

## ISSUE SPECIFIC HEARINGS 4

### ERYC SUMMARY OF ORAL RESPONSES

Graham Varley introduced himself and the team representing ERYC as:

Graham Varley (GV) – Planning

Russell Gladstone (RG) – Flood risk and drainage

Bill Blackledge (BB) / Amanda McDermott (AM) – Landscape and visual amenity

Jonathan Smith (JS) – Noise (and Jonathan Tait also available for any air quality or contamination questions)

Richard Broadhead (RB) – Historic Environment

Jennifer Woollin (JW) – Ecology

GV explained that ERYC did not have anybody within the council with the technical expertise for the topic of geology, land use and agriculture.

Agenda Item 4 Hydrology and Flood Risk	
Question	ERYC Response
In response to a question to the applicant about the Environment Agencies (EA) updated National Flood Risk assessment in 2024 and subsequently updated flood risk mapping and the flood map for planning earlier this year ERYC were asked if they had anything further to add.	Confirmed nothing further to add (RG).
The Environment Agency (EA) responded to a question about the status of the 2013 River Hull and Holderness Drain flood mapping study in the context of the newly released National Flood Risk Information. ERYC were asked for any comments in response.	Confirmed that there was nothing further to add (RG).
The EA were asked a question and provided a response related to displacement of flood water from the temporary construction compound during the construction period. ERYC	Confirmed that there was nothing further to add (RG)

<p>were asked if they had anything further to add.</p>	
<p>ERYC were asked if it would be useful for the applicants to commit to an expected minimum design standard for culvert size in respect of watercourses passing below the converter station and access road, and what that would be.</p>	<p>It is understood discussions had taken place with the applicants drainage engineers about what was needed and that details would be agreed beforehand. However, it was difficult to comment without the details and advised that the council could come back on the point (RG)</p>
<p>ERYC were asked if there was a minimum design standard that the LLFA would normally expect on similar culverts or situations.</p>	<p>Stated that they shouldn't reduce the capacity within the watercourse and it should allow the usual flows through. If that is done it should be okay but we would need to see that evidence during the design process (RG)</p>
<p>ERYC were asked if they had any concerns with the information currently submitted.</p>	<p>Advised no concerns currently (RG)</p>
<p>ERYC were asked if they considered temporary watercourse crossing methods explained by the applicant assessed the effects appropriately.</p>	<p>It is difficult to say until we have further information to show where the methods have been used previously and whether there was an impact or not (RG).</p>
<p>ERYC were asked what the lowest surface water discharge rates would be before blockages might occur leading to the risk of flooding off site.</p>	<p>The lowest rate we usually accept is 3.5 litres per second(RG)</p>
<p>ERYC were asked, from their experience, whether there are ways in which risk of blockage could be mitigated or managed.</p>	<p>There were none could be thought of at the current time (RG)</p>
<p>ERYC were asked if they could explain how the llfa usually respond to applications for consent to increase the rate of a discharge above the greenfield rate and any associated risk of flooding.</p>	<p>ERYC would usually ask to see evidence of how it may affect any neighbouring properties and land, and any increase in flood risk around the area. To ensure that if there is an increase in discharge rate that it's not going to increase the risk of flooding to a nearby property or land (RG).</p>

Agenda Item 3 Landscape character and visual amenity	
Question	ERYC Response
The ExA asked the applicants whether they felt viewpoint 1 represents an accurate visualisation of the likely effects from the most effected receptors, notably the residential and recreational uses of Butt Farm. Following the applicants comments ERYC views were requested.	Accept the applicants comments about normal practice being to select publicly accessible viewpoints and that this is the closest public viewpoint to Butt Farm. With regard to leaf cover this had also been raised in a recent meeting and it was noted that the plantation tapers towards the left of this view, which is the east of the view, and is considerably thicker towards the right, which is the west. Therefore in the area of the converter station we would have the greatest depth of mitigation planting. On that basis we accept that, even in a winter view, there would be quite effective mitigation planting for this view, which would thin out towards the left of the view. On that basis we would be content with the position that the applicant is taking on this view (BB)
The ExA asked the applicants why viewpoint 6 was not taken from further along the Beverley 20 public right of way where it turns the corner. ERYC were also asked for their views.	It is acknowledged there could be a more direct view of the converter stations by moving the viewpoint further to the north-east. It was also acknowledged that the viewpoint was selected when the converter station was proposed to be twice the size. It is felt appropriate that the viewpoint is reconsidered to better represent the development as it now stands (BB).
The ExA asked the applicants if more landscape mitigation could be provided around the northwest of the converter station site. ERYC were asked to comment on the applicants response.	ERYC had a very similar discussion with the applicants to explore opportunities at this point where there is a gap in the mitigation of the converter station as a whole. It was recognised that this is frustrated by the swathe that's required for the inbound cables which is quite wide. We did discuss whether it was possible as the design progresses for the cable route to be under the access road. This may have technical constraints, but it would allow, for example, tree planting along the western hedged boundary of the access road. It was also queried whether the wooded mitigation strip immediately north of the converter station could come closer to the access road. Its not known at this point if those options are possible but they would be encouraged. It was also queried if there was the potential for the existing woodland immediately west of the converter station to be extended north but it is understood that there's a strong desire by the landowner to have as much of the

