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Draft Statement of Common Ground with North Yorkshire Council

February 2025

Helios Renewable Energy Project

Draft Statement of Common Ground

with North Yorkshire Council

Planning Inspectorate Reference: EN010140

February 2025

Prepared on behalf of Enso Green Holdings D Limited

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1. Introduction

1.1. Overview

- 1.1.1. This Statement of Common Ground ('SoCG') has been prepared by Enso Green Holdings D Limited (the 'Applicant') in conjunction with North Yorkshire Council ('NYC') in respect of the Helios Renewable Energy Project Development Consent Order (the 'Proposed Development').
- 1.1.2. The SoCG sets out the matters of agreement between the Applicant and NYC and also explains those matters which, at the time of writing, remain in progress, or where agreement has not been achieved.
- 1.1.3. This SoCG is based on NYC's Relevant Representations received on 10 October 2024 **[RR-277 and RR-278]**, NYC's Local Impact Report received on 14 January 2025 **[REP2-034]** and additional engagement with NYC.
- 1.1.4. The SoCG will be amended as the examination progresses in order to enable a final version to be submitted to the Examining Authority.
- 1.1.5. This SoCG covers all the matters which are relevant to NYC.

2. Record of Engagement

2.1. Summary of consultation and engagement

- 2.1.1. In addition to the consultation undertaken as part of statutory consultation, there have been a number of meetings and correspondence relating to the Proposed Development. Tables 2.1 and 2.2 show a summary of the meetings and correspondence that has taken place between the Applicant (including consultants on its behalf) and NYC in relation to the Proposed Development.

Table 2.1: Schedule of Meetings and Correspondence during the Pre-application Stage

Date	Form of Correspondence	From	To	Summary
11/10/23	Email	Applicant	NYC	Email providing advanced notice of upcoming Statutory Consultation and provision of final Statement of Community Consultation (SoCC). Email was accompanied by a letter outlining how the Applicant had addressed NYC's comments on the draft SoCC.
18/10/23	Email	NYC	Applicant	Email raising local MPs interest in the Proposed Development and identification of suspected Travelers site (Burn Caravan Park) nearby and request for them to be included in the formal consultation.
18/10/23	Email	Applicant	NYC	Email requesting appropriate meeting time to discuss feedback.
25/10/23	Email	Applicant	NYC	Email notification, accompanying formal postal notification, of commencement of Statutory Consultation.
30/10/23	Email	NYC	Applicant	Email requesting clarification of consultation material provided online versus via formal post and confirmation that County Hall has been listed as a location hardcopy documentation can be displayed.
30/10/23	Email	Applicant	NYC	Email stating online and hard copy information via post are identical and that both Selby and Snaith libraries provide free internet access for the viewing of consultation material, with a hard copy of the SoCC provided at both libraries.
02/11/23	Email	Applicant	NYC	Email requesting appropriate meeting time to discuss feedback.
20/11/23	Email	Applicant	NYC	Email requesting appropriate meeting time to discuss feedback.

Date	Form of Correspondence	From	To	Summary
28/11/23	Email	Applicant	NYC	Email requesting confirmation of key views for photomontages, list of cumulative schemes and request for post-statutory consultation feedback meeting
28/11/23	Email	NYC	Applicant	Email advising suggested meeting teams to discuss statutory consultation feedback and seek clarification on nature of key views and list of cumulative schemes for assessment.
29/11/23	Email	Applicant	NYC	Email accepting meeting time proposal and providing clarification on key views and reissue of cumulative schemes.
14/12/23	Email	NYC	Applicant	Email confirming meeting time acceptability.
15/12/23	Email	NYC	Applicant	Email providing NYC formal statutory consultation response.
20/12/23	Email	Applicant	NYC	Email requesting email addresses of council technical staff to set up socio-economics and landscape calls.
22/12/23	Email	Applicant	NYC	Email following up request for email addresses.
03/01/24	Email	NYC	Applicant	Email advising suggested meeting times for landscape and socio-economics.
08/01/24	Email	Applicant	NYC	Email setting up meeting time for socio-economics post-statutory consultation feedback.
10/01/24	Email	NYC	Applicant	Email cancelling upcoming landscape meeting and suggestion of alternative dates.

Date	Form of Correspondence	From	To	Summary
15/01/24	Email	Applicant	NYC	Email distributing agenda for upcoming (and later cancelled) landscape meeting.
16/01/24	Email	Applicant	NYC	Email requesting meeting with NYC Highways team.
17/01/24	Email	Applicant	NYC	Email distributing agenda for upcoming socio-economics meeting.
18/01/24	Email	Applicant	NYC	Email requesting NYC to review and sign off List of Cumulative Schemes for Assessment.
26/01/24	Email	Applicant	NYC	Email requesting meeting with NYC Highways team and NYC/sign off of List of Cumulative Schemes for Assessment.
30/01/24	Email	Applicant	NYC	Email requesting any clarification or any information regarding a non-official safeguarding maps for Burn Airfield.
31/01/24	Email	NYC	Applicant	Email providing copy of non-official safeguarding map.
31/01/24	Email	NYC	Applicant	Email advising upcoming leave.
01/02/24	Email	NYC	Applicant	Email advising appropriate time for NYC highways meeting.
02/02/24	Email	Applicant	NYC	Email requesting sign off of List of Cumulative Schemes for Assessment and follow up landscape meeting time.
12/02/24	Email	Applicant	NYC	Email requesting sign off of List of Cumulative Schemes for Assessment and follow up landscape meeting time.

