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# **FENWICK SOLAR FARM**

**Fenwick Solar Farm  
EN010143**

**Applicants Response to Examining Authority's Second Written  
Questions (ExQ2)**

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# 1. Introduction

- 1.1.1 The purpose of this document is to provide Fenwick Solar Project Limited's (the Applicant) responses to the Examining Authority's (ExA) second written questions (ExQ2) **[PD-010]** which are directed to the Applicant.
- 1.1.2 Section 1.2 of this report is tabularised to include the ExA's questions and a response to each question as follows:
- a. The Development Consent Order and other consents (7 questions, 6 for the Applicant);
  - b. General and cross-topic questions (2 questions, 1 for the Applicant);
  - c. Other projects and cumulative effects (1 question for the Applicant);
  - d. Biodiversity (27 questions, 24 for the Applicant);
  - e. Soils and agriculture (2 questions for the Applicant);
  - f. The historic environment (3 questions for the Applicant);
  - g. Transport and access, highways and public rights of way (7 questions, 6 for the Applicant);
  - h. Noise and vibration, air quality and nuisance (2 questions for the Applicant);
  - i. Other planning matters (7 questions, 5 for the Applicant); and
  - j. Compulsory Acquisition and related matters (2 questions, 1 for the Applicant).

**Table 1-1: Abbreviations**

Abbreviation	Definition
AMS	Archaeological Mitigation Strategy
ATC	Automatic Traffic Count
BESS	Battery Energy Storage System
BHT	Burnett Heritage Trust
BMV	Best and Most Versatile
BNG	Biodiversity Net Gain
BS	British Standard
CEMP	Construction Environmental Management Plan
DBA	Desk Based Assessment
DCO	Development Consent Order
DEMP	Decommissioning Environmental Management Plan
ECMR	Environmental Commitments and Mitigation Register

<b>Abbreviation</b>	<b>Definition</b>
ES	Environmental Statement
ExA	Examining Authority
ExQ1	ExA's First Written Questions
ExQ2	ExA's Second Written Questions
GCC	Grid Connection Corridor
HGV	Heavy Goods Vehicle
HMMP	Habitat Management and Monitoring Plan
HRA	Habitats Regulations Assessment
ISH	Issue Specific Hearing
km	Kilometer
LEMP	Landscape and Ecological Management Plan
LWS	Local Wildlife Site
m	Meter
NSER	No Significant Effects Report
ODPS	Outline Design Parameters Statement
OEMP	Operational Environmental Management Plan
OMH	Open Mosaic Habitat
PPs	Protective Provisions
PRoW	Public Right of Way
PV	Photovoltaic
SAC	Special Area of Conservation
SMP	Soil Management Plan
SoCG	Statement of Common Ground
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
YHT	Yorkshire Wildlife Trust

## 1.2 Responses to the Examining Authority's Second Written Questions

Table 1-2. Responses to ExQ2

ExQ2	Respondent	Question	Applicant's Response
<b>1. The draft Development Consent Order and other consents</b>			
1.1.1	Applicant	Article 11 - Notwithstanding other precedents, please explain why this power is not limited to streets and rights of way within the Order limits. Please also provide further justification as to why the power is appropriate and proportionate having regard to the impacts on pedestrians and others of authorising temporary working sites in these streets.	<p>It is a generally accepted principle that highways powers relating to Development Consent Orders may include the use of powers beyond the scope of Order limits. This reflects the understanding that the specific highways works identified for schemes at the point of application reflect the best understanding of works required at that time, but may require tweaking, particularly where the baseline context of the street or of public right of way may change between DCO application and the construction period and ongoing operational lifetime of the Order (i.e. streets may be altered or new streets or public rights of way created). It would be disproportionate to require the undertaker to seek a variation to the consent to add additional small additional areas for the closure, alteration or diversion of streets or public rights of way to Schedule 6, or to have to otherwise seek separate permissions for such works outside of the DCO.</p> <p>While noting the request in ExQ2 for an explanation beyond just other precedents, it must be recognised this broader scope has been utilised in several made DCOs to date, as listed within the</p>

ExQ2	Respondent	Question	Applicant's Response
			<p>Explanatory Memorandum as well as both solar DCOs made by the Secretary of State in 2025 (East Yorkshire and Oaklands).</p> <p>For Fenwick Solar Farm in particular, it is possible that minor, temporary diversion of public rights of way outside of the Order limits may occur for those public rights of way which “dip” in and out of the Order limits in the centre of the Solar PV Site (such as Fenwick 12). While construction works are ongoing, minor diversions or closures may be necessary for the safe management of the public right of way.</p> <p>Other similar minor divergences from the works to streets or public rights of way as reflected in Schedule 6 may occur over the operational lifetime of the Scheme (40 years), where other minor closures for maintenance works are required. For example, works to repair any impacts on the condition of surrounding streets by construction vehicles, as provided for within the <b>Framework CTMP</b>, may require the use of these powers.</p> <p>However, the drafting of this power remains subject to appropriate controls which ensure the ongoing rights of pedestrians and the proportionality of the power, specifically:</p> <ul style="list-style-type: none"><li>• The requirement at Article 11(2) for the undertaker to provide reasonable access for pedestrians affected by the temporary closure,</li></ul>

ExQ2	Respondent	Question	Applicant's Response
			<p>restriction, alteration or diversion of a street or public right of way.</p> <ul style="list-style-type: none"> <li>• A requirement for the consent of the street authority, including any reasonable conditions they may apply, for streets or public rights of way closed, altered or diverted under the general power (whereas such closures, alterations or diversions as specified within Schedule 6 only require consultation with the street authority).</li> <li>• The requirement to pay compensation to any persons who suffer loss by the suspension of private rights of way (such as closure of driveway access off a closed street).</li> <li>• The use of the general power would also be controlled by the mechanisms within the DCO which provide that the authorised development cannot give rise to materially new or materially different effects from those assessed in the ES (see response to ExQ2 1.1.4). This further ensures that significant closures, alterations or diversions could not be enabled by the general power, as they would not have been appropriately assessed within the ES.</li> </ul>
1.1.2	Applicant	Articles 9 and 10 - This is a wide power – authorising alteration etc. of <u>any</u> street within the Order limits. Please explain why this power is necessary for this	<p><b>General power for alteration</b></p> <p>Article 9(2) retains general powers for the alteration of any streets within the Order limits on the basis</p>



ExQ2	Respondent	Question	Applicant's Response
		<p>particular project and why it should not be limited to identified streets.</p> <p>Article 9(5) says that paragraphs (3) and (4) do not apply where the undertaker is the street authority. Please explain in what circumstances the undertaker might also be the street authority (ie when this sub-paragraph might apply). A similar point arises in relation to sub-paragraph 10(6).</p>	<p>that, while the specific areas for street alteration have been identified within the Schedule 5, at the point of detailed design, construction or operation of the authorised development, minor additional alterations may be identified and required for the appropriate development of the Scheme.</p> <p>This reflects the understanding that the DCO represents a broad consent, which will be appropriately refined at the point of detailed design, as subject to the sign off by the relevant planning authority (in consultation with identified stakeholders). Despite the Applicant's best efforts to identify all possible street alterations required at the point of application, it remains possible that minor alterations may have been missed. The general power within Article 9(4) reflects that it would be disproportionate to require the undertaker to seek a variation to the consent to add additional small alteration areas to Schedule 5, or to have to otherwise seek separate permissions for the works outside of the DCO.</p> <p>Instead, this general power is appropriately subject to greater controls than the specific powers relating to the identified alterations in Schedule 5. Specifically, any use of the general power requires the consent of the street authority. The undertaker does not require this consent for the carrying out of alterations specified in Schedule 5. The use of the general power would also be controlled by the</p>

