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# EAST YORKSHIRE SOLAR FARM

**East Yorkshire Solar Farm**  
**EN010143**

**Applicant's Responses to Submissions Received at Deadline 3**  
Document Reference: EN010143/APP/8.44

Planning Act 2008  
The Infrastructure Planning (Examination Procedure) Rules 2010

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# 1. Introduction

## 1.1 Purpose of this document

- 1.1.1 The purpose of this document is to provide East Yorkshire Solar Farm Limited's (the Applicant) response to submissions received at Deadline 3 of the Examination for East Yorkshire Solar Farm (EYSF) (the Scheme).
- 1.1.2 The Development Consent Order (DCO) application (the Application) for East Yorkshire Solar Farm was submitted on 21 November 2023 and accepted for Examination on 19 December 2023. Deadline 3 of the Examination was on 23 July 2024.
- 1.1.3 A total of 74 submissions were submitted to the Examination at Deadline 3. 46 of these were from the Applicant, with 28 being from Interested Parties. To avoid repetition the Applicant has focused on comments that make points that have not been addressed previously, within the Applicant's Responses to Relevant Representations [REP1-066] and Responses to the Examining Authority's Written Questions for Deadline 1 [REP1-081], or where the Applicant considers that further clarification may be useful.
- 1.1.4 The Written Representation received from Natural England [REP3-048] is included within Appendix A of this document. Only the Amber risk rated comments have been responded to within this document, as it is considered that the green risk rated comments have been responded to previously within the Applicant's Responses to Relevant Representations [REP1-066] and the Statement of Common Ground drafted between the Applicant and Natural England [REP3-025].

## 1.2 Structure of this document

- 1.2.1 This document provides responses from the Applicant to submissions received at Deadline 3, and is structured as follows:
  - a. **Table 2-1:** Applicant's Responses to Submissions Received at Deadline 3 – Statutory Consultees. This does not include Natural England's submission which is provided at Appendix A.
  - b. **Table 2.2:** Applicant's Responses to Submissions Received at Deadline 3 – Parish Council Comments
  - c. **Table 2.3:** Applicant's Responses to Submissions Received at Deadline 3 – Public/Land interest Comments
  - d. **Appendix A:** Natural England's detailed advice provided for their Written Representation.
- 1.2.2 Submissions received by Interested Parties are presented as verbatim text (unless indicated otherwise) and are then responded to by setting out the Applicant's position on the matter at the time of writing. The reference number column in the tables below refers to the reference given to the submissions made by Interested Parties.
- 1.2.3 The documents submitted with the Application are also referenced in this document, using the reference number [APP/x.y], where the last two/three numbers are the application document number, as set out in the Examination Library. All documents are also presented in numerical order in the Guide to the Application [REP1-002].

### Table 1-1. List of Interested Parties that submitted Responses at Deadline 3

#### RR/Examination Interested Party Reference Number

REP3-049	Network Rail Infrastructure Limited
REP3-047	Marine Management Organisation
REP3-048	Natural England
REP3-050	Foggathorpe Parish Council
REP3-051	Howden Town Council
REP3-052	Alison Taylor
REP3-054	Beckitt and Macmillan
REP3-055	Brian Birkett
REP3-056	Caroline Brook
REP3-057	David Greenwood
REP3-058	David John Chantry
REP3-058	David John Chantry
REP3-059	Emma Humphrey
REP3-060	Emma Wood
REP3-061	Jan Wildgoose
REP3-062	Jane Mothersdale
REP3-063	Joan Mary Lunn
REP3-064	Joanne Roebuck
REP3-065	John Graham Stone and Sheila Stone
REP3-066	Karen Midgley
REP3-067	Keith Wildgoose
REP3-068	Maxine Birkett
REP3-069	Michael Field
REP3-070	Michael Glew
REP3-071	Nick Beech
REP3-072	Nikkola Glew
REP3-073	Paul Adrian Joseph Taylor
REP3-074	Stephen Lunn

1.2.4 For ease of reference, a table of acronyms used in this document is provided in **Table 1-2** of this document.

**Table 1-2. Abbreviations**

<b>Abbreviation</b>	<b>Definition</b>
ASI	Accompanied Site Inspection
BNG	Biodiversity Net Gain
CAH	Compulsory Acquisition Hearing
CEMP	Construction Environmental Management Plan
DCO	Development Consent Order
DEMP	Demolition Environmental Management Plan
dML	Deemed Marine Licence
EIA	Ecological Impact Assessment
ERYC	East Riding of Yorkshire Council
ES	Environmental Statement
EYSF	East Yorkshire Solar Farm
FLL	Functionally Linked Land
ha	Hectares
HDD	Horizontal Directional Drilling
HGV	Heavy Goods Vehicle
HRA	Habitats Regulation Assessment
ISH	Issue Specific Hearing
IDNO	Independent Distribution Network Operator
INNS	Invasive Non-Native Species
LEMP	Landscape and Ecological management Plan
MMO	Marine Management Organisation
MW	Megawatt
NE	Natural England
NRIL	Network Rail Infrastructure Limited
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OEMP	Operational Environmental Management Plan
PINS	Planning Inspectorate

<b>Abbreviation</b>	<b>Definition</b>
PROW	Public Right of Way
PV	Photovoltaic
RR	Relevant Representation
SAC	Special Area of Conservation
SAT	Single Axis Tracker
SMP	Soil Management Plan
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
ZOI	Zone of Influence

## 2. Applicant's Responses to Submissions Received at Deadline 3

### 2.1 Statutory Consultees

**Table 2-1. Applicant's Responses to Submissions Received at Deadline 3 – Statutory Consultees**

<b>Examination Library Ref.</b>	<b>Name</b>	<b>Comment</b>	<b>Applicant's Response</b>
REP3-047	Marine Management Organisation	<p>2 MMO General comments</p> <p>2.1 The MMO has reviewed the DCO and dML and supporting documents for East Yorkshire Solar Farm on a without prejudice basis.</p> <p>3. Exempt Activities</p> <p>3.1 Article 4 of the Marine Licensing (Exempted Activities) Order 2011 (2011 order) states that a marine licence is not needed for an activity that is an exempt activity.</p> <p>3.2 Article 35(1) of the 2011 Order states "Article 4 applies to a deposit or works activity carried on wholly under the seabed in connection with the construction or operation of a bored tunnel."</p> <p>3.3 The MMO note that the applicant is proposing to carry out electricity export to the National Grid through cable installations at certain locations such as rivers, railway and road crossings to connect the through trenchless methods including horizontal directional drilling (HDD), micro-tunnelling and boring.</p> <p>4. Deemed Marine Licence</p> <p>4.1 The MMO would like to note that we have received correspondence from the East Yorkshire Solar Farm applicant team on Thursday, 18th July 2024 confirming the removal of the dML from this application.</p> <p>4.2 On the basis of the information stated in section 3 of this response as well as the applicant correspondence mentioned in section 4.1 above, the MMO agree with the applicant's decision to remove the dML from this DCO application. The MMO do not consider that a dML is able to be granted under a DCO for the purposes of the proposed trenchless activities as the activities fall under Marine Licensing (Exempted Activities) Order 2011.</p> <p>4.3 Based on the above, the MMO do not intend to provide any further responses throughout the examination and post-consents processes of this DCO. However, if PINS require any further engagement with the MMO, please let the MMO know using the contact details provided in this response</p>	The Applicant notes this comment.
REP3-049	Network Rail Infrastructure Limited	<p>This Firm is instructed by Network Rail Infrastructure Limited (NRIL) in relation to the application by East Yorkshire Solar Farm Limited (Applicant) for the Proposed Development of the East Yorkshire Solar Farm.</p> <p>We hereby confirm that the Protective Provisions for the benefit of Network Rail (Protective Provisions) to be included in the draft Order for the DCO Scheme have been agreed between the Applicant and NRIL.</p>	The Applicant notes and welcomes this comment.

<b>Examination Library Ref.</b>	<b>Name</b>	<b>Comment</b>	<b>Applicant's Response</b>
		<p>The Applicant has confirmed to NRIL that it will be writing to the Planning Inspectorate today to request that the agreed form of Protective Provisions are included within the draft Order.</p> <p>On this basis, we hereby confirm on behalf of NRIL that it is content for the Planning Inspectorate and the Inspector to treat NRIL's objection to the DCO Scheme as withdrawn.</p>	



## 2.2 Parish Council Comments

**Table 2-22-2. Applicant's Responses to Submissions Received at Deadline 3 – Parish Council Comments**

<b>Examination Library Ref</b>	<b>Name</b>	<b>Comment</b>	<b>Applicant's Response</b>
REP3-050	Foggathorpe Parish Council	We are very concerned about the output and land area that is being considered and agree with all the points made by David Davies MP to the examiner dated 9th July 2024	The Applicant provided a Note on Scheme Efficiency at Deadline 3 <b>[REP3-038]</b> in response to the Issue Specific Hearing 2 (ISH2) on Environmental Matters held on 10 July 2024. The Applicant has also responded <b>[REP3-033]</b> to David Davies MP submission made after Deadline 2. The Applicant has responded to the Examining Authority's follow up questions on <b>REP3-038</b> in the Applicant's Responses to the ExAs Second Written Questions which is submitted at Deadline 4.
REP3-051	Howden Town Council	Howden Town Council are concerned about the size of the development and the heavy use of farmland. We are also concerned about its proximity to settlements such as Brind, Gribthorpe and Willitof. There is also concern that not all landowners were consulted in the initial stages of the planning. There are also issues in relation to Public Rights of Way and the impact on those	The Applicant responded to the following comments at Deadline 1 (Applicant's Responses to Relevant Representations <b>[REP1-066]</b> ): <ul style="list-style-type: none"> <li>- Scale within Table 2-26;</li> <li>- The use of agricultural land within Table 2-21;</li> <li>- Proximity to settlements within Table 2-25 and 2-26;</li> <li>- Consultation within Table 2-23; and</li> <li>- Public Rights of Way within Table 2-37.</li> </ul>

## 2.3 Public/Land interest Comments

2.3.1 Table 2-3 below provides the Deadline 3 submissions from the public/persons with an interest in the land in full and sets out the Applicant's response with reference to previous responses to relevant representations and other submissions made at previous examination deadlines. The Applicant recognises that many of the submissions at Deadline 3 and oral submissions during the Open Floor Hearing on 9 July 2024 raised concerns around consultation and a lack of engagement to date. The Applicant would like to confirm that it is committed to engagement with the local community and is actively corresponding with members of the public throughout the examination. It's project email, telephone and postal service are still available and if development consent is granted, the Applicant will be setting up a Community Liaison Group (referred to in the Framework CEMP **[REP3-010]** and within the draft DCO (as per Requirement 4 of **[REP3-004]**). This will include the appointment of a Community Liaison Officer (or alternative role) to lead discussions with the local communities affected by construction of the Scheme. The Applicant considers that the Community Liaison Group will provide an effective way of seeking feedback from the local communities (and other relevant organisations that may be included in this group) during the construction period when the Applicant's appointed contractor will be on board. The Applicant is also exploring a community benefit fund as part of the Scheme and aims to work with local organisations that will best spend the money to support the local community. During the pre-application statutory consultation, the consultation feedback explained the concept of this fund and sought responses on causes which the fund might support. The Applicant is proposing to introduce this benefit fund post consent and will be developing the criteria for allocating the funding if development consent is granted.

**Table 2-3. Applicant's Responses to Submissions Received at Deadline 3 – Public Comments**

Examination Library Ref	Name	Comment	Applicant's Response
REP3-052	Alison Taylor	<p>Further to my 3 earlier submissions (Deadline 1 &amp; 2 and at the Open Hearing) I would like to add the following observations and questions in more detail.</p> <p>1. I am still very concerned at the way in which land was allocated to this application and I do not feel my earlier questions about this have been addressed sufficiently. As I previously stated it appears that the Applicant had no part in the choice of land (even though they are supposed to research to find the most suitable) apart from approaching a local farmer/s who then contacted their friends to see who wanted to be involved. This meant that the land was put together in a very illogical and inconsistent manner by a group of landowners who saw a very lucrative financial opportunity. Due to this piecemeal approach, there are far more residents who will be affected by solar panels far too close to property than would be if this application had been thoroughly and adequately researched in the first place. It is no mistake that this has happened but simply a lack of proper consultation and due diligence from the Applicant which seems to have been par for the course throughout the process. I was on the bus for the whole of the ASI and was extremely shocked by the proximity of a number of properties to the proposed site (as well as my own). I was not impressed with the reaction of the Applicant's representatives on the ASI who certainly seem to take the approach that we really must live with it and that was simply a box ticking exercise for them. There has been little or no proper consultation with residents living very close to the development – no visits to residences even when invited. I believe that in most cases the day of the ASI was the first time most if not all the Applicant's representatives had visited actual properties. I would be grateful therefore if Mr Warder delved a little deeper into the whole aspect of the land acquisition for this project; the reasons why these fields were chosen above other more suitable land further away from residential property and what due diligence was exercised in this process (if any). I must also express deep concern at the comments made by the Applicant after Deadline 1 submissions where they deliberately tried to down grade our home by suggesting that it was on an industrial site. It is far from that as was seen on the ASI. It is still our home and our livelihood, and I did not appreciate the callousness of that comment. It was as if they were saying because</p>	<p>1. The Applicant has set out its rationale for selecting the Solar PV Site in Chapter 3: Alternatives and Design Evolution within the Environmental Statement <b>[APP-055]</b>. This explains the stages and the main considerations which have influenced the Applicant in how it has selected the land for the Scheme. For the Solar PV Site this has included seeking to avoid environmental and land use constraints and taking into consideration other criteria such as topography; field pattern and arrangement; land use conflict, as well as land availability. This approach was robust and accords with the site selection considerations identified in NPS EN-3.</p> <p>The Applicant provided a response in relation to buffer zones between the solar PV panels and residential properties within the response to the ExA's Written Question 1.3.9 (Responses to the Examining Authority's Written Questions for Deadline 1 <b>[REP1-081]</b>) and has provided further information in the Applicant's Responses to the Examining Authority Second Written Questions at Deadline 4.</p> <p>2. Chapter 2: The Scheme, ES Volume 1 <b>[APP-054]</b> provides a description of the Scheme and its location. Table 2-1 of this document sets out the Scheme's design parameters including size and orientation of the Solar PV Panels.</p> <p>Chapter 2: The Scheme, ES Volume 1 <b>[APP-054]</b> also provides details on the Scheme's construction at section 2.6. Further details are provided within the Framework Construction Environmental Management Plan <b>[REP3-010]</b> which is secured through Requirement 11 in Schedule 2 of the Draft DCO <b>[REP3-004]</b></p> <p>The Applicant provided additional commentary on the effect of piling on residential properties in Table 1-1 of the Applicant's Summary of Oral Submissions and Post Hearing Notes at Issue Specific Hearing 2 on Environmental Matters document <b>[REP3-036]</b> in section h) Noise and vibration's Post Hearing Note.</p> <p>The detailed design of the Scheme must be approved by the relevant local planning authority in accordance with Requirement 5 (detailed design approval) Schedule 2, of the draft DCO <b>[REP3-004]</b>.</p>