Date	Form of Correspondence	From	To	Summary
20/02/24	Email	Applicant	NYC	Email requesting sign off of List of Cumulative Schemes for Assessment and follow up landscape meeting time.
29/02/24	Email	Applicant	NYC	Email requesting meeting to discuss SoCG.
29/02/24	Email	NYC	Applicant	Email advising upcoming leave following request for meeting.
01/03/24	Email	NYC	Applicant	Email advising upcoming leave following request for meeting.
20/12/23	Meeting			Initial discussion of NYC stat consultation response and Statement of Common Ground.
18/01/24	Meeting			Meeting to discuss NYC Socio-Economics/Population and Human Health response.
01/02/24	Meeting			Meeting to discuss NYC Landscape response.
12/02/24	Meeting			Meeting to discuss NYC Highways response and Statement of Common Ground.
19/02/24	Meeting			Meeting onsite to discuss landscape strategy and assessment (including views).
07/03/24	Meeting			Meeting to discuss Statement of Common Ground format and draft content.
24/05/24	Meeting			Meeting to discuss Landscape Strategy.

Date	Form of Correspondence	From	To	Summary
31/05/24	Meeting			Meeting to discuss Statement of Common Ground.

Table 2.2: Schedule of Meetings and Correspondence during the Pre-Examination and Examination Stages

Date	Form of Correspondence	Summary
18/11/2024	Meeting	Meeting to discuss Statement of Common Ground and approach to Examination.
21/11/2024	Meeting	Meeting to discuss Landscape and Views.
05/12/2024	Meeting	Informal meeting at the hearings.
08/01/2025	Meeting	Meeting to discuss NYC's progress in relation to the Local Impact Report.
10/01/2025	Email	Email from NYC with a draft copy of the Local Impact Report.
13/01/2025	Meeting	Meeting to discuss Statement of Common Ground following receipt of the draft Local Impact Report.
13/01/2025	Email	Email from NYC with the final version of the Local Impact Report.
27/01/2025	Meeting	Meeting to discuss an updated Statement of Common Ground following receipt of the Local Impact Report. It was agreed that the updated document would be submitted at Deadline 3.

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29/01/2025	Meeting	Meeting to discuss Highways matters.
30/01/2025	Email	Applicant sent updated SoCG to NYC for comment.
05/02/2025	Email	Applicant emailed NYC to request comments on SoCG, dDCO and oLEMP.
10/02/2025	Meeting	Meeting to discuss Landscape, dDCO and oLEMP.
12/02/2025	Email	Applicant emailed NYC to request comments on SoCG, dDCO and oLEMP
12/02/2025	Email	Applicant send updated oCTMP to NYC for comment.
13/02/2025	Email	NYC sent initial comments on SoCG, dDCO, oLEMP and oCTMP
19/02/2025	Email	NYC confirmed agreement with updated oCTMP.
24/02/2025	Meeting	Meeting to discuss Landscape.
26/02/2025	Email	NYC confirmed agreement regarding PRowS and Climate Change.

3. Current Position

- 3.1.1. Table 3.1 provides a schedule that summarises the position on key matters between the Applicant and North Yorkshire Council. Appendix A details the position between the Applicant and North Yorkshire Council on each relevant representation.
- 3.1.2. Each matter is attributed a status as follows:

Agreed	The matter is agreed between the parties, or there are no significant disagreements such that the matter is considered closed.
Under discussion	This matter is neither 'agreed' or 'not agreed'. Technical work is being undertaken with the aim of achieving agreement, though the risk of disagreement remains.
Not agreed	The matter is not agreed between the parties and the outcome of the approach taken by the Applicant or North Yorkshire Council is considered to result in a materially different impact to the assessment conclusions.

Table 3.1: Key Matters

Matter	Status	Date
Relevant planning history and current proposals		Jan 2025
Planning policy		Jan 2025
Need For and Principle of the Proposed Development and the Examination of Alternatives		Jan 2025
Climate Change Resilience		Feb 2025
Socio-Economics		Jan 2025
Public Health		Jan 2025
Traffic and Transport		Feb 2025
Public Rights of Way		Feb 2025
Air Quality		Jan 2025
Noise and Vibration		Jan 2025
Ecology		Jan 2025
Landscape and Views		Jan 2025
Heritage		Jan 2025
Ground Conditions		Jan 2025
Water Environment		Jan 2025
Soils and Agricultural Land		Jan 2025
Cumulative Effects		Jan 2025
Draft DCO (Including requirements in the Draft DCO)		Jan 2025

4. Signatures

4.1.1. This Statement of Common Ground is agreed upon:

On behalf of North Yorkshire Council:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date:

Appendix A: Detailed Matters

A.1 Relevant planning history and current proposals

Table A.1: Relevant planning history and current proposals

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.1.1	Relevant Planning History	<p>The site is largely agricultural and the relevant planning history of the land within the Order Limits is limited. There are no pending or extant planning permissions across the Proposed Development Area and Underground Cable Connection Area. The following have overlapping red line boundaries with the Underground Grid Connection Cable Area:</p> <ul style="list-style-type: none"> • 2021/0788/EIA - land north and south of Camela Lane, Camblesforth, Selby • 2022/1125/FULM - Drax Power Station New Road, Drax, Selby • 2023/0128/EIA - Wade House Lane, Drax, Selby • ZG2023/0381/FUL - Drax Power Station, Selby <p>The following applications overlap the Order Limits along the A645:</p>	Paragraph 4.14 of the Local Impact Report (LIR) [REP2-034] states that NYC relies on the Applicant's summary of the relevant planning history as set out in Section 2.4 of the Planning Statement [APP-228] .	Agreed

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<ul style="list-style-type: none"> 2023/0128/EIA – land south of A645, Wade House Lane, Drax, Selby 2021/0788/EIA – land north and south of Camela Lane, Camblesforth, Selby 		
A.1.2	Current Proposals	The details of the Proposed Development are set out in the Environmental Statement (ES) Chapter 3: Site and Development Description [APP-023] .	The LIR [REP2-034] does not raise any matters in relation to the description of development.	Agreed