ExQ2	Respondent	Question	Applicant's Response
			<p>mechanisms within the Order which provide that the authorised development cannot give rise to materially new or materially different effects from those assessed in the ES (see response to ExQ2 1.1.4). This further ensures that large scale additional alterations could not be enabled by the general power, as they would not have been appropriately assessed within the ES.</p> <p>The Applicant notes that this general power has been utilised in several made DCOs to date, as listed within the Explanatory Memorandum as well as both solar DCOs made by the Secretary of State in 2025 (East Yorkshire and Oaklands).</p> <p><b>Circumstances in which the undertaker may also be the street authority</b></p> <p>The inclusion of Article 9(5) and 10(6) to recognise the circumstance may arise where the undertaker is also the street authority. This arises from the broad definitions for “street” and “street authority” within the New Roads and Street Works Act 1991. Specifically,</p> <ul style="list-style-type: none"><li>• Section 48(1) defines “street” as “the whole or any part of any of the following, irrespective of whether it is a thoroughfare— (a)any highway, road, lane, footway, alley or passage, (b)any square or court, and (c)any land laid out as a way whether it is for the time being formed as a way or not.”</li></ul>

ExQ2	Respondent	Question	Applicant's Response
			<ul style="list-style-type: none"> <li>Section 49(1) of that Act defines the street authority as: <i>“(a) if the street is a maintainable highway, the highway authority, and (b) if the street is not a maintainable highway, the street managers.”</i></li> <li>Finally, relevant to (b), “street managers” are further defined at 49(4) as <i>“the authority, body or person liable to the public to maintain or repair the street or, if there is none, any authority, body or person having the management or control of the street.”</i></li> </ul> <p>As the definition of “street” is so broad, and may include private access tracks or roads over which the local highway authority or street authority is not responsible, the undertaker may be caught as a street authority where it is the body/person liable to maintain, repair or otherwise manage the street. The inclusion of Articles 9(5) and 10(6) manage that circumstance, and reflect that where that is the case the undertaker would not need to obtain formal approvals from itself under the DCO.</p>
1.1.3	Applicant	<p>Article 38(1) says that the undertaker may fell or lop any tree or shrub within or overhanging the authorised development.</p> <p>Consider whether “authorised development” should be replaced with “order limits”. This would make</p>	<p>This amendment has been included in the draft DCO submitted for Deadline 4.</p>

ExQ2	Respondent	Question	Applicant's Response
		more sense and would be consistent with the wording in article 39(1).	
1.1.4	Applicant	<p>The ExA notes the inclusion of subparagraph 3(3) in the recently made Oaklands Solar Farm Order. This provision was inserted by the SoS to make clear that the development consent granted does not authorise works which are likely to give rise to any materially new or materially different environmental effects. Please include a similar provision in the draft order or explain why it is not necessary.</p>	<p>The draft DCO for Fenwick Solar Farm already includes this control and phrasing within the definition of authorised development at Schedule 1 of the draft DCO, specifically providing wording at the end of the Schedule that the works listed and any other associated development are authorised <i>“only within the Order limits and insofar as they are unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.”</i> The description of the authorised development within Schedule 1 of the Oaklands Solar Farm Order 2025 did not include this proviso.</p> <p>The control and phrasing is also used throughout the rest of the DCO, to further ensure this control, including:</p> <ul style="list-style-type: none"> <li>• In Article 5(3), which provides that any works to maintain the authorised development cannot give rise to materially new or materially different effects.</li> <li>• In Requirement 2 of Schedule 2, which provides that approval by the relevant planning authority for the final documents and plans under Article 40 must not be given except where it is demonstrated that <i>“the subject matter of the</i></li> </ul>

ExQ2	Respondent	Question	Applicant's Response
			<p><i>approval sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement."</i></p> <ul style="list-style-type: none"> <li>• In Schedule 15, which provides at paragraph 2 that applications for the discharge of requirements must include a statement to confirm if the subject matter of the application will give rise to any materially new or materially difference environmental effects from those in the ES.</li> </ul>
1.1.5	Applicant	Article 35(3)(a) – please inset the word ‘or’ after the semi colon to ensure consistency with other made orders.	This amendment has been included in the draft DCO submitted for Deadline 4.
1.1.7	Applicant	In REP3-031 (Summary of Oral Submissions for ISH2), the applicant indicates that it has provided an appendix (Appendix A) which explains the changed made by the SoS to the East Yorkshire Solar Farm decision and why these have or have not been carried forward to the dDCO. Please signpost where in the deadline 3 documents this appendix can be found.	The Applicant notes that this appendix was not included within <b>[REP3-031]</b> in error. The Appendix is now provided as Appendix A to this document.

ExQ2	Respondent	Question	Applicant's Response
<b>2. General Matters</b>			
1.2.2	Applicant	<p>Environmental Commitments and Mitigation Register (ECMR) [REP3-011], the Outline Design Parameters Statement (ODPS) [REP2-027] and ES Chapter 11: Noise and Vibration [APP-063].</p> <p>Commitment #NV-08 within the ECMR states that there could be a situation in the future where the number of field stations could increase from the 28 that have been modelled based on the illustrative layout. However, the ODPS (page 5) for Field Stations states there would be a maximum number of 28 field stations. Paragraph 11.4.54 of Chapter 11 states that for the purposes of the Rochdale Envelope, that 28 field stations were modelled and that up to 28 field stations can be located within the solar photovoltaic (PV) site without triggering significant effects provided they are not within 250m of any residential receptor. Please:</p> <ul style="list-style-type: none"> <li>comment on this discrepancy between the ECMR and the ODPS and Chapter 11;</li> <li>given the ODPS provides the guiding framework for the detailed design of the project, comment on how the information within Commitment #NV-08 aligns with the overarching principles, objectives and assessments carried out as part of the ES, for example Appendix 11-4: Construction and Operation and Maintenance Noise Modelling</li> </ul>	<p>The Applicant acknowledges the discrepancies regarding the maximum number of Field Stations within the <b>Outline Design Parameters Statement (ODPS) [REP2-027]</b> and other documents submitted for the Scheme. The <b>EMCR, Framework OEMP, and ES Volume I, Chapter 11: Noise and Vibration</b> have been updated for Deadline 4 to confirm that the Scheme will comprise a maximum of 28 Field Stations.</p> <p>A maximum of 28 Field Stations, incorporating 99 Field Station Units, was modelled based on the illustrative layout for the Scheme. The Applicant confirms that this represents a worst-case within the Rochdale Envelope and is not intending to extend or redefine the parameters detailed in the <b>ODPS [REP2-027]</b>.</p>

ExQ2	Respondent	Question	Applicant's Response
		[APP-172] and the Rochdale Envelope for Chapter 11 of the ES; and confirm how many field stations were modelled as part of Appendix 11-4: Construction and Operation and Maintenance Noise Modelling and Chapter 11: Noise and Vibration [APP-063].	
<b>Other projects and cumulative effects</b>			
1.4.1	Applicant	<p>ES Chapter 15: Cumulative Effects and Interactions [APP-067].</p> <p>Given the potential for overlap of construction vehicles at Thorpe Marsh Substation for this proposal and those identified within the cumulative impact short list, please confirm if there are updates to the projects within the short and long list review. Please confirm how heavy goods vehicles (HGVs) accessing Thorpe Marsh Power Station would interact with HGVs accessing/egressing those schemes contained within the short and long list review.</p>	<p>The Applicant has reviewed the long and short list of cumulative developments, as well as the discharge of condition for application 25/01312/COND, and can confirm there are no updates which effect the conclusion of <b>ES Volume I, Chapter 15: Cumulative Effects and Interactions [APP-067]</b>.</p> <p>As indicated in the <b>Traffic Flow Diagrams [REP2-065]</b>, only six two-way daily HGV vehicle movements associated with construction along the Grid Connection Corridor are predicted to use Thorpe Bank/Marsh Road where there is potential for interaction with HGVs travelling to/from Thorpe Marsh Power Station (accessed from Fordstead Lane). Appropriate mitigation to lessen the impacts of HGV movements are provided within specific sections of the <b>Framework CTMP</b>. Swept path analysis (Section 4.4) has demonstrated that the design of the accesses and the suitability of the construction routes are appropriate. Mitigation</p>