Examination Library Ref	Name	Comment	Applicant's Response
		<p>we run a business from the premises we don't count. I feel that may be the reason why we have been given very little by the way of screening or buffer zones – there has been no consistency with that either.</p> <p>2. It is still not at all clear what panels will be used for example how big they will be, where they will be sourced from and how they will be constructed. Will they be fixed into the ground and south facing? Will they be east/west or west/east with tilting mechanisms, so they follow the sun throughout the day? How will they be constructed – piling or not? Obviously, these questions need to be answered soon because the way they are fixed will make an enormous difference to the visual appearance. If I wanted to build an extension to my home and indeed when we built our new warehouses recently we had to give every tiny detail in the application. What bricks would be used, what roofing, what colour, what provision for wildlife, planting, and landscaping. Every tiny detail. Yet here we are with a massive 3000 + acre development and they don't even say what the panels will actually look like! Do they even know? How can anyone make a sound judgement without ALL the detail?</p> <p>3. At the Consultations I got very few answers to my questions. Just vague generic replies which were often contradictory. It seems that nothing has really changed even though the examination process is well under way. It is so worrying that there are so many vagaries in this application. As I stated in previous submissions the Applicant should have replied to every individual email, completed form and verbal question. The excuse that they had had so many responses they couldn't reply to them all was unacceptable. It is their decision, as a private enterprise to apply for planning permission for their development which is, due to its sheer size, absolutely unprecedented in the UK and therefore must be absolutely thorough in their dealing with the public and their concerns</p>	<p>3. The Applicant responded to comments relating to consultation within Table 2-23 of the Applicant's Responses to Relevant Representations <b>[REP1-066]</b> document.</p>
REP3-054	Beckett and Macmillan	<p>I have noted that the applicant (Boom) have a solar farm project at Fenwick, South Yorkshire, which is just 13 miles from the proposed site of East Yorkshire solar farm. In Boom's statutory consultation for the Fenwick Project Boom states, " Fixed South Facing panels are proposed at the scheme, solar panels would be mounted on fixed metal mountings structures arranged in rows facing south. Fixed South Facing systems are the most commonly seen layout for Utility Scale Solar PV facilities in the UK to date." They further state, "We have decided to use Fixed South Facing Solar panels in the updated proposal for the scheme. These panels are generally lower in height than the Tracker Systems and have a smaller ground cover ratio than the East/West designs."</p> <p>Why then has the applicant chosen to use the Taller Tracker System at the proposed East Yorkshire site, when they themselves state that fixed south-facing panel systems are the most commonly used layout for large solar farms in the UK. Obviously the fixed south-facing panels are most used because they are the ones best suited for the British Climate. The very fact that the applicant has chosen to use this system just 13 miles away proves that they know it to be the best system for this area. I wonder if anyone has considered that residential homes close to a solar farm poses a Fire Risk to the solar farm.</p> <p>Rural homes often have Wood Burning Stoves (we do), most people celebrate Guy Fawkes with a Bonfire and Fire Works in their gardens (we do but using the quiet</p>	<p>The Applicant responded to comments relating to fire and safety within Table 2-35 of the Applicant's Responses to Relevant Representations <b>[REP1-066]</b> document.</p> <p>The Applicant has set out its rationale for selecting the Solar PV Site in Chapter 3: Alternatives and Design Evolution within the Environmental Statement <b>[APP-055]</b>. This explains the stages and the main considerations which have influenced the Applicant in how it has selected the land for the Scheme. For the Solar PV Site this has included seeking to avoid environmental and land use constraints and taking into consideration other criteria such as topography; field pattern and arrangement; land use conflict, as well as land availability. This approach is robust and accords with the site selection considerations identified in NPS EN-3.</p> <p>All technology is considered in the design process and simulations run to select the optimum technology available to produce the greatest amount of electricity at the proposed location.</p> <p>The Applicant's response to question Q10.0.1 in the Applicant's Responses to the ExA's Second Written Questions submitted at Deadline 4 provides comments on the findings of the BRE Study 'Fire and Solar PV Systems – Investigations and Evidence'.</p>

Examination Library Ref	Name	Comment	Applicant's Response
		<p>fireworks so as not to frighten the animals). Most people have and use charcoal BBQ's and possibly a Fire pit in their garden. Some people burn their rubbish. Houses can and do catch fire, which is why the Government and Fire Service advise fire/smoke alarms in homes. (so that the residents can get out quickly).All of these pose a risk of fire spreading to the solar farm. We have solar panels on our roof and have interlinked detectors in our attic and throughout our home. Solar Farms pose a fire risk for local residents homes that are too close to a solar farm and Visa Versa.</p> <p>The applicants chosen area for the proposed East Yorkshire solar farm is spread over different parts which will cause the unnecessary expense of large amounts of connecting electrical cabling and the cost of digging miles of trenches and traffic management systems. The farmers involved with the project have offered up to the applicant a hotch potch of fields scattered about over too large an area. Surely the applicant could have negotiated with the 'willing to lease their land farmers' and come up with large fields close together of which there are many, which are not close to any homes. This would mean that the applicant could then be a good neighbour, and the local residents not have their feelings hurt by the inconsiderate farmers who have put PROFIT before their local community.</p>	
REP3-054	Beckitt and Macmillan	<p>Please can the applicant explain why they decided not to include battery storage when everyone knows there is no point having a solar farm without battery storage. The applicant's Fenwick solar farm application, just 13 miles away from the proposed East Yorkshire Solar farm, includes battery storage facilities.</p>	<p>The Applicant provided a response on the decision to exclude a battery energy storage system within the response to the ExA's First Written Question 1.4.1 (Responses to the Examining Authority's Written Questions for Deadline 1 <b>[REP1-081]</b>).</p>
REP3-054	Beckitt and Macmillan	<p>At the meeting last week i mentioned to the Inspector that there were a number of solar farms within a 20 radius of the proposed sites of The East Yorkshire Solar Farm. The Inspector asked me to send him a list. I also mentioned about a document showing that Brind Lane is classified as a Nature Reserve and the inspector asked me to send him a copy. I have made the list of solar farms on word and so i can not download that document onto this submission. i will try and make it a pdf but if not then i will send it on an email to the case team for them to pass it on to the Inspector. Also during the open floor meeting i mentioned about the fire risk on solar farms. The inspector did ask the applicant team regarding the risk of fire and one of the team replied that there is no fire risk on solar farms. The applicants team member was not corrected by anyone on the applicants team, but talking to Helen Standing after the close of the meeting i said to her that there are risks of fires on solar farms and she replied yes there is a small risk of fires on solar farms. It is a pity she did not correct her member of the team during the meeting when the Inspector had asked the question regarding the risk of fires on solar farms.</p>	<p>A response in relation to other nearby solar farms is provided in the next row of this table.</p> <p>The Applicant responded to comments relating to fire and safety within Table 2-35 of the Applicant's Responses to Relevant Representations <b>[REP1-066]</b> document.</p> <p>The Applicant's response to question Q10.0.1 in the Applicants Responses to the ExA's Second Written Questions submitted at Deadline 4 provides comments on the findings of the BRE Study 'Fire and Solar PV Systems – Investigations and Evidence'.</p>
REP3-054	Beckitt and Macmillan	<p>List of Solar Farms within 25 miles radius of the proposed East Riding solar farm (as the crow flies!)</p> <p>Wade House Lane, Camblesforth 50mw approved 11/04/24 6 miles Camela Lane, Camblesforth 50mw 7 miles</p> <p>Rawcliff Bridge 8 miles Camblesforth and Hirst Courtney 190mw 7 miles Osgodby 42.9mw 6 mile</p> <p>Soay 49.9mw 10 miles using Thornton Sub Station</p>	<p>Chapter 5: EIA Methodology, ES Volume 2 <b>[APP-057]</b> sets out the methodology for assessing cumulative effects and interactions. A review of other developments was undertaken by the Applicant, encompassing a 'zone of influence' (ZoI) of 5km as defined by environmental topic specialists. Appendix 17-1, ES Volume 2 <b>[REP2-008]</b> sets out the developments which have been identified within the shortlist of cumulative schemes.</p> <p>The shortlist of cumulative developments, presented in Appendix 17-1, ES Volume 2 <b>[REP2-008]</b>, was prepared and shared with ERYC</p>

Examination Library Ref	Name	Comment	Applicant's Response
		<p>Fenwick 237.5mw 13 miles</p> <p>Armthorpe in public consultation stage 16 miles all using Thorpe Marsh Sub-Station</p> <p>Pear Tree Hill 22 miles 320mw (statutory Consultation phase completed)</p> <p>Driffield 24 miles 28mw Pre-Construction Phase</p>	<p>and North Yorkshire Council for agreement in preparing the ES. This was recently updated for Deadline 2.</p> <p>It is assumed that the solar farm on Wade House Lane, is 'Solar Farm at Land South Of A645' which is identified as number 74 in the Shortlist <b>[REP2-008]</b>. The updated shortlist submitted at Deadline 2 noted that this development has been approved.</p> <p>It is assumed that the solar farm at Camela Lane is the 'Solar Farm at Land North And South Of Camela Lane' which is identified as number 65 in the Shortlist <b>[REP2-008]</b>.</p> <p>It is assumed that the solar farm at Hirst Courtney is 'Helios Renewable Energy Project' identified as number 1 in the Shortlist <b>[REP2-008]</b>.</p> <p>The assessment of cumulative impacts of the Scheme with the above schemes and other existing and proposed energy developments as well as other developments in the locality is set out in chapters 6 – 16 of the ES <b>[APP-058, REP2-006, APP-060, APP-061, REP1-014, REP1-017, APP-064, APP-065, APP-066, APP-067 and AS-016]</b> and is summarised in Chapter 17: Cumulative Effects and Interactions of the ES <b>[APP-069]</b>. No new likely significant adverse effects are anticipated to arise from the Scheme when considered alongside those effects generated by nearby developments.</p> <p>None of the other developments identified are within the Scheme's 5km ZOI and therefore have not been considered within the cumulative assessment.</p>
REP3-055	Brian Birkett	<p>Unfortunately, like many other working members of the local community I was unable to attend the majority of the open meetings. I have tried to read the transcripts on the planning inspectorates website but these are very garbled. I would hope that full legible transcripts can be made available and also written responses to particular points raised in our last submissions are made available. After this, then the interested parties should be allowed to make further written submissions to the planning inspectorate, after a suitable time, in response to the applicants comments. Having attended the open meeting on 9th July, I would like to comment that I found the applicant's response to concerns raised by the local community extremely poor. The applicant seemed unable or unwilling to answer direct questions. In general I found that the applicant was only willing to provide the minimum information necessary to get their plans approved. They showed little or no concern for the effect that this huge industrial project would have on the local community. The impact on wellbeing and health during construction and long term running of this project has been totally ignored by the applicant. I believe an independent inquiry as to the effects of this proposed development on health and wellbeing on the local community during both construction and long term running should be carried out by the planning inspectorate. Those who attended reiterated the poor standard of the public consultation with "experts" being unable to answer basic questions. This is representative of the very poor standard of the application, with the applicant only doing the bare minimum to address local concerns, whether it be impact on our</p>	<p>The Applicant responded to comments relating to consultation within Table 2-23 of the Applicant's Responses to Relevant Representations <b>[REP1-066]</b> document.</p> <p>The Applicant responded to comments relating to health and wellbeing within Table 2-30 of the Applicant's Responses to Relevant Representations <b>[REP1-066]</b> document. Additional responses were provided by the Applicant in response to the ExA's first written questions 6.0.3- 6.0.9 (Responses to the Examining Authority's Written Questions for Deadline 1 <b>[REP1-081]</b>)</p> <p>The Applicant responded to the following comments at Deadline 1 (Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Landscape within Table 2-32;</li> <li>- Transport within Table 2-37;</li> <li>- Ecology and Biodiversity within Table 2-27; and</li> <li>- Heritage within Table 2-31.</li> </ul> <p>The Applicant provided further responses in relation to Landscape, Ecology and Biodiversity and Transport in response to the ExA's first written questions</p>

Examination Library Ref	Name	Comment	Applicant's Response
		<p>landscape, impact on transport infrastructure, impact on nature, impact on heritage assets, impact on our wellbeing and numerous other negative impacts this project will have. The idea that a small community fund, probably only a few thousand pound per annum across all affected communities, could ever compensate for the immense negative impacts this project will have is unbelievable and shows the stark disregard that the applicant has for the local community. Should this decimating industrial development in our countryside be allowed, then substantial compensation per household, set by an independent panel, should be mandatory to compensate for the impact of the development on our lives and the significant devaluation of house prices. I do not believe that the energy output of the plant compared to other options has been properly considered and something that the inspectorate should consider. I believe that an independent review of the possible energy output per acre of land should be carried out as part of the planning process. We can't possibly give a green light to all solar farms without due consideration to their efficiency when compared to land use. There also needs to be proper consideration of the best use of the Drax energy hub. Taking up part of the vital capacity of power handling of the Drax infrastructure with a very inefficient power generation system such as solar without battery storage cannot be seen as sensible option</p>	<p>(Responses to the Examining Authority's Written Questions for Deadline 1 <b>[REP1-081]</b>)</p> <p>The Applicant responded to comments relating to a community fund within Table 2-22 of the Applicant's Responses to Relevant Representations <b>[REP1-066]</b> document.</p> <p>The Applicant provided a Note on Scheme Efficiency at Deadline 3 <b>[REP3-038]</b> in response to the Issue Specific Hearing 2 (ISH2) on Environmental Topics held on 10 July 2024 as part of the Examination for the Scheme.</p> <p>The Applicant provided a response on the decision to exclude a battery energy storage system within the response to the ExA's Written Question 1.4.1 (Responses to the Examining Authority's Written Questions for Deadline 1 <b>[REP1-081]</b>).</p>
REP3-056	Caroline Brook	<p>I strongly object to this proposed solar farm. We need to protect our farmland for food production. Wind power at sea is a far more viable option with recent advances made. Or solar on rooftops/buildings/carparks/industrial areas/brownfield sites. I set out a number of further reasons below.</p> <p>Size and location of the development is extreme</p> <p>Loss of productive arable land is serious</p> <p>Significant negative visual impact for residents living adjacent to the site boundary</p> <p>Negative visual impact for users of the footpaths and bridleways across the site</p> <p>Negative impacts on landscape character</p> <p>Extensive traffic and transport impact Loss of local wildlife habitats</p> <p>Unacceptable negative impact on local heritage</p> <p>Concerning serious noise and vibration impact</p> <p>The development is not temporary</p> <p>No benefit to the local community</p> <p>Slave labour used in the making of the solar panels and associated equipment.</p> <p>The proposals make no sense. This is box ticking at its finest. There are other far more viable options to generate green energy available than destroying large swathes of the countryside.</p>	<p>The Applicant responded to the following comments at Deadline 1 (Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- The use of agricultural land within Table 2-21;</li> <li>- Alternatives within Table 2-26;</li> <li>- The size and location of the development within Table 2-25 and Table 2-26;</li> <li>- Landscape and Visual Amenity within Table 2-32;</li> <li>- PRoW's and Transport within Table 2-37;</li> <li>- Ecology and Biodiversity within Table 2-27;</li> <li>- Heritage within Table 2-31;</li> <li>- Noise and Vibration within Table 2-39;</li> <li>- Comments regarding the development not being temporary within Table 2-25;</li> <li>- Community benefits within Table 2-34; and</li> <li>- The manufacturing of Solar Panels within Table 2-38.</li> </ul>
REP3-057	David Greenwood	<p>I just find the whole process sordid. Everyone can see that there is no place for these 'solar blights' on any farmland. The ( I presume AI or typist was worse for wear) notes from the in-person hearings are virtually indecipherable in places and not fit for an enquiry. Although whether they will be read by a government minister when you turn down this abomination is doubtful looking at recent events. The science on solar is</p>	<p>The Applicant responded to the following comments at Deadline 1 (Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Alternatives within Table 2-26; and</li> </ul>