A.2 Planning policy

Table A.2: Planning policy

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.2.1	National Policy Statements	The relevant National Policy Statements (NPSs) for the Proposed Development include the Overarching National Policy Statement for Energy (EN-1) (Department for Energy and Climate Change, 2024) and the National Policy Statement for Renewable Energy and Infrastructure (EN-3) (Department of Energy and Climate Change, 2024), which represent the policy basis for the DCO Application.	NYC confirms at paragraphs 4.2 and 4.3 of the LIR [REP2-034] that EN-1 and EN-3 represent the primary policy basis for the determination of the Application.	Agreed
A.2.2	National Planning Policy Framework	The National Planning Policy Framework (NPPF) was originally published in 2012 and last updated in December 2024. Whilst the NPSs are the primary consenting framework against which the DCO application will be assessed, the NPPF is important and relevant, against which the proposals must also be assessed. The government's 'Planning Practice Guidance' (PPG) constitutes guidance to support the government's planning policies for England and how these are expected to be applied.	NYC confirms the relevance of the NPPF and PPG in decision making for Nationally Significant Infrastructure Projects (NSIPs) at paragraphs 4.4 and 4.5 of the LIR [REP2-034] .	Agreed
A.2.3	Development Plan	Local planning policies from the relevant authorities are 'important and relevant' considerations for the Secretary of State (SoS) in determining the DCO Application. The current	NYC confirms at paragraph 4.6 of the LIR [REP2-034] that these are the relevant Development Plan documents. Paragraph 6.7 confirms that the Application identifies the	Agreed

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<p>adopted Development Plan of relevance to the proposals comprises:</p> <ul style="list-style-type: none"> • Selby District Core Strategy Local Plan (2013) (SDCSLP); • Saved Policies of the Selby District Local Plan (2005) (SDLP); and • The North Yorkshire Minerals and Waste Joint Plan (2022) (NYMWJP). <p>North Yorkshire Council are in the process of preparing a new Local Plan and given the stage of preparation the following draft document is a material consideration:</p> <ul style="list-style-type: none"> • Draft Selby Local Plan – Publication Version Consultation (2024) 	<p>relevant local planning policies within the Development Plan against which the application is to be assessed.</p>	

A.3 Need For and Principle of the Proposed Development and the Examination of Alternatives

Table A.3: Need For and Principle of the Proposed Scheme and the Examination of Alternatives

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.3.1	Need for the Proposed Development	The Applicant considers that there is a clear need for this type of development as set out NPS EN-1 and NPS EN-3.	NYC notes at paragraph 6.8 of the LIR [REP2-034] the national need for energy security and provision and the national policy position contained in the National Policy Statements regarding renewable energy.	Agreed
A.3.2	Principle of the Proposed Development	Given the need for the Proposed Development and in the absence of any policies which would dictate otherwise, the Applicant considers the principle of the Proposed Development is acceptable.	NYC confirms at paragraph 6.2 of the LIR [REP2-034] that local planning policies support the proposed development in principle.	Agreed
A.3.3	Examination of Alternatives	<p>The consideration of alternatives to the Proposed Development is set out in the ES Chapter 4: Alternatives and Design Evolution [AS-013] and the Alternative Site Assessment [APP-227]. This is considered to be in accordance with the requirements of the EIA Regulations and relevant policy.</p> <p>The Applicant benefits from a grid connection at Drax 132kV National Grid Substation. Taking the grid connection as a starting point (EN-3, Paragraph 2.10.24), the Applicant has undertaken a detailed Alternative Site Assessment which takes into consideration the extent and availability of land required, the site and surrounding land uses, known environmental designations, relevant policies and</p>	NYC states at paragraph 18.6 of the LIR [REP2-034] that it seeks to understand better the site selection process, in particular whether there are alternative grid connections available in the UK and if so, are these in areas where soil quality is not BMV. If there are alternatives, NYC seeks to understand why the Drax connection was chosen and alternatives discounted.	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		committed developments. This has resulted in the proposed location of the Proposed Development.		

A.4 Climate Change Resilience

Table A.4: Climate Change Resilience

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.4.1	ES Methodology, baseline and design, mitigation and enhancement measures	The approach to the assessment of Climate Change Resilience (Adaptation) and the approach to the assessment of climate change mitigation (GHG Emissions) is set out in ES Chapter 12: Climate Change [APP-032]. The Chapter also addresses embedded mitigation measures and concludes that with the mitigation measures included residual effects were assessed as being not significant.	NYC agree that the Applicant has adequately considered and assessed the climate resilience implications of the Proposed Development. NYC has taken a pragmatic approach to the consideration and assessment of these issues and does not have any additional queries or concerns with them.	Agreed