ExQ2	Respondent	Question	Applicant's Response
			measures include temporary traffic management (Section 5.2.4), and introduction of measures and controls (Section 5.3).
<b>6. Biodiversity (including HRA and Biodiversity Net Gain)</b>			
1.6.1	Applicant	<p>Table 8-11 of Chapter 8: Ecology [APP-060], non-statutory designated sites within the Order limits (pages 8-117 - 8-118 Decommissioning).</p> <p>This section states that whilst it is preferred to leave the grid connection cables <i>in situ</i>, the cables can be removed by opening up the ground at regular intervals and pulling the cables through to an extraction point. It states that dependent on decommissioning methods it should be possible to avoid siting extraction points within local wildlife sites (LWSs) which are present within the grid connection corridor to avoid any impact pathways to these sites. It states that “<i>measures to remove impacts to LWS’s during decommissioning are included within the Framework DEMP and secured as part of the DCO. This includes siting extraction points away from LWS’s (if cabling is to be removed) and pollution control</i>”. Please direct us to where these measures are secured in the framework Decommissioning Environmental Management Plan (fDEMP) or update that document accordingly (along with the ECMR).</p>	<p>Table 3 (page 18) of the <b>Framework DEMP</b> states that “<i>a. The decommissioning of the Grid Connection Cables will not directly impact any watercourses or designated sites. The cables would either be left in situ or removed by opening the ground (away from the ecological sites and habitats) and pulling the cable through to the extraction point.</i>”</p> <p>#EC-01 in the <b>ECMR</b> has been updated for Deadline 4 to include “<i>During the decommissioning phase, Grid Connection Cables will be left in situ or removed by opening the ground (away from the ecological sites and habitats) and pulling the cable through to the extraction point.</i>”</p>



ExQ2	Respondent	Question	Applicant's Response
1.6.2	Applicant	<p>Table 8-12 of Chapter 8: Ecology [APP-060], determination of potential impacts and effects on important ecological features – habitats and species (page 8-132).</p> <p>For aquatic macroinvertebrates and macrophytes, why (when it has said impacts will be temporary and habitats reinstated within two years) there would not be potential for an effect to occur and given there would be a direct loss of Low importance running water habitats and potential for fragmentation of populations of species and habitats (page 8-131).</p>	<p>The baseline conditions for aquatic macro-invertebrates and macrophytes are set out in Table 8-8 of <b>ES Volume I, Chapter 8: Ecology</b> which describes the baseline for aquatic macro-invertebrates as being of Local importance and characterised by <i>“common and widespread species, only”</i>, but acknowledges that suitable habitat for two aquatic beetles of high conservation value could be present on site.</p> <p>Aquatic macrophytes were only considered of Site importance, and therefore, based on the criteria set out in Section 8.8.1 of <b>ES Volume I, Chapter 8: Ecology</b> which states that <i>“features of Site importance i.e. less than Local importance, are not considered further in the assessment process”</i>, should not have been taken forward in Table 8-9 as an Important Ecological Feature (IEF).</p> <p>Irrespective of this, the measures that protect watercourses during construction set out in the <b>Framework CEMP [REP3-013]</b> and <b>ECMR</b> minimise impacts to watercourses and any macrophytes they support.</p> <p>With regard to aquatic macro-invertebrates, whilst any interest is more likely to be associated with main watercourses, of which non-intrusive crossing measures will be employed to avoid impacts and acknowledging that surveys did not record any species of conservation value to ensure consistency with the assessment of Low importance</p>

ExQ2	Respondent	Question	Applicant's Response
			running water habitats, Paragraph 8.12.12, Table 8-8, and Table 8-13 of <b>ES Volume I, Chapter 8: Ecology</b> have been updated for Deadline 4 to reflect this. These updates do not change the conclusions of the assessment.
1.6.3	Applicant	Table 8-12 of Chapter 8: Ecology [APP-060], determination of potential impacts and effects on important ecological features – habitats and species (page 8-133) states there would be appropriate mitigation to relocate aquatic species away from the works area during construction. Please direct us to where it states this within the framework Construction Environmental Management Plan (fCEMP) [REP3-013] and the ECMR [REP3-011].	The following text in <b>ES Volume I, Chapter 8: Ecology</b> was included in error and has been removed from Table 8-12 for Deadline 4: <i>“There will be minimal risk of mortality of any species associated with running water during construction of the Scheme, with appropriate mitigation to relocate aquatic species away from the works areas during construction.”</i> This text is not appropriate or proportionate in the consideration of potential effects on aquatic macroinvertebrates and macrophytes. The Applicant has therefore not made any updates to the <b>Framework CEMP [REP3-013]</b> or <b>ECMR</b> in respect to this matter.
1.6.4	Applicant	Table 8-12 of Chapter 8: Ecology [APP-060], determination of potential impacts and effects on important ecological features – habitats and species (page 8-139) states that there would be no potential for an effect to occur on terrestrial invertebrates. However, during the construction phase, it is acknowledged that open mosaic habitat (OMH) has value for invertebrate species and that would be temporarily removed as part of the grid connection	As noted in Table 8-12 of <b>ES Volume I, Chapter 8: Ecology</b> , OMH has the potential to support associated invertebrate populations of conservation importance. To reflect this, further clarification on invertebrate species associated with OMH has been included in Paragraph 8.12.11 to 8.12.14 and Table 8-13 of <b>ES Volume I, Chapter 8: Ecology</b> . These updates do not change the conclusions of the assessment.

ExQ2	Respondent	Question	Applicant's Response
		corridor (GCC) works. Temporary loss of OMH during the construction phase on page 8-129 is said to have potential for an effect. Please explain how temporary removal of OMH would not have an effect on terrestrial invertebrates using that habitat.	The Applicant would also reiterate that the classification of OMH has been made on worst case basis in the absence of access for survey and it is likely that the land in question will not meet the criteria for OMH.
1.6.5	Applicant	Table 8-12 of Chapter 8: Ecology [APP-060], determination of potential impacts and effects on important ecological features – habitats and species (page 8-147). Please explain how any pre-commencement checks for where any unexpected maintenance is required on trees potentially supporting roosting bats would be delivered within the Framework Operational Environmental Management Plan (fOEMP) [REP2-031] and the ECMR [REP3-011].	The Applicant has updated Table 3-3 (page 15) of the <b>Framework OEMP</b> and #EC-04 of the <b>ECMR</b> for Deadline 4 to include a requirement for pre-commencement checks by an appropriately licensed ecologist to be undertaken prior to any unexpected maintenance required on trees potentially supporting roosting bats.
1.6.6	Applicant	Paragraph 8.12.11 of ES Chapter 8: Ecology [APP-060] says that there would be a temporary loss to an area of OMH in the GCC for the installation of cables by trench. The paragraph says that materials and vehicles would not be stored on retained areas of this habitat and appropriate measures would be in place to ensure there is no incursion during construction into retained habitat and stand-off buffers would be in place. If GCC cable laying is taking place within the OMH, how would a 'sacrificial' area of OHM be established to ensure safeguarding of retained OMH and therefore an appropriate buffer zone.	As set out in Table 3-3 of the <b>Framework CEMP [REP3-013]</b> , surveys will be undertaken to determine the presence of OMH and its exact location within the Order limits. This will inform the final route and working area of the Grid Connection Cables. If it is not possible to avoid installation of Grid Connection Cables through areas of OMH, the Scheme will look to minimise the area impacted. Any storage areas will be placed away from OMH and areas of OMH not within the working area for cable installation will be clearly defined and protected from intrusion by security fencing.