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		dacey to say the least. If you must have solar - then warehouses, houses, car parks etc are the places for them. However, then no money for the big boys. It's a multi billion pound scam	<ul style="list-style-type: none"> <li>- Need for the Scheme within Table 2-33.</li> </ul>
REP3-058	David John Chantry	The fields near Newsholme are not well drained. Hence the growth of willow. Any vehicles on the land in autumn and winter will create eyes and bog. There are many ancient oaks, badgers, hares, deer, insects living in the trees. Woodpeckers and owls living in the area. The landscape will become industrial where it was agricultural. The noise of the pile driving and all the support vehicles will be unbearable for residents. Support /give grants to the farmers to put solar panels on shed roofs for cold storage of vegetables etc. Put the panels on warehouses- there are plenty of them in Goole and the M62 corridor. Land that will produce food should not be used for solar panels. The population is growing food security is vital. No farms no food. It can't all be imported!	<p>The Applicant responded to the following comments at Deadline 1(Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Flood Risk, Water and Drainage Environment within Table 2-29;</li> <li>- Ecology and Biodiversity within Table 2-27;</li> <li>- The use of agricultural land within Table 2-21;</li> <li>- Alternatives within Table 2-26; and</li> <li>- Landscape and Visual Amenity within Table 2-32.</li> </ul>
REP3-058	David John Chantry	The application should be refused. Our rural hamlet will become an industrial, noisy place with too many vehicles using narrow roads and destroying habitat. Houses will not be saleable due to the amount of noise and traffic	<p>The Applicant responded to the following comments at Deadline 1(Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Landscape and Visual Amenity within Table 2-32;</li> <li>- Ecology and Biodiversity within Table 2-27;</li> <li>- Noise and Vibration within Table 2-39;</li> <li>- PRoW's and Transport within Table 2-37; and</li> <li>- Impact on House prices within Table 2-36.</li> </ul>
REP3-059	Emma Humphrey	Following on from the site visits with the planning inspectorate, it was clear to see how close this potential development is to people's houses, on more than one side and the swathes of farmland it will consume, never to be farmed again. Not near the landowners houses, associated with the development. The hedges have been intentionally grown up so not to look bad from the street scene. We were told when building our garage it had to be reduced in height as it would affect the street scene . What is good for the goose is good for the gander . these are single track roads, the bus carrying us had to reverse to let traffic pass. This development will ruin people's lives, mental wellbeing, countryside, wildlife, farmland producing food, the community, the list goes on and on. Please stop this monstrosity from happening	<p>The Applicant responded to the following comments at Deadline 1(Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- The use of agricultural land within Table 2-21;</li> <li>- The size and location of the development within Table 2-25 and Table 2-26;</li> <li>- Landscape and Visual Amenity within Table 2-32;</li> <li>- PRoW's and Transport within Table 2-37;</li> <li>- Ecology and Biodiversity within Table 2-27; and</li> <li>- Human Health and Wellbeing within Table 2-30.</li> </ul>
REP3-060	Emma Wood	<p>After listening to every thing that was said at the hearings I have more concerns now than before. The talk of lower grade land being used, yet this is used for cereals, and a benefit of the low lying clay soil is that it holds moisture and nutrients for longer during the growing season. Have the averaging crop yields been looked into?</p> <p>Can our country afford to lose such vast amounts of food producing land, as its deemed 'lower grade'. The risk of damage to the field drains is of no concern to the solar farm, but yet what happens to that water if its not drained away, As it rises will it get pushed towards housing/ other peoples land causing flooding? Talk of the wildlife moving around the margins outside of the fencing, Right beside the narrow, single track rural lanes, increasing accidents. Car versus deer is never a good outcome.</p>	<p>The Applicant responded to the following comments at Deadline 1(Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- The use of agricultural land and current farming practice within Table 2-21;</li> <li>- Impact on deer within Table 2-27; and</li> <li>- Landscape and Visual Amenity within Table 2-32.</li> </ul> <p>With regard to the concerns regarding piling, the Applicant provided additional commentary on the effect of piling on residential properties in Table 1-1 of the Applicant's Summary of Oral Submissions and Post Hearing Notes at Issue Specific Hearing 2 on Environmental Matters document <b>[REP3-036]</b> in section h) Noise and vibration's Post Hearing Note.</p>

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		<p>There has been mention of cosmetic damage to properties, but not structural, which on some very old buildings with poor foundations is concerning, especially if piling was to happen on heavy dry clay land. Commercial sheep breeds and farming is not viable under panels, due to poor, limited grass. Some primitive breeds can do well, but are not used as commercial venture as just not profitable enough.</p> <p>So much is unanswered, and always seems to be more questions and concerns on what is a scary proposal and changing such huge areas of landscape beyond recognition for a lifetime, and potentially lost forever</p>	<p>With regard to the concerns regarding sheep, the Applicant commissioned an independent consultant to review the feasibility of sheep grazing on the grassland beneath solar panels, which has shown it is feasible for sheep to graze on the land. More detail is contained within the Grazing Feasibility Study, Appendix 2-1, ES Volume 2 <b>[APP-071]</b>.</p>
REP3-61	Jan Wildgoose	<p>Having attended the site visit with the Planning Inspector and representatives from Boom on the 11/7/ 2024, I was shocked and horrified at the the extent of this 3.500 acre proposal. The reality of our rural life being desecrated by this project hit home. My concern is the risk of fire from the panels and storage facilities. The overwhelming fear of being trapped in a village with a single track road with a dead end to fields and the road surrounded by acres of panels is terrifying. The only escape route would be by road or the fields at the end of the village by foot. Some elderly residents would not be able to make a quick escape. We read in the press of other solar fields in the country sustaining fire and smoke damage. With the proximity of the Solar Farm to dwellings in Gribthorpe there is a genuine belief that we are most certainly at enormous risk to life. I still feel the light pollution within our area hasn't been satisfactorily considered. We enjoy dark night skies and the use of security lights around Gribthorpe will be another detrimental effect on our wellbeing. The risk of theft in our rural community is a real concern as we read of increased instances of this from other projects in the UK.</p> <p>I'm not satisfied by the way Boom representatives just "bat away" our concerns on: noise pollution, light pollution, fire risks, the "claustrophobic" effect of the sheer scale of this project, loss of views and the impact of living the rest of our lives surrounded by solar panels. It will destroy what life we have created for ourselves and families with very little concern for our wellbeing.</p> <p>I also wonder if the current Planning Process is fit for purpose as any recommendations presented by the Planning Inspector (i.e. Sunnica) are dismissed by the Minster of State for Net Zero in such a cavalier fashion. Finally, as a NSIP there has been no realisric consideration for resident's loss of value to their homes and life choices. We have worked hard and contributed to society and retired to the countryside, paying for the privilege of a rural life to now find that it is extremely likely we'll have difficulty selling our properties as the industrialisation of the landscape will deter potential buyers</p>	<p>The Applicant responded to the following comments at Deadline 1(Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Fire and safety within Table 2-35;</li> <li>- Landscape and Visual Amenity, including concerns relating to light pollution and dark skies and concerns relating to industrialisation within Table 2-32;</li> <li>- Human Health and Wellbeing within Table 2-30;</li> <li>- Safety including crime and theft within Table 2-35; and</li> <li>- Impact on House prices within Table 2-36.</li> </ul>
REP3-062	Jane Mothersdale	<p>The proposed solar farm project threatens to consume valuable agricultural land that is crucial for our community's food production. Our fertile fields, currently used to grow essential crops, would be replaced by vast arrays of solar panels. This not only diminishes our ability to produce local food but also forces us to rely more on imported goods, increasing food costs and reducing the freshness and quality we have come to enjoy. Preserving our farmland is vital for maintaining food security and sustaining the livelihoods of our hardworking farmers.</p>	<p>The Applicant responded to the following comments at Deadline 1(Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- The use of agricultural land and current farming practice within Table 2-21;</li> <li>- Ecology and Biodiversity within Table 2-27;</li> <li>- Noise and Vibration within Table 2-39; and</li> <li>- Human Health and Wellbeing within Table 2-30.</li> </ul>



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		<p>The construction of the solar farm poses a significant threat to the local wildlife that inhabits our countryside. Many species rely on the open fields and natural habitats that would be destroyed to make way for this industrial-scale project. Disruption of these ecosystems could lead to a decline in biodiversity, putting numerous plant and animal species at risk. We must safeguard our natural environment to ensure that future generations can enjoy the beauty and diversity of our wildlife.</p> <p>The noise generated during the construction of the solar farm will be horrendous, affecting not only the tranquility of our community but also the well-being of our health and the health of our pets. Prolonged exposure to loud construction noises can cause significant stress and anxiety in people and animals, leading to behavioural changes and health issues. Additionally, the constant noise will disrupt our daily lives, affecting our ability to enjoy our homes and outdoor spaces in peace.</p> <p>I worry that the government is more interested in meeting targets than looking at the bigger picture</p>	
REP3-063	Joan Mary Lunn	<p>I Mrs Lunn and my husband Mr S.P Lunn attended the CAH 9/7/24, ISH2 10/7/24 and the ASI 11/7/24</p> <p>CAH</p> <p>The applicant's spokesperson did not appear to have a very good microphone technique being nearly totally unintelligible. Fortunately what she said was mostly to consult back to the applicant and other BOOM consultants spoke listing document identification numbers.</p> <p>This lack of any facts at this stage is very concerning.</p> <p>ISH2</p> <p>The applicant's spokesperson gave more generalised answers and needed clarification from the applicant. This generalised response needed to be subjective for the local residents ,who will be severely affected by this immense project. There was a lack of information from BOOM about the calculated output and revised assessment of number of panels.</p> <p>If 400 is the magic number when maximum output is given to the grid. This seems to be based on the output of panels on the longest day under clear skies. To achieve this output in midwinter under grey skies will need perhaps double the numbers of panels. What will happen to the output of this number of excess panels in summer , when there is no battery storage</p> <p>How will grassland be managed under opaque panels, the sheep can graze round the edges where there will be direct sunlight.</p> <p>Will the noise of construction scare away resident wildlife?</p> <p>When having the electricity board to repair the mains electricity a while back. I looked at their computer programme which clearly showed the field 2f as a source of electricity. This seems a bit premature.</p> <p>ASV This was very constructive. A single small coach caused much consternation with the residents who were affected by it when trying to drive round the parish.How</p>	<p>The Applicant notes the comment in relation to CAH.</p> <p>The Applicant notes the comment in relation to the ISH2.</p> <p>The Applicant provided a Note on Scheme Efficiency at Deadline 3 <b>[REP3-038]</b> in response to the Issue Specific Hearing 2 (ISH2) on Environmental Topics held on 10 July 2024 as part of the Examination for the Scheme.</p> <p>With regard to the management of grass under panels, section 6 of the Framework LEMP <b>[REP3-016]</b> discusses the long term management and maintenance of proposed planting.</p> <p>The Applicant responded to the following comments at Deadline 1(Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Ecology and Biodiversity within Table 2-27;</li> <li>- Noise and Vibration within Table 2-39; and</li> <li>- Transport within Table 2-37.</li> </ul> <p>The Applicant provided a response on the decision to exclude a battery energy storage system within the response to the ExA's Written Question 1.4.1 (Responses to the Examining Authority's Written Questions for Deadline 1 <b>[REP1-081]</b>).</p> <p>The Applicant notes the comment in relation to the Accompanied Site Inspection.</p>

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		<p>much worse it will be when the construction traffic starts to arrive. The statement that the construction workers would cycle along the narrow badly maintained roads to their work place ,among the HGV's has been dropped by latest information. This would have been very dangerous. A route survey by BOOM would have avoided some of the failures during the visit.</p>	
REP3-064	Joanne Roebuck	<p>Unfortunately, due to work commitments, I have been unable to attend the recent hearings that have been conducted at The Parsonage, Escrick, where possible however, I have followed live online.</p> <p>I was not all together surprised at the amount of information that the Boom representatives had to "take away" in order to be able to respond to questions asked. This is much like the completely inadequate consultation period, I asked numerous questions that Boom representatives were unable to answer, the whole process was lacking in information to say the least, by way of an example, I was told that deer would not be allowed within the perimeter fencing because of the potential damage to the panels, however sheep would be ok, I asked one of the representatives why sheep wouldn't damage the panels, their response was that deer can run faster!</p> <p>My home was visited on the 11th July by the inspectorate, I hope that the day highlighted the enormity of what this proposal will have on our beautiful corner of East Yorkshire. The applicant has put much weight on their mitigation planting to hide the solar panels, however, when I have asked what they are likely to plant in order to conceal panels that rotate to a height of 3.5 metres they could not be specific. Whatever planting they use, it will take years for it to become established and potentially hide the vulgar panels and fencing. The buffer zones are therefore completely inadequate and will be ineffective for many years.</p> <p>We live in an area of the countryside that suffers no light pollution, a rare commodity these days and probably a reason why we have such an abundance of wildlife, have Boom given any response to the affect that their security lighting is likely to have on the wildlife who presumably will trigger the lights to come on, in addition how much noise will the panels generate? I have had no clear answers on this from any representatives of Boom, they cannot say with any clarity how much noise will be generated, it is guesswork as the panels that are intended will be the first in the UK. My home will have these panels on three sides so it would be useful to me to know what the likely impact will be on my daily life but also another negative affect on the wildlife.</p> <p>The mitigation zones that have been outlined are specifically for 2 or 3 species of birds (lets hope they get the memo) but what about the other abundant wildlife that will be affected, what mitigation measures are in place for the deer, hares, foxes, badgers, numerous species of owls, hedgehogs (endangered) bats (endangered) Fieldfare (red list) Curlew (red list) Lapwing (red list) Greenfinch (red list) Tree Sparrow (red list) Cuckoo (red list) the list goes on. At the initial consultations, the panels were going to be 4.8 metres and then after time reduced down to 3.5 metres, why was this? There is a distinct lack of information regarding size or design of the panels to be used, any information I can find is full of jargon and as a layman difficult to understand.</p>	<p>The Applicant responded to the following comments at Deadline 1(Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Landscape and Visual Amenity, including concerns relating to light pollution and dark skies and concerns relating to screening within Table 2-32;</li> <li>- Ecology and Biodiversity within Table 2-27;</li> <li>- The manufacturing of Solar Panels and recycling of solar panels within Table 2-38; and</li> <li>- The use of agricultural land within Table 2-21.</li> </ul> <p>With regard to the grazing of sheep, the Applicant has commissioned an independent consultant to review the feasibility of sheep grazing on the grassland beneath solar panels, this has shown it is feasible for sheep to graze on the land. More detail is contained within the Grazing Feasibility Study, Appendix 2-1, ES Volume 2 <b>[APP-071]</b>.</p> <p>Noise and vibration during the operational phase have been assessed in Chapter 11: Noise and Vibration of the Environmental Statement <b>[REP1-061]</b>.</p>

