council will need to approve the detailed DEM in accordance with Requirement 18 of the draft DCO [REP3-004]. 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 DEM.</p> <p>The Applicant notes this comment. In line with this email, the Framework DEM [REP3-014] sets out mitigation measures to be included as a minimum in the detailed DEM(s). Paragraph 3.12 of that document</p>	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			<p><i>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.</i></p>	<p>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.</p> <p>North Yorkshire Council will need to approve the detailed Decommissioning Environmental Management Plan in accordance with Requirement 18 of the draft DCO <b>[REP3-004]</b>.</p>	
3.7.9	Local Impact Report <b>[REP2-023]</b>	Methodology	<p>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 by the DPH must be embedded into the mitigation of the Decommissioning Phase.</p>	<p>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 <b>[REP3-004]</b>. This will be 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</p>	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.7.10	Section 42 Response to Statutory Consultation, Local Impact Report <b>[REP2-023]</b> and meeting on 12 August 2024	Provision of GP's	<p>NYC comment on the effects upon Health Care services during the construction phase, and question the number of GP surgeries assessed in the PEI Report. 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 NYC suggest that this figure would provide a more realistic number than that used in the PEI Report Assessment.</p>	<p>mitigation of the Decommissioning Phase.</p> <p>The Applicant agrees that Chapter 14: Human Health, ES Volume 1 <b>[APP-066]</b> has used the figure of three GPs at Bubwith Surgery, as provided by North Yorkshire Council, within the assessment of impacts on healthcare infrastructure.</p> <p>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</p>	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				<p>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.</p> <p>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 <b>[APP-066]</b> 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.</p> <p>In a meeting with NYC on 12 August 2024, the Applicant provided a rerun of the GP impact assessment, using updated patient list data from Bubwith Surgery that the Applicant requested from the surgery directly on 20 July</p>	

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				<p>2024. Using the new data, the assessment shows that with the additional construction workers the number of patients per GP would be substantially less than the assessment carried out in Chapter 14: Human Health, ES Volume 1 [APP-066]. The Applicant also provided a sensitivity test which shows that if the peak workforce figure of 400 FTE was used rather than the average workforce figure of 356 FTE, the outcome is only marginally different to the updated number of patients per GP.</p>	
3.7.11	Section 42 Response to Statutory Consultation	Assumptions on duration of impact	<p>NYC state that the IEMA Guidance states that the length of time an effect occurs is a key consideration for health and states that an appropriate reference period for duration should be applied. However, no clear definition has been set out in the PEI Report and its assumption that a 2-year construction period is 'short-term' would seem inappropriate. The construction period is expected to continue for 2</p>	<p>To inform the ES, a meeting was held (2 August 2023) with North Yorkshire Council with the purpose of discussing the comments received on the Human Health Assessment presented in the PEI Report. Additional information was requested from North Yorkshire Council by the Applicant to progress the assessment, which was received on 28 September 2023 and has been</p>	Agreed.



Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			<p>years, during which time the effects would be greatest, and repeated again at the decommissioning stage, which is also 2 years.</p> <p>NYC state that a more appropriate time frame would be that 0 – 12 months is defined as short-term, 1 – 10 years is medium term, and 10 years and beyond (including the decommissioning) defined as long term. The assessment should be repeated with these time frames applied.</p>	<p>incorporated into Chapter 14: Human Health, ES Volume 1 [APP-066].</p> <p>The Applicant explained that the duration of impact is one of several factors used in determining magnitude and that a short duration of impact does not automatically result in a 'negligible' result.</p> <p>Definitions relating to the duration of effects have been included in the assessment. Construction and decommissioning phase effects are considered to be short-term and temporary, as these phases are expected to take 24 months and many effects will not last the duration of this period. Operational phase effects are considered to be short-term, medium-term, reversible long-term or permanent effects, using the definitions set out in paragraph 14.7.75 of this chapter.</p>	
3.7.12	Section 42 Response to Statutory Consultation	Consideration of vulnerable sub-populations	NYC welcome the recognition of the higher sensitivity of the elderly population group, but are disappointed to see that this demographic profile	The sensitivity of more vulnerable sub-populations, including the elderly and those who have long-term health issues or disabilities has been	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.7.13	Section 42 Response to Statutory Consultation	Wider determinants of health	NYC state that when considering the wider determinants of health, the PEIR does not appear to consider how child obesity, smoking, life expectancy and rates of respiratory disease may be impacted by the Scheme.	<p>considered within the Assessment of Likely Impacts and Effects of Chapter 14: Human Health, ES Volume 1 <b>[APP-066]</b>. These differing sensitivities have been considered when drawing conclusions around significance of effects, in line with the 2022 IEMA Guidance.</p> <p>High sensitivity populations have been considered with reference to the effects on healthcare services, other social infrastructure, access to open space and active travel and social cohesion and neighbourhoods. The Equality Impact Assessment <b>[APP-248]</b> also addresses impacts on age and disability groups.</p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.7.14	Section 42 Response to Statutory Consultation	Assumptions of assessment of likely effect	NYC acknowledge that the assessment concludes that the population in the Study Area have better than average health, relative to regional and national comparators and as such, are less likely to be highly sensitive to health-related impacts. NYC question these assumptions as the paragraphs identify a proportion of the population that are highly sensitive to health-related impacts and therefore NYC would welcome the acknowledgement of these within the assumed conclusion.	which includes those who have long-term health issues and who are more elderly. These differing sensitivities have been considered when drawing conclusions around significance of effects, in line with the 2022 IEMA Guidance.  The sensitivity of more vulnerable and sensitive sub-populations, including the elderly and those who have long-term health issues or disabilities has been considered within the Assessment of Likely Impacts and Effects of Chapter 14: Human Health, ES Volume 1 <b>[APP-066]</b> . These differing sensitivities have been considered when drawing conclusions around significance of effects, in line with the 2022 IEMA Guidance.	Agreed.
3.7.15	Section 42 Response to Statutory Consultation	Consideration of health risks and duration of effects	NYC acknowledge that the report identifies some highway routes are likely to experience significant traffic severance as a result of the high level of traffic generated from the Site. Furthermore, the assessment highlights	The sensitivity of receptor and magnitude of effects associated with the Scheme are assessed in line with the 2022 IEMA Guidance. Definitions relating to the duration of effect are set out within the Assessment of Likely Impacts and Effects section of	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			<p>the potential for fear and intimidation of road users and accidents and safety.</p> <p>NYC welcome the conclusion that residents could experience adverse impacts from the Scheme. However, NYC state that the report doesn't appear to have considered the heightened risk to those most sensitive to health impacts, nor appropriately assessed the magnitude of these effects on the population due to the perceived short-term duration. When considered in the context of a medium-term duration, coupled with the sensitivity of the population who require to use the roads to access healthcare, or receive health and social care, NYC state that the conclusion would more appropriately be Moderate (significant).</p>	<p>Chapter 14: Human Health, ES Volume 1 [APP-066]. High sensitivity populations have been considered with reference to the effects on access to healthcare services, other social infrastructure, access to open space and active travel and social cohesion and neighbourhoods. As set out in Chapter 13: Transport and Access, ES Volume 1 [APP-065], with embedded mitigation in place there is only one link that would experience potentially significant effects and the actual predicted increase per hour/minute on this link is relatively small during the peak hours of construction.</p>	
3.7.16	Section 42 Response to Statutory Consultation	Severance and isolation	<p>NYC state that Chapter 13 of the PEIR states that HGV vehicles will generate 50 HGV vehicle movements per day. Add that to the traffic generated from the staff accessing the site at the start and end of the day, which was stated to be 400 staff on site, there is a potential to cause a significant impact to</p>	<p>The sensitivity of receptor and magnitude of effects associated with the Scheme are assessed in Chapter 14: Human Health, ES Volume 1 [APP-066] in line with the 2022 IEMA Guidance. Severance impacts have been considered with reference to effects on healthcare services, social</p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			communities. Impacts of severance would be not just in terms of isolation but also from essential services such as Emergency Services vehicles and Health and Social care providers attending to clients not being able to get there in time to perform the required duties. NYC state that a more realistic conclusion would be to assess the impact as moderate adverse.	infrastructure, access to open space and active travel, access to employment and training and social cohesion and neighbourhoods.  Chapter 14: Human Health within the Environmental Statement <b>[APP-066]</b> concludes that no significant adverse effects are identified with regards to human health.	