A.5 Socio-Economics and Public Health

Table A.5: Socio-Economics and Public Health

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.5.1	Assessment of Socio-Economic factors	<p>Chapter 13: Socio-Economics [APP-033] provides an assessment of the likely significant effects of the Proposed Development with respect to socio-economics. The assessment concludes:</p> <ul style="list-style-type: none"> • That no existing agricultural employment will be lost; • Additional employment opportunities will be created by the Proposed Development and the jobs supported by the construction phase will generate economic output in the form of GVA; • Effects on local amenity in respect of accommodation services are not expected to be significant; and • Effects on local amenity during the construction phase from noise and traffic will be negligible to minor adverse. Visual effects on local amenity are anticipated to be moderate negative immediately adjacent to the Site, rapidly diminishing with distance from the Site and within the Local Study Area there is not considered to be any likely 	NYC has not yet confirmed its position on this matter.	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		significant negative effects on local amenity.		
A.5.2	Consideration of Human Health in EIA	<p>Human Health impacts have been scoped out of the ES, as per the adopted scoping opinion from July 2022. Impacts to human health arising from the Proposed Development have however been considered in ES, throughout various independent chapters. The Applicant has provided a Population and Human Health Technical Note [APP-118] as part of the ES. This concluded that there are no significant beneficial or adverse effects identified during construction or decommissioning in relation to population and human health. No significant adverse effects have been identified during operation. Significant beneficial effects in relation to population and human health have been identified in the form offset carbon emissions and the production of renewable energy. Therefore, the Applicant has provided a robust assessment of the likely significant effects of the Proposed Development on human health and no further information is required.</p>	<p>NYC has stated at paragraph 17.12 of the LIR [REP2-034] that the Application is not accompanied by an appropriate assessment of the potential and likely impact of the proposal on the population, including a number of sensitive population groups therefore the Applicant cannot accurately conclude that the Proposed Development does not identify any likely significant effects.</p> <p>NYC will review the Applicant's Response to NYC Local Impact Report.</p>	Not Agreed

A.6 Traffic and Transport

Table A.6: Traffic and Transport

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.6.1	Study Area	The study area is set out in ES Chapter 10: Transport and Access [APP-030] .	NYC agrees with the assessment Study Area.	Agreed
A.6.2	Future Baseline	The Applicant has set out the approach to committed development in Sections 10.4.19-10.4.23 of ES Chapter 10: Transport and Access [APP-030] .	NYC agrees with the Applicant's approach to committed development.	Agreed
A.6.3	Trip Generation, Distribution and Assignment (Construction Workers and Construction Vehicles)	The Applicant has set out the trip generation, trip distribution, and trip assignment in Table 10.12 of ES Chapter 10: Transport and Access [APP-030] .	NYC agree that construction traffic generated by the scheme is not considered to be severe in terms of traffic generated.	Agreed
A.6.4	Construction route	The construction traffic route is set out in paragraphs 10.5.31-10.5.38 of ES Chapter 10: Transport and Access [APP-030] .	NYC does not raise any objections to the construction route subject to construction traffic being managed in accordance with the Construction Traffic Management Plan (CTMP). NYC will engage with the Applicant in respect of the final CTMP to be secured through Requirement 6 of the dDCO [AS-007] .	Agreed

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.6.5	Predicted Impacts (Operation)	The Applicant considered the potential impact during operation in paragraphs 10.5.68-10.5.70 of ES Chapter 10: Transport and Access [APP-030] and it was concluded that the traffic impacts during the operational phase will likely be negligible.	NYC does not raise any concerns in respect of operational traffic.	Agreed
A.6.6	Design, Mitigation and Enhancement Measures	<p>Mitigation has been identified to safeguard the environment in the outline Construction Traffic Management Plan (oCTMP) [APP-122]. These measures will be secured in the detailed Construction Traffic Management Plan as a Requirement of the DCO.</p> <p>The Applicant has updated the oCTMP to include the agreed changes between both parties. The Applicant sent the updated oCTMP to NYC on 12/02/25 for review.</p>	<p>NYC agrees that traffic in respect of the Proposed Development will be controlled by the CTMP and Construction Workers Travel Plan (CWTP) secured as a Requirement of the DCO.</p> <p>NYC agree with the updated oCTMP.</p>	Agreed
A.6.7	Abnormal Indivisible Loads (AIL)	AIL Strategy – The Applicant's AIL strategy is subject to ongoing engagement with the LHA and National Highways. AIL movements will be subject to measures included in the oCTMP [AS-006] to manage the movements including all necessary notifications.	NYC does not raise any objections to the Applicant's AIL strategy.	Agreed

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.6.8	Residual Effects	It is considered that there will be no significant residual effects on the highway network within North Yorkshire.	NYC agrees with the Applicant's assessment that there will be no significant residual effects on the highway network within North Yorkshire subject to the implementation of the CTMP and CWMP.	Agreed
A.6.9	Management of street works	<p>Management of street works is secured within the dDCO [AS-007].</p> <p>The Applicant has updated the oCTMP to include the agreed change (prior notification to NYC of the construction programme). The Applicant sent the updated oCTMP to NYC on 12/02/25 for review.</p>	NYC agrees with the updated oCTMP.	Agreed

A.7 Public Rights of Way

Table A.7: Public rights of way

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.7.1	Baseline	Existing Public Rights of Way (PRoWs) have been identified within Environmental Statement Chapter 10 - Transport and Access [APP-030] and the Transport Assessment [AS-005] .	NYC note at paragraph 13.2 of the LIR [REP2-034] that Figure 10.3 [APP-098] of chapter 10 shows the Public Rights of Way that run through or near to the Site.	Agreed
A.7.2	Predicted impacts	Chapter 10 states that PRoWs that cross the Site will generally remain open during the construction phase of the Proposed Development. There may be the requirement for some very temporary diversions of PRoWs where they cross cable corridors. This will only be required when the cable is being installed . If temporary diversions of a PRoW are required , they will be appropriately managed in consultation with the local highway authority.	NYC note at paragraph 13.4 of the LIR that it would like to see proposed management measures to ensure that Public Rights of Way remain effectively open to users with Temporary Stopping Up, Management and the use of Diversions only in identifies locations and only where necessary to ensure continues safe use of the Public Right of Way.	Agreed
A.7.3	Mitigation measures	Management measures for PRoWs are set out in the oCTMP [AS-006] and summarised in Section 8 of the Transport Assessment [AS-005] . A Public Rights of Way Management Plan will be implemented, which will be secured by Requirement 12 of the DCO [AS-	NYC note at paragraph 13.5 of the LIR the matters that should be considered for the Public Right of Way Management Plan.	Agreed

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Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		007]. The Plan will be subject to consultation with NYC.		