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		<p>Where are the panels coming from?, the only information I have been given is China, are they being sourced from Uyghur?, much has been published around the solar panel production and slave labour practices in Xinjiang. The UK's Modern Slavery Act requires companies with over £36 million turnover to report their efforts to prevent modern slavery in their supply chains. This includes companies producing solar panels linked to forced labour in countries like China. At the initial consultations there was talk of the solar occupied land being used for sheep grazing, I'm not sure if this is still the case but who will be looking after the sheep?</p> <p>I have asked on several occasions questions regarding the decommissioning and removal of the panels, who will be responsible for this? Where will the decommissioned panels go? Can they be wholly recycled? What percentage will go to landfill? Who will be responsible for returning the land to agricultural land if indeed that will be possible? I am obviously very concerned about the East Yorkshire Solar Farm because of the massive direct impact it will have on my family, it is quite literally on my doorstep. What is even more staggering is the number of other proposals within a 40 mile radius, the number of acres potentially to be lost to solar is simply breathtaking, some prudence and discernment needs to be applied as it has in Italy, embracing "common sense" after the government banned the installation of solar farms on agricultural land. Italian Prime Minister Giorgia Meloni said solar farms are threatening the nation's "food sovereignty". With this in mind, does the impact of massively reduced food production within the UK have any bearing? The land included within this proposal is productive year on year, it is ludicrous to remove it from production in order to introduce solar panels when their productivity is questionable to say the least, entire communities will be devastated and all profitability will go to a select few, the residents will not benefit in any way.</p> <p>The entire community of Gribthorpe is against this proposal and I have in my possession a petition signed by 100% of the residents, I would be happy to provide the inspectorate with a copy</p>	
REP3-065	John Graham Stone and Sheila Stone	<p>My husband and I would like to add the following comments</p> <ol style="list-style-type: none"> <li>1. Our hamlet of Gribthorpe, if the planning application is allowed, will be surrounded on all sides. The road to Gribthorpe is a single track road which terminates at the end of the hamlet. We are increasingly concerned about the safety of the panels especially if there is a fire. We would be trapped if a fire started and emergency vehicles could struggle to get to the source.</li> <li>2. We do not accept the applicant has consulted in any meaningful way about potential benefits to residents if the application is allowed. Had the applicant done so we would have asked for compensation to cover any loss of value to our home should we sell and free electricity for the property for the duration of the scheme.</li> <li>3. Do they need the proposed level of land to generate the amount of electricity? The figures supplied are all from the applicant - perhaps an independent company should be used to clarify and verify their calculations.</li> <li>4 We find it frustrating that even at this stage of the process the applicant is still unable to say what type of panels they are proposing to use. Will they be fixed or rotating? Overall we have been disappointed at the lack of clarity from the applicant</li> </ol>	<p>The Applicant responded to the following comments at Deadline 1 (Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Fire and safety within Table 2-35;</li> <li>- Impact on House prices within Table 2-36; and</li> <li>- Consultation within Table 2-23.</li> </ul> <p>The Applicant provided a Note on Scheme Efficiency at Deadline 3 <b>[REP3-038]</b> in response to the Issue Specific Hearing 2 (ISH2) on Environmental Topics held on 10 July 2024 as part of the Examination for the Scheme.</p> <p>Chapter 2: The Scheme, ES Volume 1 <b>[APP-054]</b> provides a description of the Scheme and its location. Table 2-1 of this document sets out the Schemes design parameters including size and orientation of the Solar PV Panels.</p>

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		<p>when asked specific questions about their scheme. They either have not done their research well enough or are being very economical with their responses. This scheme, if approved, will have the most profound affect on the countryside and the lives of the people who live in the area. We will be turning a rural farming environment into an industrial wasteland.</p>	
REP3-066	Karen Midgley	<p>The government are been very short sighted by allowing land that is used for growing food to be covered in solar panals. When as a nation we only grow 40% of the food we need. By taking valuable acres out of production that figure will decrease. We will then be reliant on other countries to feed us</p>	<p>The Applicant responded to the comments relating to the use of agricultural land within Table 2-21 of the Applicant's Responses to Relevant Representations <b>[REP1-066]</b> document.</p>
REP3-067	Keith Wildgoose	<p>The East Yorkshire Solar Farm, if approved in its current form is going to ruin my life and that my fellow residents in Gribthorpe and other villages about to be encircled by this gargantuan development. The losses we will suffer are protean. Visual amenity will be totally lost as the surrounding rural landscape is transformed into a regimented industrialised eyesore of 3.2 meter high photovoltaic panels and associated fencing, security lighting and cameras. The quiet tranquil atmosphere will be disrupted during the construction phase by the racket of pile driving and thereafter by the mechanised hum of tracking motors and inverters.</p> <p>I am fearful of fire breaking out in the solar panels and associated battery energy storage systems. Gribthorpe is served by a single track road into a cul-de-sac and there is a very real risk that the residents could be trapped in the event of a fire. I am concerned about the risk of environmental contamination from bis-perflouroalkyl sulphonamides (bis-FASIs), a subgroup of PFAS (forever chemicals, known to be carcinogenic and highly toxic to wildlife) which I understand are widely used in lithium ion batteries, a key component of sustainable energy infrastructure. A recent article in Nature (Guelfo, J.L., Ferguson, P.L., Beck, J. et al. Lithium-ion battery components are at the nexus of sustainable energy and environmental release of per- and polyfluoroalkyl substances. Nat Commun 15, 5548 (2024).</p> <p><a href="https://doi.org/10.1038/s41467-024-49753-5">https://doi.org/10.1038/s41467-024-49753-5</a>) concluded "that environmental impacts of clean energy infrastructure merit scrutiny to ensure that reduced CO2 emissions are not achieved at the expense of increasing global releases of persistent organic pollutants".</p> <p>There is also the matter of the financial losses which will be sustained by people living in close proximity to the proposed development. Property values will be negatively affected. Previous research suggests that the magnitude of this effect positively correlated with the size of the solar development and is also is greater the closer the property is situated to the development. On both counts the residents of Gribthorpe will be particularly disadvantaged. I am mindful that this proposed development is a Nationally Significant Infrastructure Project. Its private equity investors stand to make vast profits at our expense. Throughout the consultation process the developer has frankly shown a contemptuous disregard for the views and concerns of the people whose lives are about to be irreversibly blighted. There has been no meaningful overture from the developer about providing realistic compensation for our loss</p>	<p>The Applicant responded to the following comments at Deadline 1 (Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Fire and safety within Table 2-35;</li> <li>- Landscape and Visual Amenity, including concerns relating to tranquillity within Table 2-32;</li> <li>- Impact on House prices within Table 2-36; and</li> <li>- Consultation within Table 2-23.</li> </ul>

Examination Library Ref	Name	Comment	Applicant's Response
REP3-068	Maxine Birkett	<p>Having attended the Open Floor hearing on 9th July I would like to make some further comments. On the question of compensating the local residents for their loss the applicant referred to a community fund. I did see a question about a community fund in the consultation questionnaire but that is not in any way the same as compensation for the loss of our countryside and value of our homes. In any case there was no inclusion of such a fund in the scheme submitted because it was not a legal requirement as the applicant pointed out which perfectly illustrates the applicant's attitude and presumably such a fund would never come to fruition unless it was required by law. I believe there is a framework to compensate residents in close proximity to wind farms but not solar farms. I suggest that no permissions should be granted for such massively damaging solar farms until there are proper systems for compensating those resident who are burdened with having it on their doorsteps.</p> <p>I did not agree with the method of using questionnaire's for feedback about the proposal in the Statuary Consultation process as the applicant tried to only ask leading questions about their chosen topics. I therefore sent an email with my comments but do not know if it was included in the application. I have found the quantity of documents overwhelming and impossible to read through so I may be wrong but I have not seen individual comments from the consultation process included in the application. I attended the consultation events and asked why there was nobody making notes of our comments. I was told that they were there to answer questions about the scheme not to listen to our comments and I should make my comments by email. They were very dismissive of our concerns.</p> <p>I was very disappointed by the number of attendees at the open floor hearing. It did not in any way reflect the local feeling of outrage there is in our community. We have had meetings previously about this application with hundreds of people attending and all objecting to it but the planning process is so inaccessible it is impossible for normal people to keep up with what is happening and too many documents written in longwinded language we do not understand. When a planning application is made to the local council every household in the affected area receives a letter telling them that the application has been made. We have not received any such notification in this case which excludes those who are not following actively online with the process. The planning process effectively excludes those who do not have technical expertise.</p> <p>I do think that local people think that they made their feelings known during the consultation process and have not recognised that they have to repeat themselves to the planning inspectorate. There is confusion about the planning procedures which has resulted in an impression that the outrage is not as great as we see it on the ground</p>	<p>The Applicant responded to comments relating to consultation within Table 2-23 of the Applicant's Responses to Relevant Representations <b>[REP1-066]</b> document.</p> <p>The Applicant responded to comments relating to a community fund within Table 2-22 of the Applicant's Responses to Relevant Representations <b>[REP1-066]</b> document.</p>
REP3-069	Michael Field	<p>In its present form, the Funding Statement [APP/4.2] does not satisfy the requirements of APFP Regulation 5(2)(h).</p> <p>A Letter of Support from Pelion and its Audit Report are appended to the Statement.</p> <p>The Pelion letter (Appendix 1)</p>	<p>The Applicant disagrees with Mr Field's assertion and refers the Examining Authority to the Funding Statement <b>[APP-022]</b> which details compliance with APFP Regulation 5(2)(h) and confirms that the Applicant has the ability to procure the financial resources required for the Scheme, including the cost of acquiring any land and rights and the payment of compensation, as applicable. The</p>

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		<p>The assertion in the Funding Statement that the letter of support at Appendix 1 confirms that PNE can fund the total of the construction and compulsory acquisition costs for the Scheme [2.3.3] is not wholeheartedly endorsed by Pelion: [T]he sole purpose of this letter of support is to aid [BOOM's]1 submission into the [DCO application process].2 This Letter of support does not require us to fund the Project, nor does it represent or create any legal obligations and none shall be implied. [Appendix 1, Article 4] Nevertheless, The [Pelion] Companies are of sufficient financial capacity and liquidity to fund the total of [BOOM's] share of development, construction and compulsory acquisition costs. No value is put on the total of BOOM's share. 3 Hopefully Pelion is aware of the extent of its theoretical generosity. A 'blank cheque' business strategy would not instil confidence.</p>	<p>Applicant also refers to its response to Q3.0.3(a) of the Examining Authority's Second Written Questions.</p> <p>Paragraph 2.2.1 of the Funding Statement confirms the current cost estimate of the Scheme is approximately £345 million, which includes construction costs and land acquisition costs (including any compulsory purchase compensation). The Letter of Support from Pelion confirms that it has sufficient financial capacity and liquidity to fund the development, construction and compulsory acquisition costs of the project. The Applicant also refers to its response to Q3.0.3(a) of the Examining Authority's Second Written Questions.</p>
REP3-069	Michael Field	<p>Final Audit Report (Adobe Acrobat Sign)</p> <p>This item may have been appended in error. The only additional evidence it contributes is to demonstrate that Herr Krüger is a spectacularly fast worker: he can open an email, review and approve a multi-million-pound Letter of Support (in a foreign language), e-sign it (twice) and send it off by email with a signature request – all in just 13 seconds (7:03:55 to 7:04:08). English is my first language, and I barely make it to the end of the first paragraph in 13 seconds.</p> <p>Photovoltaic Consultancy Ltd and W Power GmbH might aspire to owning and operating a solar farm. It looks like Pelion is interested in owning and operating a DCO. In order to satisfy the requirements of APFP 5(2)(h) [how an order that contains the authorisation of compulsory acquisition is proposed to be funded], Boom Developments has two options:</p> <ol style="list-style-type: none"> <li>1) If Pelion is willing and able to fund the project, it should make this commitment; presumably, records at Germany's equivalent of Companies House could substantiate its claims of financial capacity and liquidity; or,</li> <li>2) Using the techniques outlined in its Statement [support of its legal and financial advisors ... consult with a variety of financial institutions, advisors and investors that have extensive experience of financing major capital projects], Boom Developments should secure provisional commitment from an alternative investor, along with verification of its financial reach.</li> </ol>	<p>The Final Audit Report merely showcases the e-signing formalities for the Letter of Support from Pelion.</p> <p>The Applicant has already confirmed that PNE will also be funding the significant costs in taking the Application through the examination to determination, as confirmed in the letter of support to the Applicant at Appendix 1 of the Funding Statement <b>[APP-022]</b>, which confirms "A development funding framework agreement has been signed between PNE (as lender) and DevCo (as borrower) to fund DevCo's project development activities". This is Option 1 of Mr Field's suggestions.</p>
REP3-069	Michael Field	<p>Eclipse – the invisible partner</p> <p>Boom Developments Ltd is the sole shareholder [2.1.3]. Elsewhere it is stated that Eclipse (an independent Distribution Network Operator) will be responsible for ongoing ownership of the substations/transformers and grid connection cable [Grid Connection Statement, APP/7.5, 4.1.2]. This represents a significant financial proportion of the proposed development. Does responsible for ongoing ownership have a particular legal interpretation, or does this just mean 'own'? Is there a contractual arrangement? What is Eclipse's involvement at the design and construction phases? Is there any documentation to confirm that Eclipse is even aware that it has a role in this project? Eclipse Power Networks Limited (Olney, Buckinghamshire, MK46 5FP) should be apprised of its presumed role and invited to</p>	<p>The Applicant notes that, per paragraph 2.1.1 of the Grid Connection Statement <b>[APP2-236]</b>, it has entered into a contractual arrangement with Eclipse for the purposes of applying for the grid connection. The Applicant trusts that this addresses Mr Field's concerns regarding the presence of a contract and Eclipse's awareness of its role in the Scheme. Indeed, the same paragraph of the Grid Connection Statement <b>[APP-236]</b> sets out Eclipse's role in detail as an Independent Distribution Network Operator (IDNO). =. It is common practice that the developer pays for the infrastructure and installation costs of a grid connection, before passing the assets to an IDNO (or DNO) to maintain – essentially, this equipment is adopted as part of the UK's infrastructure, whereas the separate solar PV infrastructure (the panels themselves, etc) remains in the hands of the Applicant. This is industry standard for the majority of UK solar parks.</p>