### 3.8 Water environment, flooding and drainage

Table 3-8. Water environment, flooding and drainage

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.8.1	Local Impact Report <b>[REP2-023]</b>	Water environment, flooding and drainage	The methodology, impacts assessed, and mitigation proposed in relation to the water environment, flooding and drainage set out in Chapter 9: Flood Risk, Drainage and Water Environment, ES Volume 1 <b>[APP-061]</b> are considered acceptable.	Chapter 9: Flood Risk, Drainage and Water Environment, ES Volume 1 <b>[APP-061]</b> sets out the methodology, impacts assessed, and mitigation proposed in relation to the water environment, flooding and drainage. This concludes that with proposed temporary mitigation measures implemented as part of the detailed	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				<p>CEMP and DEMP there are no significant adverse effects predicted upon receptors with regards to flood risk during construction or decommissioning phases of the Scheme. Given design mitigation set out in the Framework OEMP <b>[REP3-012]</b> which will inform a detailed OEMP to be secured by a requirement in Schedule 2 of the draft DCO <b>[REP3-004]</b>, there are no significant adverse effects predicted upon receptors with regard to flood risk during the operation of the Scheme.</p> <p>A Framework Surface Water Drainage Strategy, Appendix 9-4, ES Volume 2 <b>[REP1-021]</b> has been prepared detailing appropriate surface water drainage management for the Scheme to avoid increased flood risk from surface water by ensuring volumes and peak flow rates of surface water leaving the Site are no greater than the rates prior to the proposed Scheme being implemented. Following agreement with the Ouse and Humber Internal Drainage Board (IDB),</p>	

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				drainage requirements for the Scheme were limited to the Grid Connection Substations. A detailed Surface Water Drainage Strategy is secured through requirement 9 of the draft DCO [REP3-004]	

### 3.9 Agricultural land and soils

Table 3-9. Agricultural land and soils

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.9.1	Email received on 14 August 2024	Agricultural land and soils	NYC have not raised any significant concerns in their submissions on this topic area, noting that only the grid connection corridor is within NYC's administrative area. The methodology, impacts assessed, and mitigation proposed in relation	Chapter 15: Soils and Agricultural Land, ES Volume 1 [APP-067] presents the methodology, impacts assessed, and mitigation proposed in relation to agricultural land and soils as a result of the Scheme. This is supported by soil surveys and data which are provided at Appendix 15-2, ES Volume 2 [APP-117] and Appendix 15-3, ES Volume 2, [APP-118]. The chapter concludes that overall, the Scheme has sought to minimise the use of BMV where practicable and where this is used, this is justified. The local and	Agreed

to agricultural land and soils set out in Chapter 15: Soils and Agricultural Land, ES Volume 1 **[APP-067]** are considered acceptable.

national legislation and policy used in the assessment of the likely significant effects of the Scheme on soils and agricultural, including BMV land, is detailed in Appendix 15-1 **[APP-132]**.

### 3.10 Other environmental topics

Table 3-10. Other environmental topics

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.10.1	Relevant Representation	Ground conditions and land contamination	<p>NYC state that Chapter 16: Other Environmental Topics, ES Volume 1 <b>[AS-016]</b> 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. NYC consider the proposal to carry out intrusive site investigation and GQRA in the areas of potential contamination to be acceptable.</p> <p>If contamination is found, appropriate remediation/mitigation measures will be required to manage the potential</p>	<p>The Applicant notes that NYC accept the methodology and assessment set out in the Ground Conditions assessment in Chapter 16: Other Environmental Topics, ES Volume 1 <b>[AS-016]</b> and the Phase 1 Preliminary Risk Appendix 16-3, ES Volume 2 <b>[APP-123]</b>, which proposes limited intrusive investigation to confirm the findings of the assessment which may be included as part of geotechnical scope of works, with an intrusive site investigation and Generic Quantitative Risk Assessment proposed in the areas of potential contamination.</p>	Agreed.



Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			risks from land contamination. Following implementation of these measures, NYC agree that no significant effects associated with ground conditions are likely.	The Framework CEMP [REP3-010] presents outline mitigation measures for the unlikely event if contamination were to be identified onsite, which will be built upon in the detailed CEMP post consent. The detailed CEMP is secured by Requirement 11 in the draft DCO, which requires that it must substantially accord with the framework CEMP.	
3.10.2	Section 42 Response to Statutory Consultation	Air quality	NYC state that overall, the mitigation measures are proportionate and, while there may be some dust effects experienced during the construction phase, the proposed measures are consistent with what we would expect. For example, routine dust monitoring, stockpile management, suppression/dampening down etc. NYC can confirm that there are no objections in relation to Air Quality matters so far as this department's interests are concerned.	The Applicant notes that NYC accept the mitigation measures set out in Chapter 17: Other Environmental Topics of the PEI Report, which has informed Chapter 17: Other Environmental Topics, ES Volume 1 [APP-069], in relation to Air Quality.	Agreed.
3.10.3	Email received on 14 August 2024	Glint and glare	NYC have not raised any significant concerns in their submissions on this topic area, noting that only the grid connection corridor is within NYC's administrative area. The methodology,	Chapter 16: Other Environmental Topics, ES Volume 1 [AS-016] and supporting Appendix 16-2 Glint and Glare Assessment, ES Volume 2 [REP1-025] provides an assessment of glint and	Agreed

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			impacts assessed, and mitigation proposed in relation to glint and glare set out in Chapter 16: Other Environmental Topics, ES Volume 1 <b>[AS-016]</b> are considered acceptable.	glare effects of the Scheme. It states that embedded mitigation, particularly the technology proposed, which is single axis tracker panels, is considered adequate to avoid likely significant effects on glint and glare in relation to PRow, residential, road or rail receptors, users of the River Derwent and Ouse, and Runway 28 at Brighton Airfield.	
3.10.4	Email received on 14 August 2024	Safety and fire risk	NYC have not raised any significant concerns in their submissions on this topic area, noting that only the grid connection corridor is within NYC's administrative area. The methodology, impacts assessed, and mitigation proposed in relation to safety and fire risk set out in Chapter 16: Other Environmental Topics, ES Volume 1 <b>[AS-016]</b> are considered acceptable.	Chapter 16: Other Environmental Topics, ES Volume 1 <b>[AS-016]</b> sets out the methodology, impacts assessed, and mitigation proposed in relation to safety and fire risk. It concludes that all construction and decommissioning works will be subject to risk assessments as required by the Framework CEMP <b>[REP3-010]</b> and the Framework DEMP <b>[REP3-014]</b> which will minimise the risk of impacts from hazards such as fire or HDD failure. Mitigation measures to be implemented during construction and decommissioning are listed within the Framework CEMP <b>[REP3-010]</b> and Framework DEMP <b>[REP3-014]</b> respectively, which will be secured by a requirement in Schedule 2 of the draft DCO <b>[REP3-004]</b> .	Agreed

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.10.5	Email received on 14 August 2024	Waste	NYC have not raised any significant concerns in their submissions on this topic area, noting that only the grid connection corridor is within NYC's administrative area. The methodology, impacts assessed, and mitigation proposed in relation to waste set out in Chapter 16: Other Environmental Topics, ES Volume 1 <b>[AS-0161]</b> are considered acceptable.	Chapter 16: Other Environmental Topics, ES Volume 1 <b>[AS-016]</b> sets out the arrangements that are proposed for managing any waste produced by the Scheme, in accordance with the waste hierarchy, and is accompanied by a Framework Site Waste Management Plan, Appendix 16-4, ES Volume 2 <b>[APP-124]</b> . The Framework SWMP sets out measures to support the Scheme during construction in moving waste up the waste hierarchy and meeting other legal, policy and best practice requirements and will inform a detailed SWMP to be secured by a requirement in Schedule 2 of the draft DCO <b>[REP3-004]</b> . Chapter 16: Other Environmental Topics, ES Volume 1 <b>[AS-016]</b> concludes that there would be no significant impacts relating to materials and waste during construction, operation or decommissioning.	Agreed
3.10.5	Email received on 14 August 2024	Minerals	NYC have not raised any significant concerns in their submissions on this topic area, noting that only the grid connection corridor is within NYC's administrative area. The methodology, impacts assessed, and mitigation	Chapter 12: Socio economics and land use, ES Volume 1 <b>[APP-064]</b> and Appendix 12-2 Communications with Minerals Planning Authorities, ES Volume 2 <b>[APP-108]</b> explain that the impact of the Scheme on minerals was	Agreed