A.8 Air Quality

Table A.8: Air Quality

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.8.1	Design, Mitigation and Enhancement Measures during construction and operation	The mitigation measures proposed are set out in the outline Construction Environmental Management Plan (oCEMP) [APP-121] .	NYC confirms at paragraphs 14.2 and 14.3 that construction air quality mitigation measures, including a Dust Management Plan (DMP) and a monitoring regime, are included within the oCEMP [APP-121] . Construction activities are to be undertaken in accordance with best practice guidelines. Overall NYC is satisfied that the requested safeguards are in place.	Agreed

A.9 Noise and Vibration

Table A.9: Noise and Vibration

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.9.1	Predicted Impacts and Design, Mitigation and Enhancement Measures	Section 11.5 of ES Chapter 11: Noise and Vibration [APP-031] sets out the results of the noise and vibration predictions. Construction and operational noise and vibration are identified as being not significant. The mitigation measures proposed are set out in the oCEMP [APP-121] .	NYC does not raise any objections in relation to construction and operational noise and vibration [RR-277] . NYC confirm at paragraphs 7.2 and 7.3 of the LIR [REP2-034] that it has reviewed the information within ES Chapter 11: Noise and Vibration and associated appendices including the oCEMP [APP-121] . Overall NYC is satisfied that the requested safeguards are in place.	Agreed

A.10 Ecology

Table A.10: Ecology

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.10.1	ES Study Area and Methodology	The ES Study Area and Methodology are set out in ES Chapter 8: Biodiversity [APP-028] . The Applicant considers the methodology described therein remains appropriate.	NYC confirms at paragraph 9.4 that it is satisfied with the extent of the ecological survey and assessment undertaken to inform the application.	Agreed
A.10.2	ES Baseline	The scope of the baseline data gathering is set out in Section 8.3 of ES Chapter 8: Biodiversity [APP-028] . The Applicant considers that the scope of ecological surveys is commensurate with the scale and scope of the Proposed Development. The Applicant is continuing to consult with NYC and Natural England with regards to the scope of the surveys.	NYC confirms at paragraph 9.4 that it is satisfied with the extent of the ecological survey and assessment undertaken to inform the application.	Agreed
A.10.3	Habitats Regulation Assessment	Information to inform a Habitats Regulations Assessment (HRA) Report is included in the ES [APP-151] . This Report considers the following European designated sites: <ul style="list-style-type: none"> • Lower Derwent Valley SPA/Ramsar; and • Humber Estuary SPA/Ramsar. The Information to Inform HRA [APP-151]	NYC raises no objection to the findings of the information to inform the HRA and defers to Natural England for their input on the methodology and assessment.	Agreed

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		concludes that the Proposed Scheme would not lead to adverse effects on the integrity of any European Site, subject to the securing of the mitigation measures identified in the Report.		
A.10.4	Predicted Impacts	The Applicant has set out their assessment of impacts on ecological receptors in Section 8.5 of ES Chapter 8: Biodiversity [APP-028].	NYC has reviewed the ES and associated appendices in respect of ecology and has confirmed that it is satisfied with the predicted impacts.	Agreed
A.10.5	Design, Mitigation and Enhancement Measures	<p>Primary design measures (i.e. embedded measures) are set out in ES Chapter 8: Biodiversity [APP-028], including specific measures that will be contained within the detailed CEMP.</p> <p>The Applicant provided NYC with additional information in respect with ground nesting bird within an updated oLEMP.</p> <p>The provision of mitigation / compensation for ground nesting birds has not reduced: the number of plots can be provided within the Order Limits. The Applicant therefore maintains that the impact</p>	In respect of all matters other than ground nesting birds design, mitigation and enhancement measures are agreed. NYC agree with the proposed approach to compensation and enhancement for ground nesting birds, and requested further information regarding the securing of skylark plots on-site. NYC are satisfied that the updated oLEMP has clarified the ground nesting bird mitigation / compensation, which confirms that no skylark mitigation will be provided outside of the Order Limits. As such, NYC considers that the impact on ground nesting birds is likely to be neutral, rather than	Provisionally Agreed – except for residual impact

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		on ground nesting birds is positive beneficial.	positive beneficial as set out in the ES.	
A.10.6	Cumulative effects	The ecological assessment of cumulative effects is presented in Section 8.6 of ES Chapter 8: Biodiversity [APP-028]. The proposed development is not likely to have any discernible cumulative or in-combination effects. In addition there are no cumulative direct effects on statutory or non-statutory designated sites or their associated qualifying interest species.	NYC acknowledge local concerns in respect of the amount of development in the area and the cumulative impact on ground nesting birds. NYC welcome the compensation provided in respect of ground nesting birds.	Agreed
A.10.7	Residual Effects	The Applicants assessment of residual effects is set out in Section 8.7 of ES Chapter 8: Biodiversity [APP-028]. There will be no significant adverse residual effects.	NYC agree that there will be no significant adverse residual effects.	Agreed
A.10.8	Securing biodiversity gains	As set out in ES Chapter 8 Biodiversity [APP-028], the Proposed Development includes significant habitat enhancement provisions; these will be managed for the benefit of wildlife over the long term and will provide biodiversity gains for a wide variety of species. Additionally, the proposed creation of diverse grasslands, tree planting and hedgerow planting will deliver a quantifiable	NYC welcome the voluntary commitment to biodiversity gains and consider that this commitment should be secured through the DCO, including monitoring and appropriate management.	Agreed