	<p>construction compound areas return to agriculture as possible and there is an obligation in terms of land use to try to do that. It is recognised there are conflicts on the land which limit the opportunity for landscape mitigation and expect the best that can be done is to push for inbound cable routes to be directly under the access road (BB).</p>
<p>The ExA asked ERYC for its view on cumulative landscape effects and the outline landscape management plan.</p>	<p>The mitigation proposals have occupied as much of the site area as they can and therefore done what they can in terms of mitigating cumulative impacts. We have asked the applicant to consider ways of working with other agencies such as Humber Forest to enhance the local landscape. That is not just to mitigate the converter station itself, but also in part, because we have a cluster of large scale projects and assets south of Beverley and north west of Cottingham. We will be looking to find opportunities to enhance the landscape, which is really part of a broader approach as yet not as defined as we would like, both from the council's point of view and the applicant's point of view, to reduce cumulative impacts (BB)</p>
<p>The ExA asked ERYC if that was sufficiently captured in the supporting documents</p>	<p>It was felt this was a question for the applicants but they have committed to working with other agencies such as Humber Forest and as such we are satisfied there is a commitment.</p>
<p>Views were sought on the matter of ash die back rates</p>	<p>We would appreciate details on the composition of the woodlands identified to give us a better understanding of how ash dieback would impact them over time. No details are held within the council for rates on ash dieback. However it was stated in our written response that the decline can be within 12 months from healthy canopy to quite a sparse canopy. On that basis if we could get that information on composition, that would give us a better idea of what the long term impact would be from ash dieback. (JW)</p> <p>BB advised that is currently easy to identify ash as it is one of the last trees to come into leaf. On that basis offered the use of a drone which could fly over the woodlands if publicly accessible.</p>
<p>The ExA sought the applicants views on whether a zoning plan identifying maximum</p>	<p>Many aspects of design will remain unresolved at this stage of a project of this scale but we will continue a dialogue with the applicant. The</p>

heights for different areas or groups of equipment within the converter station zone could be established to help inform what planting there needs to be. ERYC were asked for their views.	suggestion of a zoning plan might be helpful if the applicants felt they could commit to that, such as a plan to provide a little more detail on height implications of the equipment. (BB)
ERYC were asked if 28 days as stated in the Design and Access Statement would be sufficient to comment on Design Panel review output.	<p>ERYC are of the opinion that 28 days would not give us sufficient time to be able to carry out the consultations required and to assess those and respond within 28 days. We feel that 56 days is necessary to be able to do that. (GV)</p> <p>Additional comments made on the DAS –</p> <ul style="list-style-type: none"> <li>- The DAS states that ERYC and ward councillors are consulted on Design Panel outputs. Given comments made by Historic England we feel they should also be included as a consultee;</li> <li>- If HE are a consultee to be consulted through ERYC then 28 days would not provide sufficient response time;</li> <li>- The DAS does not include referral to a Design Council review. This can be accepted so long as there is a clear commitment to ensure the Design Panel is independent and it covers sufficient design expertise;</li> <li>- Currently the DAS states a design champion will be included on the panel to be made up of engineers with expertise from similar schemes. This is considered too narrow and should include, as an example, an architect and an ERYC representative;</li> <li>- The DAS also states the Terms of Reference will be prepared by the panel. We believe the ERYC should be involved in the preparation. (GV)</li> </ul>