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		submit a Letter of Support (possibly a Memorandum of Understanding) to confirm/clarify the extent of its financial and technical involvement.	For further detail on Eclipse's role in relation to the Scheme, the Applicant refers to its response to Q3.0.3(b) of the Examining Authority's Second Written Questions.
REP3-069	Michael Field	<p>Cost estimate</p> <p>The total cost estimate is £345m: £310m for the construction plus £35m for compensation payments [3.1.3]. The estimated construction cost for Cleve Hill was 45% higher (£450m4 ). Although the price of PV panels may have reduced over the past five years, East Yorkshire has a 37% higher installed capacity, occupies over twice the land area, employs a sophisticated tracker mechanism and includes an 8 km grid corridor. Given the similarities between Wirsol (Cleve Hill) and BOOM, this low value is a surprise. A break-down of the £310m estimate would enhance the proposal and give the ExA confidence that BOOM is exercising due diligence in its financial scoping. This will become particularly relevant in the event that BOOM decides to sell the DCO prior to construction. A potential purchaser might assume that the exhaustive examination process had included meticulous financial auditing</p>	<p>The Applicant considers a breakdown to be unnecessary and to serve no useful purpose. The Applicant reiterates that its estimate covers all aspects of the Scheme and has been arrived at by including construction costs, preparation costs, supervision costs, land acquisition costs (including compensation payable in respect of any compulsory acquisition), equipment purchase, installation, commissioning and power export. The estimate also includes an allowance for inflation and project contingencies. The Applicant notes that there is no precedent across any made solar DCOs (Little Crow, Cleve Hill, Longfield, Gate Burton, Mallard Pass and Sunnica) nor any solar DCOs awaiting determination (Cottam, West Burton and Heckington Fen) for a breakdown of the estimated construction costs of the Scheme to be provided by the Applicant.</p>
REP3-069	Michael Field	<p>(See document)</p> <p>At ISH2, the Applicant's consultant engineer stated that an overplanting ratio of 1.2:1 will be used, and hence the 480 MW Installed Capacity will produce the Export Power of 400 MW:</p> <p>Unfortunately, the Applicant still fails to appreciate that when the PV panel does not face the sun directly (as is the case for SAT), you have to factor in the angle of incidence (see box). In our case the angle is 31°, so the Installed Capacity must be increased to 560 MW:</p> <p>This is the 'classroom' calculation. In the real world, we also have to account for the losses in the components of the electrical chain. We will use an optimistic estimate of just 5% overall loss. Subtracting 5% is the same as multiplying by 95%, so (2) becomes</p> <p>The 1.2:1 ratio (as of ISH2) is untypically low. If BOOM goes with the 1.3:1 proposed in its Statement of Need, the required Installed Capacity would be 638 MW:</p> <p>This is the value calculated in my Deadline 2 submission (ExQ1 Q1.5.1a Comment).</p> <p>The Applicant's engineer speculated that I am being misled by free internet solar software. This is school Physics. You do not need software to evaluate SAT Installed Capacity – just sun elevation, overplanting ratio and target output power. If professional solar design software ('PV SYST?') is telling you something wildly different, you should probably consider further training in the use of the software.</p>	<p>The Applicant agrees with Mr Field. The Indicative Site Layout <b>[REP1-028]</b> is based on a 480MW direct current generation, and a maximum 400MW alternating current would be exported at any point in time. This is an overplanting ratio of 1.2:1. The Note on Scheme Efficiency <b>[REP3-038]</b> prepared by the Applicant at Deadline 3 explains the concept of overplanting.</p> <p>Mr Field's equation and illustration assumes that the panel will be horizontal when the sun is at 59 degrees, but the single axis tracker configuration includes light meters that will ensure the panels are orientated at an optimum angle to maximise the energy generation. The use of single axis tracker panels, by their nature, tracks the position of the sun every hour and helps to harness as much energy as possible by angling the modules at their optimum position.</p> <p>Mr Field's logic would be valid if the solar panels were horizontal and only worked from direct sunlight, but the panels also generate electricity from indirect (reflected) sunlight and diffuse sunlight (see embedded illustration). This is evidenced by bifacial panels, which generate electricity from sunlight that reflects from the ground to the underside of the panel. The losses are therefore not as great as suggested by Mr Field.</p> <p>Professional simulation software is used to calculate the incidence angles for every hour of the day over an entire year for every source of sunlight, including, but not limited to, stochastic cloud cover, direct radiation, reflected radiation and diffuse radiation. When including the exact geographical location of the panels, the output of the software is used to determine the optimum installed capacity to make best use of the land availability and ultimately generate the optimum amount of electricity.</p> <p>A solar farm is not designed on the maximum height of the sun at one set maximum point for a very brief period in a solitary year; instead, it must consider the daily rise and fall of the sun and its daily varying height between solstices. The</p>

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			<p>potential yield throughout the year is modelled against the chosen module and mounting structure.</p> <p>The Applicant considers that the 3% figure is a more accurate figure for electrical losses. This is accounted for in the modelling by PVSyst when calculating the annual energy yield. The Applicant is satisfied that the Indicative Site Layout <b>[REP1-028]</b> is based on a 480MW direct current generation, and a maximum 400MW alternating current would be exported at any point in time.</p> <p>If the Applicant had a 1.3:1 ratio, the generation would be 520MW direct current generation. The Applicant is satisfied that the Indicative Site Layout <b>[REP1-028]</b> is based on 480MW direct current generation, and a maximum 400MW alternating current would be exported at any point in time.</p> <p>The Applicant does not agree that overplanting by a ratio of 1.3:1 would generate an installed capacity of 638MW; this number assumes there is no reflected radiation and diffuse radiation, which is not the real-world situation.</p> <p>The Applicant uses industry leading software to compute a plethora of calculations based on state-of-the-art algorithms, analysing every angle of incidence for all sun heights and at every azimuth. The software processes this for every day of the year. PVSyst is a paid modelling software that is tried and tested across the solar industry and what the Applicant relies on for its projects.</p>
REP3-070	Michael Glew	<p>After watching the first open meeting I was dismayed at the lack of information feedback by the applicants representatives. Just because the applicant is not required to provide either a decommissioning bond or a community fund contribution annually under the terms of the application does not mean that they could be set up. I'm aware of wind turbine projects (goole fields 1&amp;2) where a decommissioning bond was set up and annual community fund contributions are made to compensate the local communities that are affected by a project of this size. This should be written into the terms and conditions of an approval should it be given.</p> <p>I am very concerned about the size of this project which will turn a huge area of farmland and villages into an industrial area which would have to be served by roads which are not upto taking all the additional traffic both during construction and life of the project. A good example of this is the proposed maintenance depot (Johnson's farm)is at the end of ings lane which is the Main Street through the village of spaldington which is effectively a single track for 2km and basically collapsing.</p> <p>The applicants representatives carried out consultations which was basically a box ticking exercise and despite lots of questions being raised by affected concerned residents no answers have been forthcoming.</p> <p>I am not against solar panels I have actually got them on my house which is where I believe everyone should have them. However they do not provide energy 24/7 and I believe there are other better options to tackle net zero targets. If this project is passed it must have minimum distances stipulated from the panels to peoples homes as there are a significant number of people affected who will be less than 10 metres</p>	<p>The Applicant responded to comments relating to a community fund within Table 2-22 of the Applicant's Responses to Relevant Representations <b>[REP1-066]</b> document.</p> <p>The Applicant responded to the following comments at Deadline 1 (Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- The use of agricultural land within Table 2-21;</li> <li>- Landscape and Visual Amenity including concerns relating to industrialisation within Table 2-32;</li> <li>- PRoW's and Transport within Table 2-37; and</li> <li>- Consultation within Table 2-23</li> </ul> <p>The Applicant provided a response in relation to buffer zones between the solar PV panels and residential properties within the response to the ExA's Written Question 1.3.9 (Responses to the Examining Authority's Written Questions for Deadline 1 <b>[REP1-081]</b>) and has provided further information in the Applicant's Responses to the Examining Authority Second Written Questions at Deadline 4.</p>



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REP3-071	Nick Beech	<p>and in some cases they are surrounded. Just to put up a fence/hedge is not sufficient.</p> <p>The land is good food producing land and as such should be protected. You cannot feed an ever increasing population if you convert it to an industrial size solar far</p> <p>This solar farm cannot go ahead. Nobody wants it apart from those making money. It will bring no benefit to the local community. We don't need all that power in our area but we need farmland for food, countryside for nature. Not an eyesore which will be a hive for criminality, destroy wildlife and reduce value of homes. The rural Landscape will lost forever. We do not want them to explode or catch fire which they have done and we don't want the noise and disruption to the local rural roads and greenbelt. Net zero is a myth and not needed, and the U.K. does not cause any pollution to the environment, we are too small. Oil and gas and fracking is less damaging to the environment and more efficient. Yorkshire is for farming and foods not a blanket of black metal panels! The arguements against and local community are all against it. The government have no mandate to do such a thing in our area</p>	<p>The Applicant responded to the following comments at Deadline 1 (Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- The use of agricultural land within Table 2-21;</li> <li>- Landscape and Visual Amenity including concerns relating to industrialisation within Table 2-32;</li> <li>- PRoW's and Transport within Table 2-37;</li> <li>- Ecology and Biodiversity within Table 2-27;</li> <li>- Noise and Vibration within Table 2-39;</li> <li>- Community fund within Table 2-22</li> <li>- Fire and safety within Table 2-35; and</li> <li>- Safety including crime and theft within Table 2-35.</li> </ul> <p>With regards to the use of green belt, the development is not situated within Green Belt Land.</p>
REP3-072	Nikkola Glew	<p>Following the Open Floor Hearing held at The Parsonage I continue to have many concerns about this proposal. As the sole shareholder of this project, is Boom in a position to set up a decommissioning account with sufficient funds to ensure the correct removal at the end of the project lifespan and to return the land to its former state suitable for agricultural use? Removal of all concrete piles etc? This should be in place before any work commenced. I would question if the amount of concrete / panels / machinery used would even make this a 'green' project. In terms of C02 impact, what would be the payback timeframe? Would this even be 'carbon neutral' after its full term? Is this proposal going to be 'sold on' to foreign investors to yet again make profit from the UK population? At no point has any 'benefit to the local Community' been discussed.</p> <p>There is a huge cumulative impact from renewable energy in the local area. Many wind turbines, recycling plants and the prospect of many more solar farms all within a relatively small area, surrounding the quiet rural villages and hamlets. I am aware our location close to Drax Power Station is a key factor, but there are far more suitable locations within the area which should be considered, away from residential areas. The recycling plant at Spaldington received permission due to a clause stating the waste would be used on the land surrounding it. If these fields are to be covered in solar panels then where will this waste be distributed and is that not going against the legislation set out at that time?</p> <p>On top of these concerns is the issues this development would cause to the infrastructure in the area. The roads are not suitable for HGVs or any increase in the volume of traffic. Limited numbers of passing places and services to houses all located within the soft verges at either side of the narrow roads. Closing roads would</p>	<p>The Applicant's response to question Q4.1.2 in the Applicant's Responses to the ExA's Second Written Questions submitted at Deadline 4 provides comments on the commitments the Applicant has made in relation to decommissioning.</p> <p>A Framework Decommissioning Environmental Management Plan (DEMP) <b>[REP3-014]</b> setting out the decommissioning strategy is included with the Application. A detailed DEMP (which must substantially accord with the Framework DEMP <b>[REP3-014]</b>) will need to be approved prior to decommissioning with the relevant local authorities and this is secured by a requirement in Schedule 2 to the Draft DCO <b>[REP3-014]</b>.</p> <p>The Applicant responded to the following comments at Deadline 1(Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Concerns about the carbon neutrality of the Scheme within Table 2-25;</li> <li>- Cumulative effects within Table 2-24;</li> <li>- PRoWs and Transport within Table 2-37;</li> <li>- Ecology and Biodiversity within Table 2-27;</li> <li>- Noise and Vibration within Table 2-39;</li> <li>- The use of agricultural land within Table 2-21;</li> <li>- Impact on House prices within Table 2-36; and</li> <li>- Flood Risk, Water and Drainage Environment within Table 2-29.</li> </ul>

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		<p>effectively cut off access to the villages and hamlets within the area. Consideration must also be given to the impact a development of this scale would have on house prices, potentially making some properties 'unsellable'. How will homeowners be compensated for this? It would effectively change the area from a rural, tranquil environment to an industrial landscape. Reducing the number of fields, and using only those well away from any homes would be some improvement on the proposal. All these concerns are on top of the effect this proposal would have on the wildlife in the area as well as flood risks, sound levels, electrical pollution etc so close to homes. This is not the right place for solar panels and not the right use of agricultural land. If we continue covering crop producing land with solar panels it won't be long before, as a country, we will be unable to feed ourselves and become solely reliant on imports, which will contribute to our CO2 usage</p>	
REP3-073	Paul Adrian Joseph Taylor	<p>In further support of my previous comments, I cannot stress enough about my concerns of the health and mental wellbeing of myself and my family. We have been treated with utter contempt and disinterest by the applicant who has shown no interest in the disruption and destruction that will surround us. They have dismissed our property as "industrial" but in actual fact it is a family home that has beautiful views over fields extensively to the south and northwest, all of which will be full of solar panels. They have declined and ignored invitations to visit and understand our issues. There is so little research into the effects of living within the proximity, density, and sheer numbers of solar panels in general. How can anyone judge the effect when there is so little information in the application about the type of panels to be used and the layout of them?</p> <p>Will they have motors to follow the sun?</p> <p>Will they have cooling fans?</p> <p>How much noise would these motors and fans make?</p> <p>What radiation do they give off?</p> <p>What about electro-magnetic fields?</p> <p>There is so little information offered by the applicant but when we applied for planning to build storage units, we had to supply precise details of materials used including colour and size yet the Applicant has not supplied any information at all about the almost one million panels they want to cover this rural area with. If this application goes through, we will be in a living hell during the two-year construction process, and I would urge the Inspector strongly to insist no piling be allowed within 2000 metres of residential properties. Apart from the noise we are also concerned about the structural damage that could be done to our Georgian house which in common with many properties in the vicinity that were built during that period does not have adequate foundations. I would also ask for a much-extended buffer zone in line with those put forward by our Planning Consultants Golby and Luck, not only from a residential impact but also to protect us from the unknown consequences of living in such proximity to so many panels. This application is an ill-thought-out money grab to get on the green gravy train, the applicant has made no attempt to identify the most suitable fields but just taken the ones offered by landowners despite</p>	<p>The Applicant responded to the following comments at Deadline 1 (Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"> <li>- Human Health and Wellbeing within Table 2-30;</li> <li>- Landscape and Visual Amenity including concerns relating to industrialisation within Table 2-32; and</li> <li>- Construction including noise and vibration within Table 2-39.</li> </ul> <p>The Applicant provided additional commentary on the effect of piling on residential properties in Table 1-1 of the Applicant's Summary of Oral Submissions and Post Hearing Notes at Issue Specific Hearing 2 on Environmental Matters document <b>[REP3-036]</b> in section h) Noise and vibration's Post Hearing Note.</p> <p>ES Chapter 3: Alternatives and Design Evolution, ES Volume 1 <b>[APP-055]</b> sets out how the Applicant has undertaken a considered approach to site selection and shows how the site selection and design factors set out in paragraphs 3.10.10 to 3.10.39 of Draft NPS EN-3 are met.</p> <p>The Applicant provided a response in relation to buffer zones between the solar PV panels and residential properties within the response to the ExA's Written Question 1.3.9 (Responses to the Examining Authority's Written Questions for Deadline 1 <b>[REP1-081]</b>) and has provided further information in the Applicant's Responses to the Examining Authority's Second Written Questions at Deadline 4.</p>