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		biodiversity benefit. This will be implemented according to the detailed LEMP, which will be secured via Requirement 10 of the DCO. The Applicant has submitted a BNG assessment [APP-153] to demonstrate that a net gain can be achieved. The dDCO will not secure a minimum of 10% biodiversity net gain as this remains non-mandatory for NSIPs.		
A.10.9	Long term monitoring and management	<p>Monitoring and management will be implemented according to the detailed LEMP, which will be secured via Requirement 10 of the DCO.</p> <p>With regards to bird surveys, the Applicant considers that the monitoring of skylark plots, and confirmation that the requisite numbers are in place, are sufficient to monitor mitigation measures specified within the ES.</p> <p>Regarding bat activity surveys, it was agreed with the NYC ecologist during a virtual meeting of 4th May 2023 (ES Appendix 8.10 [APP-152]) that “it is disproportionate to conduct bat activity surveys on the Site as hedgerow to be lost as part of the Proposed Development is minimal and significant</p>	NYC consider that bird surveys should be undertaken in order to monitor the creation of skylark plots. NYC encourages long-term monitoring of key indicator species such as bats, in addition to monitoring of BNG and legal compliance.	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		effects on bats are to be avoided through planting design and panel layout as part of the Proposed Development.” Foraging and commuting bats were subsequently scoped out of the impact assessment based on the absence of any pathway that may result in an adverse effect from the Proposed Development. As such, no specific mitigation measures were proposed in relation to this species and no monitoring of this species is considered necessary, as secured in ES Chapter 8 Biodiversity [APP-028] .		

A.11 Landscape and Views

Table A.11: Landscape and Views

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.11.1	ES Study Area	An initial study area for the purposes of desk studies and field surveys was set at 5km. Following the initial assessment, an updated Zone of Theoretical Visibility (ZTV) was prepared based on the parameters of the proposed development and the screen effect of existing vegetation and settlements. Updated ZTVs are presented in Figures 7.6-7.11 of ES Chapter 7: Landscape and Views [APP-069 to APP-074] .	NYC has confirmed that the ES Study Area is agreed.	Agreed
A.11.2	ES Methodology – viewpoints	The visual assessment viewpoints are based on those shown on Figure 7.12 of ES Chapter 7: Landscape and Views [APP-075] .	NYC agrees with the viewpoints presented by the Applicant.	Agreed
A.11.3	ES Methodology – visualisations	The visual assessment visualisations are based on those shown in Appendix 7.7 of ES Chapter 7: Landscape and Views [APP-140 to APP-141] . Additional photomontage locations have been added to the LVIA, taking into consideration comments received from NYC.	NYC agrees with the visualisations presented by the Applicant.	Agreed

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.11.4	ES Methodology	<p>The Applicant confirms that the LVIA will follow guidance stipulated in the EIA Scoping Report covering:</p> <ul style="list-style-type: none"> GLVIA Third Edition (LI and IEMA, 2013); and Landscape Institute Technical Guidance Note 2/21: Assessing landscape value outside national designations <p>The LVIA has been updated to address concerns from NYC regarding methodology.</p>	<p>NYC considers that the LVIA broadly follows the assessment guidelines as set out in GLVIA3 (Paragraph 8.35). NYC does not agree with aspects of method and the approach to the landscape and cumulative assessment.</p> <p>NYC considers that a cautious approach should be used in the assessment on a project of this type, scale and duration. It is considered that major and moderate effects are significant (Paragraph 8.38).</p>	Under discussion
A.11.5	ES Baseline	<p>The baseline conditions are set out in Section 7.4 of ES Chapter 7 Landscape and Views [APP-027]. The descriptions are based on a timeframe of winter (2023/2024) and therefore considers a maximum visibility scenario.</p>	<p>NYC agree with the baseline conditions presented by the Applicant.</p>	Agreed
A.11.6	Designations	<p>The Site is not designated in landscape terms, and there are no national landscape designations within the study area.</p>	<p>NYC agrees that the Site is not designated in landscape terms and there are no national landscape designations within the study area.</p>	Agreed
A.11.7	Predicted Impacts	<p>The predicted impacts presented in the ES are an accurate reflection of the likely landscape and</p>	<p><u>Visual Effects</u></p>	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		visual effects of the Proposed Development. Following changes to the LVIA approach and presentation, there have been some changes to predicted impacts.	NYC stated in Paragraph 8.46 that they would wish to see further clarity and consistency between assessment of receptors identified within the study area and geographical extents of effects. <u>Landscape Effects</u> NYC considers that the impact on landscape character and setting within the LVIA is understated due to the overall timescale of the Proposed Development (Paragraph 8.39).	
A.11.8	Design, Mitigation and Enhancement Measures	The Applicant has provided reasonable and appropriate mitigation, proportionate to the level of effects predicted to result from the Proposed Development, and as a result has minimised harm to the landscape resulting from the Proposed Scheme (in accordance with paragraph 5.9.8 of NPS EN-1). The Applicant has followed guidance made available by NYC in forming its Landscape Strategy, particularly the use of hedgerows for screening. Further, the Applicant has taken	NYC acknowledges in Paragraph 8.32 that the Applicant has made several changes and adjustments to the Landscape Strategy Plan and Illustrative Masterplan since initial consultation and engagement with NYC on landscape and visual matters. Whilst NYC generally supports the positive improvements made to the Strategy and Masterplan and other local positive effects set out in the LVIA, they consider that these positive effects are not outweighed by the	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<p>account of comments received from NYC in updating its Landscape Strategy prior to submission.</p> <p>An outline Landscape Ecology Management Plan (oLEMP) [APP-143] has been submitted with the DCO application.</p>	<p>negative and significant cumulative impacts that are likely to arise given the overall size and scale of the Proposed Development and in combination with other major developments in the area, including NSIPs (Paragraph 8.33).</p> <p>NYC's position as stated in Paragraph 8.55 is that landscape mitigation at a wider strategy scale and to resolve cumulative effects is insufficiently considered. NYC considers that it is reasonable and possible that more localised adverse effects can be further reduced through adjustment of the layout, design and mitigation (Paragraph 8.56).</p>	
A.11.9	Cumulative residual effects	<p>ES Chapter 7 Landscape and Views [APP-027] confirms that a cumulative landscape and visual assessment has been carried out. This identifies that the key effect relates to LCA 15 Camblesforth Farmland, where a significant adverse effect is predicted for the operational phase of the Proposed Development. Significant</p>	<p>NYC considers that the LVIA does not follow a clear method and process for assessing cumulative landscape and visual effects within a defined study area (Paragraph 8.50).</p> <p>Significant adverse landscape and visual effects on local communities due to</p>	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<p>cumulative effects have also been identified in relation to residents on the western edge of Camblesforth, but these would reduce to become not significant once the planting is sufficient established to screen views of the solar PV arrays. the Proposed Development will have a defined lifespan and the relatively light footprint makes it relatively easy to reverse the changes with will occur. The proposed landscape strategy will also make a tangible contribution to the local landscape as it establishes during the operational phase.</p>	<p>proximity to settlement, significance of the Grid connection points near Drax Power Station in relation to cumulative effects and ongoing erosion of the landscape baseline remain a concern (Paragraph 8.54).</p>	