ExQ2	Respondent	Question	Applicant's Response
1.6.7	Applicant	<p>Tables 8-13, 8-14 and 8-15 ES Chapter 8: Ecology [APP-060].</p> <p>There appear to be typos within paragraphs 8.1.39 and 8.1.46. Please confirm the purpose of table 8-15 (which appears to have the same title as table 8-13) is to display the magnitude of impact and significant effect on ecological features where enhancement measures are to be delivered not a summary of magnitude during the construction phase.</p>	<p><b>ES Volume I, Chapter 8: Ecology</b> has been updated for Deadline 4 to correct the table references in Paragraph 8.12.39 and Paragraph 8.12.46.</p> <p>The title of Table 8-15 in <b>ES Volume I, Chapter 8: Ecology</b> has also been updated for Deadline 4 to 'Summary of Magnitude of Impact and Significance of Effect (with Enhancement)' to differentiate it from Table 8-13.</p>
1.6.8	City of Doncaster Council, the applicant	<p>Please confirm who currently has responsibility for the Went Valley LWS within the Order limits and who would be responsible for its management during the life of the project and how this would interact with the management plans.</p>	<p>Areas of the Went Valley LWS within the Order limits are currently the responsibility of the current landowner. Should the DCO for the Scheme be granted, the land would be under the responsibility of the Applicant and management would follow the prescriptions set out in the <b>Framework LEMP [REP3-017]</b>.</p>
1.6.9	Applicant	<p>Table 8-16 ES Chapter 8: Ecology [APP-060].</p> <p>Please clarify why a cumulative significant effect of 'yes' has been given when there appears to be no interaction with the schemes identified in the table?</p>	<p>The righthand column in Table 8-16 of <b>ES Volume I, Chapter 8: Ecology</b> considers the significance of the effect at the end of the cumulative assessment. Although the identified projects may not act cumulatively with the Scheme, the Scheme has generated a significant effect on its own which remains at the end of the cumulative assessment. For example, habitat improvements to the Went Valley LWS within the Order limits generate a moderate beneficial effect on this feature from Scheme. Neither of the projects considered in the</p>

ExQ2	Respondent	Question	Applicant's Response
			cumulative assessment interact with the Went Valley LWS and, therefore, do not act cumulatively to change the assessment of Scheme on its own. As such, there remains a moderate beneficial effect which is significant.
1.6.11	Applicant	Figure 8-5-2 of the Hedgerow Report [REP3-010]. Hedgerow 94 appears to have multiple sections removed as shown on figure 8-5-2 totalling approximately 77.5m in length which is approximately 53% of that total hedgerow. There is also proposed to be gapping up of this hedgerow. Please explain whether the hedgerow removal for H94 is temporary for the construction phase or the duration of the operation and in which case, how will gapping up align with this. Why is this called "N/A defunct" in table 2 under the heading "Important hedgerow Y/N".	Hedgerow 94 is labelled as 'N/A defunct' in Table 2 of <b>ES Volume III, Appendix 8-5: Hedgerow Report [REP3-010]</b> because there are substantial gaps along the length of the hedgerow, meaning it is essentially defunct as a hedgerow. As such, it has not been possible to complete the other scoring criteria in Table 2. The areas shown in red as hedgerow removal more accurately reflect where the existing gaps are located. As such, this does not (in reality) reflect loss of sections of a hedgerow. Access through Hedgerow 94 will be for the construction phase only, so gapping up along Hedgerow 94 will be possible once construction is complete.
1.6.12	Applicant	Framework Landscape Ecological Management Plan (fLEMP) [REP3-017] Appendix A Indicative Landscape Masterplan. Please confirm: <ul style="list-style-type: none"> <li>Why this drawing identifies construction compounds on it;</li> </ul>	Construction compounds are shown on Appendix A of the <b>Framework LEMP [REP3-017]</b> to indicate areas within the Solar PV Site which will be subject to temporary compound areas during the construction phase. Both construction compound areas will be used for Solar PV Panels once their use as compounds is complete.

ExQ2	Respondent	Question	Applicant's Response
		<ul style="list-style-type: none"> <li>Which phase (construction/operational) this plan is for; and why wetland scraps are not shown on this drawing to identify where they would be located.</li> </ul>	<p>The Indicative Landscape Plan considers the land use during both construction and operation and maintenance. The location of wetland scrapes within the River Went corridor is not shown as the specific location of these will be determined in the detailed LEMP and take consideration of specific on the ground conditions and existing topography.</p>
1.6.13	Applicant, City of Doncaster Council	<p>fLEMP [REP3-017] and BHT written representation at deadline 3 [REP3-035].</p> <p>Please comment on the BHT request for a commitment to include a number of small headlands of pollinator and bird seed crop mixes along hedgerow edges or planned ecological mitigation areas and the request for a commitment that these areas remain ungrazed and reinstated biannually for the duration of the scheme.</p>	<p>As set out in the <b>Framework LEMP [REP3-017]</b>, the creation of extensive areas of neutral grassland of moderate condition outside of the security fencing will provide the same functions for pollinators and birds as conservation measures, such as headlands do in intensive arable farming settings.</p>
1.6.14	Applicant	<p>fLEMP [REP3-017]. Paragraph 5.3.9 of the fLEMP says that the scheme would provide:</p> <ul style="list-style-type: none"> <li>6.76km of enhanced species rich native hedgerow in good condition</li> <li>1.35km enhanced species rich native hedgerow associated with bank or ditch in good condition</li> <li>8.38km enhanced species rich native hedgerow with trees in good condition</li> </ul>	<p>The specific locations of these proposed habitats are shown in Appendix C of the <b>BNG Assessment</b>.</p>

ExQ2	Respondent	Question	Applicant's Response
		<ul style="list-style-type: none"> <li>6.71km enhanced species rich native hedgerow with trees associated with bank or ditch in good condition.</li> </ul> <p>This paragraph says that this is based on the Indicative Landscape Masterplan within Appendix A in the fLEMP and Figure 2-3: Indicative Site Layout [APP-074]. Please provide details as to which proposed native hedgerow/vegetated boundary and proposed riparian edge hedgerow and trees equates to these.</p>	
1.6.15	Applicant	<p>The BHT made several suggested mitigation measures within their written representations at deadline 1 [REP1-054]. We note the applicant has responded to this at Deadline 2 [REP2-058]. Please clarify why permissive footpaths and the creation of a bird hide could not and would not form part of enhancement measures provided for this proposal.</p>	<p>The creation of a bird hide within the Order limits would not be appropriate in the context of the habitats delivered by the Scheme. For example, it would not be possible to create a hide overlooking areas of grassland creation or wetland enhancement without compromising the integrity of these habitats, e.g. through creating unwanted disturbance.</p> <p>Equally, the provision of permissive footpaths would not be feasible as linkages to the existing network would need to be provided outside the Order limits, which is outside the control of the Applicant. Permissive paths also have the potential to decrease the value of areas of ecological enhancement through disturbance.</p> <p>The Applicant has also received express confirmation from the landowners that they would</p>

ExQ2	Respondent	Question	Applicant's Response
			not consent to the inclusion of permissive paths across their land.
1.6.16	Applicant	<p>fLEMP [REP3-017] section 6: pre and post construction monitoring.</p> <p>This section sets out what monitoring of flora and fauna would take place. Paragraph 6.1.5 states that results from the post construction monitoring would feed into the management plan and, if required, management may be amended. Please confirm whether the monitoring and management would include adaptive land management measures introduced if any adverse results became apparent through monitoring and what these triggers would be for adaptive measures.</p>	<p>The Applicant can confirm that management measures will be adaptive and management may be amended, as indicated in Paragraph 6.1.5 of the <b>Framework LEMP [REP3-017]</b> which states that <i>“provision will be included for identifying and agreeing any remedial actions that may be required.”</i></p> <p>Any triggers for taking remedial action would be discussed and agreed with the relevant stakeholders, including City of Doncaster Council and would be informed by the results of the operational monitoring. These triggers would be specific to the ecological feature and specific habitat type.</p>
1.6.17	Applicant	<p>Please direct us to where within Chapter 8: Ecology [APP-060], the ECMR [REP3-011] and the fCEMP [REP3-013] there are details of what mitigation measures would be in place to reduce disturbance from construction noise, including piling, for breeding and non-breeding birds.</p>	<p>The assessment presented in <b>ES Volume I, Chapter 8: Ecology</b> did not identify the need for specific mitigation measures to reduce disturbance from construction noise for breeding and non-breeding birds. Further clarification regarding specific species was provided by the Applicant at Deadline 1 [REP1-031]. This also did not identify the need for any specific mitigation for construction noise.</p> <p>Irrespective of this and, in line with the relevant legislation surrounding species listed on Schedule</p>