Examination Library Ref	Name	Comment	Applicant's Response
		their unsuitability. Interestingly none of the fields chosen are near to the landowners own residential properties	
REP3-074	Stephen Lunn	<p>My wife and I attended 3 of the hearing sessions at the Parsonage Hotel, Escrick and the site inspection earlier this month and were interested but disappointed on hearing the applicant's proposals and how vague, dismissive and lacking in detail their arguments were. Rather than address and answer questions their responses seemed to rely almost entirely on reciting a litany of legislation that had been complied with or referenced and to emphasize, at every opportunity, the early nature of the proposal.</p> <p>We have seen how aspects of the proposed scheme have been altered since the initial public meetings in 2023. We share the concerns detailed by our MP Sir David Davis in his letter to the Examining Authority (9. 7.24) in which he specifically mentions changes concerning the exclusion of battery storage capacity, without a convincing explanation, numerous different figures being given for production in terms of MW/acre and the type and land usage and the unexplained requirements of differing panel arrangements. These issues are interconnected and it is disturbing that with a scheme of this size, at such a stage, information being provided to the Inspectorate and the public is so vague. We totally agree with our MP that an independent expert should be involved before any recommendation is made to ensure an unbiased and informed assessment of the validity of the proposal It appears that so much of the proposal has been changed and will continue to be changed to suit the applicant's need to deflect criticism or promote this scheme.</p> <p>Whilst it is somewhat reassuring that we have now been informed that the scheme will not impact our verges and hedges we have other concerns. My wife and I are still concerned by the problem of crime which such a concentration of high value equipment will very likely attract. Adjacent properties, many of which are by general urban standards, secluded if not isolated would be an attractive and convenient target of opportunity for those who would primarily aim at the installation. To breezily, if not mockingly dismiss such fears as seems to be the applicant's position at the hearings begs a question. If crime is not a problem why is there a need for such high levels of security akin to a prison compound? Furthermore any lighting would need to be mounted as high as possible above existing hedge height to be effective. This would increase the adverse effect on nearby properties. Our home has views without streetlighting and only the low level of light from Howden and the A614 in the distance. This would be destroyed.</p>	<p>The Applicant provided a response on the decision to exclude a battery energy storage system within the response to the ExA's Written Question 1.4.1 (Responses to the Examining Authority's Written Questions for Deadline 1 <b>[REP1-081]</b>).</p> <p>The Applicant responded to comments made by The Rt Hon Sir David Davis KCB MP at Deadline 3 (Applicant's Response to Submissions Received at Deadline 2 and accepted at the Discretion of the Examining Authority <b>[REP3-033]</b>).</p> <p>The Applicant responded to the following comments at Deadline 1 (Applicant's Responses to Relevant Representations <b>[REP1-066]</b>):</p> <ul style="list-style-type: none"><li>- Landscape and Visual Amenity including concerns relating to buffers and lighting within Table 2-32;</li><li>- Safety including crime and theft within Table 2-35.</li></ul>

## Appendix A Applicant's Response to Natural England Submission

### A.1 Natural England's detailed advice

Table 2-4 Applicants Response to Natural England's Detailed Advice

NE key issue ref	Topic	Issue summary.  (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/Amber/Green)	The Applicant's Comments
NE1	International designated sites  • Humber Estuary SPA  • Humber Estuary Ramsar  • Lower Derwent Valley SPA  • Lower Derwent Valley Ramsar	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA / Ramsar sites.  (C) and (O)	<p>In our Relevant Representations and Written Representations responses, we advised that full conclusions relating to loss of functionally linked land (FLL) could not yet be drawn until Natural England were able to review the 2023/2024 wintering bird survey results. We welcome that the additional survey effort has now been detailed in Appendix D of the updated Habitats Regulations Assessment (HRA).</p> <p>Based on the results presented, we have the following comments to make. It is our advice that there remain outstanding issues for this impact pathway, in relation to the 2023/2024 survey results, and amendments proposed to the mitigation area.</p> <p>We advise that we were also provided a Technical Note on these matters by the Applicant on 08 July, to assist in preparation of our Deadline 3 comments in relation to the updated HRA submitted at Deadline 2. This has been reviewed under DAS.</p> <p><i>Comments on the 2023/2024 bird surveys</i></p> <p>We note that the results of the 2023/2024 surveys have returned significantly higher peak counts of pink-footed geese, lapwing, and golden plover, than those found in the 2022/2023 surveys. We therefore advise that further assessment is required to determine whether the Ecology Mitigation Area s proposed are adequate to mitigate for potential impacts on these species.</p> <ul style="list-style-type: none"><li>• Pink-footed goose: The peak count of pink-footed goose within the solar PV area has increased from 80 in the 2022/2023 surveys to 515 in the 2023/2024 surveys (Field 2a, October 2023).</li></ul>	<p>As discussed in the previous column, it is our advice that further assessment of the bird survey results is required in relation to determining the adequacy of the mitigation measures for avoidance of adverse effects on integrity of the relevant designated sites.</p> <p>In our Relevant Representations and Written Representations responses, we outlined that as the full additional bird survey data for the 2023/2024 passage/wintering period was not yet available, we were unable to comment on whether the mitigation measures detailed in the HRA / framework Landscape and Ecological Management Plan (LEMP) [APP -246] (termed "Ecology Mitigation Area" and detailed from 6.1.72 to 6.1.86 in this document) would be sufficient to avoid adverse effects on integrity of the Humber Estuary SPA / Ramsar and the Lower Derwent Valley SPA / Ramsar. Therefore, we advised that detailed advice on the proposed mitigation measures would follow later in the Examination period, including more specific advice around the size, carrying capacity, habitat management, and any remediation measures.</p> <p>Following the release of the 2023/2024 surveys, we can provide the below initial comments on the mitigation measures outlined in the existing framework LEMP. Please note, it is likely that we will have further comments to make on this document at the next relevant deadline, as we are requesting further assessment. We note that the most recent version was submitted for Deadline 1.</p>		<p>With regard to pink footed goose and lapwing, the Applicant has now undertaken 'bird day' calculations as an alternative technique to the maximum field size approach originally used, for pink footed goose, golden plover and lapwing. Since the peak counts of pink-footed goose in the PV area and in the mitigation area were not recorded in the same months (October and December respectively), there is no basis to sum the two peaks (i.e. mitigation calculations are based on 800 birds rather than 1,315 birds). The calculations demonstrate that the amount of mitigation land provided for pink-footed goose and golden plover is sufficient to provide for this species, and to also provide for lapwing. These calculations have been shared with Natural England for their consideration under the Discretionary Advice Service agreement.</p> <p>Further clarification regarding the mitigation areas has been provided to Natural England in a separate technical note for their consideration under the Discretionary Advice Service agreement.</p>

NE key issue ref	Topic	Issue summary. (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/ Amber/Green)	The Applicant's Comments
		<p>This now represents 2.03% of the Humber Estuary population (Table 28).</p> <p>We also note that a higher peak count has been recorded within the mitigation area, with 800 individuals recorded in Field 1h in December 2023. It is our advice that the highest peak count is used to calculate the % values given in Table 28 and should also be used as the highest peak count in informing the parameters of the mitigation area. It should be considered that pink-footed geese numbers identified as using the mitigation area for feeding are at risk of being displaced by other birds which currently use the area to be developed, therefore their numbers are relevant to consider in the mitigation design.</p> <p>Despite significantly higher peak counts, the size of the mitigation area due to be managed for pink-footed goose is remaining at 15ha. We advise that further assessment is provided around whether the area due to be managed for pink-footed goose remains adequate, considering the significant increase in numbers found in the 2023/2024 survey effort.</p> <p>The Technical Note provided by the Applicant advises that further assessment and amendments are not required in relation to pink-footed goose mitigation measures, as these are not based on peak population counts or a 'bird-days' approach, and instead the Applicant has used a 'minimum field size' approach. However, as the 2023/2024 bird survey results demonstrate that pinkfooted goose numbers were an order of magnitude higher, we advise that the sufficiency of the minimum field size approach is reviewed at this stage.</p> <p>The minimum field size approach can be useful when bird numbers are relatively low, as they were in the first year of surveys. In this case, a 'birddays' approach would have been less appropriate as it may have indicated a small field size to feed a lower number of birds, when geese will only use</p>	<p>Ecology Mitigation Area 1h (28.75ha) (starts page 39)</p> <ul style="list-style-type: none"> <li>We note that the golden plover mitigation area has been amended to state that this is also mitigation for impacts on lapwing. However, as per the previous column, further assessment is required around whether the area is of adequate size to provide capacity for both golden plover and lapwing.</li> <li>As noted in the previous column, it is our advice that if a 150m buffer is considered over-precautionary, then evidence should be presented to show that birds will use areas of the fields within 150m of the solar PV panels. If sufficient evidence is not available, we would continue to recommend that a 150m buffer is used.</li> <li>Please note that further guidance on grassland management for wading birds will be provided to the Applicant separately, through our guidance documents TIN148 (management of wet grassland for waders) and IN140 (neutral grassland for lapwing). These documents can also be provided to the Planning Inspectorate on request.</li> </ul> <p>Ecology Mitigation Areas 1g and 1h (15ha)</p> <ul style="list-style-type: none"> <li>It is noted in 6.1.86 that approximately 79.09ha is to remain in arable rotation, with 15ha managed towards the requirements of pink-footed goose in any given year. It is then stated in 6.1.90 that arable land outside of the 15ha rotational zone will continue to operate under existing farming practices, "with a variety of crops being sown and harvested according to schedules preferred by respective landowners".</li> </ul> <p>We advise that further assessment is provided around whether the 15ha will be able to feed geese throughout the season in the same way as at present. As different crops are likely to become available over the season on different fields, we advise information is provided around how will this</p>			

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			<p>fields above a minimum hectareage. However, considering the increases shown in the 2023/2024 surveys, reassessment is required around whether the minimum field size approach will create a sufficient mitigation area to feed the peak number of geese we now know use the site. To do this, it is important to consider the peak number of geese using any area within the red line boundary, not just those that would be displaced by the solar PV areas. Alongside displaced birds, adequate foraging provision must be available for the 800 individuals using the fields in the mitigation area.</p> <p>It is also noted in the Technical Note, that the 28.75ha of mitigation designed for golden plover will be of foraging value for pink-footed goose also. Please note that we agreed this with the Applicant in principle, but we did not have the detail at the time to have certainty over whether this would work in practice. We advise that further assessment is therefore provided around the suitability of the grassland area in this context.</p> <ul style="list-style-type: none"> <li>Golden plover: The peak count of golden plover within the solar PV area has increased from 36 in the 2022/2023 surveys, to 460 in the 2023/2024 surveys (Field 1e, October 2023). This now represents 14.69% of the Lower Derwent Valley population, and 2.21% of the Humber Estuary population (Table 28). We note that the amount of the mitigation area due to be managed for golden plover has increased from 15ha to 28.75ha. We assume this is due to higher numbers of golden plover recorded in the 2023/2024 surveys, and whilst we welcome this proposed increase in size, it should also be clarified as to whether the 28.75ha intended as mitigation for golden plover excludes a buffer next to the field edges (as noted in our Relevant Representations response, this should be around 150m), or whether the 28.75ha is the total usable area. The Technical Note provided by the Applicant notes that due to the golden plover</li> </ul>	<p>be replicated on the mitigation land, and justification around whether 15ha will be sufficient to do this.</p> <p>For example, if the 15ha is planted with sugar beet, then this crop will all be ready at the same time. Therefore, once this is depleted, there could be a gap in the availability of suitable forage.</p> <p>Pink-footed geese usually feed at the beginning of the winter on spilt grain in stubble fields, then move on to vegetable crops such as sugar beet or potatoes, and finally onto the new growing tips of grass or winter cereals prior to migration. At present, there is a commitment to leaving stubble fields in the 15ha, which will last only for the beginning of the winter. Although other fields are likely to be planted with winter cereals, there is currently no certainty around this. Therefore, there is no certainty that the geese will be fed in the later parts of the season. It is evident from survey data that geese use the site throughout the winter. Therefore, for certainty that the ecological function will be replaced, confirmation is needed around whether winter cereals will continue to be planted.</p> <ul style="list-style-type: none"> <li>Additionally, as other crops in proximity to the mitigation area for pink-footed geese could be unsuitable for requirements of the species, we advise that further details, or a schedule, of the crop rotation planned outside of the 15ha is provided.</li> <li>We would welcome the provision of a "master spreadsheet" (as detailed in 6.1.94), that would be created as part of the detailed LEMP, to specify future cropping regimes within this mitigation area (including responsible landowner) for the 15ha to be managed in any given year.</li> </ul> <p>Pre- and post-construction monitoring</p> <p>We welcome that, as per 7.1.2, walkover surveys are to be conducted of the site between April and June in years 2, 4, 6, 10 and then every 5 years</p>		

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			<p>mitigation area being set on the edge of the Order limits, and that not all boundaries align with solar PV areas, that a blanket buffer of 150m is not required. It is also noted that the panels are not considered disturbing, therefore the 150m distance will only be implemented for disturbing elements of the infrastructure, such as field stations. It is our advice that if the 150m is considered overprecautionary, then evidence should be presented to show that birds will use areas of the fields within 150m of the solar PV panels. If sufficient evidence is not available, we would continue to recommend that a 150m buffer is used.</p> <p>Please also refer to our comments below in relation to the need for mitigation provisions to support lapwing.</p> <ul style="list-style-type: none"> <li>Lapwing: The peak count of lapwing within the solar PV area has increased from 51 in the 2022/2023 surveys to 274 in the 2023/2024 surveys. This now represents 4.99% of the Lower Derwent Valley population, and 1.8% of the Humber Estuary population. We note, however, that despite this increase, the HRA / the design of the mitigation area has not been updated to specifically assess the requirement to mitigate for impacts on lapwing.</li> </ul> <p>Lapwing have the same habitat requirements as golden plover, and they will compete for the same invertebrate food, therefore, further justification is required to demonstrate that the 28.75ha of wet grassland will produce enough invertebrate prey to provide for the combined peaks of both lapwing and golden plover.</p> <ul style="list-style-type: none"> <li>We note that Footnote 23 states that the early October surveys are to be referred to as September surveys. We do not consider that the surveys should be referred to as the incorrect month, and that they should be defined by the correct month/date that they were undertaken. We have advised instead that if in September 2023,</li> </ul>	<p>post-construction until year 40, to ensure that habitats are being managed accordingly. However, it is our advice that the monitoring proposed does not meet our recommended requirements for monitoring of mitigation areas, based on our experience of previous projects delivering similar mitigation measures. Natural England advises that an ecological mitigation plan should include, but is not limited to:</p> <ul style="list-style-type: none"> <li>Clear objectives.</li> <li>Target/s for each objective, including SPA bird use targets, habitat targets and targets for minimising recreational disturbance on the mitigation area.</li> <li>Details of required management and monitoring (including who is responsible and when it will take place).</li> <li>Details of limits of acceptable change.</li> <li>Details of remedial actions, where appropriate.</li> </ul> <p>We advise that the above additional information is required to provide certainty that the mitigation measures will be successful throughout the lifetime of the project.</p>		