Agenda Item 5 Noise and Vibration	
Question	ERYC response
Paragraph 34 of the outline code of construction practice states that no activity where significant noise is audible beyond the onshore development area will take place outside of specified hours apart from under specified circumstances.	This has been discussed recently with the applicants but feel that the words audible and significant are not particularly useful in this kind of scenario. They're not enforceable as such. A new form of words has been suggested to state that no plant or equipment shall be operated between the hours of 7 a.m. to 7 p.m., Monday to Saturday. And no plant and equipment operating on Sundays or bank holidays

<p>ERYC have raised concerns with this with particular regard to the use of the wording audible and significant noise. ERYC were asked to explain their concerns.</p>	<p>unless approved in writing with the local authority. It is understood the applicants are in agreement with that. It is considered this is a better form of wording and a lot better way of potentially controlling and minimizing loss of residential amenity from the construction works. It also gives the flexibility that other work activities may still take place outside those hours if required, emergency wise or whatever, that won't have an impact on residential amenity at all (JS)</p>
<p>The ExA asked if ERYC “audible” should be explained as part of the oCoCP or considered that the wording suggested would be sufficient.</p>	<p>It is considered the amended wording would be sufficient because the problem with audible is that who are you saying is it audible to? Would it be to officers of the local authority, to the people that live there, or to a representative of the construction company? And similarly with the term significant how do you determine significance? There are various British standards available which quantify impacts on residential amenity and it felt that the applicants have adequately used these standards and explanations in their noise assessment as part of the environmental statement. It is therefore considered that removing the words altogether is probably more helpful than trying to clarify exactly what it means to who, where and when. (JS)</p>
<p>ERYC were asked if the mechanics for consultation with themselves to be sufficient.</p>	<p>Confirmed yes (JS)</p>
<p>The ExA stated there appears to be agreement with ERYC that s61 consent would be the appropriate means to consult with the ERYC to agree in advance where core working hours may not be appropriate. ERYC comments were requested and to confirm if they were happy with the wording in terms of s61.</p>	<p>It is considered appropriate that the applicant and contractors should lead on this. However, if we have concerns or are contacted by residents, then we would like the opportunity to have contacts and discussions as appropriate depending on site location and circumstances. Confirmed yes to the wording (JS)</p>
<p>ERYC were asked if there were any outstanding matters related to s61</p>	<p>Consider it to be adequately considered. Advised have worked with a similar scheme and every time that working was proposed outside the hours agreed there was contact with both the planner that dealt with the application and with environmental health to seek prior approval. Consider that a system very similar to that will work. However there may be more sensitive areas where more detailed discussions about construction techniques, use of plant and equipment where a section 61 agreement would be</p>

	more appropriate. However confirm that happy with what's been proposed. (JS)
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Agenda Item 6 Historic Environment	
Question	Response
ERYC were asked to respond on the impact on Catfoss Hall	While it would be development within an agricultural setting, it wouldn't be something which you would normally associate with. In terms of the visual impact and the audible impact that it would have, it would affect how you experience that listed building. We do accept the point made that it would be temporary and it would only affect one element that contributes to the significance of the heritage asset, which is why it is identified as less substantial. The impact is relatively low and probably limited to the construction phase as opposed to being a long term impact. (RG)
ERYC were asked to respond to the applicants comments about the impact of the construction corridor cutting across the access road to Catfoss Hall	No further comments were added.
ERYC were asked to expand on why they considered there would be less than substantial harm on Cobble Hall.	It is an attractive building. It's a good example of a local vernacular architecture set within a slight rise within the landscape, which gives it a bit more sense of place in the landscape. You can appreciate its architecture over a slightly longer distance in the wider landscape. The introduction of construction works within the wider setting is kind of incongruous to have the visual and audio effects. But again, they would be temporary and they would be extremely limited to the construction period if mitigated afterwards. Again, there's probably less impact on this because of that sense of separation. But again, it is development within that wider open landscape which would be incongruous (RB).
ERYC were asked to expand on why they considered there would be less than substantial harm on Black Mill.	The Mill is no longer functional so a lot of its significance derives from its historical value as well as being a landscape feature. There would be some impact on how it is appreciated but the impact is limited to a particular viewpoint. The construction compound is screened. Also accept the applicants comments that there is other infrastructure visible in that view including some wind turbines. So accept there will be an impact but consider it to be less than substantial and quite low (RB)
ERYC were asked to respond on a question related to the effects of construction of the	Noted that contribution to setting doesn't necessarily require public access or public visibility. So there is no catch all of when it will be classed as audible or