ExQ2	Respondent	Question	Applicant's Response
			<p>One of the Wildlife and Countryside Act (1981) as amended, pre-commencement surveys for breeding birds will be undertaken to establish the presence of any Schedule One listed species which may be subject to disturbance and therefore contravention of the relevant legislation. If found to be present, specific mitigation measures, such as construction exclusion areas, will be established. The requirement for these surveys is secured in Table 3-3 of the <b>Framework CEMP [REP3-013]</b>,</p>
1.6.18	Applicant	<p>Applicant's Response to ExQ1 [REP2-059], fLEMP paragraph 7.3.19 [REP3-017] and framework Soil Management Plan (fSMP) [REP2-033].</p> <p>In answer to ExQ1.6.17, the applicant states that the fSMP outlines measures that will be taken to protect topsoil from ecologically important locations such as woodland and hedgerow soils. Please explain why soils stripped from OMH are not included within paragraph 4.6.4 of the fSMP given paragraph 7.3.19 of the fLEMP states that the substrate must be stored appropriately to prevent it from mixing with any nutrient-rich substrates.</p>	<p>The Applicant has updated Paragraph 4.6.4 of the <b>Framework SMP</b> for Deadline 4 to include reference to open mosaic habitat as a further ecologically important soil to be considered when stripping and storing soils during construction.</p>
1.6.20	Applicant	<p>YWT written representations at deadline 3 [REP3-038] and BHT written representations at deadline 3 [REP3-035].</p> <p>Please clarify which mitigation measures and what compensation design has been provided within the</p>	<p>The Applicant would reiterate that there is currently no official candidate SSSI and that no verification of the submitted application has been undertaken by Natural England. As such, there have been no specific mitigation measures included within the</p>

ExQ2	Respondent	Question	Applicant's Response
		fCEMP [REP3-013] and fLEMP [REP3-017] that expressly mitigates for the candidate SSSI.	<p>DCO application, as no formal assessment of such a site can be undertaken.</p> <p>However, the Applicant has provided detailed responses at Deadline 1 <b>[REP1-031]</b>, Deadline 2 <b>[REP2-058]</b> and Deadline 3 <b>[REP3-029]</b> setting out how there would be no significant effects on the suggested bird assemblages which would comprise a proposed SSSI. For example, the Applicant has demonstrated at Deadlines 1 and 2 that there would be no loss of either 'Lowland Damp Grassland' and 'Lowland Open Water and their margins' habitats and that assemblages of birds occurring in these habitats would not be subject to construction disturbance.</p> <p>Therefore, the Applicant maintains that if a SSSI was to be brought forward in the future based on assemblages of breeding birds associated with 'Lowland Damp Grassland' and 'Lowland Open Water and their margins', then the Scheme, irrespective of phase, would be able to avoid significant effects.</p>
1.6.21	Applicant	<p>YWT representations at deadline 3 [REP3-038] and BHT written representations at deadline 3 [REP3-035].</p> <p>Please confirm whether BHT ornithological data has informed the assessment and conclusions of Chapter 8 of the ES [APP-060] and explain how. If the ornithological data has not formed the assessment</p>	<p>As set out in the Applicant's responses at Deadline 1 <b>[REP1-031]</b> and Deadline 2 <b>[REP2-058]</b>, the Applicant acknowledges that there is a wealth of existing data on bird occurrence in the Study Area and, where relevant, this has been considered and referenced in the desk study results and has been used to inform the baseline characterisation</p>

ExQ2	Respondent	Question	Applicant's Response
		and conclusions of Chapter 8 please explain the reasoning behind this and what implication the omission of this data has on the assessment and conclusions of Chapter 9.	<p>presented in <b>ES Volume III, Appendix 8-7 Breeding Bird Report [APP-152, APP-153], ES Volume III, Appendix 8-8: Non-Breeding Bird Report [APP-154]</b> and <b>ES Volume I, Chapter 8: Ecology</b>.</p> <p>For example, Section 4.1 of <b>ES Volume III, Appendix 8-8: Non-Breeding Bird Report [APP-154]</b> references bird records from publicly available online resources, such as eBird, at sites including Topham Wetlands/Topham Ferry Flashes and Norton Common. These records have been reviewed and provide context when considering the identification of relevant features in the Study Area.</p>
1.6.22	Applicant	The effect of the proposal on the local deer population has been raised in the BHT response to deadline 3 [REP3-035]. Please comment on concerns about impacts arising from changes to deer movements in the area as a result of the proposed development, particularly arising from the perimeter fencing around the solar PV panel areas.	<p>The Applicant would note that deer species are not covered by any relevant legislation that would require potential impacts to them to be considered and so have not been identified as an Important Ecological Feature in <b>ES Volume I, Chapter 8: Ecology</b>.</p> <p>Irrespective of this, whilst deer will not be able to access the centre of fields used for Solar PV Panels within the Solar PV Site, full connectivity throughout the Order limits will be maintained by security fencing being offset from existing boundary features. As such, deer will be able to continue to move freely across the landscape.</p>

ExQ2	Respondent	Question	Applicant's Response
<b>Biodiversity Net Gain</b>			
1.6.24	Applicant	<p>Biodiversity Net Gain (BNG) Assessment [REP2-035].</p> <p>We note the headline results for Hedgerow Units 'Total Net Unit Change' and 'Total Net % Change' at paragraph ES7 and Table 4: Summary of Results alongside Section 4 Conclusion do not align with the figures given in Appendix G Statutory Biodiversity Metric Calculation headline summary page. Please amend and update accordingly.</p> <p>We have also noted a number of rows in Table F5: Retained and Lost Hedgerow Habitats, F8: Enhanced Hedgerow Habitats and F11: Created Hedgerow Habitats in the BNG report were amended at Deadline 2. Please explain why this is the case and what the implications are of these amendments.</p>	<p>The Applicant has reviewed and updated the Total Net Unit Change for Area Units in Table 4 of the <b>BNG Assessment</b> at Deadline 4 to align with the figures in Appendix G. All other figures quoted in the <b>BNG Assessment</b> for Total Net Unit Change and Total Net % Change are consistent.</p> <p>The amendments made to Tables F5: Retained and Lost Hedgerow Habitats, F8: Enhanced Hedgerow Habitats and F11: Created Hedgerow Habitats of the <b>BNG Assessment</b> at Deadline 2 reflected corrections to hedgerow loss figures, following the identification of minor discrepancies in the previously reported hedgerow lengths to be lost. These discrepancies have since been resolved, resulting in a reduced loss figure within the metric and a corresponding improvement in the score for hedgerow habitats.</p>
1.6.25	Applicant	<p>Appendix C of the BNG Assessment [REP2-035] sheet 2 of 11 - the hedgerow around the substation (as shown on Figure 2-3 Indicative Site Layout [APP-074] and Appendix A Indicative Landscape Masterplan of the fLEMP [REP2-042]) appears to be missing on sheet 2 of 11. Please clarify why this is the case.</p>	<p>It appears the new native hedgerow planting around the On-Site Substation has been missed off the post development habitat plan and, therefore, was not included within the metric calculations presented in the <b>BNG Assessment</b>. The creation of this hedgerow will be captured in the final BNG calculation undertaken post consent and will therefore generate a slightly higher gain in hedgerow units to that currently predicted.</p>

ExQ2	Respondent	Question	Applicant's Response
1.6.26	Applicant	<p>fLEMP paragraph 7.3.19 [REP2-042].</p> <p>Please confirm that the pre-construction surveys detailed in paragraph 6.1.1 of the fLEMP would also seek to re-establish the baseline for BNG as referenced in paragraph 2.2.3 of the BNG assessment [REP2-035]. We note that paragraph 6.1.3 of the fLEMP only refers to post construction monitoring and use of the BNG metric. It is unclear when and whether the BNG metric would be reviewed again (pre/post construction).</p>	<p>In line with Schedule 2, Requirement 7 of the <b>Draft DCO</b>, the Applicant can confirm that the baseline habitats and conditions would be re-assessed as part of the final BNG strategy with this submitted to and approved by the relevant planning authority and in consultation with the relevant statutory nature conservation body before any part of the authorised development may commence.</p>
1.6.27	Applicant	<p>The BHT, in its deadline 3 response [REP3-035], commented that the BNG baseline for part of the order limits has not been reflected accurately. The BHT state that an area of neutral grassland within the Order limits was ploughed in contravention to the Environmental Impact Assessment (Agriculture)(England) Regulations 2006 and this has altered the BNG baseline. Please comment on how this change in habitat type would affect the conclusions and findings of the BNG assessment [REP2-035] and its Appendix G [REP2-037] and any mitigation measures to be provided.</p>	<p>As set out at Deadline 3 <b>[REP3-029]</b>, the Applicant would like to clarify that whilst Natural England stated that “the project carried out and the type of land affected would most probably have fallen within the scope of the Regulations, requiring a screening application by you [landowner] prior to work being started’, it was also the case that ‘If a screening decision had been submitted, Natural England would not have required you to obtain consent from us before carrying out the work’ and ‘it would appear that the work carried out has not had a significant effect on the environment” <b>[REP2-077]</b>.</p> <p>The mapping of habitats for the <b>BNG Assessment</b> was undertaken on the basis of the habitats present at the time of survey and reflects the current status of land within the Order limits. The Applicant currently has no control over how the land is managed.</p>