A.12 Heritage

Table A.12: Heritage

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.12.1	Predicted Impacts - Archaeology	Measures to be adopted by the project in the form of an AMS have been established through consultation with the Principal Archaeologist for NYC.	NYC confirms at paragraph 11.4 of the LIR [REP2-034] that the application includes an Outline Archaeological Mitigation Strategy. This strategy takes the approach of a combination of designing out the more complex anomalies whilst ensuring that where impact might occur that this is mitigated by archaeological monitoring (watching brief). NYC agrees that this is a reasonable response and is an approach that has been supported elsewhere on solar schemes in North Yorkshire. It is considered that the archaeological potential of the site has been appropriately assessed and the mitigation strategy is suitable.	Agreed
A.12.2	Predicted Impacts – Built Heritage	The impacts of the Proposed Development on Grade 1 Listed Camblesforth Hall, Grade I Listed Carlton Towers and Grade II Listed Manor Farmhouse at the construction and	NYC confirms at paragraph 10.3 of the LIR [REP2-034] that ES Chapter 6: Cultural Heritage [APP-026] includes a Cultural Heritage Technical Appendix [APP-125] which identifies the location of Grade 1, 2	Agreed

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		operational phases are not significant.	and 2* listed buildings within a 3km radius of the site and non-designated heritage assets, and assesses significance and harm from construction, operational and decommissioning phases of the development. NYC confirms at paragraph 10.4 of the LIR [REP2-034] that the harm identified would amount to less than substantial harm to the setting and therefore significance of the listed buildings.	

A.13 Ground Conditions

Table A.13: Ground Conditions

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.13.1	Phase 1 Ground Conditions Assessment	The Phase 1 Ground Conditions assessment [APP-114 to APP-116] concludes that there are potential risks associated with possible contamination in limited areas of the site. An intrusive investigation is recommended to characterise the conditions at the site and to confirm the anticipated absence of contamination across the majority of the Site. The submission of an intrusive risk assessment will be secured in the CEMP, via DCO Requirement 4. The oCEMP will be updated accordingly at Deadline 4.	NYC notes at paragraph 16.4 of the LIR [REP2-034] that an intrusive site investigation is recommended to characterise the conditions and clarify the risks and paragraph 16.9.	Agreed
A.13.2	Unexploded Ordnance Survey	A detailed UXO desk based threat assessment will be undertaken post-consent to inform the need for mitigation during in-ground works including intrusive investigation. The submission of an assessment will be secured in the CEMP, via DCO Requirement 4. The oCEMP will be updated accordingly at Deadline 4.	NYC notes at paragraph 16.7 of the LIR [REP2-034] that a detailed UXO desk-based threat assessment is required.	Agreed

A.14 Water Environment

Table A.14: Water Environment

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.14.1	ES Study Area and Methodology	<p>The ES Study Area and Methodology are set out in ES Chapter 9: Water Environment [APP-029]. The methodology in the ES has drawn from the more detailed FRA and considers flood risk to and from the Site, and from all sources including:</p> <ul style="list-style-type: none"> • Tidal (flooding from the sea); • Fluvial (flooding from watercourses); • Pluvial (direct rainfall and surface water flooding); • Groundwater; • Overwhelmed Sewers and Drainage Systems; and • Artificial Sources <p>The Applicant considers the methodology described therein remains appropriate.</p>	<p>NYC notes the following documents at paragraph 15.2 of the LIR [REP2-034]:</p> <p>Flood Risk Assessment (part 1 of 4), PFA Consulting, Dated June 2024.</p> <p>- Flood Risk Assessment (part 2 of 4), PFA Consulting, Dated June 2024.</p> <p>- Flood Risk Assessment (part 3 of 4), PFA Consulting, Dated June 2024.</p> <p>- Flood Risk Assessment (part 4 of 4), PFA Consulting, Dated June 2024.</p> <p>NYC does not raise any objections in relation to the study area and methodology, baseline, assessment and predicted impacts.</p>	Agreed
A.14.2	ES Baseline	<p>The scope of the baseline data gathering is set out in Section 9.4 of ES Chapter 9: Water Environment [APP-029]. The Applicant</p>		