NE key issue ref	Topic	Issue summary. (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/Amber/Green)	The Applicant's Comments
			<p>surveys were not undertaken, that further justification should be provided around why this is not considered to be a significant limitation. However, at this stage we consider this a minor limitation that is unlikely to materially affect the further assessment required, and we will not be requesting further evidence from bird surveys at this stage.</p> <ul style="list-style-type: none"> <li>We note that the updated HRA still only contains the forecast for 2023/2024, and not the actual data around cropping patterns. If this is available, we advise that is provided in the next iteration of the HRA, to support the conclusions given.</li> </ul>			
NE2	<p>International designated sites</p> <ul style="list-style-type: none"> <li>Humber Estuary SPA</li> <li>Humber Estuary Ramsar</li> <li>Lower Derwent Valley SPA</li> <li>Lower Derwent Valley Ramsar</li> </ul>	<p>Noise and visual disturbance during construction to FLL for the relevant qualifying bird features of the listed SPA / Ramsar sites. (C)</p>	<p>Noise disturbance Following the updates made to the HRA submitted for Deadline 2, including further justification provided in 8.1.15, 8.1.16 and 8.1.19, it is Natural England's view that potential noise disturbance impacts on FLL can be ruled out, if the following is satisfied:</p> <ul style="list-style-type: none"> <li>As per 8.4.18 of the HRA, the habitat in Ecology Mitigation Areas 1g and 1h will be established prior to the commencement of construction works.</li> <li>Any construction works in the closest parts of the Scheme (e.g., Solar PV Area 1e) to the mitigation area will be undertaken first to minimise any potential for disturbance from noise.</li> </ul> <p>Please note that the specific details around the adequacy of the Ecology Mitigation Area to mitigate for impacts on loss of FLL, are still under discussion following the 2023/2024 wintering bird surveys. Please refer to the above section [NE1] relating to loss of functionally linked land. The above two bullet points relate only to avoiding impacts from noise disturbance on birds using FLL.</p> <p>It is our advice that NE2 is now a 'yellow' issue. We advise that this is the case, as it is our view that aspects of the noise assessment have not been carried out in-line with Natural England's recommendations. We have the below comment to</p>	<p>Noise disturbance</p> <p>We advise that as per 8.4.18 of the HRA, the habitat in Ecology Mitigation Areas 1g and 1h will be established prior to the commencement of construction works.</p> <p>We advise that any construction works in the closest parts of the Scheme (e.g., Solar PV Area 1e) to the mitigation area will be undertaken first to minimise any potential for disturbance from noise.</p> <p>Visual disturbance</p> <p>As stated above for NE1, we advise that the mitigation area is secured prior to commencement of construction works.</p>		<p>These mechanisms are already committed to and were included in paragraph 6.1.78 of the Framework LEMP submitted at Deadline 1. The latest Framework LEMP is <b>[REP3-016]</b>.</p>



NE key issue ref	Topic	Issue summary. (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/Amber/Green)	The Applicant's Comments
			<p>make around how this evidence base could be strengthened. However, in this case, we do not believe this additional evidence would have a material impact on the outcome of the assessment.</p> <ul style="list-style-type: none"> <li>We note that 8.1.6 states that there is little observable effect below 55dB LAmax, and that as LAeq is always lower than LAmax, that 55dB LAeq will be used as the threshold to identify FLL affected by construction activity. However, noise contours are useful for both LAeq and LAmax as they present different information. We advise that consideration of LAeq only is not precautionary, and that the reason it is lower is because it is an average. Therefore, a point on the 55dB LAeq contour can sometimes experience noises louder than 55dB, and so may result in disturbing levels of noise at certain points in the day. If contours are available for both LAmax and LAeq, it could be determined, for example, if a field would occasionally experience very loud noise (LAmax), but over the course of the day the noise would be low (LAeq). By only providing contours of the average noise, it is not possible to determine whether there would be sudden, loud noises that are the most likely to be disturbing to birds.</li> </ul> <p>Visual disturbance</p> <p>The appropriate assessment further assesses visual disturbance in sections 8.1.12 to 8.1.18. As per our comments above, the IECS 2013 Toolkit is referenced in relation to setting a buffer for visual disturbance. Please refer to our comments above around the use of this toolkit. However, we advise that a 300m buffer for visual disturbance is likely sufficient. It is then concluded in 8.1.19 that there will be no adverse effects on the integrity on the listed designated sites from visual disturbance on functionally linked habitats. In relation to visual disturbance only (refer to comments above in relation to the further information required for noise disturbance), based on the information provided, Natural England agree with this conclusion, subject</p>			

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			to appropriate mitigation being secured. Please refer to the column to the right for further detail.			
NE5	International designated sites  • River Derwent SAC  • Lower Derwent Valley SAC	Potential impacts to otter ( <i>Lutra lutra</i> ) during construction, including horizontal directional drilling (HDD)  (C)	<p>Natural England notes the clarifying comments in the Deadline 2 HRA regarding the suitability of drainage channels DE03, DE52, OU13, OU20, and OU24 as otter habitat. The lack of otter presence in these watercourses, predicted short duration of HDD (several days), and use of drilling during the daytime rather than night, should be sufficient in managing impacts to otter. We advise that noise barriers should still be used on the HDD sites adjacent to watercourses with recorded otter presence, in addition to all other mitigation previously established. As stated previously, Natural England advises that nighttime use of HDD should be minimised and only occur in instances when 24/hour working is unavoidable, to avoid disturbance to the nocturnal activities of otter.</p> <p>We therefore consider that if the above is satisfied, issues relating to this topic are now resolved.</p>	<p>The buffers which are to be used for HDD in relation to specific watercourses should be established within the CEMP. Specific details regarding where HDD is to occur in relation to SAC boundaries should also be detailed in the CEMP, following completion of the Hydraulic Fracture Risk Assessment. These measures should be secured within the DCO.</p> <p>All noise mitigation measures relating to, for instance, HDD and the timing of works, should be included in the CEMP and secured in the DCO.</p>		<p>As stated in <b>REP1-066</b>, Table 2-1, pages 16 and 17, these have already been clarified in the Framework CEMP submitted at Deadline 1, or signposted where already present;</p> <p><i>The Applicant notes the need to secure buffers for HDD activities in relation to specific watercourses. These are discussed in Tables 3 and 4 of the Framework CEMP and have been updated to provide further clarity. This confirms there will be a 30 m buffer to prevent impacts to the River Derwent SAC. The Framework CEMP has also been updated at Table 3 to include the need for details regarding where HDD is to occur in relation to SAC boundaries to be detailed in the detailed CEMP, following completion of the Hydraulic Fracture Risk Assessment. Noise mitigation measures are detailed in the Framework CEMP at Table 7 and reference to temporary noise mitigation fencing for otter is detailed at page 44 of Table 3 and paragraph 2.5.2 in the Framework CEMP. The Applicant is submitting the updated Framework CEMP at examination Deadline 1.</i></p> <p>The latest version of the Framework CEMP is submitted at Deadline 4. This continues to include the changes made at Deadline 1, as noted above.</p>
NE6	International designated sites	Potential impacts to river lamprey, sea lamprey (River Derwent SAC; and Humber Estuary	Natural England notes that section 6.2.7 of the HRA submitted at Deadline 2 clarifies that the HDD process will take place over a short period of time. Additionally, as stated in the Framework CEMP [APP-238], HDD is planned outside of the "...core	The buffers which are to be used for HDD in relation to these specific watercourses should be established within the CEMP.		These have already been added to Table 3, page 22 of the Framework CEMP submitted at Deadline 1. The latest version of the Framework CEMP was submitted in Deadline 3 [REP3-

NE key issue ref	Topic	Issue summary. (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/Amber/Green)	The Applicant's Comments
	<ul style="list-style-type: none"> <li>River Derwent SAC</li> <li>Humber Estuary SAC</li> </ul>	SAC); and bullhead (River Derwent SAC) during construction, including noise disturbance (C)	<p>fish migration season of September to February and May".</p> <p>Alongside the further justifications provided across 6.2.5 to 6.2.7, we advise that adequate detail has now been provided to rule out impacts on lamprey and bullhead associated with the River Derwent SAC and/or Humber Estuary SAC.</p> <p>Please note that it is our advice that measures that are intended to avoid impacts on European site features, should be considered as mitigation. In this case, it would be our advice that avoidance of the core fish migration seasons for the designated fish features of the relevant European sites would comprise mitigation and should be assessed at the appropriate assessment stage. However, we do not consider that this would materially impact conclusions of the Stage 2 assessment on adverse effects on integrity.</p>			<b>010]</b> , which continues to include the changes made at Deadline 1, as noted above.
NE7	International designated sites  <ul style="list-style-type: none"> <li>River Derwent SAC</li> </ul>	Potential physical damage to River Derwent SAC habitat during construction (C)	We welcome the addition to 8.5.4 in the Deadline 2 HRA that confirms that a restoration plan for verge habitat will be included in the Framework LEMP and confirms that there is no evidence of otter using ditch DE21, therefore, suggesting this is not supporting habitat for otter. We therefore consider this issue resolved.	The restoration plan for the removed vegetation within the River Derwent SAC must be secured within the DCO. The plan could be included within the final LEMP. The buffers which are to be used for HDD in relation to specific watercourses should be established within the CEMP. Specific details regarding where HDD is to occur in relation to SAC should be included within the CEMP and secured within the DCO.		As clarified within the response RR-266 in <b>REP1-066</b> Table 2-1 page 19, the affected area is not part of the watercourse banks but is on the opposite side of the track from the watercourse and is essentially path side verge on the field boundary. In addition, the Phase 1 otter survey recorded no evidence of otter along ditch DE21 in any event. Notwithstanding this, the affected area of vegetation will be restored following works. A separate habitat restoration plan for the area impacted by vegetation removal is not considered necessary, however details of how the verge habitat will be restored were included within paragraph 4.2.11 of the Framework LEMP <b>[REP1- 063]</b> submitted at Deadline 1. This includes measures undertaken to reinstate full ecological functionality to this area of habitat within the River Derwent SAC.

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						<p>The latest version of the Framework LEMP was submitted in Deadline 3 - <b>REP3-016</b>, which continues to include the changes made at Deadline 1, as noted above.</p> <p>The above was stated within section 8.5.4 of the updated HRA submitted <b>REP2-012</b> at Deadline 2.</p>
NE9	International designated sites  In-combination impacts on all relevant international designated sites	Potential in-combination impacts on international designated sites.  (C) and (O)	<p>In our Relevant Representations response, we advised that further in-combination assessment was required for the following identified impact pathways:</p> <ul style="list-style-type: none"> <li>• Impacts to FLL, including loss of openness in the landscape.</li> <li>• Noise / visual disturbance (Humber Estuary SPA / Ramsar and Lower Derwent Valley SPA / Ramsar).</li> <li>• Noise impacts to any designated sites if there is potential for timing overlap during construction.</li> <li>• Water quality (River Derwent SAC)</li> <li>• Atmospheric pollution (dust) (River Derwent SAC).</li> </ul> <p>Following the provision of the Deadline 2 HRA, we have the following comments to make in relation to the in-combination assessment.</p> <p>In-combination loss of FLL</p> <p>We still consider this to be under discussion in relation to impacts on functionally linked land. We aim to advise on the in-combination assessment in further detail, once the assessment of impacts alone is complete. We note in the meantime that it is our advice that for impact pathways taken through to appropriate assessment, detailed in-combination assessment should be made at this stage also.</p>	Further information/assessment is required around in-combination loss of FLL.		The request for further information around in combination loss of functionally linked land is linked to resolution of comment NE1. As such, it is considered that once Natural England's comment on impacts alone are addressed (NE1) this will also enable Natural England to consider that the schemes contribution to 'in combination' effects on functionally linked land are also addressed.

NE key issue ref	Topic	Issue summary. (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/Amber/Green)	The Applicant's Comments
			<p>We consider that the following areas have now been resolved:</p> <p>Noise disturbance to FLL in-combination We note that the HRA has been updated with further information relating to in-combination noise assessment for the above designated sites. This states in 8.1.42, that regarding the proposed Helios Renewable Energy Project, "...there is a small section of overlap of the Underground Grid Connection for this development with the Grid Connection Corridor of the Scheme to the east of Drax Substation." Further justification is then provided, noting that "...arable parcels immediately adjoining Drax Substation are small and subject to existing high levels of disturbance. No SPA/Ramsar birds were recorded in these fields in wintering bird surveys, and they are not considered functionally linked." We therefore advise that for noise disturbance to FLL specifically, incombination impacts with other plans and projects can be ruled out.</p> <p>Noise disturbance to otter in-combination</p> <p>We welcome the clarifications in 8.1.34 around HDD operations and potential noise disturbance impacts on otter for impacts of the project alone. However, we recommend that further assessment should be made of any potential overlap with other plans/projects that may be undertaking noise-producing works on the same temporal scale, that could be disturbing to otter. However, we consider it unlikely based on the new information provided in 8.1.34, particularly due to the short duration of the works, that there will be impacts in-combination.</p> <p>Water quality impacts in-combination</p> <p>The HRA clarifies the Scheme and all other developments (we understand this refers to the list in 8.2.16) will mitigate their own water quality impacts, therefore there is no potential for in-combination impacts. We note, however, that</p>			

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			<p>although impacts of a development may be fully avoided through mitigation, potential residual impacts that could act in combination should still be assessed, ie. where small discharges are still present from multiple projects, after mitigation has been applied. However, if the mitigation proposed will prevent the potential discharge of pollutants into the watercourse entirely, we can agree that there will be no AEOI.</p> <p>Atmospheric pollution (dust) in-combination</p> <p>We welcome that the following addition has been made to 8.3.5: "It is considered that the mitigation measures to be delivered and secured in the CEMP will entirely avoid adverse dust impacts resulting from the Scheme and, therefore, any potential for in-combination effects with other developments." The updated HRA now also states the following: "...none of the in-combination projects listed in Table 10 fall within the 200m impact zone for dust deposition surrounding the River Derwent SAC." We advise that based on this information, we can agree that impacts of atmospheric pollution (dust) in-combination can be ruled out.</p>			
NE13	National designated sites Humber Estuary SSSI	Potential impacts on Humber Estuary SSSI designated features (C) and (O)	Our advice regarding impacts on the Humber Estuary SSSI coincides with our advice regarding the potential impacts upon the Humber Estuary SPA / Ramsar, as detailed above.	N/a: Further information required		<p>Resolution of this comment relates to the component SSSI of the Humber Estuary SPA/Ramsar. As such, NE have advised that their advice regarding impacts to the Humber Estuary SSSI should coincide with the assessment for the Humber Estuary SPA/Ramsar presented in the HRA Report.</p> <p>As such, it is considered that once Natural England's comments on potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the Humber Estuary SPA / Ramsar site are addressed (NE1) this will also enable Natural England to</p>

NE key issue ref	Topic	Issue summary. (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/Amber/Green)	The Applicant's Comments
						consider that the schemes potential impacts on the Humber Estuary SSSI are also addressed.
NE14	National designated sites  • Brighton Meadows SSSI  • Derwent Ings SSSI	Potential impacts on Brighton Meadows SSSI and Derwent Ings SSSI designated features (C) and (O)	Our advice regarding impacts on Brighton Meadows SSSI and Derwent Ings SSSI coincide with our advice regarding the potential impacts upon the Lower Derwent Valley SPA / Ramsar, as detailed above.	N/a: Further information required		Resolution of this comment relates to the component SSSIs of the Lower Derwent Valley SPA/Ramsar. As such, NE have advised that their advice regarding impacts to the Brighton Meadows SSSI and Derwent Ings SSSI should coincide with the assessment for the Lower Derwent Valley SPA/Ramsar presented in the HRAR.  As such, it is considered that once Natural England's comments on potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the Lower Derwent Valley SPA / Ramsar are addressed (NE1) this will also enable Natural England to consider that the schemes potential impacts on the Brighton Meadows SSSI and Derwent Ings SSSI are also addressed.
NE15	National designated sites • River Derwent SSSI	Potential impacts on River Derwent SSSI designated features (C) and (O)	Our advice regarding impacts on the River Derwent SSSI coincides with our advice regarding the potential impacts upon the River Derwent SAC, as detailed above. Therefore, for the overlapping features of the two sites only, we have now moved this issue to 'green'. However, for features which do not overlap, please refer to the below sections [NE17] [NE18].	Further information required for nonoverlapping features. Please refer to NE17 and NE18.		The Applicant notes this comment.
NE17	National designated sites • River Derwent SSSI	Potential impacts on River Derwent SSSI bird assemblages during construction (C)	We advise that it is currently unclear from the information provided in 6.1 Chapter 8 – Ecology [APP-060] whether there has been any direct assessment on the 'Assemblages of breeding birds' and 'Aggregations of nonbreeding birds - Bewick's Swan, <i>Cygnus columbianus bewickii</i> ' features of the River Derwent SSSI. These	It is our advice that if the measures to prevent impacts on this feature of the River Derwent SSSI are the same as those to prevent other European site impacts, that these are outlined in an updated Environmental Statement Ecology chapter and submitted to PINS. Natural England can then review the documentation and determine if these		An assessment of both the ' <i>Assemblages of breeding birds</i> ' and ' <i>Aggregations of non-breeding birds - Bewick's Swan, <i>Cygnus columbianus bewickii</i></i> ' features of the River Derwent SSSI is included within Chapter 8 – Ecology [APP-060]. These features are specifically identified as part of the citation for the River Derwent SSSI in