ExQ2	Respondent	Question	Applicant's Response
			In terms of neutral grassland Table 5 of the <b>BNG Assessment</b> predicts a unit change of +517.46 for neutral grassland.
<b>8. Soils and agriculture</b>			
1.8.1	Applicant	<p>Applicant's Response to ExQ1 [REP2-059] and fSMP [REP2-033].</p> <p>In response to ExQ1.8.11 and ExQ1.8.5, it is stated that during the operational phase, the condition of the soils beneath and surrounding infrastructure (including the PV arrays) would be monitored through the performance of the established vegetation, which acts as a proxy for soil health; and if vegetation or habitat performance does not meet expectations, further investigations into underlying soil conditions would be undertaken with appropriate management measures implemented to safeguard Best and Most Versatile (BMV) land.</p> <p>Please signpost where within the fSMP these measures are secured. It is noted that paragraphs 4.10.13 – 4.10.16 of the fSMP deal with soil replacement, paragraph 4.10.17 deals with soil decompaction, paragraphs 4.10.18 – 4.10.21 deal with achieving restoration standards post the development and section 4.11 deals with compaction of soils.</p>	<p>The Applicant has updated Section 4.11 of the <b>Framework SMP</b> for Deadline 4 to confirm that the performance of established vegetation would be used as a proxy to monitor soil health during the operation and maintenance phase of the Scheme.</p>

ExQ2	Respondent	Question	Applicant's Response
1.8.2	Applicant	Please provide an estimate of the total area of BMV agricultural land (Grades 1, 2 and 3a) within the regional area. Please express the area of BMV loss from the proposed development (both temporary and permanent) as a percentage of that total area.	<p>Whilst Natural England's Provisional ALC mapping identifies land classified as Grade 1 to 3 with the administrative area of City of Doncaster, this data does not differentiate between Subgrades 3a and 3b. Therefore, to estimate the full extent of BMV agricultural land within this wider area, the Applicant has used guidance within Natural England's Technical Note (TIN049) which estimates that 42% of land in the UK is classified as Grade 1 to 3a (Grade 1 and 2 comprising 21%) and (Grade 3a comprising 21%). This same approach has been used to estimate regional BMV agricultural land for other solar DCOs, including Mallard Pass Solar Farm, Gate Burton Energy Park and Tillbridge Solar Project.</p> <p>According to Natural England's Provisional ALC mapping, there is approximately 47,951 ha of agricultural land (Grade 1 to 5) within the administrative area of City of Doncaster. Therefore, under the assumption that 42% of this is classified Grade 1 to 3a, a total of approximately 20,139 ha of BMV agricultural land is within the administrative area of City of Doncaster.</p> <p>As detailed in <b>ES Volume III, Appendix 12-3: Agricultural Land Classification Report [APP-175]</b>, the Solar PV Site comprises 30.2 ha of Grade 1 to 3a land. Therefore, the Scheme is expected to result in an approximate temporary loss of 0.15% of BMV agricultural land within the administrative area</p>

ExQ2	Respondent	Question	Applicant's Response
			of City of Doncaster. There would be no permanent loss of BMV agricultural land within the Solar PV Site.
<b>9. The Historic Environment</b>			
1.9.1	Applicant	<p>Desk Based Assessment (DBA) [APP-142], Archaeological Evaluation by Trial Trenching Assessment Report [REP1-045] and Applicant's Response to Relevant Representations [REP1-031].</p> <p>The applicant's response to representations made by the City of Doncaster Council on page 11 of document [REP1-031] states that the full assessment report for the trial trench evaluation is to be submitted into the examination at deadline 1 and that the DBA has been updated with the full results of the trial trench evaluation and is also submitted into the Examination at deadline 1. We note an updated DBA has not been provided at Deadline 1 or any subsequent deadlines. Please submit the revised DBA for Deadline 4 and if required, a revised Chapter 7 [REP1-011] of the Environmental Statement taking into account the results of the trial trench evaluation.</p>	<p>The Applicant confirms that an updated version of <b>ES Volume III, Appendix 7-1: Cultural Heritage DBA [REP1-017]</b> was updated and submitted at Deadline 1. This version of the DBA had been revised to incorporate the results of the final trial trench evaluation, as noted in the Applicant's response to the <b>City of Doncaster Council's Relevant Representation [REP1-031]</b>.</p> <p>In addition, <b>ES Volume I, Chapter 7: Cultural Heritage [REP1-011]</b> was also updated and submitted at Deadline 1. This chapter reflects the findings from the completed archaeological evaluation and takes into account the results of the trial trenching fieldwork report.</p> <p>Given that both documents were submitted at Deadline 1 and already include the relevant updates, no further revisions to the DBA or Chapter 7 of the Environmental Statement are considered necessary at Deadline 4.</p>
1.9.2	Applicant	<p>ECMR [REP3-011] #CH-01, #CH08, #CH-10 and #CH-11 and Applicant's Response to ExQ1 [REP2-059].</p>	<p>The Applicant notes the request to update the <b>ECMR</b> to include reference to the Framework Archaeological Mitigation Strategy (FAMS) within</p>



ExQ2	Respondent	Question	Applicant's Response
		<p>The applicant confirms in document [REP2-059] in answer to question 1.9.5 that the ECMR should be updated to include references to the Framework Archaeological Mitigation Strategy (FAMS) within the Commitment Securing Mechanism column. Please provide an updated version including these references.</p>	<p>the Commitment Securing Mechanism column for commitments #CH-01, #CH-08, #CH-10, and #CH-11.</p> <p>The Commitment Securing Mechanism for each of these commitments already references Requirement 10: Archaeology of the draft DCO. Requirement 10 explicitly secures the production and implementation of a FAMS.</p> <p>As a matter of formatting, the Commitment Securing Mechanism column of the ECMR lists only the title of the relevant requirement (in this case, 'archaeology').</p> <p>For this reason, and given that Requirement 10 encompasses the FAMS, the ECMR has not been updated further in this respect.</p>
1.9.3	Applicant	<p>fDEMP [REP3-015].</p> <p>Table 2 says that there would be no direct physical impact on archaeology from the decommissioning phase. However, paragraph 2.1.2 says that there may be a requirement for mitigation measures in the form of bog matting. Please explain this disparity.</p>	<p>The Applicant acknowledges the inconsistency identified between Table 2 and paragraph 2.1.2 of the <b>Framework DEMP</b>.</p> <p>The term 'mitigation measures' was used incorrectly in paragraph 2.1.2 of the <b>Framework DEMP</b>. The reference to bog matting was intended to describe a precautionary working method to prevent impacts on archaeological remains during the decommissioning phase, rather than a response to any identified or anticipated direct physical impact. As such, there remains no direct physical impact on archaeology expected during decommissioning.</p>