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		considers that the scope of FRA is commensurate with the scale and scope of the Proposed Development.		
A.14.3	Flood Risk Assessment (FRA)	The Proposed Development has been informed by a Flood Risk Assessment (FRA) [APP-232-235] , ensuring the Proposed Development does not increase flood risk elsewhere and incorporates sustainable drainage systems.		
A.14.4	Predicted Impacts	The Applicant has set out their assessment of impacts on flood risk in Section 9.5 of ES Chapter 9: Water Environment [APP-029] .		
A.14.5	Design, Mitigation and Enhancement Measures	Primary design measures (i.e. embedded measures) are set out in ES Chapter 9: Water Environment [APP-029] , including permanent design measures as well as specific measures that will be contained within the detailed CEMP.	<p>NYC notes at paragraph 15.3 of the LIR [REP2-034] that the site will utilise attenuation basins that will use flow control chambers fitted with remotely operated/automated penstock valves:</p> <ul style="list-style-type: none"> - The surface water will then discharge to watercourses at a controlled rate. - Watercourse buffers will also be used to slow overland flow rates. 	Agreed

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
			<ul style="list-style-type: none"> - Swales will be incorporated to catch overland flow. - Flood defence bunds will be constructed to reduce the fluvial flood risk. <p>NYC confirms at paragraph 15.4 that, acting as LLFA, it finds this a suitable way to manage surface water on the Site.</p>	

A.15 Soils and Agricultural Land

Table A.15: Soils and Agricultural Land

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.15.1	ES Study Area and Methodology and baseline	The Study Area and Methodology and baseline are set out in Section 14.3 of ES Chapter 14: Soils and Agriculture [APP-034] .	<p>NYC confirms at paragraph 18.3 of the LIR [REP2-034] that it has reviewed the information supplied within Chapter 4 - Alternatives and Design Evolution [APP-024] and ES Chapter 14: Soils and Agriculture [APP-034].</p> <p>NYC states at paragraph 18.4 of the LIR that the applicant's Agricultural Land Classification and the Outline Soil Resources Management Plan [REP2-011] are noted.</p> <p>NYC does not raise any objections to the ES study area, methodology and baseline and the oSRMP.</p>	Agreed
A.15.2	Use of BMV land	The consideration of alternatives to the Proposed Development is set out in the ES Chapter 4: Alternatives and Design Evolution [AS-013] and the Alternative Site Assessment [APP-227] . This is considered to be in accordance with the requirements of the EIA Regulations and relevant policy. A sequential test based approach is not required in respect of BMV land.	<p>NYC notes at paragraph 18.5 of the LIR [REP2-034] that the Applicant has sought to locate the Proposed Development in areas of lower soil quality however it remains that it will be constructed on BMV.</p> <p>NYC states at paragraph 18.6 that seeks to understand better the site selection process, in particular whether there are alternative grid connections available in the UK and if so are</p>	Not Agreed

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		<p>The Applicant benefits from a grid connection at Drax 132kV National Grid Substation. Taking the grid connection as a starting point (EN-3, Paragraph 2.10.24), the Applicant has undertaken a detailed Alternative Site Assessment which takes into consideration the extent and availability of land required, the site and surrounding land uses, known environmental designations, relevant policies and committed developments. This has resulted in the proposed location of the Proposed Development.</p> <p>The Site Selection process as set out in the Planning Statement has determined that the use of BMV land is necessary.</p> <p>The site selection process determines that the use of BMV is unavoidable, given alternative sites within proximity of the grid connection point are also classified as BMV, or unsuitable on the basis of land fragmentation/severance, environmental constraints or committed for other uses/development.</p>	<p>these in areas where soil quality is not BMV. If there are alternatives, the Authority seeks to understand why the Drax connection was chosen and alternatives discounted.</p>	

A.16 Cumulative Effects

Table A.16: Cumulative Effects

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.16.1	Assessment of cumulative effects	<p>Each technical chapter within the ES includes a summary of cumulative effects, which are subsequently summarised in Chapter 15 Cumulative Effects [APP-035] which addresses both inter- and intra-project effects.</p> <p>The chapter discusses intra-project effects that may be relevant to the health and wellbeing of users of public rights of way (“PRoW”), such as the combined effect of noise disturbance and the visual effect of construction. and decommissioning activities, concluding that any adverse effects would be short term, temporary and not significant. It also considers the combined effect of noise disturbance (from plant), visual impacts and glint and glare on users of PRoW during operation of the Proposed Development, concluding that landscape planning proposals and the noise mitigation which is incorporated into the Proposed Development’s design means that significant intra-project effects are not anticipated.</p> <p>The only significant cumulative effects are identified in relation to landscape (adverse), biodiversity (beneficial) and socio-economics (beneficial). It is not anticipated the adverse cumulative landscape effect is significant in health terms.</p>	<p>NYC notes at paragraph 19.1 of the LIR [REP2-034] that cumulative effects are set out in ES Chapter 15: Cumulative Effects. NYC notes at paragraphs 19.2 and 19.3 that a major/moderate adverse (significant) effect would remain as a consequence of the Proposed Development in combination with the cumulative schemes in respect of Landscape and that cumulative benefits are identified for Biodiversity and Socio-Economics.</p> <p>NYC states at paragraph 19.4 that it would like to see further assessment and consideration of cumulative impact, and how these impacts may be mitigated and offset.</p>	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
		Section A.11.9 addresses cumulative landscape effects.		

A.17 Draft DCO (Including requirements in the Draft DCO)

Table A.17: Draft DCO (Including requirements in the Draft DCO)

Ref.	Description of Matter	Applicant – Current Position	NYC – Current Position	Status
A.17.1	Procedure for discharge of DCO Requirements	Schedule 2 Part 2 of the dDCO [AS-007] sets out the procedure for discharge of requirements. An updated dDCO has been submitted at Deadline 4 which takes into account the comments received on the dDCO.	NYC have provided comments on the dDCO [AS-016] .	Under discussion
A.17.2	Traffic & Transport (inc PRow)	Management of street works and public rights of way are secured within the dDCO [AS-007] . An updated dDCO has been submitted at Deadline 4.	NYC will review the dDCO submitted at Deadline 4.	Under discussion