NE key issue ref	Topic	Issue summary. (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/Amber/Green)	The Applicant's Comments
			<p>features do not overlap with those of the River Derwent SAC.</p> <p>We therefore advise that further information is provided in relation to potential construction phase impacts on these features. Please refer to the River Derwent SSSI Designated Sites View page for further details, including the SSSI citation.</p>	<p>measures are adequate to also avoid impacts on this feature.</p>		<p>Table 8-6 with an assessment of construction impacts presented in Table 8-12 as part of the construction assessment for the River Derwent SSSI bird assemblages.</p> <p>Adequate measures to ensure disturbance to both species associated with the breeding bird assemblage and non-breeding Bewick's Swan is minimised during construction are set out in Table 8-11, with Table 8-12 stating, '<i>A minimum 30m stand-off buffer (from the bank top of the watercourse) will be maintained between the construction works and the SSSI to minimise visual, lighting and noise disturbance</i>' and then concluding, '<i>Any disturbance to cited bird species from works associated with the installation of the Grid Connection Cable will be temporary and localised to a very narrow area of the SSSI. Consequently, the potential for significant effects to individual species (see Table 8-1 for cited bird features) or the SSSI assemblage to arise is unlikely</i>'.</p> <p>It should be noted that the Applicant has not recorded Bewick's Swan during any of the ornithological surveys undertaken as part of the Scheme between 2022 and 2024, with recent records of the species occurring within the Derwent Ings SSSI further to the north with numbers as low as between 0-2 individuals wintering annually in the Lower Derwent Valley (Wetland Bird Survey data 2018/19-2022/23).</p> <p>Given the absence of recent records of Bewick's Swan from the area where the Grid Connection Corridor crosses the</p>



NE key issue ref	Topic	Issue summary. (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/Amber/Green)	The Applicant's Comments
						River Derwent SSSI and with set-backs and existing flood defences screening the limited riparian habitats potentially supporting breeding birds within the narrow section of the SSSI crossed by the Scheme, the conclusion presented in Table 8-12 adequately considers and assesses potential construction phase impacts on both the bird features noted by NE.
NE18	National designated sites • River Derwent SSSI	Potential impacts on the River Derwent SSSI fish assemblage during construction (C)	<p>We advise that it is currently unclear from the information provided in 6.1 Chapter 8 – Ecology [APP-060] whether there has been any direct assessment on the River Derwent SSSI 'Outstanding assemblage of native fish' feature. Aspects of this feature do not overlap with the River Derwent SAC designated fish features.</p> <p>As detailed in [NE6], we note that the following is presented in Table 8 – 12 (pg183) of 6.1 Chapter 8 – Ecology [APP-060] in relation to mitigation of noise/vibration impacts from HDD: "The core fish migration season of September to February and May will be avoided for HDD beneath the River Ouse and River Derwent, unless the depth of the HDD is confirmed to be of a sufficient minimum distance of approximately 10m below the riverbed to avoid noise and vibration effects". We advise that further justification is provided around why this is considered sufficient to mitigation impacts for the species within the SSSI assemblage.</p> <p>We therefore advise that further information is provided in relation to potential construction phase impacts on these features. Please refer to the River Derwent SSSI Designated Sites View page for further details, including the SSSI citation.</p>	It is our advice that if the measures to prevent impacts on this feature of the River Derwent SSSI are the same as those to prevent other European site impacts, that these are outlined in an updated Environmental Statement Ecology chapter and submitted to PINS. Natural England can then review the documentation and determine if these measures are adequate to also avoid impacts on this feature.		<p>Whilst the 'outstanding assemblage of native fish feature' was not directly referenced, the River Derwent SSSI was still considered in the assessment in the overall mitigation for fish. Fish species noted in the SSSI citation are bleak, ruffe and burbot, whilst they are not afforded any legislative protection themselves, the mitigation provided during construction explained in the Framework CEMP [REP3-010] for HDD at a depth of 5m, will mitigate any potential detrimental impacts on these species. It should also be noted that the actual drilling activity associated with HDD will be temporary, with the entire drilling process typically completed within several days. Moreover, with the HDD 30 m back from the banks and 5 m deep there will be a large volume (c. 1500m<sup>3</sup>) of substrate and rock between the HDD and the river laterally and approximately 1000m<sup>3</sup> above the drill. This will provide considerable damping.</p> <p>Impacts to resident coarse fish species such as bleak and ruffe (burbot has been extinct in the UK since 1969) will not be significant, as</p>

NE key issue ref	Topic	Issue summary. (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/Amber/Green)	The Applicant's Comments
						<p>assessed for overall fish assemblage in the ES Chapter 8 Ecology [APP-060]. Potential impacts to fish assemblage, including notable species in the River Derwent, will not be significant given the implementation of suggested mitigation. Noise modelling has been completed for HDD. Calculations of noise have been based on a reasonable worst-case assumption that all potential HDD sites are entry pits. The most onerous noise criteria of 55 dB <math>L_{Aeq,T}</math> for continuous HDD works is during the night-time period. Popper et al., (2014)<sup>[1]</sup> proposed thresholds based on existing pile driving studies for all fish hearing groups: death or serious injury sound pressure level (SPL) peak 207 dB re 1 <math>\mu</math>Pa, sound exposure level (SEL<sub>ss</sub>) 174 dB re 1 <math>\mu</math>Pa<sup>2</sup> s<sup>-1</sup> and sound exposure level cumulative (SEL<sub>cum</sub>) 204 dB re 1 <math>\mu</math>Pa<sup>2</sup> s<sup>-1</sup>, temporary threshold shift / temporary hearing loss in all fish hearing groups &gt;186 dB SEL<sub>cum</sub> re 1 <math>\mu</math>Pa<sup>2</sup> s<sup>-1</sup> and recoverable injury &gt;207 dB re 1 <math>\mu</math>Pa peak. All thresholds exceed the proposed (55dB) levels for this Scheme and therefore impacts will not be significant.</p>
						<p><sup>[1]</sup> Popper, A.N., Hawkins, A.D., Fay, R.R., Mann, D.A., Bartol, S., Carlson, T.J., Coombs, S., Ellison, W.T., Gentry, R.L., Halvorsen, M.B. and Løkkeborg, S., 2014. Sound exposure guidelines (pp. 33-51). Springer International Publishing.</p>

NE key issue ref	Topic	Issue summary. (C) – construction phase  (O) – operational phase	Natural England commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation / compensation measures in the DCO.	NE's Risk Rating (Red/Amber/Green)	The Applicant's Comments

**Table 2-5. PART IV: Natural England's detailed comments on the Development Consent Order (DCO) and associated documents.**

Page	DCO or omission ref	Natural England's comments	Risk (Red/Amber/Green)	Applicant's Comments
38	Schedule 2, requirement 5	We welcome that Schedule 2, requirement 5 sets out how the final detailed design should be adhered to, including the following: "(2) The details submitted must accord with the outline design principles statement", and "(3) The authorised development must be carried out in accordance with the approved details." However, as there are outstanding matters as detailed in Table 1 (all 'amber' issues), we cannot yet provide agreement with the final detailed design. Therefore, this also remains an 'amber' issue at present.	'Amber'	The Applicant notes this comment.
38	Schedule 2, requirement 6	We advise that the securing of the Landscape and Ecological Management Plan (LEMP), with this being "...substantially in accordance with..." the framework LEMP (fLEMP), is an essential requirement. However, we advise that we do not consider that the current fLEMP sufficient, as updates will be required as detailed in NE1 and NE7 in Part II, Table 1. Please refer to the below for a summary of the advice in these sections.  Summary of relevant advice in NE1 and NE7  NE1: Please refer to our comments in NE1 in relation to outstanding issues relating to FLL.  NE7: We advise that the LEMP should be updated to include a restoration plan for the removed vegetation within the River Derwent SAC. Please refer to NE7 (Part II, Table 1) for further details.	Amber'	The Applicant notes this comment in relation to NE1. The comments regarding NE7 and the need to include a restoration plan for the removed vegetation within the River Derwent SAC are set out under NE7 above and the Applicant has confirmed that it is not considered necessary to provide a separate restoration plan.  The Framework LEMP was updated at Deadline 1 to respond to this comment. Paragraph 4.2.11 of the Framework LEMP was updated to state that:  <i>"A separate habitat restoration plan for the area impacted by vegetation removal is not anticipated to be necessary as it has been established that whilst the track and the verge habitat constitute site fabric, they are not functionally linked to qualifying habitat and species in the River"</i>

Page	DCO or omission ref	Natural England's comments	Risk (Red/Amber/Green)	Applicant's Comments
				<p><i>Derwent SAC or of special interest/features for the SSSI".</i></p> <p>The latest version of the Framework LEMP was submitted at Deadline 3 – <b>[REP3-016]</b>, which continues to include the changes made at Deadline 1, as noted above.</p>
38	Schedule 2, requirement 7	<p>We welcome the requirement for the biodiversity net gain strategy to be submitted and approved to the relevant planning authority prior to the commencement of development. As noted in NE21, we recommend that this is least a 10% increase in the pre-development biodiversity value of the on-site habitat, is secured for a minimum of 30 years, and is subject to adaptive management and monitoring</p>		<p>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. The detail of how this will be achieved will be set out in the Biodiversity Net Gain Strategy prepared post consent in accordance with requirement 7, Schedule 2 of the draft DCO<b>[REP3-004]</b>.</p>
39	Schedule 2, requirement 9	<p>Natural England notes that surface water drainage measures are secured.</p> <p>The production of the CEMP is secured within schedule 2, point 11 of the DCO. Natural England advises that the CEMP should include all mitigation measures in relation to water quality impacts put forward, specifically those which have been established for Horizontal Directional Drilling, surface water drainage, and the future Water Management Plan.</p> <p>Natural England welcomes the use of Horizontal Directional Drilling as a method for managing water quality and disturbance impacts to designated sites. All water quality mitigation measures relating to Horizontal Directional Drilling should be included in the CEMP and secured in the DCO.</p> <p>The inclusion of the water management plan within the CEMP should be secured within the DCO.</p>		<p>The water quality mitigation measures are secured via Table 4 of the Framework CEMP <b>[REP3-010]</b>. The detailed CEMP is required to be substantially in accordance with the Framework CEMP as per draft DCO <b>[REP3-004]</b> Schedule 2, Requirement 11.</p> <p>With regard to HDD, the measures in the Framework CEMP <b>[REP3-010]</b> include requirements for site specific groundwater risk assessment prior to commencing work, application of stated buffers around watercourses and flood defences, the need for Hydraulic Fracture (frac-out) Risk Assessment, monitoring of the drilling path and use of water based drilling fluids. These measures would be</p>

Page	DCO or omission ref	Natural England's comments	Risk (Red/Amber/Green)	Applicant's Comments
				<p>expanded upon in the detailed CEMP to be produced by the Contractor post-consent as specified in the Framework CEMP <b>[REP3-010]</b>, and thus secured in the DCO. The water management plan will be an appendix to the detailed CEMP, as secured by requirement 11 in Schedule 2 of the draft DCO <b>[REP3-004]</b> via the Framework CEMP <b>[REP3-010]</b>.</p>
39 – 40	Schedule 2, requirement 11	<p>We welcome that the measures in the Construction Environmental Management Plan (CEMP) will be secured through requirement 11, and that approval will be required from Natural England (as detailed in 11(1)). As per Part II, Table 1, we have advised several aspects should be secured within the CEMP using more specific wording, and the framework CEMP may require updates. Therefore, this remains as 'amber' at present.</p> <p>However, we can provide agreement with the inclusion of this requirement more generally, subject to the final CEMP containing all elements Natural England have advised on. A summary of all aspects we have advised should be secured in the CEMP / through the DCO is provided below (refer to Part II, Table 1 for full advice).</p> <p>Summary of relevant CEMP advice (NE4, NE5, NE7, NE8, NE11, NE16, NE19)</p> <p>NE4: We advise all water quality mitigation measures relating to HDD should be included in the CEMP and secured in the DCO. The water management plan within the CEMP should also be secured within the DCO.</p> <p>NE5: The buffers for HDD in relation to specific watercourses should be established within the CEMP. Where HDD may occur within the SAC, alongside any noise mitigation measures, should be detailed in the CEMP and secured within the DCO.</p> <p>NE7: The buffers for HDD in relation to specific watercourses should be established within the CEMP. Where HDD may occur within the SAC should be detailed in the CEMP and secured within the DCO.</p> <p>NE8: All dust mitigation measures included in the CEMP should be secured in the DCO, including the dust management plan.</p> <p>NE11: We advise the INNS biosecurity measures should be included within the final CEMP and secured in this section of the DCO.</p> <p>NE16 and NE17: Water quality mitigation measures should be included within the CEMP and secured within the DCO. We note that Schedule 2, requirement 9 includes a statement that any foul water drainage plan must be submitted to the relevant planning authority prior to development. We advise that if the foul water plan is changed at a later stage, and will no longer be removed from site for treatment, then impacts to designated sites from discharges will need to be addressed.</p>		<p>The Framework CEMP <b>[REP3-010]</b> covers the aspects detailed in NE's response and the detailed CEMP, which will be prepared post consent prior to construction, will need to be substantially in accordance with the Framework CEMP as secured by requirement 11, Schedule 2 of the draft DCO <b>[REP3-004]</b>.</p> <p>The Applicant notes the comment regarding DCO requirement 9.</p>

Page	DCO or omission ref	Natural England's comments	Risk (Red/Amber/Green)	Applicant's Comments
40	Schedule 2, requirement 12	40 Schedule 2, requirement 12 We welcome that this requirement secures the Operational Environmental Management Plan (OEMP), and highlights this must be substantially in accordance with the framework OEMP. We advise this is an essential requirement.		The Applicant notes this comment.
40	Schedule 2, requirement 15	Schedule 2, requirement 15 We welcome that this requirement secures the soil management plan (SMP), and highlights this must be substantially in accordance with the framework SMP. We advise this is an essential requirement.		The Applicant notes this comment.
41	Schedule 2, requirement 18	Schedule 2, requirement 18 We note this requirement is for decommissioning and restoration and advise this is an essential requirement. We advise that Natural England are consulted on this plan once finalised, if impacts to designated sites during decommissioning are identified.		The Applicant considers that naming Natural England as a specific consultee is unnecessary. If impacts to designated sites are identified during decommissioning then the relevant planning authority can consult Natural England in its role as statutory nature consultation body to the extent the relevant planning considers necessary and appropriate.