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			proposed in relation to minerals are considered acceptable.	scoped out of the EIA in agreement with the NYC Mineral Planning Authority. An assessment of the Scheme's impact on minerals is set out in section 6.14 of the Planning Statement <b>[APP-233]</b> which concludes that the Scheme would not impact mineral resources and safeguards mineral resources within the Order limits by not preventing the extraction of mineral in the future after any decommissioning has taken place.	

### 3.11 Draft DCO (including requirements in the Draft DCO)

Table 3-11. Draft DCO

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.11.1	Section 42 Response to Statutory Consultation	Discharge of Requirements	NYC would be looking for an 8 week discharge of requirements period.	There will be an 8 week period for discharging requirements, as set out in Schedule 16 of the draft DCO <b>[REP3-004]</b> .	Agreed.
3.11.2	Email received on 14 August 2024	Articles and Requirements in the draft	NYC are still reviewing the Articles and Requirements set out in the draft	The draft Development Consent Order <b>[REP3-004]</b> sets out Articles and	Under discussion

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.11.3	Relevant Representation	Support for BNG assessment	<p data-bbox="739 414 1299 598">NYC states that Schedule 2 of the draft DCO includes Requirements which will require submission of further details, in relation to ecological matters those include:</p> <ul data-bbox="806 654 1299 965" style="list-style-type: none"> <li data-bbox="806 654 1299 758">• Requirement 6 – Landscape and Ecological Management Plan</li> <li data-bbox="806 766 1299 853">• Requirement 7 – Biodiversity Net Gain</li> <li data-bbox="806 861 1299 965">• Requirement 11 – Construction Environmental Management Plan (CEMP)</li> </ul> <p data-bbox="739 1013 1299 1128">NYC consider the above requirements are sufficient to secure the biodiversity avoidance and mitigation measures.</p>	<p data-bbox="1299 319 1881 399">Requirements which determine how the Scheme will be delivered.</p> <p data-bbox="1299 414 1881 534">The Applicant notes this comment. These requirements are secured through the Draft DCO <b>[REP3-004]</b>.</p>	Agreed