ExQ2	Respondent	Question	Applicant's Response
			This paragraph of the <b>Framework DEMP</b> has been updated for Deadline 4 to clarify this distinction and ensure consistency throughout the document.
<b>10. Transport and access, highways and public rights of way</b>			
1.10.1	Applicant	<p>Chapter 13: Transport and Access [REP1-015] table 13-18 Future Year Flows Peak of Construction AM, PM and AADT (Two-Way Flows). Row 11 Fenwick Common Lane. Please confirm whether:</p> <ul style="list-style-type: none"> <li>the figure of 92 for development traffic along Fenwick Common Lane at AM Dev Peak (06:00 – 07:00) includes minibuses or not. If it does not, please confirm what the percentage increase would therefore be for AM Dev Peak and 24 Hour AADT in this table.</li> <li>Please explain how staff traffic movements (cars and minibuses) have been allocated across the automatic traffic count (ATC) links or please signpost to where within the documentation this information is contained.</li> <li>The figure of 20 for development traffic along Trumfleet Lane at AM Dev Peak (06:00 – 07:00) and PM Dev Peak (19:00 – 20:00) includes minibuses or not. If the figure of 20 does not include minibuses please explain how a figure of 20 has been arrived at based on 11% of total worker traffic (140 one-way movement) (11%</li> </ul>	<p>The Applicant can confirm that the figure of 92 vehicles includes minibus movements.</p> <p>Staff traffic movements have been allocated across the ATC links using a gravity model approach to determine the origins of their trips from surrounding settlements. This is explained in Section 7.2 of the <b>Transport Assessment [APP-179]</b>. Trips between the origins and the Scheme have been assigned to the road network using the most attractive routes, and based on the proportions using each access junction as set out in Section 8.</p> <p>The figure of 20 two-way worker vehicles travelling on Trumfleet Lane (ATC 12) during the AM and PM period does not include any minibus movements. The 20 movements consist of both worker vehicles travelling to/from the Solar PV sites (12 movements) and the Grid Connection Corridor (8 movements). These figures are shown at ATC 12 (Trumfleet Lane South of Moss) in <b>ES Volume III, Appendix 13-2 Traffic Flow Diagrams</b> (the 'Worker Assignment PV 0600-0700' sheet and the 'Worker Assignment Grid Connection Corridor 0600-0700' sheet).</p>

ExQ2	Respondent	Question	Applicant's Response
		being that shown 'Worker Distribution PV Site' Appendix 13-2 [APP-177]).	
1.10.3	Applicant	Paragraph 13.7.18 of Chapter 13: Transport and Access [REP1-015] says that the hourly construction traffic numbers on ATC 9, 10, 11, 12 13 and 14 are considered relatively small and it is expected there would be sufficient capacity on the road network to accommodate these additional trips. Please explain how you have reached this conclusion, and in particular the basis upon which it has been concluded that Fenwick Common Lane has sufficient capacity to accommodate the additional traffic movements within a 60 minute period.	The Applicant can confirm that professional judgement was applied to reach the conclusion, with additional reference to DMRB document TA 79/99 on road capacity. All six ATCs referenced currently have two-way traffic flows in the construction peak hours of between 11 and 212 vehicles. These flows are significantly less than the stated road capacities within the DMRB guidance for these road types. For example, Fenwick Common Lane currently has flows of 11 vehicles in the AM construction peak (06:00-07:00) and 22 in the PM construction peak (19:00-20:00). This road is forecast to experience additional flows during construction of 92 two-way vehicles in the AM period and 6 two-way vehicles in the PM period. The total flow is significantly less than the DMRB stated capacity for a road of this type, which is 1,020 vehicles (one-way). As detailed in the SoCG with City of Doncaster, it has been agreed that the Scheme is acceptable in transport and highway terms subject to the implementation of mitigation measures. This includes Fenwick Common Lane.
1.10.4	Applicant	The response to ExQ 1.10.9(d) states that there is a typo on the corresponding flow diagram (page 20, <b>Volume III Appendix 13-2: Traffic Flow Diagrams</b>	The Applicant has updated <b>ES Volume III, Appendix 13-2: Traffic Flow Diagrams</b> to include a revised flow diagram for Minibus Assignment

ExQ2	Respondent	Question	Applicant's Response
		[APP-177] titled Minibus Assignment 06:00-07:00) that should indicate 8 minibus movements travelling west at ATC 9 and ATC 10. Please provide a revised flow diagram page 20 Minibus Assignment 06:00-07:00 that includes those westbound minibus movements. You may wish to correct page 6 with the correct title at the same time.	06:00-07:00 with 8 minibus movements travelling west at ATC9 and ATC10. The title on Page 6 has been amended to 'Base Year 2023 – 19:00-20:00'.
1.10.5	Applicant	<p>Framework Construction Traffic Management Plan [APP-206] section 5.3.</p> <p>Paragraphs 5.3.1 – 5.3.3 refer to HGV Measures and Controls. Please clarify why there is reference to signage and works at Haggs Lane when HGVs are not to travel to the solar PV site via Haggs Lane access point 4.</p>	<p>The Applicant can confirm that whilst HGVs will not use Fenwick Common Lane/Haggs Lane for access to the Solar PV Site, signage will be positioned on Haggs Lane that makes clear that the Internal Drainage Board may need to undertake works to the adjacent Fenwick Lane Drain at any time and will be given priority access. The proposed signage does not relate to scheme HGVs.</p> <p>The Applicant has updated Part 1 of the <b>Framework CTMP</b> for Deadline 4 to move this text regarding the signage and works at Haggs Lane from 'HGV Measures and Controls' to 'Site Access Arrangements'.</p>
1.10.6	Applicant	A number of relevant representations express concern regarding damage to highway verges and associated utility services from construction vehicles, particularly given the narrowness of some roads in the area. Please comment on this concern and set out any measures to avoid or mitigate such damage	<p>To facilitate access to the Scheme from the Local Highway Network, swept path analysis has been undertaken at each access to ensure that the access layout is appropriately sized to accommodate the vehicles required. These access layouts can be found in Appendix A of the <b>Framework CTMP</b>.</p>

ExQ2	Respondent	Question	Applicant's Response
			<p>The Applicant recognises that there are a number of Statutory Undertaker assets in proximity to access locations and will co-ordinate with each Statutory Undertaker (including in compliance with the various sets of protective provisions included in Schedule 14 of the draft DCO, where appropriate) to ensure that appropriate protection or diversion works are agreed to facilitate construction access.</p> <p>Pre and post-construction road condition surveys will be undertaken at identified locations in coordination with the relevant Local Highway Authority, and any surfaces reinstated.</p>
1.10.7	Applicant	<p>In its response to the ExQ1 [REP2-059] (question 1.10.22), the applicant confirms that public rights of way (PRoW) Moss 7 and 9 interact with the order limits associated with access point 1. Please explain why the list of PRoW in paragraph 2.1.4 has not been amended to include these PRoW. We note that PRoW Moss 7 and 9 appear interact with works associated with access point 2.</p>	<p>The <b>Framework PRoWMP</b> has been updated for Deadline 4 to include reference to Moss 7 and 9 in the list of PRoW which interact with accesses to the Order limits (see Paragraph 2.1.4).</p>
<b>11. Noise, vibration, air quality, and nuisance</b>			
1.11.1	Applicant	<p>The applicant response to question 1.11.7 at Deadline 2 [REP2-059] says that paragraphs 11.8.15 and 11.8.16 contain legacy text from the Noise and Vibration Preliminary Environmental Information Report and were not correctly updated for the ES.</p>	<p>The text contained in Paragraphs 11.8.15 and 11.8.16 of <b>ES Volume I, Chapter 11: Noise and Vibration</b> was the only occurrences of legacy text included from the Preliminary Environmental Information Report.</p>

ExQ2	Respondent	Question	Applicant's Response
		Please confirm if there are any other paragraphs within ES Chapter 11 that are 'legacy text' from the preliminary environmental information report and please confirm how these paragraphs do not affect the conclusions of the chapter.	<b>ES Volume I, Chapter 11: Noise and Vibration</b> has been updated for Deadline 4 to remove the legacy text. This amendment does not change the conclusion of the assessment which already identified that no significant effects were identified. There is no change to Table 11-15 which correctly identifies residual effects.
1.11.2	Applicant	fDEMP [REP3-015] Table 7 sub-title "volumes of noise that may cause public disturbance during decommissioning operations" point (e) states that hydraulic techniques for breaking would be used in preference to percussive techniques where reasonably practicable. Please direct us to where within the fDEMP or other documentation there are details as to what mitigation measures may be required/provided should percussive techniques be used.	The assessment of decommissioning noise effects in <b>ES Volume I, Chapter 11: Noise and Vibration</b> identifies that decommissioning noise effects would be similar to or less than construction noise effects. This assumes that noise from breaking up foundations using percussive techniques would be no greater than noise from piling activities. As such, noise from percussive breaking is assessed in the decommissioning phase and no significant effects are identified. As such, no additional mitigation measures are required for percussive breaking if it is a method that is adopted.
<b>13. Other planning matters</b>			
<b>Lighting</b>			
1.13.3	Applicant	fOEMP [REP2-031] paragraphs 2.4.4 – 2.4.6. These paragraphs discuss lighting that would be used at the Field Station Units, the substation, the BESS area and the Operations and Maintenance hub. Paragraph	As confirmed in Paragraph 2.3.2 of the <b>Framework OEMP</b> , core working hours for activities during the operation and maintenance phase would be between 08:00 to 18:00 Monday to Friday, 08:00 to