converter station on Butt Farm scheduled monument	visible. In terms of the impact we defer to Historic England who have made comments in their responses and raised some concerns. Do not wish to add anything more to what they have said (RB)
ERYC were asked for comments in response to the applicants comments on the post construction harm of the converter station on the scheduled monument as having no harm	Nothing more to add to previous comments but want to clarify that both ERYC and HE see a higher level of harm than that identified by the applicant. We identify that even with the mitigation it would still be a fairly dominant, intrusive intervention to the wider setting and does make an important contribution to the significance of the scheduled monument in the sense of it being a gun battery. That is naturally its function and its use and that function naturally has quite an important interrelationship with its wider landscape and the wider area around it. It is functioning as part of a wider defensive structure that is meant that is meant to be using its wider landscape. Even if there was natural landscape in that, such as the north west woodlands, it is not thought that any sort of planting scheme is necessarily going to replicate historic woodland. It is not necessarily going to change the fact that historically you had a functioning military site within an open natural landscape. You've currently got a former military site within a landscape that has changed a certain degree with road infrastructure etc but you would then have a military site within a landscape which is characterized by modern industrial development and infrastructure and associated planting that you associate with that sort of infrastructure. (RB)
ERYC were asked to comment on a change in stance between earlier comments related to the significance of the impact on the scheduled monument.	Earlier comments were reported incorrectly and it has always been considered substantial harm. (RB)
ERYC were asked to comment on the applicants earlier comments that the scheduled monument would remain in a rural setting with the arc of the line of fire intact.	Agree to a certain extent as there won't be any development within the arc of fire to the north west. Will have a large dominant structure within the wider setting which at the very least will form a background to views in and out of the site and alter how you appreciate the heritage asset. (RB)
ERYC were asked whether they considered the converter station would visually compete with the heritage asset?	Believe they would compete in the sense that there would be large structures within the wide environment and the scheduled monument was intended not to be seen and therefore is not prominent. So for visitors their eye would be drawn to the converter station and associated planting and not the scheduled monument and compete with and detract from the experience. (RB)

<p>ERYC were asked if a visualisation should be produced that shows the access road from the scheduled monument.</p>	<p>Discussions took place with the applicant the week before and we did discuss whether there should be a visualization or not. Also raised a concern that they couldn't necessarily show where the access goes through the hedge on the northern side of the site. We felt a visualisation would help. (GV)</p> <p>(BB) Recalls that the applicant was going to consider the points raised. From an LVIA perspective a hedge appears from the year one to year 10 visualisations but not the access road. A visualisation would therefore be helpful for all stakeholders.</p>
<p>ERYC were asked if the proposed development would result in a loss of significance of the heritage asset.</p>	<p>Yes in the sense of how you appreciate the significance of the heritage asset. But there wouldn't necessarily be a loss of significance just the contribution to significance of one element of the setting. (RB)</p>
<p>The ExA asked if the examining authority were minded to agree with Historic England and East Riding of Yorkshire Council that the proposed development would result in less than substantial harm to the setting of the heritage asset at the higher end of the scale if they consider that the public benefits of the scheme would outweigh such harm?</p>	<p>Agreed yes and referred back to the Local Impact Report where it was stated that weight could be placed on the substantial public benefits. (Additional note following the Hearing – the LIR did base this response on the provision of mitigation as suggested by HE). (GV)</p>
<p>The ExA stated they had asked if HE wanted to be added as a consultee on the D&amp;AS. ERYC asked if that approach was supported.</p>	<p>Agreed (GV)</p>
<p>The ExA requested comments on cumulative effects of subsequent offshore projects to be developed which require infrastructure to be located adjacent to the scheduled monument.</p>	<p>There are other potential developments in that area but currently we do not have details and do not know whether they will all come forward. There are no above ground works immediately adjacent. However, it is difficult to give an answer at this stage. (GV)</p>