### 3.12 Cumulative and in-combination impacts

Table 3-12. Cumulative and in-combination impacts

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.12.1	Relevant Representation	Certainty of protection and retention of vegetation	<p>NYC state that there are a number of large energy projects planned in the study area utilising the connection to the National Grid Substation at Drax. Some of these are in proximity to and overlap with this DCO Application site boundary. Collectively these have potential to radically change land use within several km radius of the Grid connection point at Drax Power Station, for a long-period of time (40+ years).</p> <p>NYC note that the existing landscape infrastructure, woodlands and hedgerows is extremely important in screening the existing development at Drax Power Station and in helping to mitigate, screen and buffer the effects of existing and proposed energy-related development in this area.</p> <p>NYC state that replacement planting would take many years to become established if this had to be replaced</p>	<p>The Framework LEMP <b>[REP3-016]</b> states that the Grid Connection Corridor has been designed to minimise disturbance of existing vegetation and where selective vegetation removal is required, replacement planting will be reinstated, where practicable.</p> <p>It also states that where impacts to hedgerows are anticipated, to enable construction access, where practicable these existing areas of hedgerow will be coppiced rather than removed to facilitate works, such as for construction access visibility splays. Where this is not practicable, any impacted area of hedgerow will be replanted where feasible upon completion of construction. This will also apply to cabling works which require temporary hedgerow removal.</p> <p>An update to the Framework LEMP <b>[REP3-016]</b> has been provided to</p>	Under discussion.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			<p>and reinstated. They state that there is potential for ongoing erosion of the landscape baseline in this area over a number of years, therefore NYC would wish to see greater certainty for protection and retention of existing vegetation and in the agreement of final routing options, recommend that the landscape strategy should consider a landscape framework capable of minimising this erosion and offsetting the wider cumulative effects.</p>	<p>highlight areas of vegetation within the Grid Connection Corridor, specifically in proximity to Drax Power Station, that would be retained and protected. The update sets out the measures to be undertaken to minimise impacts upon vegetation and hedgerows including, where practicable, the reduction in working width to approximately 5m through vegetation and hedgerows. The final alignment of the Grid Connection Cable will be determined post-consent during detailed design stage and following completion of further surveys, as set out in the Written Scheme of Investigation and the ground investigation report. The Framework LEMP <b>[REP3-016]</b> will inform a detailed LEMP which will be secured by a requirement in the draft DCO <b>[REP3-004]</b>.</p>	
3.12.2	Relevant Representation	Update to planning application in Shortlist of Cumulative Schemes	<p>NYC state that a resubmission of ID64 in Volume 2, Appendix 17-1: Shortlist of Cumulative Schemes <b>[REP2-008]</b>. ID64 has been made, planning reference ZG2023/0720/FULM, which should be included within the short list.</p>	<p>The Applicant notes the changes identified with regard to the shortlist, however these do not alter the cumulative assessment presented in Chapters 6 to 18 of the ES <b>[APP-058, REP2-006, APP-060, APP-061,</b></p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
				<b>REP1-014, REP1-016, APP-064, APP-065, APP-066, APP-067, AS-016, APP-069 and AS-018]</b> therefore the short list will not be updated.	
3.12.3	Relevant Representation	Update to planning application in Shortlist of Cumulative Schemes	NYC state that the status of application ID74 in Volume 2, Appendix 17-1: Shortlist of Cumulative Schemes <b>[REP2-008]</b> has evolved since been approved.	The Applicant notes the changes identified with regard to the shortlist, however these do not alter the cumulative assessment presented in Chapters 6 to 18 of the ES <b>[APP-058, REP2-006, APP-060, APP-061, REP1-014, REP1-016, APP-064, APP-065, APP-066, APP-067, AS-016, APP-069 and AS-018]</b> . The shortlist was updated at Deadline 2 and this update was included <b>[REP2-008]</b> .	Agreed
3.12.4	Relevant Representation	Long list	NYC state that the long list cannot be located.	The cumulative assessment is focused on assessing the impact of the developments which have the potential to generate significant cumulative effects. The long list of other developments initially identified for the cumulative effects assessment was provided with the Preliminary Environmental Information Report published for consultation in May 2023. As part of the development of	Agreed.



Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
3.12.5	Section 42 Response to Statutory Consultation	Inclusion of cumulative schemes	<p>NYC state that the following developments will need to be considered and the developer needs to undertake research to identify other projects which may impact on the project near to Drax.</p> <ul style="list-style-type: none"> <li>• Drax Power Station Development Consent Order relating to a Carbon Capturing facility</li> <li>• Drax Solar Farm located on land south of A645 Wade House Lane, Drax</li> </ul>	<p>the ES, any developments of a nature or scale without the potential to result in likely significant cumulative effects were excluded, following discussion with the local planning authorities which included North Yorkshire Council and consideration of the likely zone of influence for each environmental topic. The long list of cumulative developments has informed the shortlist, which is presented in Appendix 17-1, ES Volume 2 <b>[REP2-008]</b>). The long list itself was not included in the ES, given it was not considered to add value to the assessments.</p> <p>All of the developments outlined by NYC have been considered as part of the ES, with the exception of Yorkshire Green project and developments on A645 between Knottingley and Eggborough, as they are outside of the 5km zone of influence as outlined in Chapter 17: Cumulative Effects and Interactions, ES Volume 1 <b>[APP-069]</b>. The Applicant also identified other projects which may impact on the Scheme near to Drax, as set out within</p>	Agreed.

Ref	Relevant Application Document	Description of Matter	NYC Current Position	Applicant Current Position	Status
			<ul style="list-style-type: none"><li>• Camblesforth Solar Farm located on land north and south of Camela Lane</li><li>• Yorkshire Green project</li><li>• Battery installation near to Drax</li><li>• Developments on A645 between Knottingley and Eggborough.</li></ul>	Chapter 17: Cumulative Effects and Interactions, ES Volume 1 <b>[APP-069]</b> which describes the assessment of Cumulative Effects and Effect Interactions.	