ExQ2	Respondent	Question	Applicant's Response
		2.4.5 states that task specific and fixed 'general' lighting would be used at the on site substation, BESS area and the operations and maintenance hub during the winter months to maintain safe working conditions and outside core working hours passive infra-red (PIR) controlled lights (motion sensors) would be used. Paragraph 2.4.6 goes on to say that no part of the scheme would be continuously lit. Please confirm what are core working hours within the operational phase and what constitutes 'early mornings and evenings' in that context.	14:00 on a Saturday and will not take place on a Sunday or Bank Holiday.  Early mornings and evenings constitute the periods before and after the core hours when natural light levels may be lower and supplementary lighting may be required to ensure safe access and/or short-duration tasks.
1.13.4	Applicant	fOEMP [REP2-031] paragraph 2.4.3 panel cleaning. Please confirm the estimated number of nights that panel cleaning would be expected to take place when undertaken every two years.	The Applicant confirms that, as a worst-case, the Solar PV Panels would be cleaned every two years for a period of up to 8 weeks (Monday to Friday, weather dependent) depending on the number of staff and equipment available.
<b>Framework Environmental Management Plans</b>			
1.13.5	Applicant	fDEMP [REP3-015].  We note that section 4 of the fDEMP now contains a list of supplementary plans and procedures that would form part of the fDEMPs. We note the provision for pre-decommissioning ecological surveys to provide an update on the presence and location of invasive non-native species and provide a new baseline. Please explain what timescale pre-decommissioning ecological surveys would be	Ecological surveys would be undertaken prior to preparation of the detailed DEMP. Results from ecological surveys would inform any relevant mitigation which is required to be incorporated into the detailed DEMP.

ExQ2	Respondent	Question	Applicant's Response
		carried out, who they would be submitted to and what would be done with the information gathered. Please confirm if the results of these surveys would be submitted as part of the final DEMP and, if they are to be, whether this would also include mitigation measures.	
1.13.6	Applicant	fCEMP [REP3-013] and fOEMP [REP2-031]. Please explain why the maintenance activities proposed to take place during the operational phase on Saturdays are until 14:00 hours whereas for the construction phase these are proposed to be until 13:00 hours on Saturdays.	The Applicant confirms that construction activities on Saturdays would conclude by 13:00 as there would be increased construction activity taking place and, therefore, this limits disturbance caused to local communities. Operation and maintenance activities would be more limited, likely starting later and involving a small number of vehicles on site, which would have less disturbance on local communities.
1.13.7	Applicant	fOEMP [REP2-031] table 3-3 states that a Habitat and Management and Monitoring Plan would be produced before the scheme becomes operational. Please confirm what the status of this plan would have and whether it would accompany the final OEMP. Please also confirm how this document would feed into the final DEMP table 3 and pre-decommissioning surveys.	The Habitat Management and Monitoring Plan (HMMP) will be incorporated into the detailed LEMP, prior to the operation and maintenance phase of the Scheme commencing. Table 3-3 of the <b>Framework OEMP</b> has been updated for Deadline 4 to clarify this. The HMMP would not directly feed into the detailed DEMP, but would assist in identifying the baseline conditions and scope of surveys required prior to decommissioning.



ExQ2	Respondent	Question	Applicant's Response
<b>14. Compulsory Acquisition and related matters</b>			
1.14.2	Applicant/Elba Securities Limited/Able UK Limited	Please provide an update on discussions and identify any areas of disagreement that are unlikely to be resolved by deadline 5.	The Applicant has reached out to Elba Securities Limited/Able Group and is awaiting their response. If required by the ExA, the Applicant can provide a full record of engagement for information.

## **Appendix A Table Showing Amendments Made by the SoS to the East Yorkshire Solar Farm Order 2025 Against the Fenwick Solar Farm Draft Order**

<b>Change recommended by Secretary of State [NB: Article numbers adjusted to reflect Fenwick numbering]</b>	<b>Action by Applicant</b>
Article 2(1) – definition of “commence” amended to reflect the PA 2008, rather than TCPA 1990, in terms of the definition of “material operation”.	Actioned
Article 2(1) – definition if “Order land” amended to include land coloured green on the land plans.	Actioned
Article 2(1) – definition of “requirements” amended to include greater specification regarding numbered requirements.	Actioned
Article 2(3) – inserted wording regarding references to authorised development including construction, maintenance, operation, use and decommissioning.	This has not been included, as the articles throughout the Order refer specifically where they apply to the relevant periods of the authorised development as necessary.
Article 2(8) – inserted wording regarding use of singular / plural definitions.	Actioned
Article 3 – specific reference to Schedule 1 (authorised development) included.	Actioned
Article 9(4) – inserted wording regarding the street authority’s consent being in a form reasonably required by it.	Actioned, noting a separate addition referring to the ability for the street authority to attach reasonable conditions remains as agreed with CDC.

Article 20(2) – increased number of articles to which article 20(2) is subject to.	Actioned.
Article 21(3) – inserted wording to reflect changes made by section 185 of the Levelling-up and Regeneration Act 2023 to the Compulsory Purchase Act 1965 and the Compulsory Purchase (Vesting Declarations) Act 1981.	Not actioned – amendments made within Article 21 by Fenwick Solar instead adopt a five year period but also incorporates the Levelling-up and Regeneration Act 2023 changes in respect of delays occurring due to legal challenges.
Article 24(5) – as above.	Actioned
Article 27(1) – as above.	Actioned (1946 changed to 1981)
Article 32 – amendment of title to refer to stopped up streets, plus inclusion of land that is permanently prohibited.	Not relevant to context of street closures in Fenwick draft – uses different language.
Article 35 – additional wording inserted at paragraphs (4) – (7) ) relating to the process of notification where the consent of the Secretary of State is not required.	No change required – wording already included in current Fenwick draft.
Schedule 1, paragraph 2 – amendment to Work No. 7.	Not actioned – Fenwick does not seek to demolish any existing buildings.
Schedule 2, requirement 6(1) – insertion of requirement to consult with NE re. approval of the LEMP.	Not actioned – Natural England has not sought this consultation requirement in Fenwick and has otherwise removed its objection from the Scheme.
Schedule 2, requirement 7(2) – insertion of percentage BNG requirements that the BNG strategy must include details of how these will be secured.	Actioned. Fenwick has included percentage requirements which it considers it can feasibly meet even with detailed design changes. This follows the style taken in the recent Oaklands Farm Solar Park Order 2025 – see discussion in the Written Summary Note of Issue Specific Hearing 3 <b>[REP3-032]</b> which explains this in full.
Schedule 2, requirement 8(6) – insertion of wording to ensure that any approved permanent fencing must be	Not actioned – Fenwick only has one solar PV site, and so there will not be smaller parts of the site subject to

completed before the date of final commissioning for that part.	final commissioning which would have separate fencing.
Schedule 2, requirement 9 – insertion of requirement to consider flood data (and update the FRA if required, in consultation with the EA and the LLFA) before commencement. Then, insertion of requirement to consult with the EA and the LLFA if that updated FRA affects the surface water drainage strategy and/or foul water drainage system.	Not actioned – Unlike East Yorkshire Solar Farm, Fenwick has already taken into account the latest EA flood risk data, and consulted with the EA on this. Future incorporation of this data is therefore not required.
Schedule 2, requirement 11 – following updates to requirement 9, insertion again of consultation with the EA and the LLFA if the CEMP is affected by an updated FRA.	Not actioned - as per comments above regarding requirement 9.
Schedule 2, requirement 12 – insertion of requirement to consult with NE re. approval of the OEMP. Then, following updates to requirement 9, insertion again of consultation with the EA and the LLFA if the CEMP is affected by an updated FRA.	Not actioned – as per comments above regarding requirement 9 and further noting NE has not sought consultation in Fenwick and has otherwise removed its objection from the Scheme.
Schedule 13, paragraph 7 – amendments to confidentiality requirements for arbitration proceedings.	Actioned